

# NoHo Bowery

## Stakeholders

March 18, 2014

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Hon Mark Weprin  
Chair, Zoning and Franchises Committee  
New York City Council  
250 Broadway  
New York, NY 10007

**RE: 688 Broadway**

Dear Chairman Weprin and Members of the Council Committee:

### BOARD OF ADVISORS

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NoHo Bowery Stakeholders, Inc., a registered nonprofit community benefit organization with more than 300 members living, working and owning property in NoHo and along the eastern edge of The Bowery, has had many opportunities to review, comment and advise on the proposed new building at 688 Broadway.

We were pleased to testify before Community Board #2 Manhattan, before the Landmarks Preservation Commission and the City Planning Commission in favor of its design and compatible configuration in the long-vacant lot facing Broadway through to Jones Alley which has had little attention either to its existence or its historic significance for more than 100 years.

We are pleased the developer adopted our template for an agreement on construction protocols and protection adopted in numerous new and reconstructed properties in NoHo (see map of current development that has adopted NBS MOU). We feel it is additionally exceptional that this project has also provided *additional* concessions to the neighboring Silk Building whose demands have far exceeded those of other M1-5b/AIR properties in NoHo.

- \$250,000 for new air conditioning for the units that are blocked. (approx 12 units at 20k each)
- A shaft on the developer's property to run the air conditioning pipes for the Silk Building
- Skylights for the top 3 units whose lot line windows will be blocked providing legal light and air
- An easement for other lot line windows providing protection that their windows will never be blocked and become defacto "legal" when otherwise they would not be.

17 Bleecker St., Fifth Floor, New York, NY 10012  
212-260-0878  
[www.nohomanhattan.org](http://www.nohomanhattan.org)

# NoHo Bowery

## Stakeholders

- Offer to cover "reasonable" engineering costs for the Silk Building.

We are particularly concerned that these concessions do not benefit the community overall as has been proffered by the new administration and the Council's Progressive Caucus. To us, the improvement of Jones Alley, the sensitivity and aesthetics of the design and extraordinary attention to contiguous buildings along Great Jones St speak to the benefit of this development.

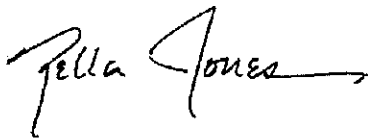
We are especially aware of the precedent any additional concessions may set, not only for legal AIR buildings but for the stock of buildings that claim AIR status but do not qualify. The Silk Building does not fall within the AIR guidelines and its owners are not registered artists. The building has been developed and reconfigured without regard to City statutes nor has it sought legal means through the Board of Standards and Appeals to legalize their status. Unlike other buildings in NoHo it has not protected lot line window use through the purchase of air rights.

While we recognize that AIR status within M1-5b zones should be examined, particularly in regard to the qualifications for artistic activity, as a neighborhood we respect the law's intent to encourage art and artists to live among us. We feel it is unfair to the many developers of new buildings in NoHo who have addressed legal conversions, as well as to buildings which take particular pains and expense to stay within current AIR guidelines, to provide Silk Building owners undeserved concessions.

In short, we approve of the plan to develop 688 Broadway as it is, today, presented to your Committee for consideration.

Thank you for your kind attention.

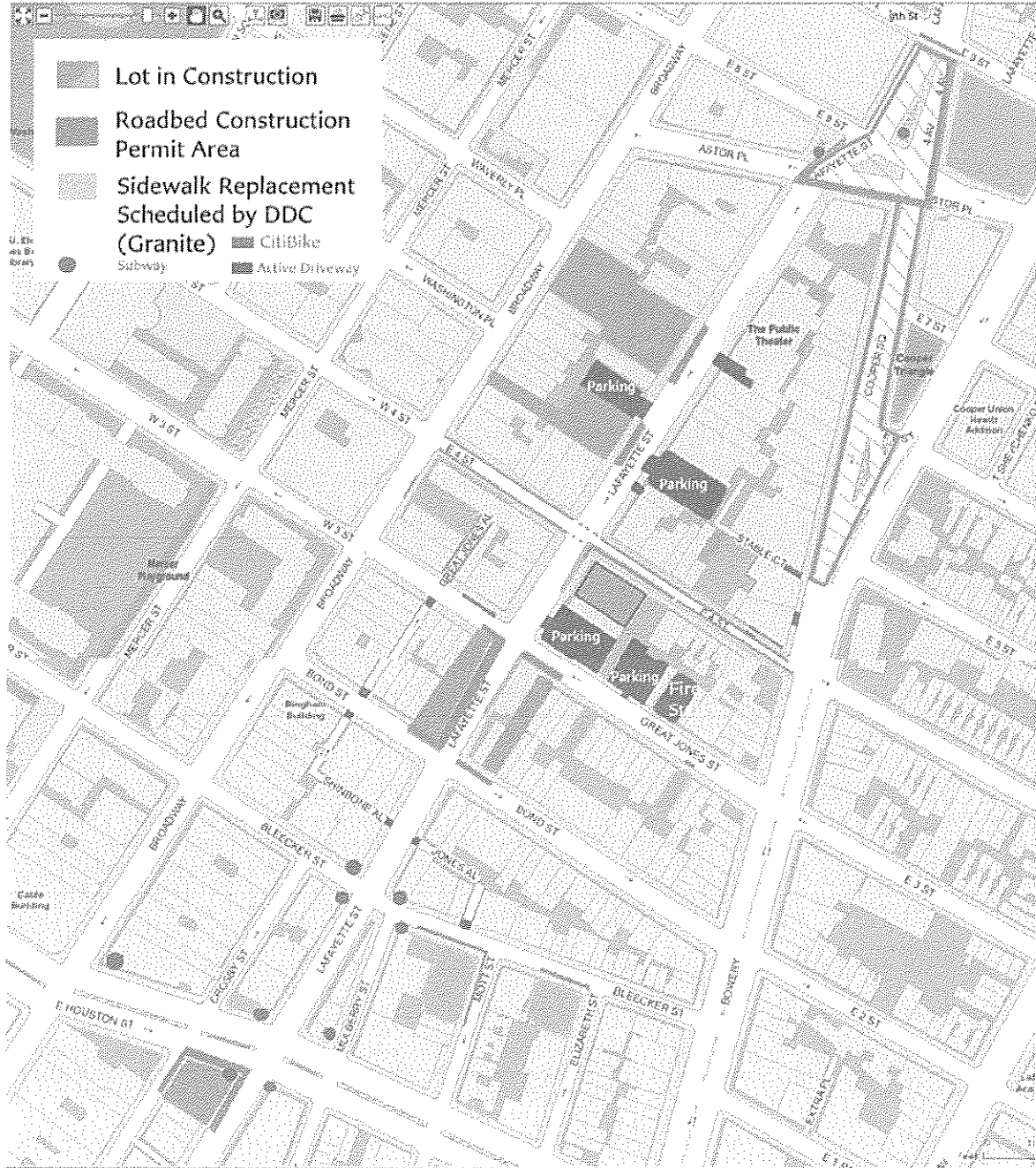
Sincerely,



President

# NoHo Bowery

## Stakeholders



17 Bleecker St., Ste 500, New York, NY 10012

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**The Board of Directors  
684 Owners Corp  
c/o Andrews Building Corporation  
666 Broadway  
New York, NY 10012**

**March 17 2014**

To whom it concerns

Regarding the proposed development of 688 Broadway, the 684 Owners Corp has significant concerns over the impact which this new development will have on Great Jones Alley in relation to areas such as vehicle traffic volume, noise, security, etc.

Even though we share common usage of the Alley, as of today 684 Owners Corp has not entered any agreement with the developer of 688 Broadway addressing these concerns.

Sincerely

The Board  
684 Owners Corp

*READ INTO RECORDS*

Hello, my name is Danny White and I live at the Silk Building with my wife Valerie, who is one of the original tenants after the building was converted in 1982. She is an artist who works in oil painting, for which natural light is a necessity. I am a musician. A number of people in the Silk Building are artists.

I am here to voice my concerns and objections to the proposed new building at 688 Broadway.

The Silk Building is L shaped. My apartment faces west overlooking the 688 Broadway lot. I am disappointed about our potential loss of view and natural light based on the current design. The developer intends to use Jones Alley as the main entrance for residents and visitors. This will include pedestrian and vehicular traffic such as, taxis, limos and private cars. This will result in both increased noise and fumes due to proximity to the silk building and our windows. As I am on the tenth and eleventh floors, I am also concerned about the noise that will be generated by roof mounted air conditioning and other mechanical infrastructure as well as the increased light pollution due to proximity to the rear of the new building.

**There is also an issue for our common roof deck which is on the buildings south side. The new building will match the height of our building. Their roof mounted air conditioning and mechanical infrastructure will cause noise and obstruction of the view, which will severely limit the enjoyment of the outdoor space and also create potential security issues.**

**A number of my neighbors on the south side of the building will be severely impacted by the loss of lot line windows. These are duplexes and triplexes in which many of the affected rooms do not go through to the north side and only have their window and air conditioning units on the south side. The loss of these windows will render these rooms without natural light and ventilation, essentially turning them into hot storage rooms unfit for living or work. This will adversely affect the individual unit owners apartments in terms of usefulness and value, as well as to the condominium as a whole.**

**Although I understand and accept the right of 688 Broadways owner to develop their property, it does not seem fair or reasonable to deny the existing owners of the Silk Building condominiums the basic**

**rights of access to light and ventilation, or to suffer the loss of their property value.**

**How could the various approvals for development have been granted to the Silk Building conversion back in 1982, which included the provision for lot line windows, for rooms which only have a southern exposure. This was a terrible oversight which has now come back to haunt us.**

**The ownership and repurpose of use of Jones Alley remains an unanswered question. The size of the proposed building and its limited number of high end apartments seems out of context with the neighborhood. I feel that a reasonable compromise would be for a building no larger than five or six stories to be constructed, with tenant access from Broadway, which would be keeping in line with what had historically existed.**

**I implore you to consider the rights, quality of life and the investments, of the existing owners in the Silk Building.**

**Thank you for your time and attention.**

# Opposition to the 688 Broadway Project

Presented by the residents of The Silk Building  
March 18, 2014



## The Silk Building's Primary Concerns

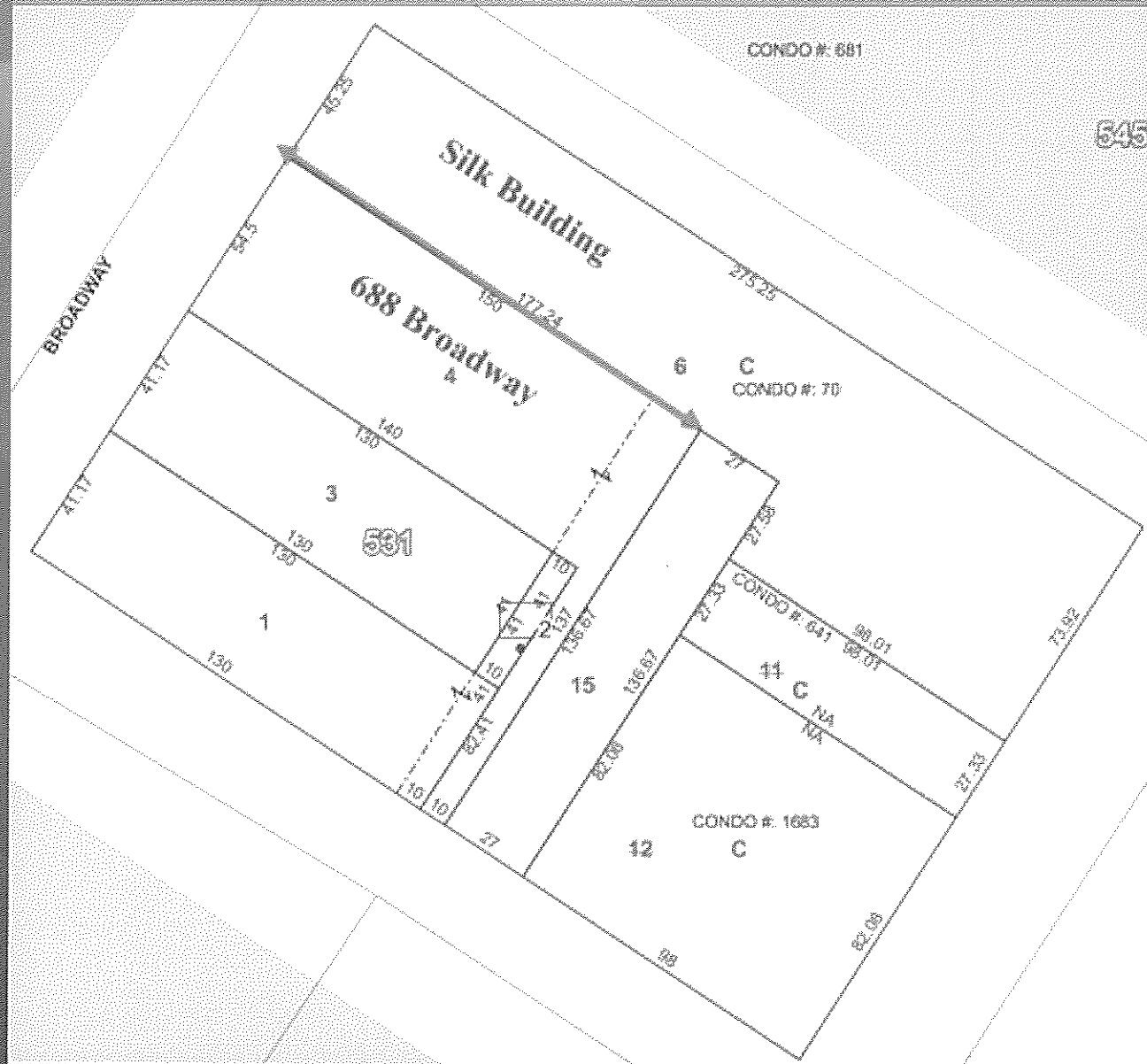
**1. Significant loss of light & air to many Silk units**

**2. Structural risks**

**3. Potential zoning misrepresentation**

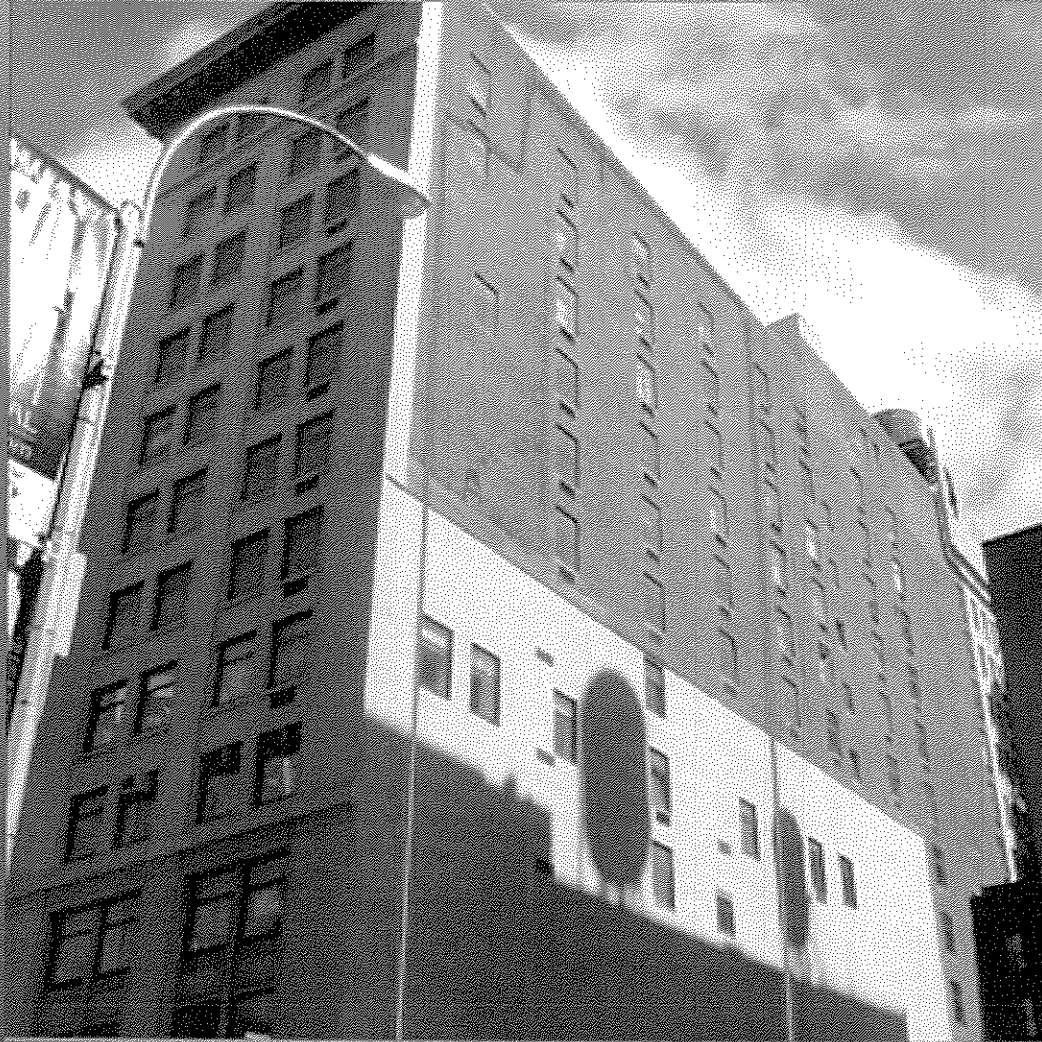
# 1. Loss of Light & Air

# Location: Block 531 in Manhattan



## Significant Loss of Light & Air

- 27 large scale (4x7 ft) windows bricked up
- 22 through-wall HVAC units rendered useless



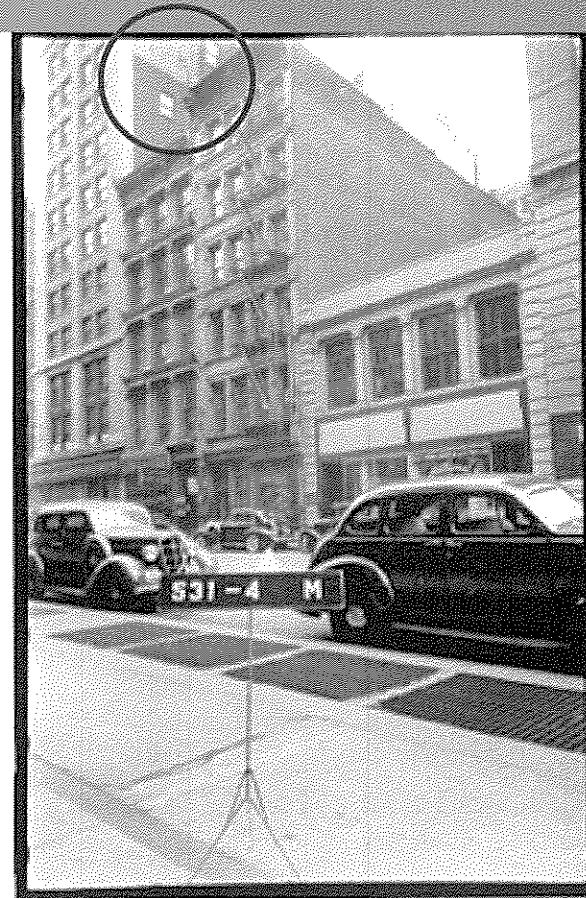
## Unique Unit Layouts Drive Reliance on Southern Exposure

- Sample floorplan highlights multi-floor unit with only one Southern window on the first floor



## History of the Windows Shows Precedent

- Tax photo from 1940 highlights their existence well before the late 1970's condo conversion



Tax Photo's 1940

## Analysis by Indus Architect PLLC

- 18 rooms will lose all access to light & air

Floor #	APT#	ROOM	FLOOR AREA	REQUIRED LIGHT 10%	PROVIDED LIGHT	PROVIDED IF 688 IS BUILT	REQUIRED VENT	PROVIDED VENT 5%	PROVIDED IF 688 IS BUILT
4	409	OFFICE	148 S.F.	14.8 S.F.	33.0 S.F.	NONE	7.4 S.F.	33.0 S.F.	NONE
5	509	BEDROOM	421 S.F.	42.1 S.F.	33.0 S.F.	NONE	21.5 S.F.	33.0 S.F.	NONE
6		HALLWAY	315 S.F.	NONE	33.0 S.F.	NONE	NONE	33.0 S.F.	NONE
7	818	KITCHEN/LIVING	742 S.F.	74.2 S.F.	99.0 S.F.	66.0 S.F.	37.5 S.F.	99.0 S.F.	66.0 S.F.
	819	KITCHEN/LIVING	700 S.F.	70.0 S.F.	99.0 S.F.	66.0 S.F.	35.0 S.F.	99.0 S.F.	66.0 S.F.
	820	KITCHEN	259 S.F.	25.9 S.F.	33.0 S.F.	NONE	12.9 S.F.	33.0 S.F.	NONE
8	825	BEDROOM	100 S.F.	10.0 S.F.	33.0 S.F.	NONE	5.0 S.F.	33.0 S.F.	NONE
	824	BEDROOM	128 S.F.	12.8 S.F.	33.0 S.F.	NONE	6.4 S.F.	33.0 S.F.	NONE
	823	BEDROOM	148 S.F.	14.8 S.F.	33.0 S.F.	NONE	7.4 S.F.	33.0 S.F.	NONE
9	825	BEDROOM	168 S.F.	16.8 S.F.	33.0 S.F.	NONE	8.4 S.F.	33.0 S.F.	NONE
	824	BEDROOM	135 S.F.	13.5 S.F.	33.0 S.F.	NONE	6.75 S.F.	33.0 S.F.	NONE
	823	BEDROOM	136 S.F.	13.6 S.F.	33.0 S.F.	NONE	6.3 S.F.	33.0 S.F.	NONE
	822	BEDROOM/LIVING	653 S.F.	65.3 S.F.	231 S.F.	198.0 S.F.	32.6 S.F.	231 S.F.	198.0 S.F.
10	1118	BEDROOM	186 S.F.	18.6 S.F.	33.0 S.F.	NONE	9.3 S.F.	33.0 S.F.	NONE
	1119	BEDROOM	131 S.F.	13.1 S.F.	33.0 S.F.	NONE	7.51 S.F.	33.0 S.F.	NONE
	1120	BEDROOM	152 S.F.	15.2 S.F.	33.0 S.F.	NONE	7.6 S.F.	33.0 S.F.	NONE
11	1125	BEDROOM	169 S.F.	16.9 S.F.	33.0 S.F.	NONE	8.45 S.F.	33.0 S.F.	NONE
	1124	BEDROOM	176 S.F.	17.6 S.F.	33.0 S.F.	NONE	8.8 S.F.	33.0 S.F.	NONE
	1123	BEDROOM	169 S.F.	16.9 S.F.	33.0 S.F.	NONE	8.45 S.F.	33.0 S.F.	NONE
	1122	BEDROOM	182 S.F.	18.2 S.F.	66.0 S.F.	33.0 S.F.	9.1 S.F.	66.0 S.F.	33.0 S.F.
12	1125	BEDROOM	110 S.F.	11.0 S.F.	33.0 S.F.	NONE	5.5 S.F.	33.0 S.F.	NONE
	1124	BEDROOM	114 S.F.	11.4 S.F.	33.0 S.F.	NONE	5.25 S.F.	33.0 S.F.	NONE
	1123	LIVING ROOM	620 S.F.	62.0 S.F.	99.0 S.F.	66.0 S.F.	31.0 S.F.	99.0 S.F.	66.0 S.F.
	1122	BEDROOM	169 S.F.	16.9 S.F.	33.0 S.F.	NONE	8.45 S.F.	33.0 S.F.	NONE

## 2. Structural Risks



# Foundational Risks

## The Facts:

- The Silk Building was built in 1912
- Its foundation has remained unchanged since
- The Silk Building does not have a sub-cellar

## The Risks:

- 688 Broadway's planned sub-cellar will stretch along the south wall of the Silk Building
- This sub-cellar will pose unavoidable risks to all of the Silk residents

DOB TPPN 10/88 plan fails to provide adequate protection



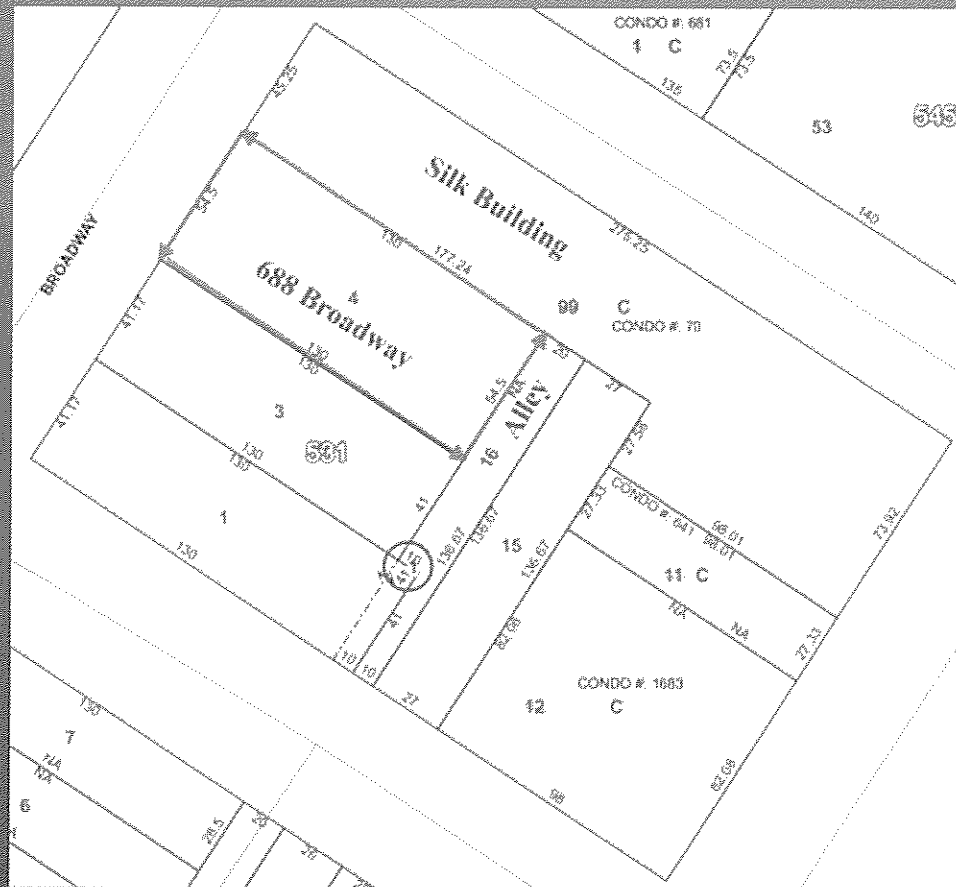
# 3. Zoning

## Great Jones Alley

We believe 688 Broadway's zoning lot should not be permitted to include ownership of Great Jones Alley.

## Map prior to the questionable merger and reapportionment of Great Jones Alley by the owners of 688 Broadway in Dec 2011

- As background, Great Jones Alley was originally a single lot previously owned by the Samuel Jones estate
- The land was abandoned and all abutting properties became Tenants in Common that co-own the land





# Map after questionable merger of Great Jones Alley

(Completed by the owners of 688 Broadway in December 2011)



## Zoning Conclusions: Great Jones Alley

- Great Jones Alley, which was co-owned by the abutting properties, should not have been subdivided without consent of all co-owners.
- Therefore, we believe all co-owners are still Parties of Interest in the entire alley, including the parts included in 688 Broadway's new lot.
- Furthermore, NYC Zoning law requires declarations or a waiver from all Parties of Interest to agree to include any part of the alley into lot 4.
- The owners of 688 Broadway only received consent from 1 of the abutting properties: Lot 15, an affiliate of 688 Broadway. However, the consent was not recorded in lot 15.
- Bottom line: Without approval from all co-owners, we believe the lot merger should not have been permitted.
- We therefore believe 688 Broadway's lot size has been overstated by ~2,000 square feet... equal to ~10,000 sq ft of buildable area (5.0 FAR).



# 688 Broadway, New York, N.Y.

Application No. C 140055 ZSM

Application No. C 140056 ZSM

Presentation  
03.18.2014



March 5, 2014

Re: 688 Broadway  
Special Permit Application

Dear Council Member:

We are pleased to present our plans to develop the currently vacant lot at 688 Broadway in Manhattan. Our plan to bring 14 residential units and slightly less than 4,000 square feet of retail space was designed to respect the NoHo Historic District. To that end our application asks for:

- Waiving of a setback requirement so our street wall can match those of the surrounding properties.
- Allowing residential and retail on a site that is zoned for manufacturing bringing it in line with the uses found in many of the surrounding buildings.

We have been working since 2011 to redevelop the site. Our team has held multiple meetings with the Community Board, community organizations, and community members since then. We are proud to say that our plan received unanimous approval from the Landmarks Preservation Commission in October 2012 and from the City Planning Commission on February 19<sup>th</sup>, 2014.

Our team has also worked with the abutting property to the north (The Silk Building) to try to minimize the impact of the building. Our property could be built on - as-of-right - as a hotel or institutional/office use, requiring no Special Permits and no dialogue. While our proposal does abut the Silk Building, an as-of-right project would have a similar (or worse) impact. As part of our dialogue, we have put forward proposals to address their concerns. These include:

- Offering to contribute up to \$100,000 to place skylights in three units of the Silk Building to replace some of the lost lot line windows.
- Redesigning our plan so we do not need to underpin their building, which unfortunately lessens the amount of usable space at 688 Broadway.

## **Introduction**

688 Broadway, New York, New York (the "Property") is an approximately 8,998 square foot vacant lot located on Broadway between East 4<sup>th</sup> and Great Jones Streets within the NoHo Historic District. The owner of the Property, Downtown RE Holdings LLC (the "Owner"), has proposed a 12-story residential building with ground floor retail and 14 residential condominium units (the "Building"). The Building has received unanimous approval from the Landmarks Preservation Commission ("LPC") with respect to its design, and unanimous approval from the City Planning Commission ("CPC") for a Special Permit Application to modify use and setback rules pursuant to Section 74-712 of the NYC Zoning Resolution ("ZR"). The Special Permit will allow the proposed ground floor retail and residential uses, which are not permitted by the existing manufacturing zoning, as well as a waiver of the setback requirements.

The Site is currently a vacant lot, although it is temporarily occupied by a flea market that is on a month-to-month lease scheduled to expire on April 30, 2014. The Property is L-shaped and includes a portion of Great Jones Alley, a private driveway to the rear of the site that exits onto Great Jones Street. A site plan for the Property is attached. Portions of Great Jones Alley are also owned by the Property's neighbors to the south, 686 and 684 Broadway. The buildings surrounding the Property predominantly contain dwelling units on the upper floors - both joint-living work quarters for artists ("JLWQA") and traditional residential uses - and retail uses on the lower floors, including the adjoining Silk Building (located directly to the north, at 692 Broadway), which was subject to a variance for JLWQA in 1980.

## **Landmarks Preservation Commission Approval**

As 688 Broadway is located within the NoHo Historic District, the Owner was required to obtain approval from the LPC for the proposed design before applying for use and bulk waivers. On October 1, 2012, Community Board 2's Landmarks Committee held a public hearing on the project after full public notice. No opposition was presented at this hearing, and the Landmarks Committee unanimously recommended approval of the proposal. On October 9, 2012, the project was presented to the LPC, who also granted unanimous approval. The LPC issued a Certificate of Appropriateness approving the project on November 28, 2012.

## **Special Permit Approval - Uniform Land Use Review Process**

688 Broadway is located within a manufacturing (M1-5B) district, which does not permit any residential use, and does not permit retail use on the ground floor. On August 5, 2013, the Owner filed a Special Permit Application pursuant to Section 74-712 of the ZR to waive the use requirements of the M1-5B district in order to permit the proposed residential and ground floor retail uses, and to permit the proposed building's streetwall to violate setback requirements above the 6th story. The proposed Building is in all other ways compliant with the regulations of the M1-5B zoning district.

The City Planning Commission certified the application on October 21, 2013. As discussed below, Community Board 2's Land Use Committee recommended against approval of the application, although they supported the requested waivers and the proposed use of the Building. Borough President Gale Brewer recommended approval of the application, with conditions also discussed below. On February 19, 2014, the City Planning Commission unanimously approved the application. Throughout the ULURP process, issues were raised with respect to (a) the Building's use of zoning square footage obtained from

artists" in 1980 pursuant to a Zoning Variance approved by the Community Board and the BSA. The Zoning Variance restricted the building's occupancy to artists and required that all windows on the lot line facing the 688 Broadway site be fireproof windows with integrated wires to prevent shattering. In the Zoning Variance, it was clearly states that these lot line windows were not be used as the main source of light and air for bedrooms and other living rooms within the Silk Building. The plans for the Zoning Variance show large, non-subdivided loft units. As per public testimony given by a number of Silk Building occupants, it is clear that a) the layout of units does not comply with the BSA plans and b) the vast majority of the building is not occupied by those in possession of an artist certification from the NYC Department of Cultural Affairs (required for those occupying joint living work quarters for artists units). Instead, the loft units have been subdivided into bedrooms - several of which illegally utilize the windows facing the Owner's 688 Site. Furthermore, the windows themselves have been modified and no longer comply with the required window type specified by the Zoning Variance and are instead clear glass windows.

The Owner's initial design of the Building was sensitive to this lot line window issue. The requested setback waiver allows the Building's bulk to be pushed up to the streetline, freeing up a line of the Silk Building's lot line windows at the Building's rear. Additionally, although the 688 Site is relatively deep, the Building's bulk does not cover any more lot line windows than a standard depth building on a typical 100' deep NYC site. The Owner believes that the Building's design will block lot line windows for only 12 of the Silk Building's 88 units.

The Silk Building has suggested a complete redesign of the Building, so that a portion of the bulk in the rear is moved to the other side of our property. This redesign would unblock windows for 4 of the 12 affected units. As explained at the Planning Commission hearing, this redesign is not workable and would force a significant redesign of the Building in order to avoid the creation of non-compliance for the Building's units. Additionally, the use of the lot line windows at the Silk Building would continue to be in violation of the Zoning Variance and the Multiple Dwelling Law under this proposal, since the unblocked units will still have a lot line condition. After careful consideration of this proposed redesign scheme in relation to the proposed layout of the Building, the Owner believes that the currently proposed layout, with the suggested light/air alternative described below, best provides legal light and air to rooms within three of the units with blocked lot-line windows, while best meeting the overall goals of the proposed building program.

The Owner has communicated its concerns about the suggested redesign to the Silk Building and, as an alternative, has proposed to contribute up to \$100,000 to finance the construction of roof-top skylights for three of the Silk Building's units (those that are adjacent to the roof). The skylights could provide legal light and air to rooms within 3 units with blocked lot line windows (note that the Silk Building's above proposal would relieve the blocked condition for 4 units and would not legalize the condition for any units). The Silk Building is reviewing this proposal.

In addition, the Owner has proposed providing a Light and Air easement over the balance of the 688 Site. This would assure a much greater number of units in the Silk building of light and air for their lot line windows in perpetuity and the possibility to the extent currently allowed by the New York City Code or via a variance procedure, of legal light and air for this same units. This has the potential to legalize existing illegal unit subdivisions and be a great benefit to a great number of Silk Building tenants.

## (2) Air Conditioning Units

Recognizing the project's impact on the Silk Building, the Owner has also held multiple meetings, conversations and email exchanges with the Silk Building's residents and representatives, beginning in the Spring of 2013, when the Silk Building's engineers reviewed the proposed Building's plans. These meetings have continued and occurred in June of 2013, the fall of 2013 and in January of 2014.

## Renderings and Plans



RENDERINGS

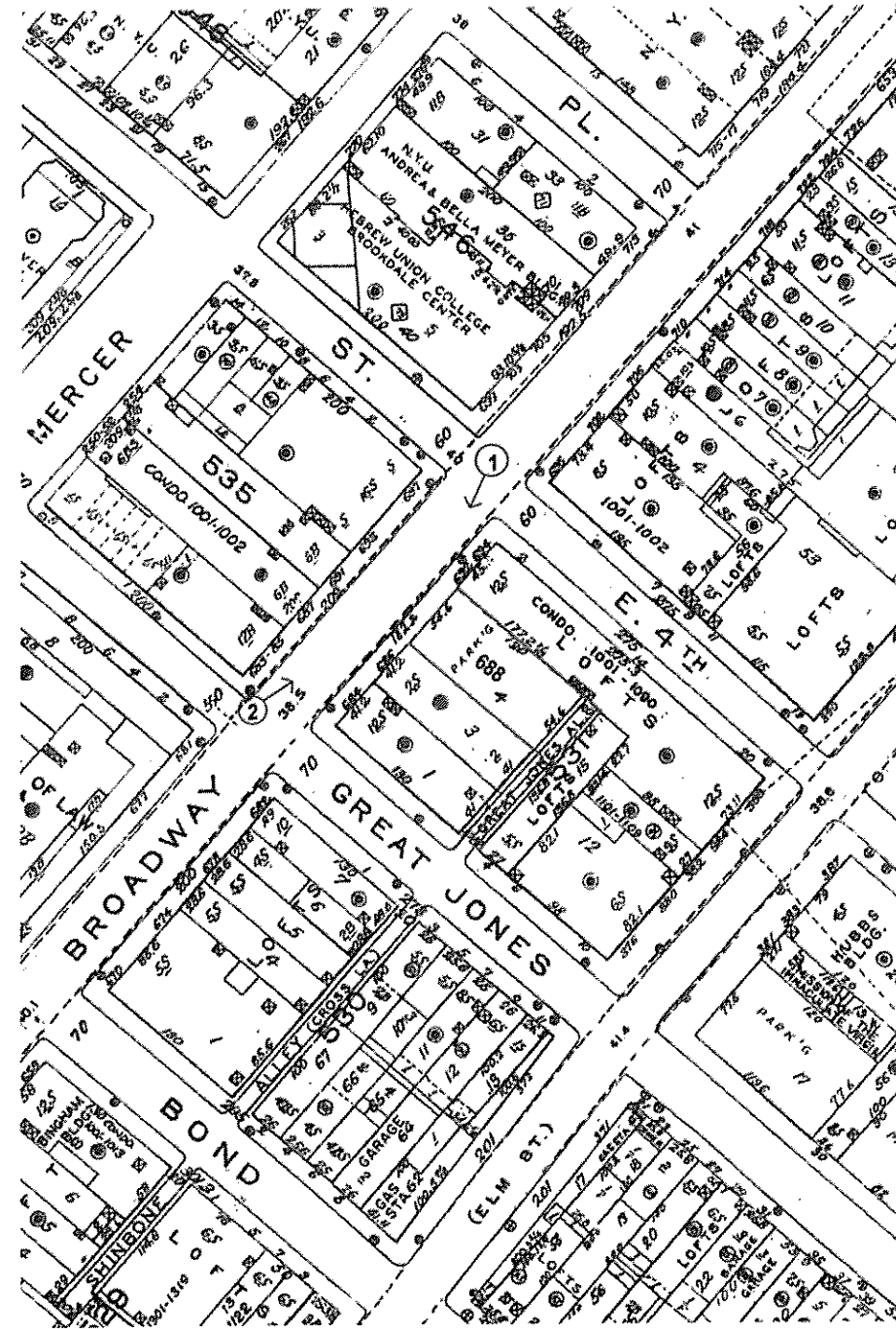
**688 BROADWAY**

NEW YORK, NEW YORK, 10012

Presentation  
Project No.: 1034  
03/18/2014



VIEW #1: LOOKING SOUTH ON BROADWAY



VIEW #1: LOOKING NORTH ON BROADWAY


SITE OVERVIEW

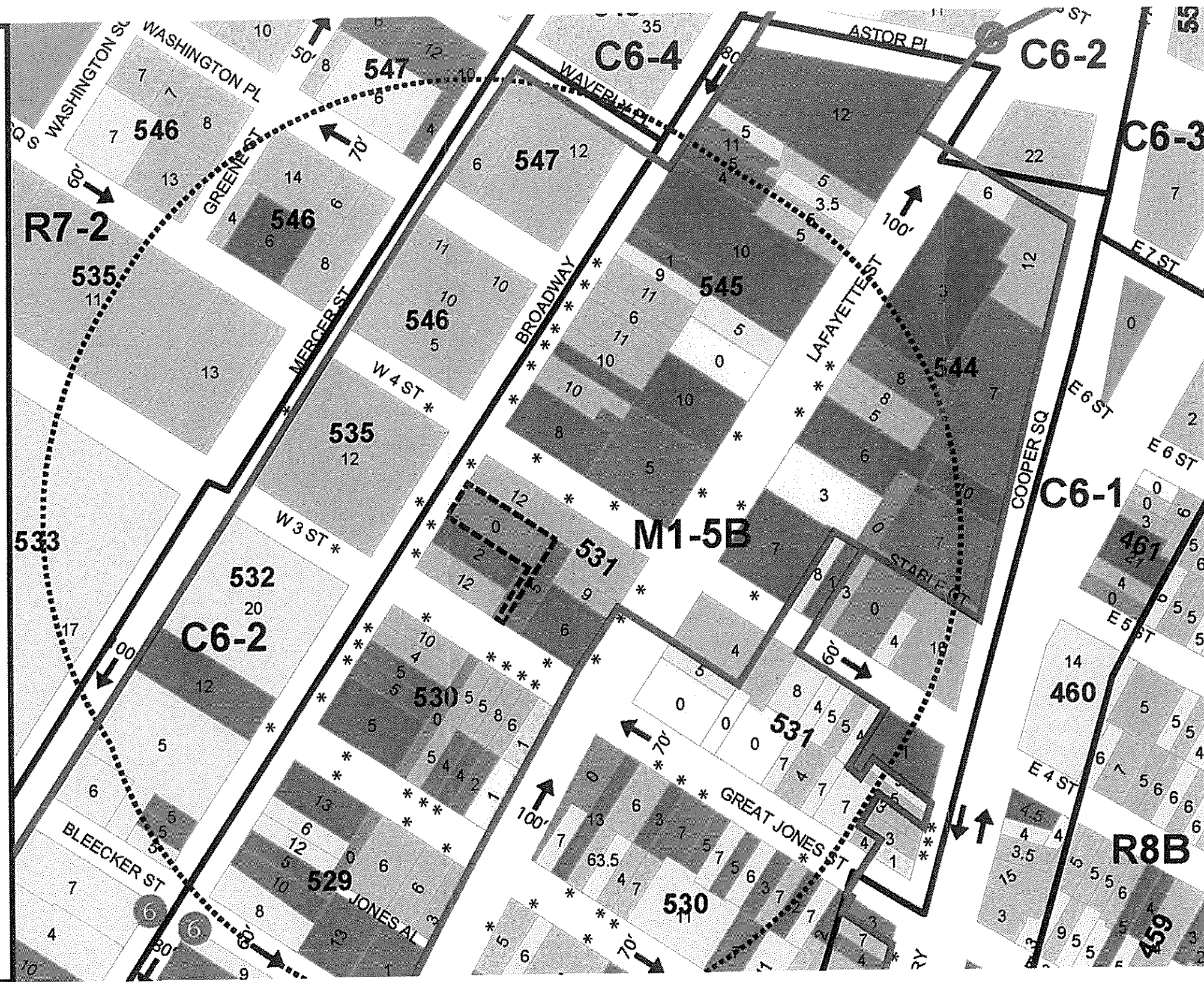
**688 BROADWAY**

NEW YORK, NEW YORK, 10012



# 688 Broadway Area Map

- 13 number of stories
- 535** block number
-  project site
-  600' radius
-  1- and 2- family residential
-  multi-family walk-up
-  multi-family elevator
-  mixed residential and commercial
-  commercial
-  institution / community facility
-  industrial and manufacturing
-  transportation / utility
-  open space
-  parking
-  vacant lot
- \* ground floor retail
-  street direction
- 60' street width
-  subway station
-  boundary of NoHo Historic District and NoHo Historic District Extension

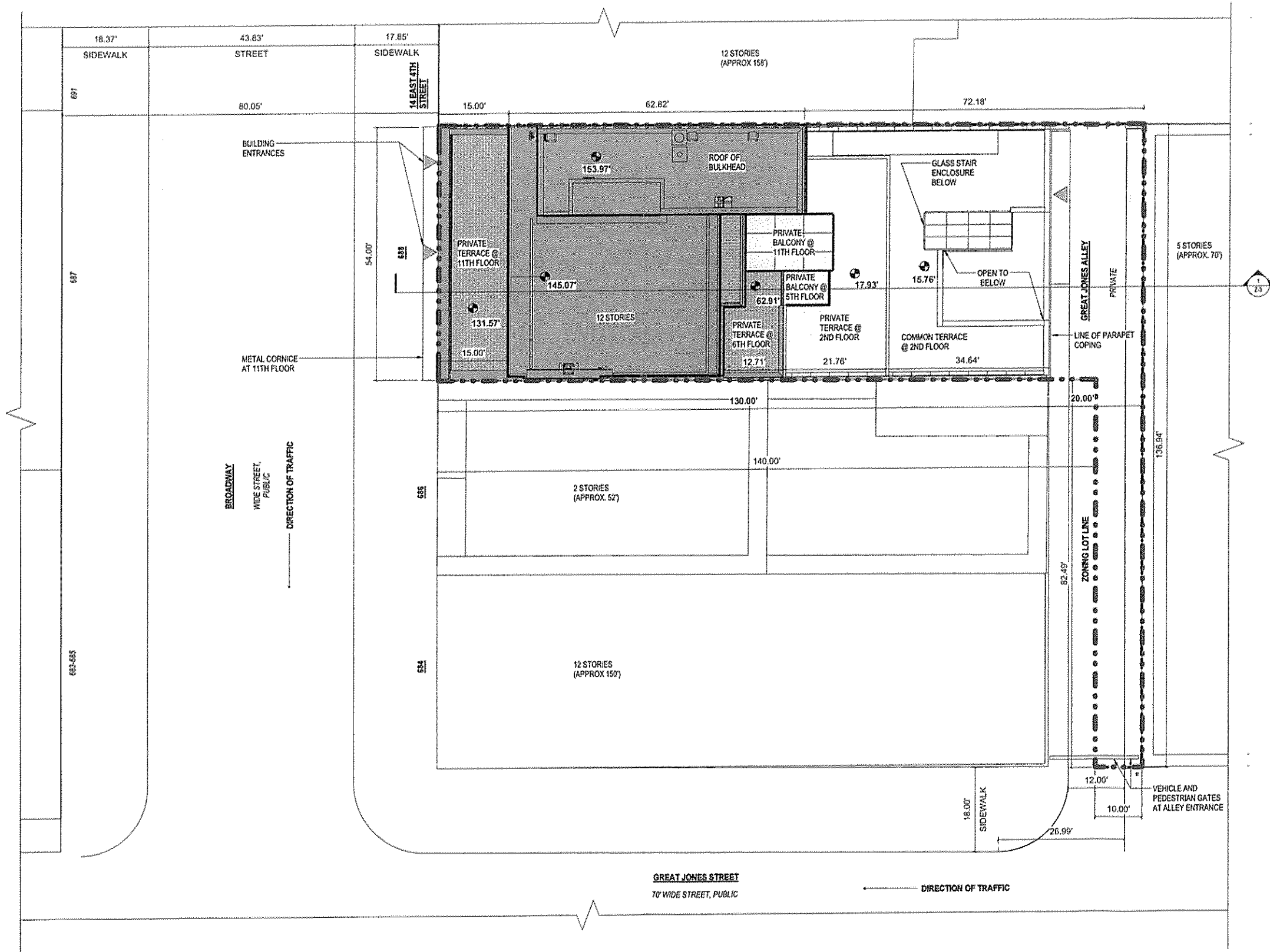


## AREA MAP

# 688 BROADWAY

NEW YORK, NEW YORK, 10012

Presentation  
Project No.: 1034  
03/18/2014

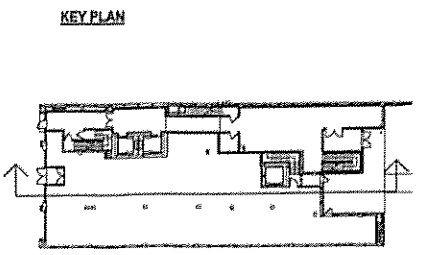
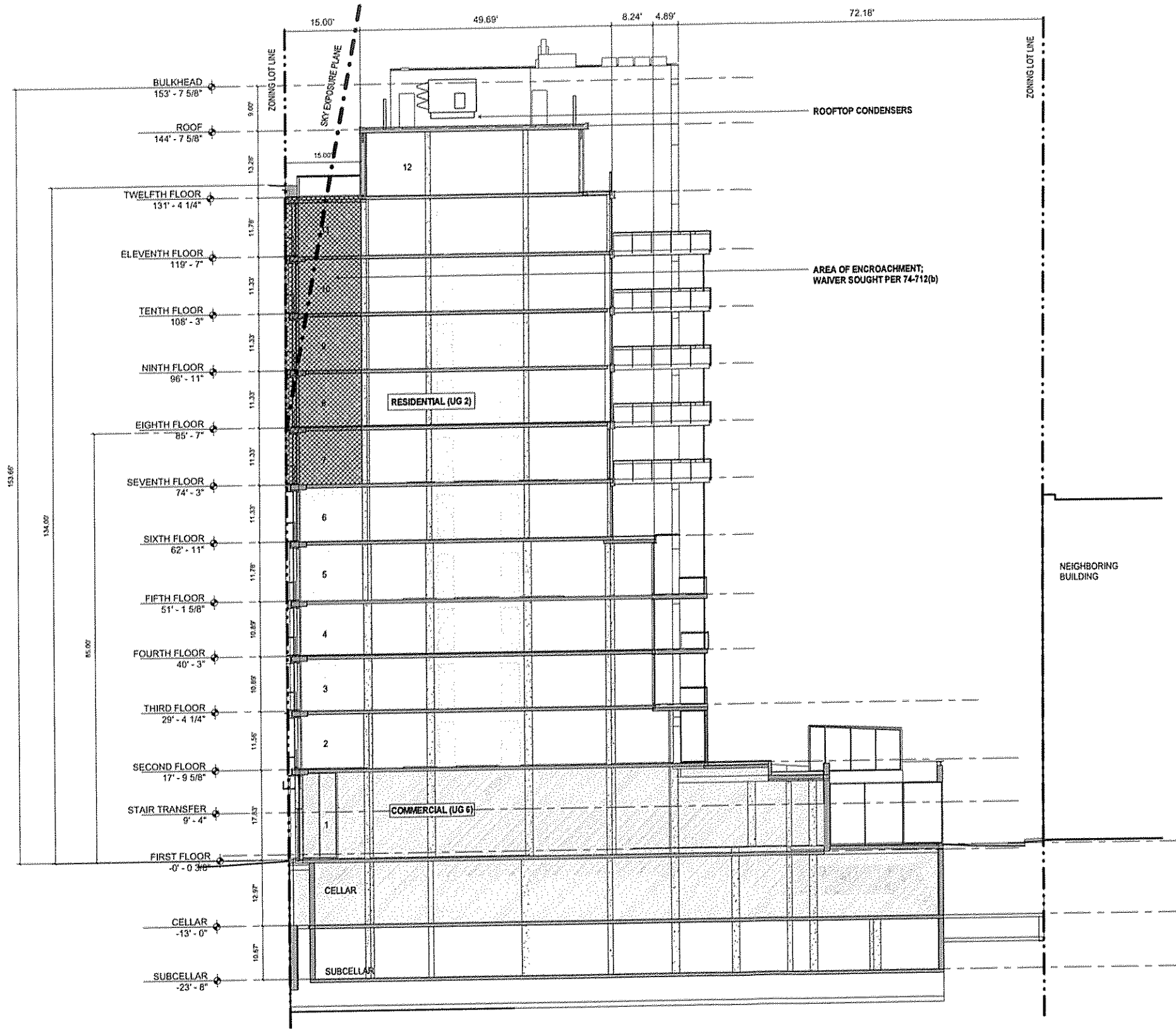


**SITE PLAN**

**688 BROADWAY**  
 NEW YORK, NEW YORK, 10012

Presentation  
 Project No.: 1034  
 03/18/2014



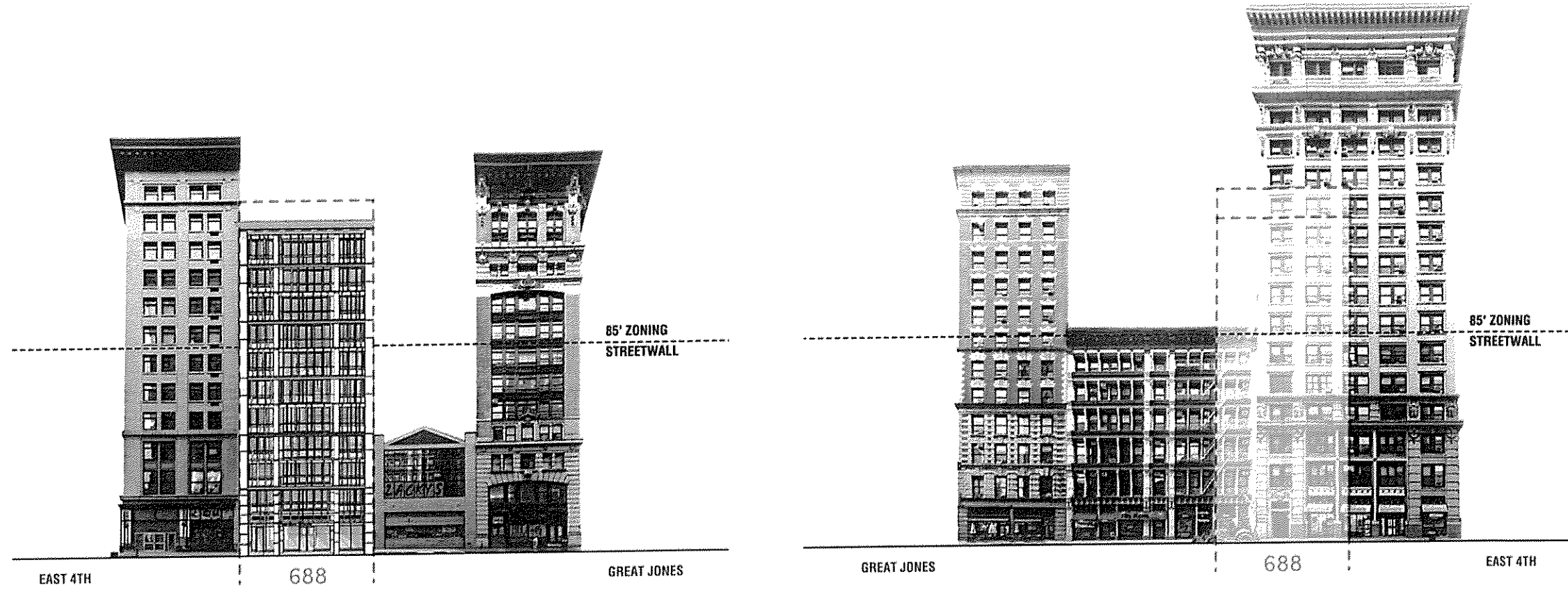


- LEGEND FOR USES**
- UG6 - RETAIL, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
  - RESIDENTIAL USE, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
  - AREA OF ENCROACHMENT, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (b)

**NOTES:**  
 INFORMATION OUTSIDE OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT INFORMATION ON SURROUNDING PROPERTIES.  
 INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.  
 ELEVATIONS MEASURED FROM GROUND LEVEL

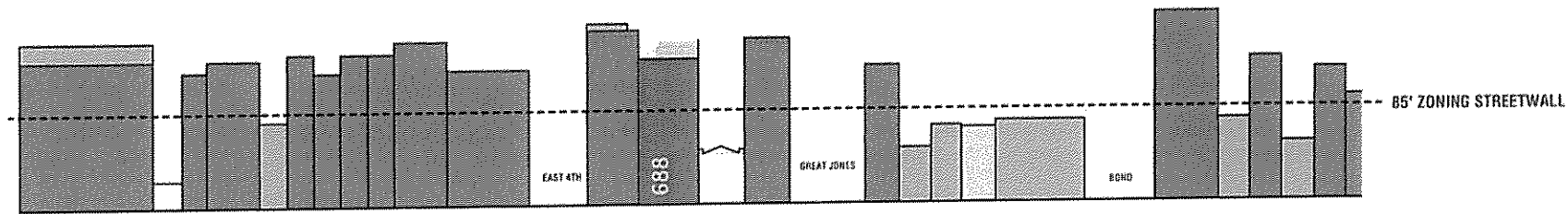


**BUILDING SECTION**  
**688 BROADWAY**  
 NEW YORK, NEW YORK, 10012

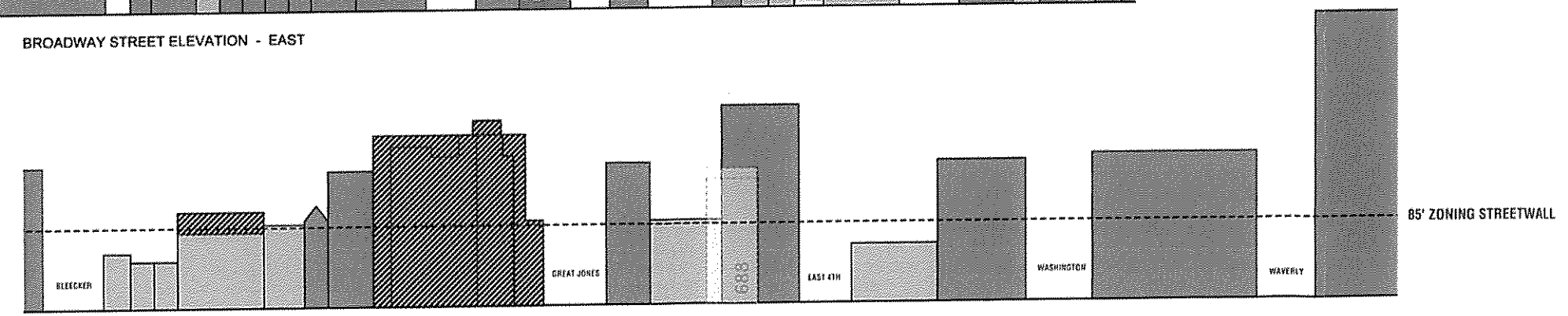


BROADWAY EAST ELEVATIONS

BROADWAY WEST ELEVATIONS



BROADWAY STREET ELEVATION - EAST



BROADWAY STREET ELEVATION - WEST

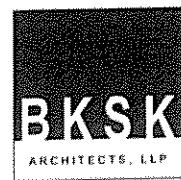
DIAGONAL HATCH INDICATES ONLY BUILDINGS OR PORTIONS OF BUILDINGS WITH A SETBACK

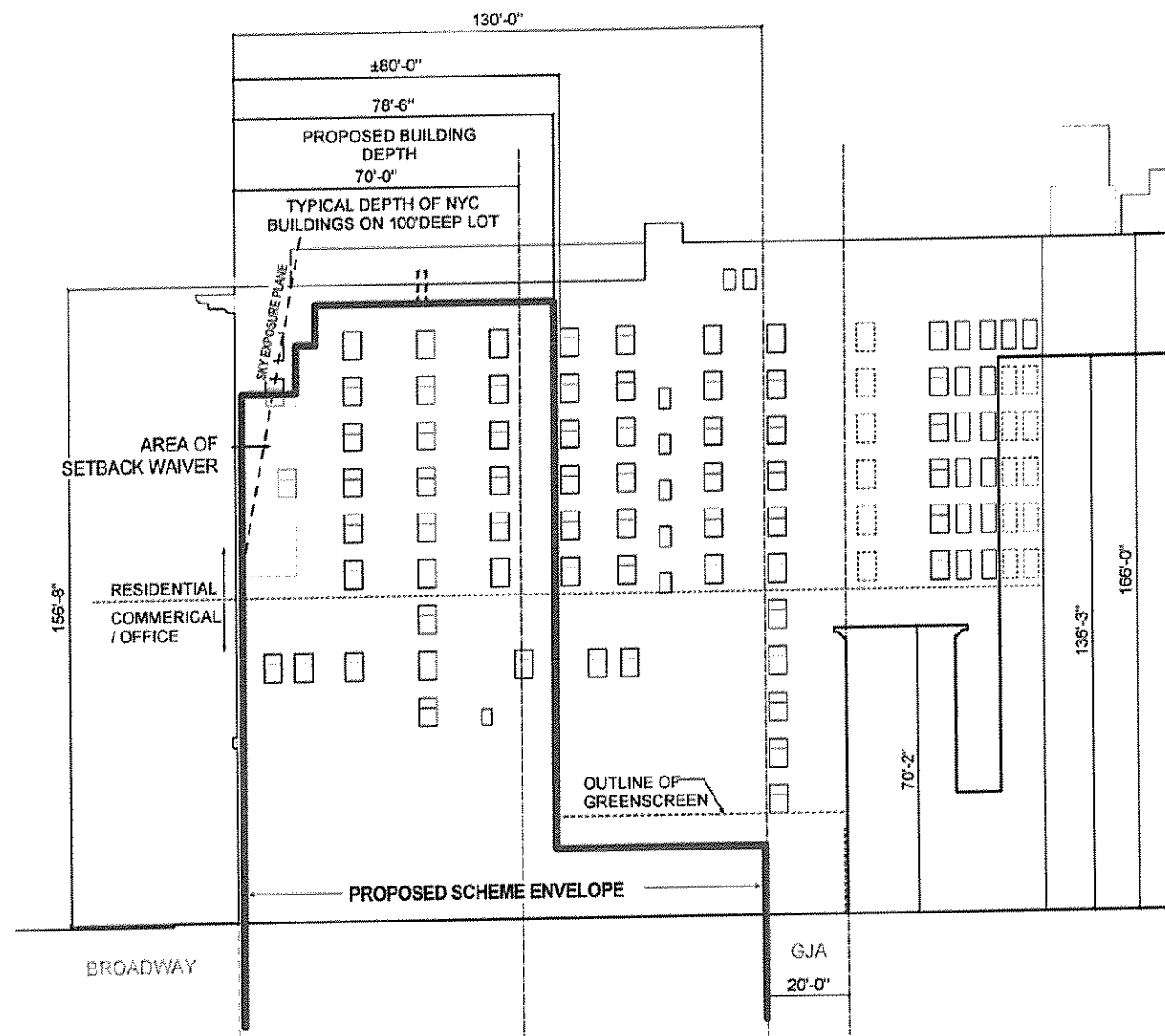
HEIGHT OF BUILDING

**688 BROADWAY**

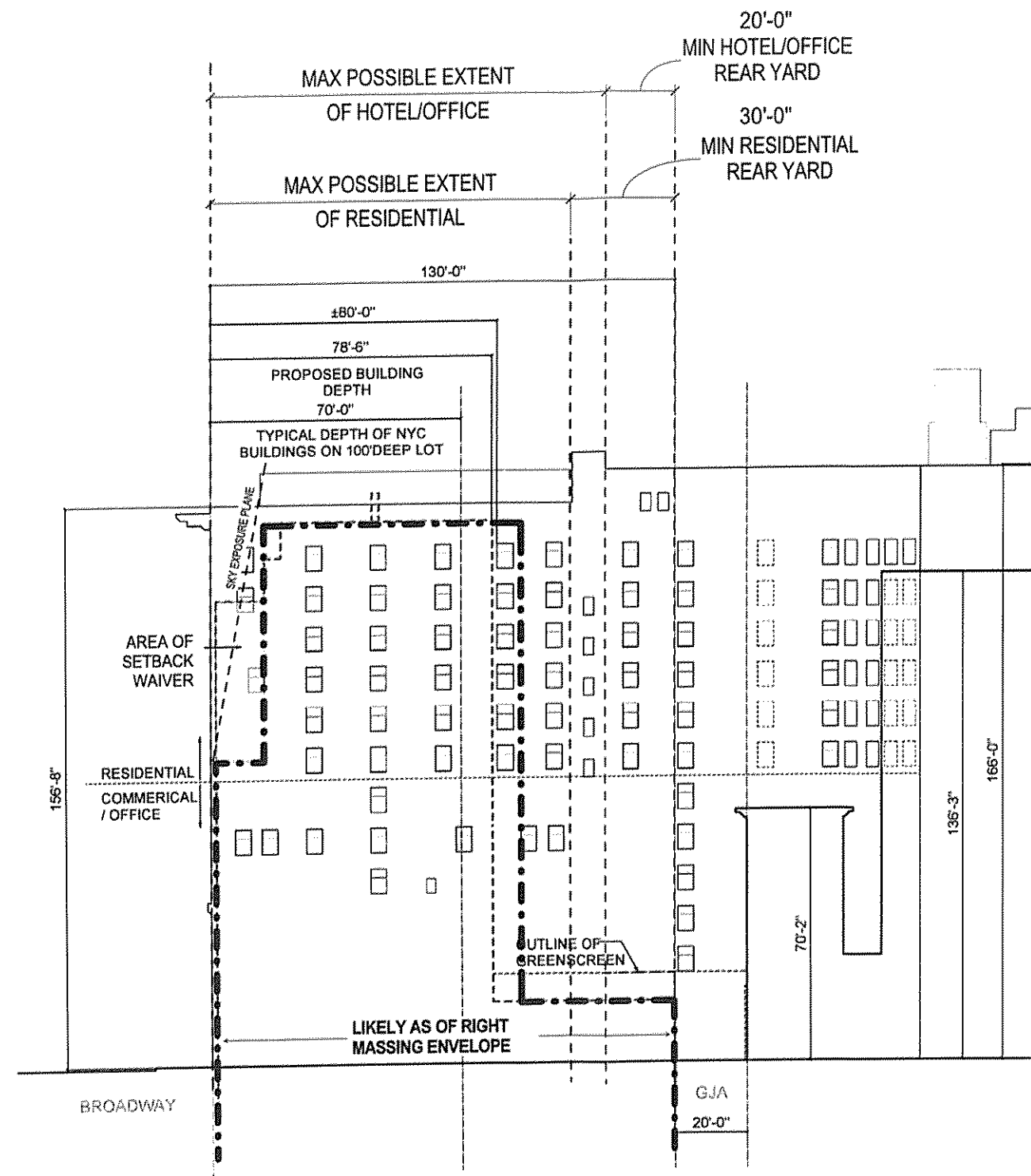
NEW YORK, NEW YORK, 10012

Presentation  
Project No.: 1034  
03/18/2014





PROPOSED MASSING

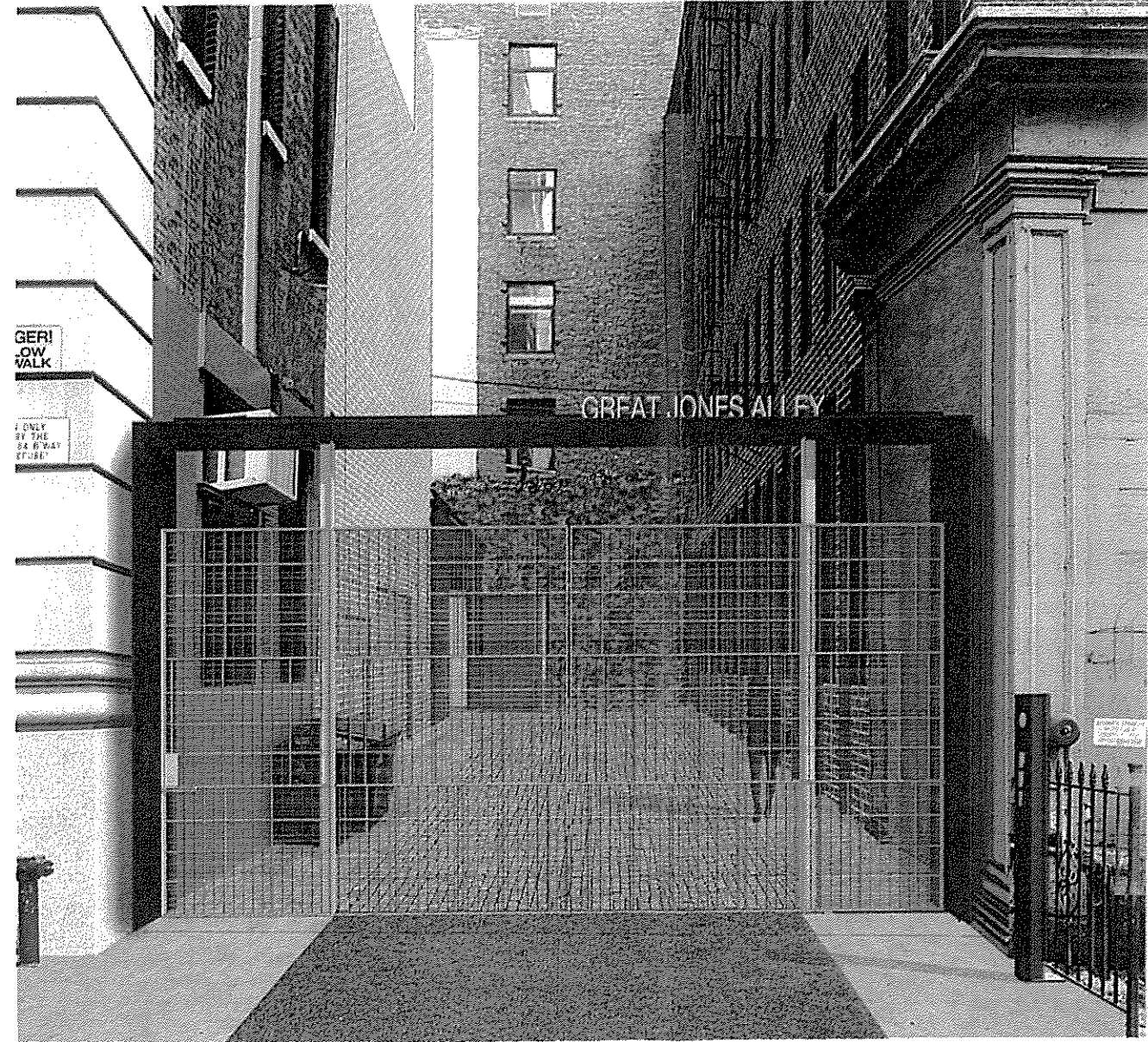


AS-OF-RIGHT MASSING

LOT LINE WINDOW STUDY

688 BROADWAY

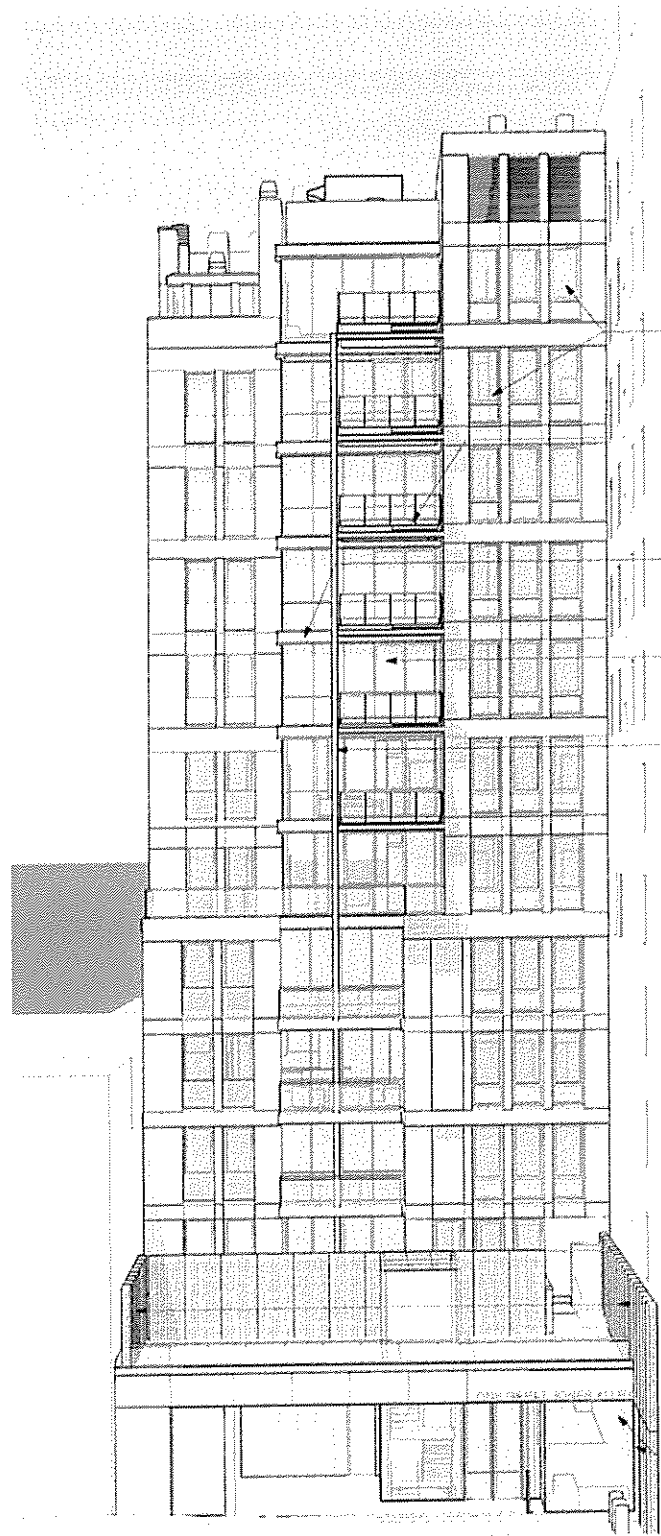
NEW YORK, NEW YORK, 10012



GREAT JONES ALLEY - EXISTING/PROPOSED GATE

**688 BROADWAY**

NEW YORK, NEW YORK, 10012



FLOOR TO CEILING  
GLASS WINDOWS; FRIT  
AT LOWER SECTIONS.  
OPERABLE SASH  
ABOVE

EXPOSED STEEL  
BALCONIES

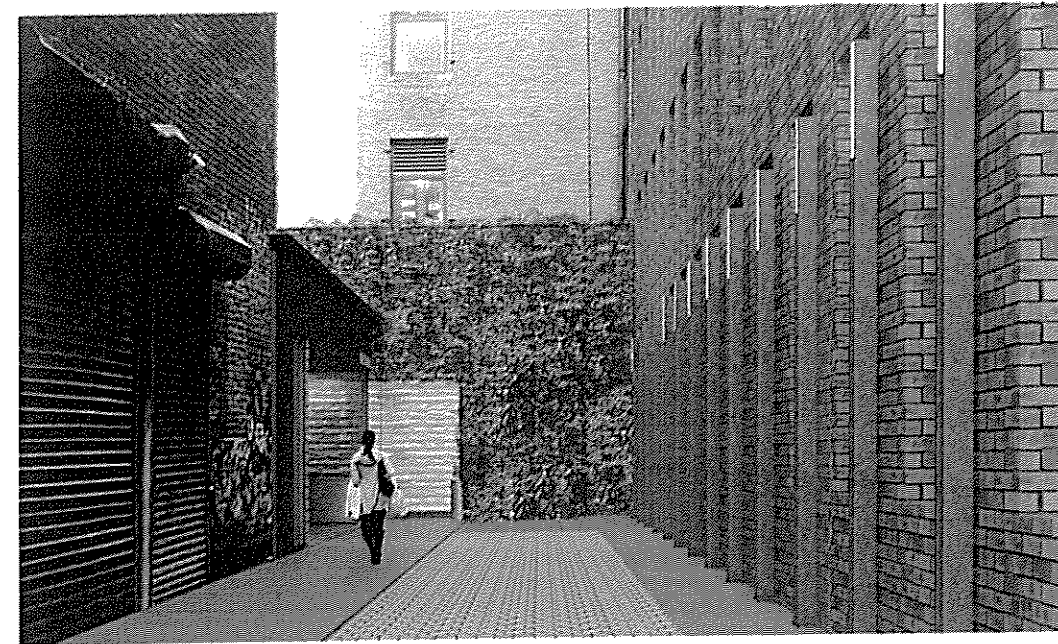
METAL HORIZONTALS @  
SLAB EDGES

FULL HGT OPERABLE  
GLASS DOORS @  
CENTER BAYS

EXPOSED  
STRUCTURAL STEEL  
COLUMN

"GREENSCREEN" GALV.  
WIRE MESH FOR VINES

TERRA COTTA  
FEATURE WALL CONT.  
THROUGH LOBBY

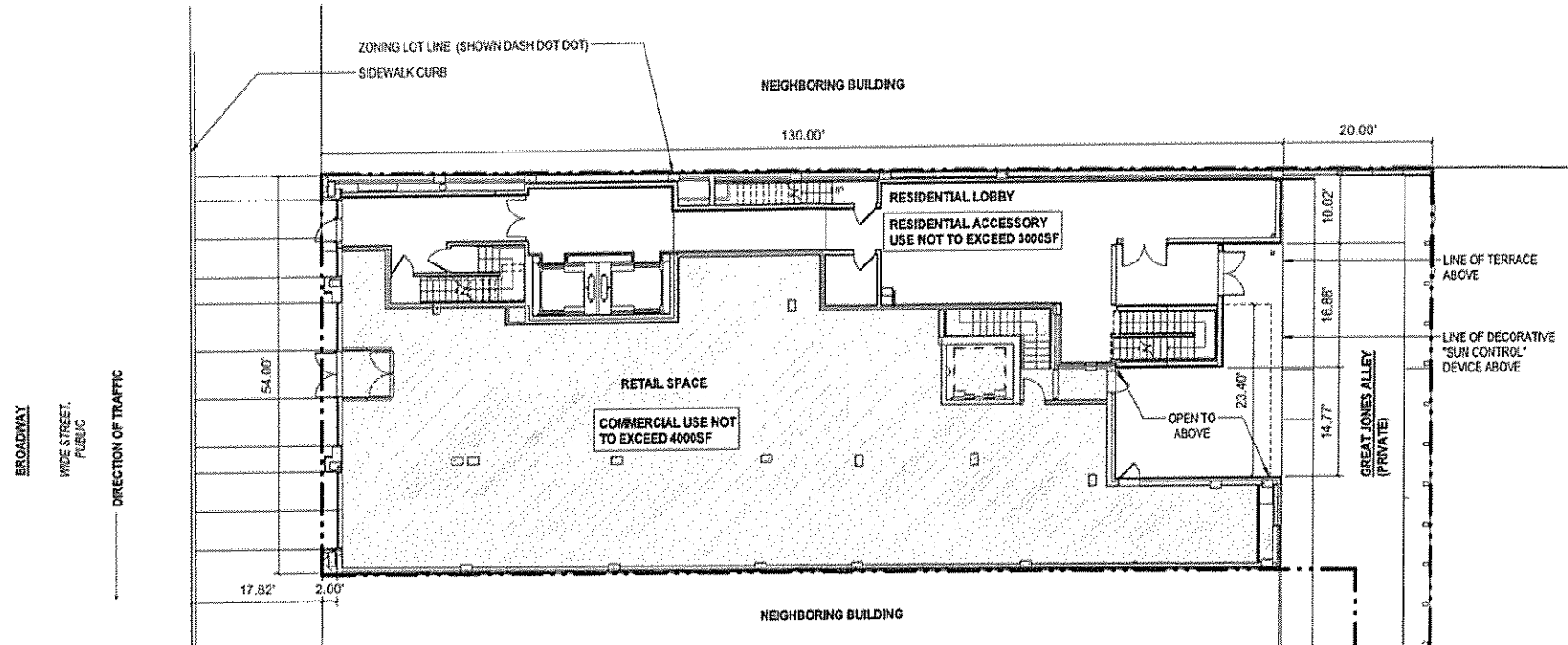


NOTE: RENDERING DOES NOT  
REFLECT UPDATED TERRACE  
OPENING. REFER TO SHEET 12  
FOR UPDATED PLAN.

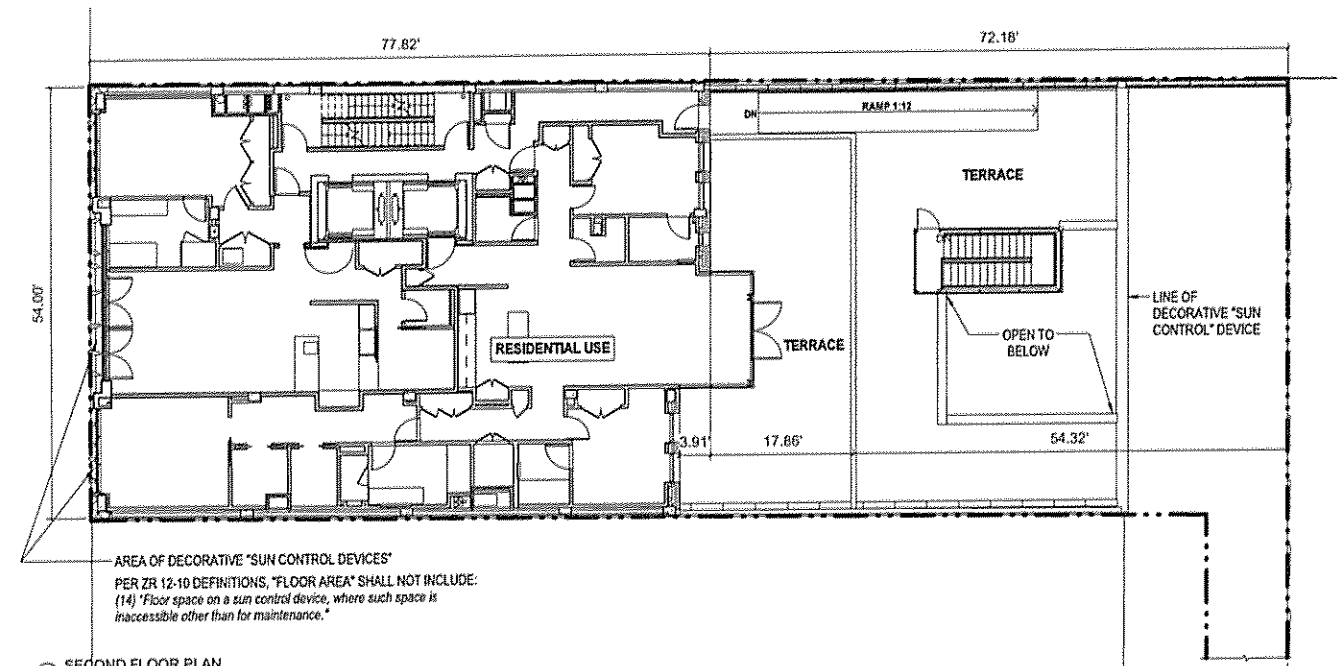
GREAT JONES ALLEY APPROACH AND FACADE STUDY

688 BROADWAY

NEW YORK, NEW YORK, 10012



① GROUND FLOOR PLAN  
3/32" = 1'-0"



② SECOND FLOOR PLAN  
3/32" = 1'-0"

- LEGEND**
- UG 6 - RETAIL, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
  - RESIDENTIAL USE, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
  - ◀ BUILDING ENTRY
  - - - ZONING LOT

**NOTES:** INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.  
 - INFORMATION OUTSIDE THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INACCURATE INFORMATION ON SURROUNDING PROPERTIES.



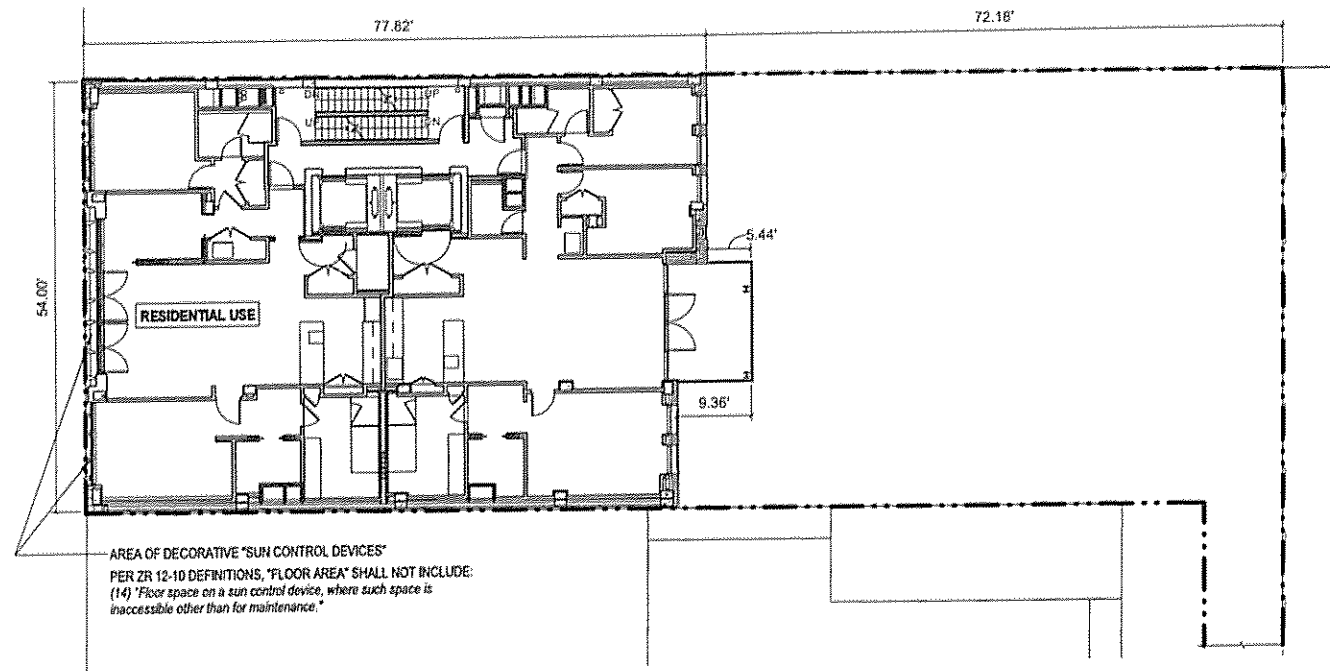
**FLOOR PLANS**

**688 BROADWAY**  
 NEW YORK, NEW YORK, 10012

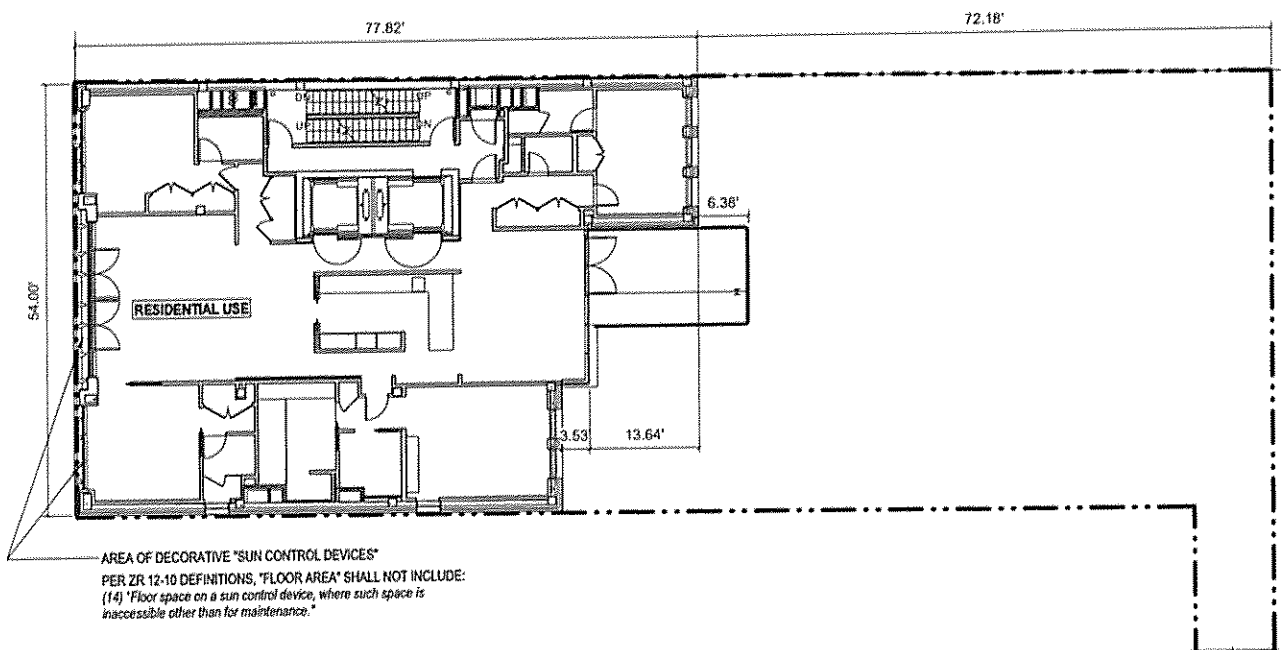
Presentation  
 Project No.: 1034  
 03/18/2014



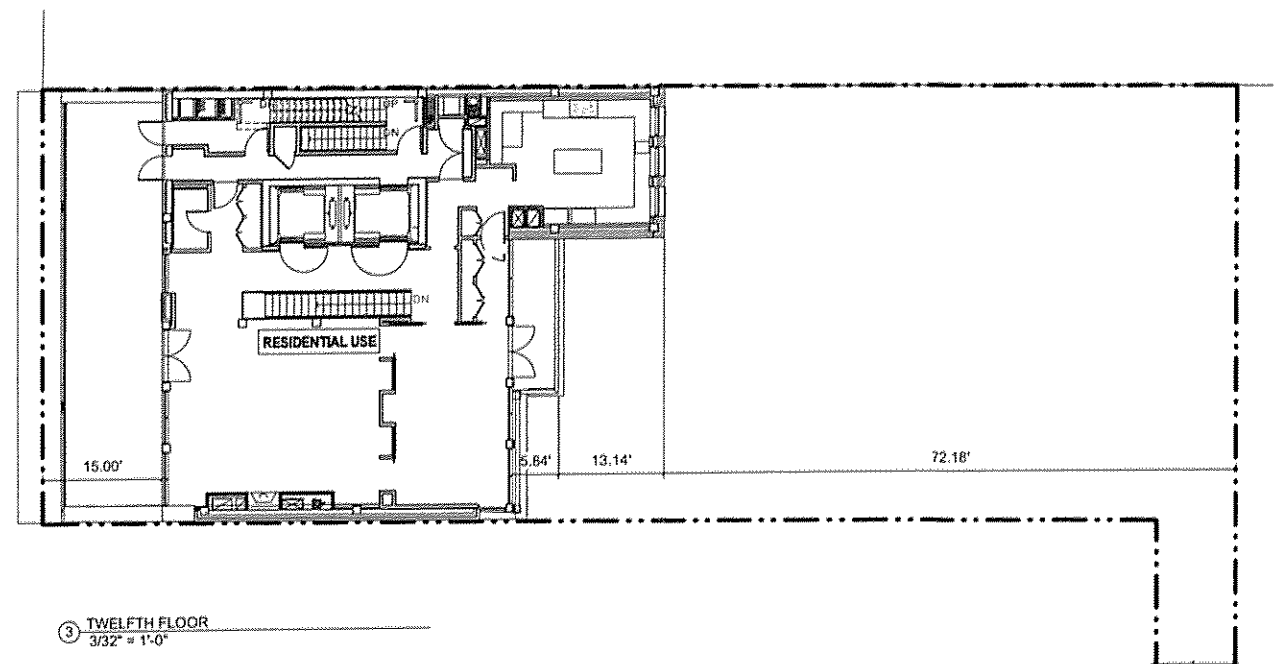




① TYPICAL 3-5 FLOOR PLAN  
3/32" = 1'-0"



② TYPICAL FLOOR (6-11)  
3/32" = 1'-0"

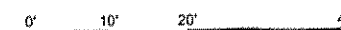


③ TWELFTH FLOOR  
3/32" = 1'-0"

LEGEND

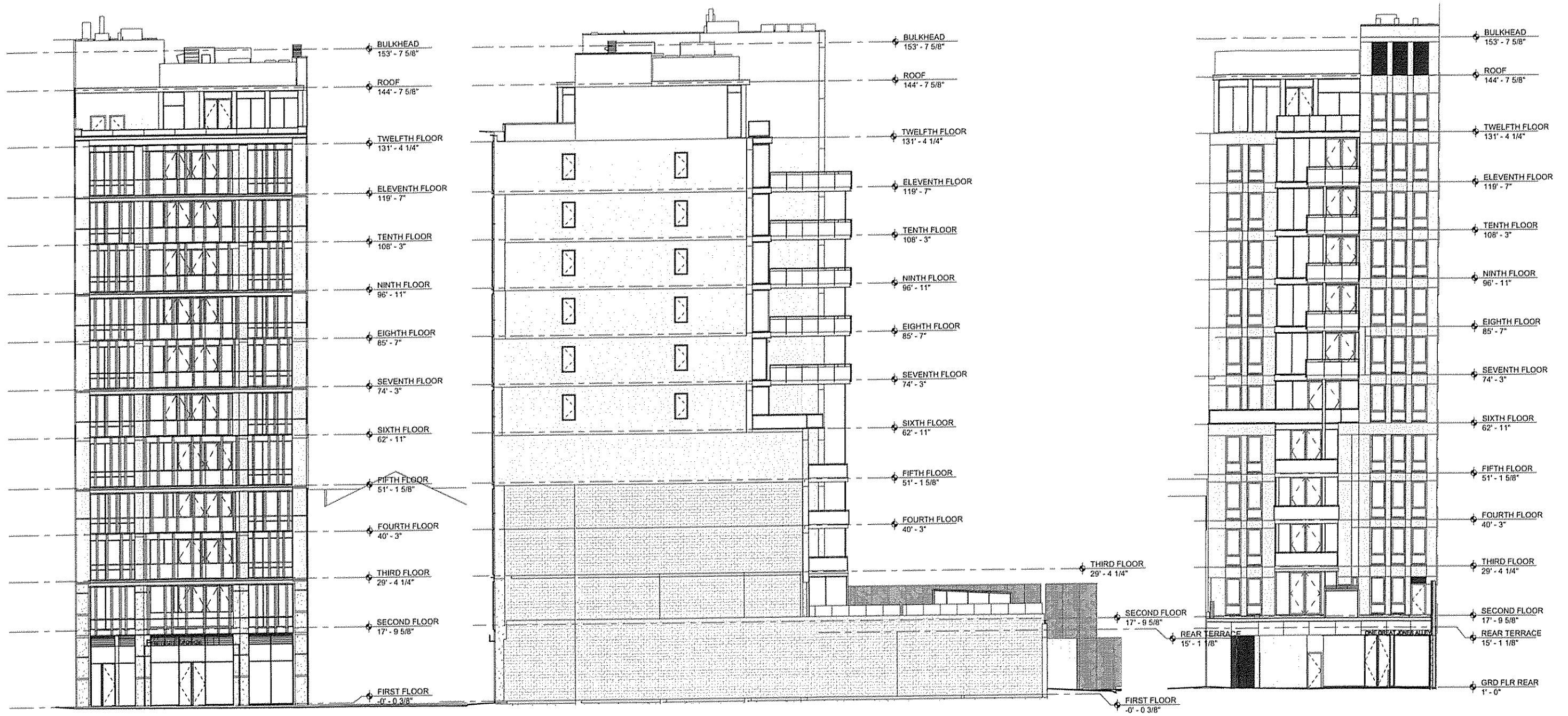
- UG 6 - RETAIL, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
- RESIDENTIAL USE, WAIVER REQUESTED PURSUANT TO SECTION 74-712 (a)
- ZONING LOT
- ⊠ BUILDING ENTRY

NOTES: INTERIOR PARTITIONS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.  
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FLOOR PLANS

**688 BROADWAY**  
NEW YORK, NEW YORK, 10012



1 FRONT ELEVATION  
3/32" = 1'-0"

2 SOUTH ELEVATION  
3/32" = 1'-0"

3 REAR ELEVATION  
3/32" = 1'-0"

## ELEVATIONS

# 688 BROADWAY

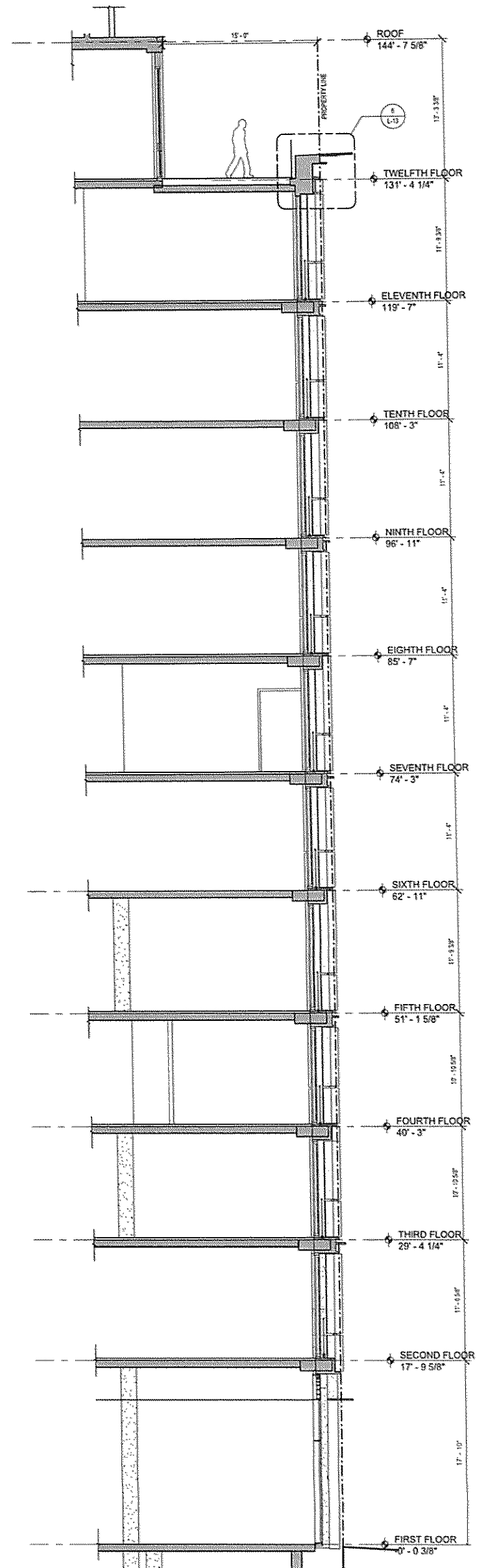
NEW YORK, NEW YORK, 10012

Presentation  
Project No.: 1034  
03/18/2014

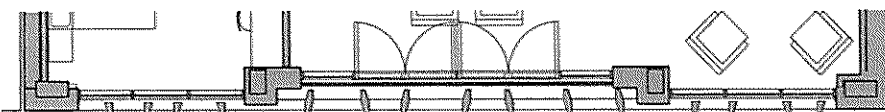




② PERSPECTIVE ELEVATION



① SECTION LOOKING NORTH  
3/16" = 1'-0"



③ PLAN DETAIL @ FL 6-11 WEST WALL  
3/16" = 1'-0"

PERSPECTIVE ELEVATION, PLAN & SECTION

**688 BROADWAY**  
NEW YORK, NEW YORK, 10012

Presentation  
Project No.: 1034  
03/18/2014

**Positive Recommendations and Approvals**

**Community Board 2--10/18/2012**

**9 - LPC Item: 6 - 688 Broadway (W. 4/Great Jones)-- NoHo Historic District.** A parking lot. Application is to construct a new building. Zoned M1-5B

**Whereas,** overall, this building will certainly contribute to the historic district; and

**Whereas,** the materials, proportions and style proposed are terrific – with the exception of the ground floor, however, which is squat and evocative of a 1950s commercial ground floor, in sharp contrast to this proposed building's 21<sup>st</sup> -century design, and the style of the historic late-19th and early-20th century buildings that comprise most of this district.

The proposed ground floor reads more like an upper floor than a lower floor. Traditionally in this historic district, the two lower floors usually had the appearance of a combined, single, massive base.

In this building, the single and double stories appear to be overlapping.

One alternative solution could be a color differentiation in the masonry and the metal trim, which would serve to distinguish the ground floor from the upper floors; and

**Whereas,** the rear façade of the building is likewise generally acceptable in style and materials. Furthermore, we appreciate the renovation of the Belgian blocks and the granite sidewalk. The lighting is smart and modern; but

**Whereas,** this is, after all, a commercial back alley in an historically industrial neighborhood. The applicant is proposing a trendy mesh wall with plantings for adornment at the side of the rear entrance. However, we recall the aversion that the Commission has displayed for street trees and/or planters in historically industrial districts like NoHo and SoHo.

Indeed, for over twenty years, the Commission has denied applications for trees and planters, not only on the public sidewalk, but even on privately-owned property, like in the areaway in front of a store on the southeast corner of Houston and Mercer Streets.

So, besides being contrary to precedent established by the LPC for the public streetscape, this proposal for decorative vegetation is especially incongruous in this gritty, grungy back-alley, where weeds are more appropriate than climbing vines; now

**Therefore, be it resolved that** CB#2, Man. recommends general approval of the front façade but seeks a more appropriately scaled base; and

**Further, be it resolved that** CB#2, Man. recommends approval of the rear façade and renovation of the pavement and roadbed; but

Further, be it resolved that CB#2, Man. recommends denial of the mesh grid and twee greenery for the alleyway.

**Vote:** Unanimous, with 42 Board members in favor



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
 TEL: 212 669-7700 FAX: 212 669-7780



# PERMIT

## CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 11/28/2012	<b>EXPIRATION DATE:</b> 10/09/2018	<b>DOCKET #:</b> 13-6343	<b>COFA #:</b> COFA 13-7987
<b>ADDRESS</b> 688 BROADWAY		<b>BOROUGH:</b> MANHATTAN	<b>BLOCK/LOT:</b> 551/4
<b>HISTORIC DISTRICT</b> NOHO			

Display This Permit While Work Is In Progress

**ISSUED TO:**

David Schwartz, VP  
 Downtown RE Holdings, LLC  
 825 3rd Avenue, 37th Floor  
 New York, NY 10022

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of October 9, 2012, following the Public Meeting of the same date, voted to grant a Certificate of Appropriateness for a proposed construction of a new building on an existing parking lot; as put forward in your application completed on September 13, 2012. The approval will expire October 9, 2018.

The proposal, as approved, consists of the construction of a new 11-story building with a one-story set-back penthouse and a two-story base, featuring a variety of materials at the primary facade, including light-colored Norman brick piers; projecting terra-cotta "fins" set at different depths and angles in front of a metal and glass curtain wall; with the base to feature quartzite-clad piers, and metal and glass ground floor infill, with projecting metal commercial signage. At the rear elevation facing Great Jones Alley, the building will feature a one story lobby with a residential entrance of COR-TEN steel, glass, and textured terra-cotta panels, with the upper floors of the building to feature the same light-colored Norman brick used at the primary facade, large metal and glass windows, and projecting metal balconies. The approval also includes work at Great Jones Alley, including installation of new granite-block and granite slab paving, and COR-TEN steel light fixtures, which will be installed along the brick wall of the adjacent building at the east elevation of the alley; installation of a green wall at the north end of the alley; and replacement of an existing utilitarian metal gate at the entrance to the alley on Great Jones Street with a new stainless steel gate set within a COR-TEN steel frame. The approved proposal was shown in presentation materials including drawings, photographs, and photomontages of the proposed building through L-24, L-24.1, L-25, L-25.1, L-26, L-26.1, L-27 through L-34, labeled I through 18, dated October 9, 2012, prepared by BSKS Architects, and presented at the Public Hearing and Public Meeting of October 9, 2012.

In reviewing this proposal, the Commission noted that the NoHo Historic District designation report describes the site of the new building as a parking lot. The Commission also noted that the NoHo Historic District is primarily composed of commercial buildings constructed between the early 1850's and the 1910's, and includes ornate store

DESIGN APPROVAL ONLY  
 No work may proceed until DOB filing  
 drawings are reviewed and approved

and loft buildings designed by some of the city's most acclaimed architects. Furthermore, the Commission noted that the district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, and turn-of-the-century office buildings, which are responsible for the district's rich and varied streetscapes, that feature marble, cast-iron, limestone terra cotta, and brick facades.

With regard to this proposal, the Commission found that constructing a new building on this empty lot will fill in a gap in the streetwall and will strengthen the character of the streetscape; that the height and massing of the proposed building will be compatible with the height and massing of buildings typically found throughout the adjoining streetscapes and the historic district; that the contemporary use of terra cotta, metal, and glass in this building will recall the evolution of these materials in this historic district; that the material palette, including light-colored brick and terra-cotta, rusticated quartzite, and stainless steel, will harmonize with the materials and finishes of buildings in the surrounding streetscapes; that the details of the facade, which include a slightly recessed center bay with deep-set terra cotta fins at various angles, and flanking side bays with more shallow terra fins set at various angles, create a sense of depth, texture, and animation that is consistent with the character of the facades of historic loft buildings on this block and throughout the historic district; that the projecting terra cotta fins which will be set in front of large single-paned windows, serve to break-up the large expanses of glazing, resulting in a perceived window-to-masonry proportion that is consistent with the historic buildings throughout the historic district; that the organization of the facade, which has a two-story masonry base, a multi-story shaft, and a cornice at its terminus, is typical of the organization of historic buildings throughout the district; that the two-story commercial base, which features heavily rusticated stone piers, and recessed metal and glass infill with transoms and display windows, is consistent with the materials, scale, and proportion of commercial bases at historic buildings throughout the district, and will help the base of the building to be compatible with the surrounding streetscapes; that the proposed projecting stainless steel signage at the ground floor is consistent with historic projecting metal signs that were a feature of this historic district; that the predominance of brick masonry, perforated with only a few punched masonry openings in the southern secondary facade, is consistent with the industrial character and secondary identity of loft facades throughout the district; that the proposed set-back penthouse will only be slightly visible from Broadway over the adjacent two-story building where it will be seen in profile at the secondary elevation; that the building's rear facade, which will be composed of plain brick masonry, with regularized window openings, and feature a simple stepped massing, is consistent with the utilitarian nature of rear facades at historic buildings throughout the historic district; that the rear facade features metal balconies that recall the fire escapes that are typical utilitarian features of historic rear facades; that the materials of the tenant entrance at the alley elevation, including COR-TEN steel, masonry, and glass, are consistent with the types of varied materials palettes found at the rear ground floor facades of historic alleys in the district; that the simple design and small scale of the vehicle warning light will be in keeping with the industrial character of the district and will not draw undue attention to itself; that the existing gate is not original or historic and the new stainless steel gate to Great Jones Alley will feature a wire mesh that will allow for transparency, while still affording safety to tenants; that the proposed installation of new Belgian block paving and granite slab paving at the alley is consistent with the types of paving found at historic alleys; that the installation of light fixtures at the brick facade along the southern elevation of the alley will not damage or destroy any significant architectural features of the facade of the adjacent building; and that the installation of a "green wall" at the end of the alley will not damage or destroy any significant architectural features of the brick wall behind where it will be mounted. Based on these findings, the Commission determined the proposed building to be appropriate to the North Historic District, and voted to approve it with certain modifications.

In voting to approve this application, the Commission required that the applicant to restudy the base of the building at the Broadway elevation with an aim to strengthen the way the base reads within the design of the primary facade; and to raise the height of the proposed new gate at the entrance to Great Jones Alley.

Subsequently, the applicants submitted revised drawings labeled R.L-1, R.L-2, L-9, L-22, and L-27, dated revised October 18, 2011, showing a modified first floor at the Broadway elevation that has been raised 12 inches, and a modified gate at the Jones Alley elevation featuring a COR-TEN steel frame that is approximately 12 feet 9 inches tall, which is 3 feet taller than initially proposed. Staff reviewed these drawings and found that the reading of the base within the context of the facade composition has been strengthened and that the gate is now substantially taller, and harmonious with the scale of the alleyway; and that the proposal approved by the

Commission has been maintained. Based on these and the above findings, Certificate of Appropriateness 13-6666 is being issued.

The Commission notes that the applicant is applying for a special permit at the Department of City Planning, pursuant to Section 74-712 of the Zoning Resolution. Any changes to the design required by the Department of City Planning approval must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please submit these drawings to the Landmarks Preservation Commission staff when they become available.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Building that the TPPN applies.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Andria Darby.

  
Robert B. Tierney  
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:  
George Schieferdecker, Partner, BSK Architects, LLP

cc: Caroline Kane Levy, Deputy Director of Preservation



**Borough President  
Recommendation**

**City Planning Commission**  
22 Reade Street, New York, NY 10007  
Fax # (212) 720-3356

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application: C 140055 ZSM and C 140056 ZSM

Docket Description:

**C 140055 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-10 to allow Use Group 2 uses (residential uses) on the 2<sup>nd</sup> through 12<sup>th</sup> floors, and Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) below the level of the second story of a proposed mixed use development on a zoning lot that, as of December 15, 2003, is vacant, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2.

**C 140056 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the new York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 12-story mixed-use development on a zoning lot where not more than 20 percent of the lot area is occupied by existing buildings as of December 15, 2003, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2

COMMUNITY BOARD NO:

2

BOROUGH: Manhattan

**RECOMMENDATION**

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached



BOROUGH PRESIDENT

1/17/2014  
DATE



THE CITY OF NEW YORK  
OFFICE OF THE PRESIDENT  
BOROUGH OF MANHATTAN

January 21, 2009

**Recommendation on  
ULURP Application Nos. C 140055 ZSM and C 140056 ZSM – 688 Broadway  
by Downtown RE Holdings LLC**

**PROPOSED ACTION**

Downtown RE Holdings LLC<sup>1</sup> ("the applicant") seeks a **special permit** pursuant to Section 74-712 of the New York City Zoning Resolution ("ZR") to facilitate the development of a 12-story mixed-use building on a vacant lot located at 688 Broadway in the NoHo neighborhood of Manhattan Community District 2. The proposed special permit would modify use and bulk regulations of §§ 42-00 (General Provisions), 42-14(D)(2)(a) and 43-43 (Maximum height of front wall and required front setbacks) in an M1-5B district

In order to grant the use modifications pursuant to ZR § 74-712(a), the City Planning Commission ("CPC") must find (i) that the residential development of the project complies with the minimum requirements for rear yards and distance between legally required windows, walls, or lot lines pertaining to R8 districts (§§ 23-86 and 23-47); (ii) that the total FAR be limited to 5.0; (iii) that the minimum floor area for each dwelling unit is 1,200 square feet; (iv) that all signs conform to sign regulations (§ 32-60) pertaining to C2 zoning districts; and (v) that eating and drinking establishments (Use Groups 6A and 12A) of any size are not permitted. CPC shall further find that the proposed use modifications (i) have minimal adverse effects on conforming uses in the surrounding area; (ii) are compatible with the character of the surrounding area; and in the case of residential developments (iii) result in a development that is compatible with the scale of the surrounding area.

Further, in order to grant the bulk modifications to special permit § 74-712(b), CPC must find that the proposed development (1) shall not adversely affect surrounding structures or open space in terms of scale, location and access to light and air; and (2) relate harmoniously to buildings in the Historic

<sup>1</sup> Downtown RE Holdings LLC is a subsidiary of DJS Real Estate Development LLC which is managed by David Schwartz

District as evidenced by a Certificate of Appropriateness from the Landmarks Preservation Commission (“LPC”).<sup>2</sup>

## PROJECT DESCRIPTION

The proposed mixed-use development will contain 14 dwelling units on floors 2 through 12, with ground floor and cellar retail space and accessory residential space. The proposed building would occupy a long-vacant lot in the NoHo Historic that is currently occupied by an outdoor market.

## Neighborhood Context

The NoHo neighborhood surrounding the proposed development consists primarily of 8- to 15-story buildings with no setbacks. Most of the area is within the NoHo Historic District. Originally a manufacturing area, most of the buildings in the district were built in the late nineteenth and early twentieth centuries. Most of these industrial buildings have been converted to residential uses on the upper floors. Because of the area’s zoning designation, many of these dwelling units are Joint Live Work Quarters for Artists (“JLWQA”), though some function as traditional residential units. The majority of the district’s buildings have retail uses on the ground floors. New York University owns a number of properties in the area, with the bulk of their Washington Square campus lying immediately to the west of the proposed development.

The project site and the areas directly north and south of the proposed development are zoned M1-5B, which permits most industrial and several commercial uses as of right. Notably, commercial Use Group 6, which permits retail and art galleries, is not allowed under the M1-5B designation. JLWQA are permitted in existing buildings erected prior to 1961, provided the lot coverage for such buildings does not exceed 5,000 square feet. In M1-5B districts new developments and enlargements are permitted a maximum floor area ratio (“FAR”) of 5.0 and must set back 15 feet from the lot line after a street wall of 85 feet.

Across Broadway from the proposed development is a C6-2 district stretching from West Houston Street to Waverly Place. C6-2 districts permit residential, commercial, and community facility uses up to 6.0 FAR. As with M1-5B districts, new developments are permitted a street wall height of 85 feet after which buildings must adhere to a sky exposure plane. Directly across the street from the proposed development are three buildings at 12, 6, and 15 stories.

Directly adjacent to the proposed development are the Silk Building, at 692 Broadway,<sup>3</sup> and the two-story Zacky’s clothing store, a non-contributing building to the historic district at 686 Broadway. The Silk Building was constructed in 1912 as a 12-story commercial and manufacturing building. Situated on a 15,272 square foot lot, the building occupies the entire south side of this block of East 4<sup>th</sup> Street, from Broadway to Lafayette Street. In 1982 the building was converted to retail on the ground level, commercial and manufacturing uses on floors two through six, and JLWQA on floors seven through twelve.<sup>4</sup> Because M1-5B districts allow for JLWQA only where lot coverage does not exceed 5,000 square feet, the Silk Building’s residential units are subject to a 1981 Board of Standards and Appeals

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<sup>2</sup> The LPC issued a Certificate of Appropriateness on November 28, 2012. LPC’s determinations will not be re-examined in this application.

<sup>3</sup> The Silk Building also goes by the address 14 East 4<sup>th</sup> Street.

<sup>4</sup> Floors one through six are currently occupied by a physical culture establishment.

(“BSA”) variance. The lot coverage requirement is intended to prevent residential units in large floorplate manufacturing buildings in order to ensure all units have adequate access to light and air. The Silk Building’s variance is based on the fact that though the building has exceptionally high lot coverage, its long rectangular shape allows for all units to access light and air from its northern East 4<sup>th</sup> Street façade. The BSA decision stipulates that all units must conform to plans submitted at that time in which all units accessed light and air from either Broadway or East 4<sup>th</sup> Street.

### **Proposed Development Site**

The proposed project sits on Block 531, Lot 4, which has an area of 8,998 square feet. The lot consists of vacant property on Broadway which is temporarily occupied by flea market vendors. At the rear of the lot, a 10 foot wide portion of Great Jones Alley connects the lot to the south to Great Jones Street. Great Jones Alley is gated and accessed by a curb cut on Great Jones Street.

Prior to 2011, Great Jones Alley was recorded as its own zoning lot, Lot 16. This lot was originally declared and recorded in 1818 by Samuel Jones, who owned the entirety of Block 531 as well as many other blocks in the vicinity, as a private passageway for the exclusive use of Samuel Jones, his heirs and assigns. Over time, the various buildings on Lot 531 were sold to other owners, but Lot 16 was never assigned to a single owner. According records at the New York City Topographical Bureau, Great Jones Alley is used in common and maintained by owners of adjoining property, with tax valuation reflected in and paid by the adjoining owners. According to the applicant, this means that the alley is jointly owned by the owners of Lots 1, 3, 4, and 15. Indeed, tax maps prior to 2011 indicate that a ten-foot portion of the alley adjacent to Lot 1 had already been incorporated into that lot. In 2011, the applicant filed a Tax Map Application with the New York City Department of finance to have the portions of the alley adjacent to the property reflected in the tax map, and subsequently purchased the ten-foot wide corridor leading to Great Jones Street from Lot 15, which is also owned by the applicant. Residents of the Silk Building dispute this classification, and, though other supporting documents have been provided, the applicant has not made clear why the Silk Building does not classify as an “adjoining property” with equal interest over the alley. Were further analysis to indicate that Great Jones Alley was improperly incorporated into Lot 4, the lot would have an area of 7,085 square feet.

### **Proposed Project**

The proposed 12-story development will contain 14 dwelling units on floors 2 through 12, with retail and accessory residential space on the ground floor and cellar. The building will rise to a height of 131 feet, or 11 stories, before setting back 15 feet to reach the total building height of 144 feet. The façade of the building will be composed of a multilayered surface of aluminum and glass window walls between brick piers and sidewalls. Over this surface will be a vertical screen of glazed terra cotta extrusions. This façade and building massing were approved unanimously by the LPC in November 2012. The Broadway frontage at the ground level will be dominated by the retail component, with a small residential entrance on the north side. The main residential entrance and lobby is proposed to be accessed through Great Jones Alley, which will be improved with historically contextual Belgian block pavers and granite sidewalk slabs, as well as improved lighting and a new gate. The rear of the building will set back after the first floor, creating both shared and private terraces on the second level. Additionally, there will be private balconies in the rear of the building on floors seven through eleven.

The proposed building will cover 27 lot line windows on the Silk Building, as well as under-window

louvers for heating, ventilation and air conditioning (“HVAC”). These lot line windows are not legally-required windows for any of the attached apartments, though the windows do constitute a large amount of the available light in these apartments. Absent the HVAC louvers on the south façade, the East 4<sup>th</sup> Street or Broadway façade of the historic building would have to be altered to allow for ventilation to these units.

### **Proposed Actions**

The applicant seeks a special permit pursuant to ZR §§ 74-712(a) and 74-712(b). The special permit would allow residential and retail development in a manufacturing district as well as bulk modifications to waive the required 15-foot setback. In order to receive the requested special permit the applicant must show that the proposed development is in context with the surrounding community and that it will not adversely affect neighboring properties and uses. Furthermore, ZR § 74-712 requires a zoning lot that was vacant as of December 15, 2003. The proposed development will occur on a zoning lot that, as of 2003, consisted of two separate zoning lots, both of which were vacant at that time.

### **COMMUNITY BOARD RECOMMENDATION**

At its Full Board meeting on December 19, 2013, Manhattan Community Board 2 (“CB2”) unanimously approved two resolutions: (1) recommending **conditional denial** of the two special permits; and (2) favoring accommodations for neighbors of 688 Broadway if the special permits are granted. CB2’s two resolutions and conditions are described more fully below.

In its first resolution, CB2 recommends denial of the two special permits unless: (a) the zoning calculations are based on the dimensions of the zoning lot as it was constituted on December 15, 2003; and (b) agreements are executed with the other owners of the private, commonly-owned alley running behind the properties on the block specifying work to be performed affecting the alley and responsibilities for maintenance, security, and use of the alley.

#### *Available Floor Area*

First, CB2 opposes the special permits for the development on the grounds that the zoning lot for which these special permits are sought was created after December 15, 2003. CB2 argues that “ZR § 74-712 pertains if a zoning lot ‘as of December 15, 2003 is vacant or has not more than 20 percent of the lot area occupied by existing buildings,’” and that as of 2003 the zoning lot at this location was smaller than the current zoning lot which now includes portions of a different zoning lot. Because of this, CB2 argues, the maximum floor area of a building allowed pursuant to ZR § 74-12 is less than that being sought by the applicant. The dimensions of the lot on December 15, 2003 were 54 feet by 130 feet, as opposed to the current lot size which is 54 feet by 150 feet.

#### *Residential Use*

CB2 found that, were the floor area of the building properly calculated, residential use would not be out of character with the surrounding community and would not have adverse effects on other uses. It also acknowledges that the proposed building is no larger than some other buildings in the immediate area. However, because of its interpretation of the requirements of ZR § 74-712, CB2 concludes that the anticipated size of the proposed development based upon a larger, post-December 15, 2003 zoning lot

size would make the building incompatible with the scale of the surrounding area and that the proposed development “should be assumed to adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air.”

#### *Ownership and Use of Great Jones Alley*

In addition, CB2 recommends denial of the two special permits because granting them would facilitate unilateral changes to the ownership and use of the jointly owned alley. The Board questions whether the process used to divide the alley up among adjacent properties was legal and equitable.

CB2 takes issue with the proposed use of the Alley as the primary vehicular and pedestrian entrance to the residential portion of the proposed building. While acknowledging that the applicant proposes to make improvements to the alley, CB2 states that the new use of the alley will substantially increase its use and will pose a potential for nuisance from noise and fumes and conflicts with current uses.

#### *Accommodations for Neighboring Properties*

In its second resolution, CB2 encourages accommodations for the neighbors of 688 Broadway if the permits are granted. CB2: (1) urges the applicant and affected parties to communicate and make best efforts to reduce harm and specifically urges the applicant to consider inclusion of an air shaft or partial side yard serving as many windows of the Silk Building as possible and (2) urges relevant City agencies and elected officials to work with the applicant and affected parties and CB2 in an effort to achieve this outcome.

The second resolution states that the proposed development will block 27 lot line windows on the south side of the adjacent Silk Building and render 27 HVAC units useless. It also notes that 18 rooms in the Silk Building would lose access to light and air and that residents of the Silk Building had set forth concerns about construction undermining the foundation of their building. The resolution goes on to state that the applicant presented a modified foundation plan that appeared to address concerns over the foundation.

### **BOROUGH PRESIDENT’S COMMENTS**

The applicant is proposing to construct a new residential building on a lot in the NoHo neighborhood that has been vacant for many years. The addition of this building to the historic district will fill a gap in the streetwall, helping to preserve the character of the surrounding neighborhood. The special permit pursuant to ZR § 74-712 was created to develop remaining vacant lots such as this one within historic districts.

#### *Special Permit for Use Modification*

ZR § 74-712(a) provides for a special permit in a historic district in an M1-5B district to allow residential development and commercial uses below the second floor where five specific conditions are met and where findings are made that the modifications have minimal adverse effects on conforming uses in the surrounding area and are compatible with the character of the neighborhood.

The proposed residential units are consistent with nearby uses, and will unlikely have adverse impacts

on conforming commercial and JLWQA uses in the surrounding area. The proposed 3,970 square foot retail space is compatible with the typical ground-floor usage prevalent in the neighborhood—along this section of Broadway nearly every building is occupied by ground floor retail, and the proposed commercial space is smaller than many neighboring stores. The few apartments in the proposed development, twelve units, are unlikely to adversely affect the surrounding uses. Additionally, the proposed development meets all requirements for rear yards, minimum distance between windows and walls or lot lines, minimum floor area for each dwelling unit, signage, and the prohibition on eating and drinking establishments.

CB2 raised concerns over the use of Great Jones Alley as the primary vehicular and pedestrian entrance to the residential component of the proposed building, as the increased use of the alley could potentially create a nuisance from noise and fumes. Given the small number of apartments in the proposed development, and the fact that the Broadway entrance will be closer to the elevator serving the building's residences, however, it appears unlikely that these impacts would be significant. In addition, the developer is proposing to rehabilitate, maintain, and secure this historic alley, one of only a small number remaining in the entire city.

Some community members have raised concerns over whether sections of Great Jones Alley, included in the zoning lot, can be used to generate floor area for this development. Section 74-712 provides that it applies to "a zoning lot that as of December 15, 2003 is vacant" or has minor improvements or is only partially occupied as set forth in such section. The zoning lot in question is the product of the merger of a smaller zoning lot that existed as of December 15, 2003 and a portion of the Great Jones Alley that was acquired by the developer in 2011. At the time of its acquisition, those portions of Great Jones Alley acquired by the developer were part of separate zoning lot which was undeveloped.

In the past, CPC has interpreted this provision to allow the calculation of floor area to be based upon the post-December 15, 2003 merger of two lots each of which was vacant or partially occupied. This interpretation has been used very recently in the case of 300 Lafayette (C 140093 ZSM), in which the CPC approved a § 74-712 permit for a development over three zoning lots, each of which was vacant or partially developed as of 2003.<sup>5</sup> The intent of the 2003 date appears to have been in large part to prevent developers from demolishing buildings in order to create vacant lots eligible for a special permit. This is sound policy. However, the wording of the text is not completely clear. CPC should carefully consider its interpretation to ensure that developers cannot use this provision to cobble together undeveloped portions of lots after the December 15, 2003 date (or graft such portions onto a larger lot that was undeveloped) in order to create a larger "undeveloped" lot.

In this case, both Lot 4 (the lot on which the proposed building is to be built) and the portion of the alley acquired by the developer in 2011, formerly Lot 16, were both undeveloped as of December 15, 2003 thereby fitting into a reasonable interpretation of the text that would allow them to be used together for the purpose of the FAR calculations for the special permit.

As mentioned above, there is some question about the process by which the applicant incorporated portions of the jointly owned alley into their zoning lot. If there is disputed ownership of the alley, this

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<sup>5</sup> The 300 Lafayette ULURP also included a text amendment to alter lot coverage requirements, as one of the included zoning lots had greater than the maximum 20 percent lot coverage. This text amendment does not change the underlying concept that multiple zoning lots can be used for a § 74-712 special permit.

issue should be resolved. It is not, however, a land use issue that can be addressed in ULURP. If the applicant does not indeed own the lot from which they intend to use floor area they cannot use that floor area. The Borough President's office has not, however, heard from other parties who shared ownership of the alley that the ownership is disputed.

### ***Special Permit for Bulk Modification***

Special permits for bulk modification pursuant to ZR § 74-712(b) may be provided upon finding that the modification does not adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air, and are in harmony with buildings in the historic district as evidenced by a Certificate of Appropriateness from the LPC.

In this case the proposed development was unanimously approved by the LPC and represents a significant improvement over a vacant lot. The proposed design will align the building's front façade with the facades of adjacent properties, which mirrors the architectural style and character of the historic district, whereas a setback at a lower level would be inconsistent. The design of the building is contemporary yet nods to historic context through the use of historically contextual materials.

The proposed modification will cover one lot line window of the neighboring Silk Building that would likely remain uncovered in the as-of-right development scenario, but leaves a row of six lot line windows in the Silk Building uncovered that could otherwise be block. Thus, in terms of the findings for the special permit, the bulk modification has a beneficial effect on air and light.

### ***Other Considerations***

Finally, the CPC may prescribe appropriate additional conditions and safeguards in order to enhance the character of the development and to minimize adverse effects on the character of the surrounding area. While the bulk waiver sought by the applicant is likely to produce fewer adverse consequences for the Silk Building than certain as-of-right scenarios, and acknowledging that the residents of the Silk building may not be legally entitled to rely on lot line windows for light and air, requiring the removal of HVAC systems from the lot line windows could present significant challenges to the landmark Silk Building. The removal of these HVAC systems could require their replacement under other windows fronting on Broadway or East 4<sup>th</sup> Street, which would require lengthy LPC approvals and would adversely affect the context of the historic district.

The applicant has proposed creating a slot along the northern wall of its building and installing piping from the apartments losing lot line windows to a new HVAC system on the roof of the Silk Building, to be installed by the residents of that building. Because these are condominium units, the Silk Building is not prepared to undergo these renovations as one unit and it is unclear whether there could be a single unit on the roof or whether multiple units would be the best approach. The applicant should work with the Silk Building residents to facilitate the best and most efficient way to accomplish this HVAC work and the bricking in of windows for the residents of the 12 affected units without impacting the residents of other units or inequitably burdening these particular owners.

Finally, CB2 noted that Silk Building residents have expressed concerns over the developer's proposed plans for foundation work that could potentially undermine the Silk Building's century-old foundation. At CB2's public Land Use Committee meeting the developer presented an alternative plan to ensure no




construction impacts to the structural integrity of the Silk Building. The developer has committed to extensive monitoring, including vibration sensors within the Silk Building. The applicant should continue to work with residents of the Silk Building to ensure that the construction work is done conscientiously and with minimal adverse effects.

#### **BOROUGH PRESIDENT'S RECOMMENDATION**

The proposed project would fill a long-standing gap in the NoHo historic district with a building that is contemporary yet historically contextual. The proposed use and bulk modifications are appropriate in the neighborhood and the building has been designed so as to minimally affect neighboring properties. Furthermore, the applicant proposes to rehabilitate and add a new use to a historic alley that has long been underutilized and unimproved. The proposed building does cover windows used by artists and families in the neighboring Silk Building and this impact should be addressed. The applicant, however, has committed to significantly invest in making sure that all effected rooms have access to ventilation so that these rooms can continue to be used.

**Therefore, the Manhattan Borough President recommends conditional approval of ULURP Application Nos. C 140055 ZSM and C 140056 ZSM, to grant a Special Permit pursuant to ZR § 74-72, contingent on the applicant continuing to work with the effected residents of the neighboring Silk Building and following through on their construction and financial commitments necessary to help mitigate any adverse effects.**

  
\_\_\_\_\_  
Gale A. Brewer  
Manhattan Borough President

**Community Board 2—10/18/2012**

**9 - LPC Item: 6 - 688 Broadway (W. 4/Great Jones)— NoHo Historic District.** A parking lot. Application is to construct a new building. Zoned M1-5B

**Whereas**, overall, this building will certainly contribute to the historic district; and

**Whereas**, the materials, proportions and style proposed are terrific – with the exception of the ground floor, however, which is squat and evocative of a 1950s commercial ground floor, in sharp contrast to this proposed building's 21<sup>st</sup>-century design, and the style of the historic late-19th and early-20th century buildings that comprise most of this district.

The proposed ground floor reads more like an upper floor than a lower floor. Traditionally in this historic district, the two lower floors usually had the appearance of a combined, single, massive base.

In this building, the single and double stories appear to be overlapping.

One alternative solution could be a color differentiation in the masonry and the metal trim, which would serve to distinguish the ground floor from the upper floors; and

**Whereas**, the rear façade of the building is likewise generally acceptable in style and materials. Furthermore, we appreciate the renovation of the Belgian blocks and the granite sidewalk. The lighting is smart and modern; but

**Whereas**, this is, after all, a commercial back alley in an historically industrial neighborhood. The applicant is proposing a trendy mesh wall with plantings for adornment at the side of the rear entrance. However, we recall the aversion that the Commission has displayed for street trees and/or planters in historically industrial districts like NoHo and SoHo.

Indeed, for over twenty years, the Commission has denied applications for trees and planters, not only on the public sidewalk, but even on privately-owned property, like in the areaway in front of a store on the southeast corner of Houston and Mercer Streets.

So, besides being contrary to precedent established by the LPC for the public streetscape, this proposal for decorative vegetation is especially incongruous in this gritty, grungy back-alley, where weeds are more appropriate than climbing vines; now

**Therefore, be it resolved that** CB#2, Man. recommends general approval of the front façade but seeks a more appropriately scaled base; and

**Further, be it resolved that** CB#2, Man. recommends approval of the rear façade and renovation of the pavement and roadbed; but

Further, be it resolved that CB#2, Man. recommends denial of the mesh grid and twee greenery for the alleyway.

**Vote:** Unanimous, with 42 Board members in favor



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
 TEL: 212 669-7700 FAX: 212 669-7720



# PERMIT

## CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 11/28/2012	<b>EXPIRATION DATE:</b> 10/09/2018	<b>DOCKET #:</b> 13-6343	<b>COFA #:</b> COFA 13-7987
<b>ADDRESS</b> 688 BROADWAY		<b>BOROUGH:</b> MANHATTAN	<b>BLOCK/LOT:</b> 31/4
<b>HISTORIC DISTRICT</b> NOHO			

Display This Permit While Work Is In Progress

ISSUED TO:

David Schwartz, VP  
 Downtown RE Holdings, LLC  
 825 3rd Avenue, 37th Floor  
 New York, NY 10022

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of October 9, 2012, following the Public Meeting of the same date, voted to grant a Certificate of Appropriateness for a proposal to construct a new building on an existing parking lot; as put forward in your application completed on September 13, 2012. The approval will expire October 9, 2018.

The proposal, as approved, consists of the construction of a new 11-story building with a one-story set-back penthouse and a two-story base, featuring a variety of materials at the primary facade, including light-colored Norman brick piers; projecting terra-cotta "fins" set at different depths and angles in front of a metal and glass curtain wall; with the base to feature quartzite-clad piers, and metal and glass ground floor infill, with projecting metal commercial signage. At the rear elevation, facing Great Jones Alley, the building will feature a one story lobby with a residential entrance of COR-TEN steel, glass, and textured terra-cotta panels, with the upper floors of the building to feature the same light-colored Norman brick used at the primary facade, large metal and glass windows, and projecting metal balconies. The approval also includes work at Great Jones Alley, including installation of new granite-block and granite slab paving, and COR-TEN steel light fixtures, which will be installed along the brick wall of the adjacent building at the east elevation of the alley; installation of a green wall at the north end of the alley; and replacement of an existing utilitarian metal gate at the entrance to the alley on Great Jones Street with a new stainless steel gate set within a COR-TEN steel frame. The approved proposal was shown in presentation materials including drawings, photographs, and photomontages of the proposed building through L-21, L-24.1, L-25, L-25.1, L-26, L-26.1, L-27 through L-34, labeled 1 through 18, dated October 9, 2012, prepared by BSKS Architects, and presented at the Public Hearing and Public Meeting of October 9, 2012.

In reviewing this proposal, the Commission noted that the NoHo Historic District designation report describes the site of the new building as a parking lot. The Commission also noted that the NoHo Historic District is primarily composed of commercial buildings constructed between the early 1850's and the 1910's, and includes ornate store

NO DESIGN APPROVAL ONLY  
 No work to be proceeded until DOB filing  
 drawings are reviewed and approved

and loft buildings designed by some of the city's most acclaimed architects. Furthermore, the Commission noted that the district also contains early-nineteenth century houses, nineteenth- and twentieth-century institutional buildings, and turn-of-the-century office buildings, which are responsible for the district's rich and varied streetscapes, that feature marble, cast-iron, limestone terra cotta, and brick facades.

With regard to this proposal, the Commission found that constructing a new building on this empty lot will fill in a gap in the streetwall and will strengthen the character of the streetscape; that the height and massing of the proposed building will be compatible with the height and massing of buildings typically found throughout the adjoining streetscapes and the historic district; that the contemporary use of terra cotta, metal, and glass in this building will recall the evolution of these materials in this historic district; that the material palette, including light-colored brick and terra-cotta, rusticated quartzite, and stainless steel, will harmonize with the materials and finishes of buildings in the surrounding streetscapes; that the details of the facade, which include a slightly recessed center bay with deep-set terra cotta fins at various angles, and flanking side bays with more shallow terra fins set at various angles, create a sense of depth, texture, and animation that is consistent with the character of the facades of historic loft buildings on this block and throughout the historic district; that the projecting terra cotta fins which will be set in front of large single-paned windows serve to break-up the large expanses of glazing, resulting in a perceived window-to-masonry proportion that is consistent with the historic buildings throughout the historic district; that the organization of the facade, which has a two-story masonry base, a multi-story shaft, and a cornice at its terminus, is typical of the organization of historic buildings throughout the district; that the two-story commercial base, which features heavily rusticated stone piers, and recessed metal and glass infill with transoms and display windows, is consistent with the materials, scale, and proportion of commercial bases at historic buildings throughout the district, and will help the base of the building to be compatible with the surrounding streetscapes; that the proposed projecting stainless steel signage at the ground floor is consistent with historic projecting metal signs that were a feature of this historic district; that the predominance of brick masonry, perforated with only a few punched masonry openings at the southern secondary facade, is consistent with the industrial character and secondary identity of no-line facades throughout the district; that the proposed set-back penthouse will only be slightly visible from Broadway over the adjacent two-story building where it will be seen in profile at the secondary elevation; that the building's rear facade, which will be composed of plain brick masonry, with regularized window openings, and feature a simple stepped massing, is consistent with the utilitarian nature of rear facades at historic buildings throughout the historic district; that the rear facade features metal balconies that recall the fire escapes that are typical utilitarian features of historic rear facades; that the materials of the tenant entrance at the alley elevation, including COR-TEN steel, masonry, and glass, are consistent with the types of varied materials palettes found at the rear ground floor facades of historic alleys in the district; that the simple design and small scale of the vehicle warning light will be in keeping with the industrial character of the district and will not draw undue attention to itself; that the existing gate is not original or historic and the new stainless steel gate to Great Jones Alley will feature a wire mesh that will allow for transparency, while still affording safety to tenants; that the proposed installation of new Belgian block paving and granite slab paving at the alley is consistent with the types of paving found at historic alleys; that the installation of light fixtures at the brick facade along the southern elevation of the alley will not damage or destroy any significant architectural features of the facade of the adjacent building; and that the installation of a "green wall" at the end of the alley will not damage or destroy any significant architectural features of the brick wall behind where it will be mounted. Based on these findings, the Commission determined the proposed building to be appropriate to the No. 9 Historic District, and voted to approve it with certain modifications.

In voting to approve this application, the Commission required that the applicant to restudy the base of the building at the Broadway elevation with an aim to strengthen the way the base reads within the design of the primary facade; and to raise the height of the proposed new gate at the entrance to Great Jones Alley.

Subsequently, the applicants submitted revised drawings labeled R.L-1, R.L-2, L-9, L-22, and L-27, dated revised October 18, 2011, showing a modified first floor at the Broadway elevation that has been raised 12 inches, and a modified gate at the Jones Alley elevation featuring a COR-TEN steel frame that is approximately 12 feet 9 inches tall, which is 3 feet taller than initially proposed. Staff reviewed these drawings and found that the reading of the base within the context of the facade composition has been strengthened and that the gate is now substantially taller, and harmonious with the scale of the alleyway; and that the proposal approved by the

Commission has been maintained. Based on these and the above findings, Certificate of Appropriateness 13-6666 is being issued.

The Commission notes that the applicant is applying for a special permit at the Department of City Planning, pursuant to Section 74-712 of the Zoning Resolution. Any changes to the design required by the Department of City Planning approval must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Building filing set of drawings. No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please submit these drawings to the Landmarks Preservation Commission staff when they become available.

Also, as the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their permit to inform the Department of Buildings that the TPPN applies.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Andria Darby.

  
Robert B. Tierney  
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:  
George Schieferdecker, Partner, BPSK Architects, LLP

cc: Caroline Kane Levy, Deputy Director of Preservation

**Borough President  
Recommendation**

**City Planning Commission**  
22 Reade Street, New York, NY 10007  
Fax # (212) 720-3356

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application: C 140055 ZSM and C 140056 ZSM

Docket Description:

**C 140055 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-10 to allow Use Group 2 uses (residential uses) on the 2<sup>nd</sup> through 12<sup>th</sup> floors, and Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) below the level of the second story of a proposed mixed use development on a zoning lot that, as of December 15, 2003, is vacant, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2.

**C 140056 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the new York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 12-story mixed-use development on a zoning lot where not more than 20 percent of the lot area is occupied by existing buildings as of December 15, 2003, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2

COMMUNITY BOARD NO:

2

BOROUGH: Manhattan

**RECOMMENDATION**

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached

*Jul Q. Brewster*

BOROUGH PRESIDENT

*1/17/2014*  
DATE

**Borough President  
Recommendation**

**City Planning Commission**  
22 Reade Street, New York, NY 10007  
Fax # (212) 720-3356

**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application: C 140055 ZSM and C 140056 ZSM

Docket Description:

**C 140055 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-10 to allow Use Group 2 uses (residential uses) on the 2<sup>nd</sup> through 12<sup>th</sup> floors, and Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) below the level of the second story of a proposed mixed use development on a zoning lot that, as of December 15, 2003, is vacant, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2.

**C 140056 ZSM - IN THE MATTER OF** an application submitted by Downtown RE Holdings LLC pursuant to Sections 197-c and 201 of the new York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 12-story mixed-use development on a zoning lot where not more than 20 percent of the lot area is occupied by existing buildings as of December 15, 2003, located at 688 Broadway (Block 531, Lot 4), in an M1-5B District, within the NoHo Historic District, Borough of Manhattan, Community District 2

COMMUNITY BOARD NO:

2

BOROUGH: Manhattan

**RECOMMENDATION**

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATIONS/CONDITONS (Listed below)

EXPLANATION OF RECOMMENDATION – MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

See Attached



BOROUGH PRESIDENT

1/17/2014  
DATE



THE CITY OF NEW YORK  
OFFICE OF THE PRESIDENT  
BOROUGH OF MANHATTAN

January 21, 2009

**Recommendation on  
ULURP Application Nos. C 140055 ZSM and C 140056 ZSM – 688 Broadway  
by Downtown RE Holdings LLC**

**PROPOSED ACTION**

Downtown RE Holdings LLC<sup>1</sup> (“the applicant”) seeks a **special permit** pursuant to Section 74-712 of the New York City Zoning Resolution (“ZR”) to facilitate the development of a 12-story mixed-use building on a vacant lot located at 688 Broadway in the NoHo neighborhood of Manhattan Community District 2. The proposed special permit would modify use and bulk regulations of §§ 42-00 (General Provisions), 42-14(D)(2)(a) and 43-43 (Maximum height of front wall and required front setbacks) in an M1-5B district

In order to grant the use modifications pursuant to ZR § 74-712(a), the City Planning Commission (“CPC”) must find (i) that the residential development of the project complies with the minimum requirements for rear yards and distance between legally required windows, walls, or lot lines pertaining to R8 districts (§§ 23-86 and 23-47); (ii) that the total FAR be limited to 5.0; (iii) that the minimum floor area for each dwelling unit is 1,200 square feet; (iv) that all signs conform to sign regulations (§ 32-60) pertaining to C2 zoning districts; and (v) that eating and drinking establishments (Use Groups 6A and 12A) of any size are not permitted. CPC shall further find that the proposed use modifications (i) have minimal adverse effects on conforming uses in the surrounding area; (ii) are compatible with the character of the surrounding area; and in the case of residential developments (iii) result in a development that is compatible with the scale of the surrounding area.

Further, in order to grant the bulk modifications to special permit § 74-712(b), CPC must find that the proposed development (1) shall not adversely affect surrounding structures or open space in terms of scale, location and access to light and air; and (2) relate harmoniously to buildings in the Historic

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<sup>1</sup> Downtown RE Holdings LLC is a subsidiary of DJS Real Estate Development LLC which is managed by David Schwartz



District as evidenced by a Certificate of Appropriateness from the Landmarks Preservation Commission (“LPC”).<sup>2</sup>

## **PROJECT DESCRIPTION**

The proposed mixed-use development will contain 14 dwelling units on floors 2 through 12, with ground floor and cellar retail space and accessory residential space. The proposed building would occupy a long-vacant lot in the NoHo Historic that is currently occupied by an outdoor market.

### **Neighborhood Context**

The NoHo neighborhood surrounding the proposed development consists primarily of 8- to 15-story buildings with no setbacks. Most of the area is within the NoHo Historic District. Originally a manufacturing area, most of the buildings in the district were built in the late nineteenth and early twentieth centuries. Most of these industrial buildings have been converted to residential uses on the upper floors. Because of the area’s zoning designation, many of these dwelling units are Joint Live Work Quarters for Artists (“JLWQA”), though some function as traditional residential units. The majority of the district’s buildings have retail uses on the ground floors. New York University owns a number of properties in the area, with the bulk of their Washington Square campus lying immediately to the west of the proposed development.

The project site and the areas directly north and south of the proposed development are zoned M1-5B, which permits most industrial and several commercial uses as of right. Notably, commercial Use Group 6, which permits retail and art galleries, is not allowed under the M1-5B designation. JLWQA are permitted in existing buildings erected prior to 1961, provided the lot coverage for such buildings does not exceed 5,000 square feet. In M1-5B districts new developments and enlargements are permitted a maximum floor area ratio (“FAR”) of 5.0 and must set back 15 feet from the lot line after a street wall of 85 feet.

Across Broadway from the proposed development is a C6-2 district stretching from West Houston Street to Waverly Place. C6-2 districts permit residential, commercial, and community facility uses up to 6.0 FAR. As with M1-5B districts, new developments are permitted a street wall height of 85 feet after which buildings must adhere to a sky exposure plane. Directly across the street from the proposed development are three buildings at 12, 6, and 15 stories.

Directly adjacent to the proposed development are the Silk Building, at 692 Broadway,<sup>3</sup> and the two-story Zacky’s clothing store, a non-contributing building to the historic district at 686 Broadway. The Silk Building was constructed in 1912 as a 12-story commercial and manufacturing building. Situated on a 15,272 square foot lot, the building occupies the entire south side of this block of East 4<sup>th</sup> Street, from Broadway to Lafayette Street. In 1982 the building was converted to retail on the ground level, commercial and manufacturing uses on floors two through six, and JLWQA on floors seven through twelve.<sup>4</sup> Because M1-5B districts allow for JLWQA only where lot coverage does not exceed 5,000 square feet, the Silk Building’s residential units are subject to a 1981 Board of Standards and Appeals

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<sup>2</sup> The LPC issued a Certificate of Appropriateness on November 28, 2012. LPC’s determinations will not be re-examined in this application.

<sup>3</sup> The Silk Building also goes by the address 14 East 4<sup>th</sup> Street.

<sup>4</sup> Floors one through six are currently occupied by a physical culture establishment.

(“BSA”) variance. The lot coverage requirement is intended to prevent residential units in large floorplate manufacturing buildings in order to ensure all units have adequate access to light and air. The Silk Building’s variance is based on the fact that though the building has exceptionally high lot coverage, its long rectangular shape allows for all units to access light and air from its northern East 4<sup>th</sup> Street façade. The BSA decision stipulates that all units must conform to plans submitted at that time in which all units accessed light and air from either Broadway or East 4<sup>th</sup> Street.

### **Proposed Development Site**

The proposed project sits on Block 531, Lot 4, which has an area of 8,998 square feet. The lot consists of vacant property on Broadway which is temporarily occupied by flea market vendors. At the rear of the lot, a 10 foot wide portion of Great Jones Alley connects the lot to the south to Great Jones Street. Great Jones Alley is gated and accessed by a curb cut on Great Jones Street.

Prior to 2011, Great Jones Alley was recorded as its own zoning lot, Lot 16. This lot was originally declared and recorded in 1818 by Samuel Jones, who owned the entirety of Block 531 as well as many other blocks in the vicinity, as a private passageway for the exclusive use of Samuel Jones, his heirs and assigns. Over time, the various buildings on Lot 531 were sold to other owners, but Lot 16 was never assigned to a single owner. According records at the New York City Topographical Bureau, Great Jones Alley is used in common and maintained by owners of adjoining property, with tax valuation reflected in and paid by the adjoining owners. According to the applicant, this means that the alley is jointly owned by the owners of Lots 1, 3, 4, and 15. Indeed, tax maps prior to 2011 indicate that a ten-foot portion of the alley adjacent to Lot 1 had already been incorporated into that lot. In 2011, the applicant filed a Tax Map Application with the New York City Department of finance to have the portions of the alley adjacent to the property reflected in the tax map, and subsequently purchased the ten-foot wide corridor leading to Great Jones Street from Lot 15, which is also owned by the applicant. Residents of the Silk Building dispute this classification, and, though other supporting documents have been provided, the applicant has not made clear why the Silk Building does not classify as an “adjoining property” with equal interest over the alley. Were further analysis to indicate that Great Jones Alley was improperly incorporated into Lot 4, the lot would have an area of 7,085 square feet.

### **Proposed Project**

The proposed 12-story development will contain 14 dwelling units on floors 2 through 12, with retail and accessory residential space on the ground floor and cellar. The building will rise to a height of 131 feet, or 11 stories, before setting back 15 feet to reach the total building height of 144 feet. The façade of the building will be composed of a multilayered surface of aluminum and glass window walls between brick piers and sidewalls. Over this surface will be a vertical screen of glazed terra cotta extrusions. This façade and building massing were approved unanimously by the LPC in November 2012. The Broadway frontage at the ground level will be dominated by the retail component, with a small residential entrance on the north side. The main residential entrance and lobby is proposed to be accessed through Great Jones Alley, which will be improved with historically contextual Belgian block pavers and granite sidewalk slabs, as well as improved lighting and a new gate. The rear of the building will set back after the first floor, creating both shared and private terraces on the second level. Additionally, there will be private balconies in the rear of the building on floors seven through eleven.

The proposed building will cover 27 lot line windows on the Silk Building, as well as under-window

louvers for heating, ventilation and air conditioning (“HVAC”). These lot line windows are not legally-required windows for any of the attached apartments, though the windows do constitute a large amount of the available light in these apartments. Absent the HVAC louvers on the south façade, the East 4<sup>th</sup> Street or Broadway façade of the historic building would have to be altered to allow for ventilation to these units.

### **Proposed Actions**

The applicant seeks a special permit pursuant to ZR §§ 74-712(a) and 74-712(b). The special permit would allow residential and retail development in a manufacturing district as well as bulk modifications to waive the required 15-foot setback. In order to receive the requested special permit the applicant must show that the proposed development is in context with the surrounding community and that it will not adversely affect neighboring properties and uses. Furthermore, ZR § 74-712 requires a zoning lot that was vacant as of December 15, 2003. The proposed development will occur on a zoning lot that, as of 2003, consisted of two separate zoning lots, both of which were vacant at that time.

### **COMMUNITY BOARD RECOMMENDATION**

At its Full Board meeting on December 19, 2013, Manhattan Community Board 2 (“CB2”) unanimously approved two resolutions: (1) recommending **conditional denial** of the two special permits; and (2) favoring accommodations for neighbors of 688 Broadway if the special permits are granted. CB2’s two resolutions and conditions are described more fully below.

In its first resolution, CB2 recommends denial of the two special permits unless: (a) the zoning calculations are based on the dimensions of the zoning lot as it was constituted on December 15, 2003; and (b) agreements are executed with the other owners of the private, commonly-owned alley running behind the properties on the block specifying work to be performed affecting the alley and responsibilities for maintenance, security, and use of the alley.

#### *Available Floor Area*

First, CB2 opposes the special permits for the development on the grounds that the zoning lot for which these special permits are sought was created after December 15, 2003. CB2 argues that “ZR § 74-712 pertains if a zoning lot ‘as of December 15, 2003 is vacant or has not more than 20 percent of the lot area occupied by existing buildings,’” and that as of 2003 the zoning lot at this location was smaller than the current zoning lot which now includes portions of a different zoning lot. Because of this, CB2 argues, the maximum floor area of a building allowed pursuant to ZR § 74-12 is less than that being sought by the applicant. The dimensions of the lot on December 15, 2003 were 54 feet by 130 feet, as opposed to the current lot size which is 54 feet by 150 feet.

#### *Residential Use*

CB2 found that, were the floor area of the building properly calculated, residential use would not be out of character with the surrounding community and would not have adverse effects on other uses. It also acknowledges that the proposed building is no larger than some other buildings in the immediate area. However, because of its interpretation of the requirements of ZR § 74-712, CB2 concludes that the anticipated size of the proposed development based upon a larger, post-December 15, 2003 zoning lot

size would make the building incompatible with the scale of the surrounding area and that the proposed development “should be assumed to adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air.”

#### *Ownership and Use of Great Jones Alley*

In addition, CB2 recommends denial of the two special permits because granting them would facilitate unilateral changes to the ownership and use of the jointly owned alley. The Board questions whether the process used to divide the alley up among adjacent properties was legal and equitable.

CB2 takes issue with the proposed use of the Alley as the primary vehicular and pedestrian entrance to the residential portion of the proposed building. While acknowledging that the applicant proposes to make improvements to the alley, CB2 states that the new use of the alley will substantially increase its use and will pose a potential for nuisance from noise and fumes and conflicts with current uses.

#### *Accommodations for Neighboring Properties*

In its second resolution, CB2 encourages accommodations for the neighbors of 688 Broadway if the permits are granted. CB2: (1) urges the applicant and affected parties to communicate and make best efforts to reduce harm and specifically urges the applicant to consider inclusion of an air shaft or partial side yard serving as many windows of the Silk Building as possible and (2) urges relevant City agencies and elected officials to work with the applicant and affected parties and CB2 in an effort to achieve this outcome.

The second resolution states that the proposed development will block 27 lot line windows on the south side of the adjacent Silk Building and render 27 HVAC units useless. It also notes that 18 rooms in the Silk Building would lose access to light and air and that residents of the Silk Building had set forth concerns about construction undermining the foundation of their building. The resolution goes on to state that the applicant presented a modified foundation plan that appeared to address concerns over the foundation.

### **BOROUGH PRESIDENT'S COMMENTS**

The applicant is proposing to construct a new residential building on a lot in the NoHo neighborhood that has been vacant for many years. The addition of this building to the historic district will fill a gap in the streetwall, helping to preserve the character of the surrounding neighborhood. The special permit pursuant to ZR § 74-712 was created to develop remaining vacant lots such as this one within historic districts.

#### *Special Permit for Use Modification*

ZR § 74-712(a) provides for a special permit in a historic district in an M1-5B district to allow residential development and commercial uses below the second floor where five specific conditions are met and where findings are made that the modifications have minimal adverse effects on conforming uses in the surrounding area and are compatible with the character of the neighborhood.

The proposed residential units are consistent with nearby uses, and will unlikely have adverse impacts

on conforming commercial and JLWQA uses in the surrounding area. The proposed 3,970 square foot retail space is compatible with the typical ground-floor usage prevalent in the neighborhood—along this section of Broadway nearly every building is occupied by ground floor retail, and the proposed commercial space is smaller than many neighboring stores. The few apartments in the proposed development, twelve units, are unlikely to adversely affect the surrounding uses. Additionally, the proposed development meets all requirements for rear yards, minimum distance between windows and walls or lot lines, minimum floor area for each dwelling unit, signage, and the prohibition on eating and drinking establishments.

CB2 raised concerns over the use of Great Jones Alley as the primary vehicular and pedestrian entrance to the residential component of the proposed building, as the increased use of the alley could potentially create a nuisance from noise and fumes. Given the small number of apartments in the proposed development, and the fact that the Broadway entrance will be closer to the elevator serving the building's residences, however, it appears unlikely that these impacts would be significant. In addition, the developer is proposing to rehabilitate, maintain, and secure this historic alley, one of only a small number remaining in the entire city.

Some community members have raised concerns over whether sections of Great Jones Alley, included in the zoning lot, can be used to generate floor area for this development. Section 74-712 provides that it applies to “a zoning lot that as of December 15, 2003 is vacant” or has minor improvements or is only partially occupied as set forth in such section. The zoning lot in question is the product of the merger of a smaller zoning lot that existed as of December 15, 2003 and a portion of the Great Jones Alley that was acquired by the developer in 2011. At the time of its acquisition, those portions of Great Jones Alley acquired by the developer were part of separate zoning lot which was undeveloped.

In the past, CPC has interpreted this provision to allow the calculation of floor area to be based upon the post-December 15, 2003 merger of two lots each of which was vacant or partially occupied. This interpretation has been used very recently in the case of 300 Lafayette (C 140093 ZSM), in which the CPC approved a § 74-712 permit for a development over three zoning lots, each of which was vacant or partially developed as of 2003.<sup>5</sup> The intent of the 2003 date appears to have been in large part to prevent developers from demolishing buildings in order to create vacant lots eligible for a special permit. This is sound policy. However, the wording of the text is not completely clear. CPC should carefully consider its interpretation to ensure that developers cannot use this provision to cobble together undeveloped portions of lots after the December 15, 2003 date (or graft such portions onto a larger lot that was undeveloped) in order to create a larger “undeveloped” lot.

In this case, both Lot 4 (the lot on which the proposed building is to be built) and the portion of the alley acquired by the developer in 2011, formerly Lot 16, were both undeveloped as of December 15, 2003 thereby fitting into a reasonable interpretation of the text that would allow them to be used together for the purpose of the FAR calculations for the special permit.

As mentioned above, there is some question about the process by which the applicant incorporated portions of the jointly owned alley into their zoning lot. If there is disputed ownership of the alley, this

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<sup>5</sup> The 300 Lafayette ULURP also included a text amendment to alter lot coverage requirements, as one of the included zoning lots had greater than the maximum 20 percent lot coverage. This text amendment does not change the underlying concept that multiple zoning lots can be used for a § 74-712 special permit.

issue should be resolved. It is not, however, a land use issue that can be addressed in ULURP. If the applicant does not indeed own the lot from which they intend to use floor area they cannot use that floor area. The Borough President's office has not, however, heard from other parties who shared ownership of the alley that the ownership is disputed.

### ***Special Permit for Bulk Modification***

Special permits for bulk modification pursuant to ZR § 74-712(b) may be provided upon finding that the modification does not adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air, and are in harmony with buildings in the historic district as evidenced by a Certificate of Appropriateness from the LPC.

In this case the proposed development was unanimously approved by the LPC and represents a significant improvement over a vacant lot. The proposed design will align the building's front façade with the facades of adjacent properties, which mirrors the architectural style and character of the historic district, whereas a setback at a lower level would be inconsistent. The design of the building is contemporary yet nods to historic context through the use of historically contextual materials.

The proposed modification will cover one lot line window of the neighboring Silk Building that would likely remain uncovered in the as-of-right development scenario, but leaves a row of six lot line windows in the Silk Building uncovered that could otherwise be block. Thus, in terms of the findings for the special permit, the bulk modification has a beneficial effect on air and light.

### ***Other Considerations***

Finally, the CPC may prescribe appropriate additional conditions and safeguards in order to enhance the character of the development and to minimize adverse effects on the character of the surrounding area. While the bulk waiver sought by the applicant is likely to produce fewer adverse consequences for the Silk Building than certain as-of-right scenarios, and acknowledging that the residents of the Silk building may not be legally entitled to rely on lot line windows for light and air, requiring the removal of HVAC systems from the lot line windows could present significant challenges to the landmark Silk Building. The removal of these HVAC systems could require their replacement under other windows fronting on Broadway or East 4<sup>th</sup> Street, which would require lengthy LPC approvals and would adversely affect the context of the historic district.

The applicant has proposed creating a slot along the northern wall of its building and installing piping from the apartments losing lot line windows to a new HVAC system on the roof of the Silk Building, to be installed by the residents of that building. Because these are condominium units, the Silk Building is not prepared to undergo these renovations as one unit and it is unclear whether there could be a single unit on the roof or whether multiple units would be the best approach. The applicant should work with the Silk Building residents to facilitate the best and most efficient way to accomplish this HVAC work and the bricking in of windows for the residents of the 12 affected units without impacting the residents of other units or inequitably burdening these particular owners.


Finally, CB2 noted that Silk Building residents have expressed concerns over the developer's proposed plans for foundation work that could potentially undermine the Silk Building's century-old foundation. At CB2's public Land Use Committee meeting the developer presented an alternative plan to ensure no

construction impacts to the structural integrity of the Silk Building. The developer has committed to extensive monitoring, including vibration sensors within the Silk Building. The applicant should continue to work with residents of the Silk Building to ensure that the construction work is done conscientiously and with minimal adverse effects.

#### **BOROUGH PRESIDENT'S RECOMMENDATION**

The proposed project would fill a long-standing gap in the NoHo historic district with a building that is contemporary yet historically contextual. The proposed use and bulk modifications are appropriate in the neighborhood and the building has been designed so as to minimally affect neighboring properties. Furthermore, the applicant proposes to rehabilitate and add a new use to a historic alley that has long been underutilized and unimproved. The proposed building does cover windows used by artists and families in the neighboring Silk Building and this impact should be addressed. The applicant, however, has committed to significantly invest in making sure that all effected rooms have access to ventilation so that these rooms can continue to be used.

**Therefore, the Manhattan Borough President recommends conditional approval of ULURP Application Nos. C 140055 ZSM and C 140056 ZSM, to grant a Special Permit pursuant to ZR § 74-72, contingent on the applicant continuing to work with the effected residents of the neighboring Silk Building and following through on their construction and financial commitments necessary to help mitigate any adverse effects.**

  
\_\_\_\_\_  
Gale A. Brewer  
Manhattan Borough President

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JAMES MANSON

Address: 567 HUDSON ST NYC

I represent: WHITE HORSE TAVERN

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

LU23/24

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: MARCH 18, 2014

(PLEASE PRINT)

Name: Laurie Stanziale

Address: 767 Third Avenue, 12<sup>th</sup> Fl, NY, NY 10017

I represent: Silk Building Condominium

Address: 14 E. 4<sup>th</sup> Street / 692 Broadway

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

LU23/24

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: MARCH 18, 2014

(PLEASE PRINT)

Name: William C. Rosser

Address: 14 E 4th St.

I represent: Myself as resident/owner

Address: 14 E. 4th St.

Please complete this card and return to the Sergeant-at-Arms.



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 23+24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/18/14

(PLEASE PRINT)

Name: Rob Morica

Address: 47 Great Jones St.

I represent: 688 Broadway

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 23+24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David Schwartz

Address: \_\_\_\_\_

I represent: Downtown RE Holdings

Address: 688 Broadway

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. #23/24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: GEORGE SCHIEFERDECKER

Address: 11 W 25th St - ARCHITECT

I represent: 608 BROADWAY

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. #23/24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MITCH KORBEL

Address: 2 PARK BLVD

I represent: DOW TOWN RE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LV 23/24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: FRANKLIN JARMAN

Address: 14 E. 4th St

I represent: Residents

Address: 14 E. 4th St

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. W23/24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/8/14

(PLEASE PRINT)

Name: TOM KATZELMAN

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: March 19 2013

(PLEASE PRINT)

Name: Matthew Abraham

Address: 96 Kenmare St New York NY

I represent: Restaurant / 98 Kenmare

Address: 98 Kenmare St New York NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 1023/24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 3/18/14

(PLEASE PRINT)

Name: DANNY WHITE

Address: 14 E 4<sup>th</sup> ST # 1103

I represent: SILK BUILDING

Address: 14 E 4<sup>th</sup> ST # 1103

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

LU 29-  
24

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Zella Jones (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 23-24 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: SOFIA MATA (PLEASE PRINT)

Address: 14 E 4TH ST APT. 819

I represent: SILK BUILDING

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms