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New York State Supreme Court rejected a community group's challenge of a rezoning that would facilitate a 61-unit mixed-use development in Williamsburg, Brooklyn. See story on page 81. Rendering: Courtesy of Joseph Vance Architects.

CITY COUNCIL

Rezoning/Text Amendment
Upper West Side, Manhattan

Council Approves Proposal to Limit Size of Banks and Other Storefronts in the Upper West Side

[posted to CityLandNYC.org 6.28.2012]

Banking group claimed proposed limitations on widths of new ground floor storefronts along Broadway, Amsterdam Avenue, and Columbus Avenue unfairly discriminate against banks. On June 21, 2012, the City Council's Land Use Committee approved the Department of City Planning's Upper West Side Neighborhood Retail Streets proposal. The proposal would establish [two Special Enhanced Commercial Districts](#) in Manhattan's Upper West Side and establish limits on the widths

of new and expanding ground floor retail stores, banks, and residential lobbies along portions of the neighborhood's main commercial thoroughfares: Broadway, Amsterdam Avenue, and Columbus Avenue. One special district would cover the majority of Amsterdam Avenue between 73rd and 110th Streets and Columbus Avenue between 72nd and 87th Streets. The other special district would cover Broadway between 72nd and 110th Streets. The proposal would also apply a C1-5 commercial overlay to a portion of one block on Columbus Avenue in order to reflect existing uses.

City Planning created the proposal in response to community concerns about the proliferation of banks with large storefronts, new retail tenants combining multiple small storefronts, and new developments providing only single-tenant, ground floor *(cont'd on page 69)*

The City Council Should Approve NYU's Core Expansion Plan

If one were to draw a circle a mile in radius with the hub being Washington Square, and time-traveled back 50 years to 1962, included within the circle would be a low-rent failing commercial district along Lower Broadway; a darkened, empty loft factory area south of Houston Street; a bleak Hudson River waterfront in the shadow of a deteriorating West Side Highway; an industrial meatpacking district dead in the daytime and a slaughterhouse at night; an empty High Line sprouting weeds above and blighting the streets below; and a Union Square so dangerous and empty that it was one of the City's most notorious needle parks.

New York University chose at that moment to move its Bronx campus to Washington Square, an oasis benefitting from the adjacent Italian community and the glorious housing of the West Village. NYU now calls the area closest to Washington Square its core, and wants to expand by building on land within the superblocks immediately south of the Park. The City should approve that plan.

Controversy surrounds NYU's plan. This land, after all, is part of the battlefield on which Jane Jacobs fought and defeated Robert Moses, who nonetheless succeeded in creating the two superblocks over which the current battle clashes. The controversy has been played out in the City's land use process which has molded and compelled alterations in the plan. The plan is not perfect and will greatly change the two superblocks that were themselves created out of misguided planning concepts following World War II that no one would adopt today. The changes will be losses, but the gains will be greater.

NYU is a colossal economic and cultural engine with a historic focus at Washington Square. Its growth stimulates good things throughout New York City and the region. Of the constellation of enterprises that makes New York City great, it is a major element. The nature of a great university is to be concentrated geographically, not scattered about the City like Starbucks. Washington Square is the core of the campus even as it is interwoven within the City fabric. By approving the plan, New York City ensures the growth not only of NYU, but also reinforces the growth and vibrancy that has altered so profoundly and successfully the circle one mile in radius around Washington Square.

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space. According to City Planning, the proposal would reinforce the neighborhood's diverse, multi-store character, and encourage an active streetscape on the three commercial corridors.

As proposed by City Planning, enlargements of existing banks and new bank tenants within both districts would be limited to no more than 25 feet of ground floor frontage. The proposal would not limit the total number of banks in the neighborhood or restrict the configuration of bank space above the ground floor. New residential lobbies along Broadway would be limited to a width of 25 feet, while lobbies along Columbus and Amsterdam Avenues would be limited to 15 feet. The proposal would require that glass or other transparent materials cover at least 50 percent of a new building's facade between a height of two and 12 feet.

The district encompassing Columbus and Amsterdam Avenues would include additional limitations on ground floor store frontage. A minimum of two stores would be required for every 50 feet of street frontage for zoning lots at least 50 feet wide. The stores would need to have depths of at least 30 feet. New or expanding stores within the Columbus and Amsterdam Avenue district would not be permitted to exceed 40 feet in width. This limitation would not apply to schools, houses of worship, supermarkets, and pre-existing lots with less than 30 feet of frontage. Large storefronts would be grandfathered, but, if the space remained vacant for more than two years, new tenants would need to comply with the frontage limitations.

The proposal included an authorization process to allow owners or tenants to exceed the storefront limitations if the City Planning Commission found that a high ground floor vacancy existed or that a proposed use could not be configured within the permitted frontage. The proposal also included a certification process to modify the limita-

tions for landmarked buildings.

Manhattan Community Board 7 and Borough President Scott M. Stringer supported the proposal, with both recommending several modifications. Opponents of the proposal include the New York Bankers Association, the Real Estate Board of New York, the Council of New York Cooperatives & Condominiums, and the Columbus Avenue Business Improvement District.

The City Planning Commission [modified the proposal](#) during its review. The Planning Commission expanded the grandfathering provision by allowing existing large storefronts to remain even if they were vacant for more than two years. However, vacant storefronts would need to be subdivided if the space was occupied by a new bank unless the prior tenant had also been a bank. It also modified the proposal to give owners or tenants with valid building permits to alter or expand their storefronts six months from the proposal's adoption to complete the work.

The Planning Commission created a new certification process to allow existing non-bank tenants to enlarge frontages up to 60 feet in

width under certain conditions. According to the Planning Commission, rules will be promulgated for the new certification process. Bank tenants would still need to follow the proposal's authorization process in order to exceed frontage limitations. Other modifications included referring proposed authorizations and certifications to the community board for a 30-day review period, and increasing the maximum width of new residential lobbies along Columbus and Amsterdam Avenues from 15 to 25 feet.

At the City Council's Zoning & Franchises Subcommittee [hearing on June 19, 2012](#), City Planning's Laura Smith testified that there was a clear "zoning and land use-based rationale" for the limitations, and that the proposal was specifically tailored to the Upper West Side's unique conditions. Smith explained that the area's residential density was "largely unparalleled," and that commercial square footage was constrained to just three commercial avenues. She pointed out that 93 percent of existing storefronts along Columbus and Amsterdam Avenues would comply with the proposed limitations, and roughly half



The Belnord Apartments at 225 West 86th Street in Manhattan. Credit: CityLand.

of those stores could double in size and still comply with the proposal.

Representatives of the New York Bankers Association and the owners of two landmarked buildings testified in opposition. Michael P. Smith, president of the New York Bankers Association, argued that the proposal would set an inappropriate precedent and would impose security, marketing, and other risks on banks not imposed on other commercial uses. He claimed that the proposal would violate the Equal Protection Clause of the U.S. Constitution and be preempted by federal and State law.

Attorney Paul Selver, representing Extell Development Company, the owner of the Belnord Apartments at 225 West 86th Street, asked the Council to exclude the building from the proposal. Selver explained that the Belnord is obliged to maintain a commercial storefront pursuant to a Landmarks-approved master plan and a restrictive declaration under the Planning Commission's jurisdiction. Deviations from the plan would need to be reviewed by both Landmarks and the Planning Commission. Selver stated that no other building in the area was subject to this process, and argued that the additional storefront limitations would unfairly alter Extell's reasonable expectations created by the already agreed upon master plan. He claimed that excluding the property would not harm the proposal's overall goals.

Attorney Sheldon Lobel, representing the owner of the landmarked Hotel Belleclaire at 2171 Broadway, asked the Council to give landmarked buildings one year from the date of obtaining a certificate of appropriateness in which to complete planned alterations or expansions.

Speakers in support of the proposal included representatives from Manhattan Community Board 7, and several residents. Local Council Members Gale A. Brewer, Melissa Mark-Viverito, and Inez E. Dickens

registered their support for the plan.

On June 21, 2012, the Subcommittee unanimously approved the proposal without further modification. The Land Use Committee followed suit. On June 28, 2012, the full Council [approved](#) the proposal by a 48-2-0 vote. Council Members Vicent M. Ignizio and James S. Oddo opposed the proposal.

Review Process

Lead Agency: CPC, Neg. Dec.

Comm. Bd.: MN 7, [App'd](#)

Boro. Pres.: [App'd](#)

CPC: [App'd](#), 11-0-0

Council: [App'd](#), 48-2-0

.....
Council: Upper West Side Neighborhood Retail Streets (N 120144 ZRM – text amend.); (C 120145 ZMM – rezoning) (June 28, 2012).

CITY PLANNING COMMISSION

Rezoning/Special Permit

Greenwich Village, Manhattan

City Planning Commission Shrinks NYU's Campus Expansion

[posted to CityLandNYC.org 6.15.2012]

Modifications include reducing building heights and below-grade space, and eliminating the proposed commercial overlay for the "Loft

Blocks" and hotel use in the "Zipper Building." On June 6, 2012, the City Planning Commission modified New York University's proposal to expand its Greenwich Village campus. NYU's proposal included developing four new buildings on two superblocks divided by Bleecker Street and bounded by West 3rd Street, West Houston Street, Mercer Street, and LaGuardia Place. The southern superblock contains three [landmarked](#) 30-story buildings designed by I.M. Pei and used for NYU faculty housing (Silver Towers 1 and 2) and middle-income affordable housing (505 LaGuardia Place). The superblock is also occupied by a supermarket at the corner of Bleecker Street and LaGuardia Place, and NYU's Coles Gym along Mercer Street. The northern superblock is occupied by NYU's two, nearly 600-foot-long, Washington Square Village apartment buildings, and a one-story retail strip along LaGuardia Place.

NYU estimates that the project would take 19 years to complete. The project's first phase would focus on the southern superblock. NYU planned to replace the supermarket with a 178-foot tower providing space for a public school and an NYU dormitory. Coles Gym would



NYU campus expansion as originally proposed. Credit: NYU.

be replaced with the “Zipper Building,” a block-long building featuring a four- to five-story plinth with six staggered towers in a zippered pattern that rise in height toward West Houston Street. NYU planned to use the Zipper Building for faculty housing, a supermarket, a below-grade gym to permanently replace the Coles Gym, and an NYU-affiliated hotel. NYU also planned to build a temporary gym on the northern superblock facing Mercer Street to provide gym space while the Zipper Building was being built. The northern superblock would be redeveloped in the project’s second phase. NYU planned to replace the temporary gym on Mercer Street with a curved academic building. A shorter curved building would replace the one-story retail building on LaGuardia Place.

The proposal would also create nearly four acres of parks and improved open space, and provide additional below-grade academic and parking facilities. NYU planned to locate some of the space underneath landscaped strips along Mercer Street and LaGuardia Place. The strips are mapped as parts of Mercer Street and LaGuardia Place, but the street beds were never widened following the defeat of the Lower Manhattan Expressway project. NYU asked the City to demap and convey the strips’ below-grade space to the University. NYU also asked the City to apply a C1-5 commercial overlay to six blocks north of the superblocks characterized by loft-style buildings primarily owned by NYU and known as the “Loft Blocks.” (read *CityLand’s* coverage of the proposal as certified into ULURP [here](#)).

Manhattan Community Board 2 opposed the proposal, citing concerns about the project’s size and its impact on the neighborhood during and after construction. Manhattan Borough President Scott M. Stringer [supported](#) the proposal under certain conditions. Stringer recommended, among other things, eliminating the proposed below-grade

space from under the landscaped strips, reducing the size of the new buildings on the superblocks, and eliminating the construction of the temporary gym. Stringer also recommended imposing limits on eating and drinking establishments if the Loft Blocks were rezoned with a commercial overlay.

More than 100 people testified at the City Planning Commission’s public hearing on April 25, 2012. In response to extensive questioning from the commissioners, NYU’s representatives stated that the proposed hotel would be available to the public to the extent that rooms would not be needed for NYU-related events. The representatives conceded that the proposed commercial overlay for the Loft Blocks was not crucial to the project, but would permit NYU to address past community concerns about the campus’s unwelcoming ground floors.

Opponents of the proposal echoed the concerns of CB 2, and included residents, preservationists, elected officials, and a group of NYU faculty members. Andrew Berman, executive director of the Greenwich Village Society for Historic Preservation, argued that the proposal would allow NYU to dominate Greenwich Village. Berman said that if NYU could have a satellite campus in Dubai, the University should be able to identify another part of the City that could better accommodate the project. State Senator Thomas K. Duane stated that he appreciated NYU’s role in the City, but said NYU should have been more responsive to community concerns. He asked the Commission to deny the current proposal, and urged NYU to negotiate an alternate plan with the community.

The Commission [approved](#) the proposal, but made several modifications. To facilitate the core redevelopment, the Commission approved NYU’s request to rezone the superblocks from R7-2 to C1-7. The Commission, however, refused to apply a commercial overlay to

the Loft Blocks, noting that the rezoning would be extraneous to the proposal’s primary purpose. The Commission reduced the height of several buildings and eliminated the temporary gym, the dormitory component, and the proposed hotel. On the northern superblock, the height of the curved building on Mercer Street was reduced from 218 feet (248 feet with bulkheads included) to 162 feet, which would match the height of the existing Washington Square Village apartment buildings. By eliminating the proposed dormitory, the Commission also reduced the height of the building at the corner of Bleecker Street and LaGuardia Place from 178 to 108 feet. According to the Commission, this would ensure that the building would contribute positively to the neighborhood. The Zipper Building’s building envelope was left unchanged, but the Commission eliminated the proposed hotel, finding that NYU had not adequately demonstrated a need for such a use.

The Commission approved demapping the landscaped strips, but eliminated the disposition of the below-grade space requested by NYU. The Commission found that developing the below-grade space below what will be designated as parkland would inevitably lead to the removal of trees and interfere with its use. In order to address concerns about the management and operation of the project’s proposed open space, the Commission required the establishment of an Open Space Oversight Organization. The Organization’s Board of Directors would include representatives of NYU, the local council member, borough president, community board, and Department of Parks and Recreation. NYU would need to submit any application involving changes to the design of the project’s open space.

The Commission voted 12-1-0 to approve the modified proposal. Commissioner Michelle de la Uz voted ‘No.’ Commissioner de la Uz said that despite the significant

modifications, she was still concerned about the project's size and the lack of clarity about the northern superblock's building program.

The City Council has until July 27, 2012 to review NYU's proposal.

CPC: [New York University Core](#) (C 120122 ZMM – rezoning); (N 120123 ZRM – text amend.); (C 1202124 ZSM – special permit); (C 120077 MMM – City map change) (June 6, 2012).

UPDATE: The City Council's Zoning & Franchises Subcommittee held a public hearing on NYU's plan on Friday, June 29, 2012. More than 200 people signed up to testify. At the hearing, local Council Member Margaret Chin stated that she could not support the proposal as currently presented. Chin urged NYU to negotiate reductions in the plan prior to the Council's vote. The Subcommittee is expected to vote on the proposal on July 17, 2012.

LANDMARKS PRESERVATION COMMISSION

Designation Hearing

East Village/LES Manhattan

Landmarks Hears Mixed Testimony on Proposed East Village/Lower East Side Historic District

[posted to CityLandNYC.org 6.28.2012]

New district would encompass more than 300 buildings in an area that was home to successive waves of immigrant groups. On June 26, 2012, Landmarks heard extensive testimony on the proposed designation of the [East Village/Lower East Side Historic District](#). The proposed district would encompass approximately 330 buildings located primarily along Second Avenue between St. Marks Place and East 2nd Street and adjacent side streets. A portion of the district would extend along East 6th and East 7th Streets, reaching Avenue A.

The area is largely characterized by multi-family 19th century



tenement buildings that housed various immigrant groups newly arrived to the country. The area became home to German and Irish immigrants as wealthier New Yorkers moved uptown, and in time became known as Kleindeutschland (Little Germany). Later, the area became home to Jewish and Eastern European immigrants, and Second Avenue became a focal point for lower Manhattan's Jewish community, gaining the title of the "Yiddish Rialto." After World War II, the neighborhood came to be dominated by Latin American immigrants. Realtors began calling the neighborhood the "East Village" shortly after the removal of the elevated Third Avenue subway line in 1955. The area has a rich legacy in the arts, and in social activism. Landmarks [calendared](#) the district on June 28, 2011.

At a packed hearing on June 26, 2012, elected officials and preservation groups testified in support, while some residents and representatives of neighborhood religious institutions spoke in opposition. A

representative of local Council Member Rosie Mendez called designation "long overdue," while representatives of Assembly Members Brian Kavanaugh and Deborah Glick described the intense development pressures facing the neighborhood. Representatives of Borough President Scott Stringer and State Senators Thomas K. Duane and Daniel L. Squadron also spoke in favor of designation. Manhattan Community Board 3's Carolyn Ratcliffe testified that CB 3 supported designation as a way to "protect existing streetscapes from rampant development." Ratcliffe, however, noted that some local religious institutions are worried about the impact of Landmarks' oversight, and asked the commissioners to consider their concerns.

The Greenwich Village Society for Historic Preservation's Andrew Berman testified that the neighborhood's tenements provided "a record of the lives of hundreds of thousands of New Yorkers for whom this city was their first stop in a new world." Christabel Gough, of the

Society for the Architecture of the City, noted that the area had been home to writers Jack Kerouac and Allen Ginsberg, artists Claes Oldenburg and Robert Rauschenberg, and social reformers Dorothy Day and Isaac Hopper, among many others. Neighborhood resident Namita Luthra said that the historic buildings served as “reminders of lives lived before us,” which “tell stories of deep struggles and overcoming those struggles.” Other residents, as well as representatives of preservationist and community groups, including the Bowery Alliance of Neighbors, the East Village Community Coalition, the Historic Districts Council, and the New York Landmarks Conservancy, testified in support.

Opponents included representatives of religious institutions that would fall within the district, and some property owners. Representatives of the Orthodox Cathedral of the Holy Virgin Protection at 59 East 2nd Street stated that landmarking would add to their “financial duress.” Father Tadeusz Lizinczyk, of Saint Stanislaus Bishop and Martyr Roman Catholic Church, questioned many of Landmarks findings, and said the Church should not be “forced into being landmarked against our own wishes...as being landmarked will be a very expensive proposition which will not be of any benefit to our community.” A representative of St. Mary’s Orthodox Church on East 7th Street said the costs associated with landmarking could force the Church to close. Joanne Kennedy, of the Catholic Worker based at 6 East 1st Street, testified that it was “not in our mission to preserve our building,” but to serve the poor.

Edward Shapiro, a local property owner, argued that “everything has a history, [but that] does not make it historical.” Shapiro noted that the tenement buildings were long considered substandard housing whose residents left as soon as they could afford better options.

Another resident accused Landmarks of perpetuating the housing crisis. Carol Van Guilder of the Real Estate Board of New York also testified in opposition, focusing her testimony on the economic hardships REBNY believed would be caused by designation. Van Guilder urged Landmarks to create a “next generation Landmarks process” that would create a more equitable partnership with the property owners being asked to be stewards of the built environment.

Landmarks Chair Robert B. Tierney closed the hearing after thanking those who had taken the time to attend. No date has been set to vote on the district.

.....
 LPC: East Village/Lower East Side Historic District, Manhattan (LP-2491) (June 26, 2012).

LANDMARKS PRESERVATION COMMISSION

Decalendaring

Tribeca, Manhattan

Landmarks Declines to Designate Heavily Altered Federal-Era Rowhouse as an Individual Landmark

[posted to CityLandNYC.org 6.28.2012]

Early 1800s rowhouse on West Broadway had undergone extensive ground-floor reconstruction and gained an additional floor. On June 26, 2012, Landmarks declined to designate a three-story Federal-style rowhouse at 177 West Broadway in Tribeca as an individual landmark. The rowhouse was built circa 1802 as a two-story building. It is one of the neighborhood’s earliest structures, and one of the few remaining Federal-style buildings in Manhattan. The building served as private residence in its early years and, according to Landmarks, also served as a brothel for a period of time. The building is currently occupied by a ground-floor pet store and actor Harvey Keitel’s production company. The building retains its original

Flemish-bond brick and splayed lintels at the second floor. The existing third floor of the building was added in the mid-1800s, and the ground-floor infill is non-historic after undergoing extensive alterations.

At Landmarks’s [hearing in June 2010](#), Attorney Valerie Campbell, representing Shiloh Company LLC, which owns the building, opposed designation. Campbell argued that the heavily altered building did not merit designation because it retains only a “single one-story swath of original brick,” and lacks many of the features commonly associated with the Federal style.

At the June 2012 meeting, Chair Robert B. Tierney noted the scarcity of Federal-style buildings in the City, but found the building’s extensive alterations “tipped it away from designation.” Tierney noted that only approximately one-third of the existing building is original. Commissioner Fred Bland concurred, stating that the original rowhouse had been so physically altered that it would not be comprehensible to the public as an individual landmark. Commissioner Joan Gerner determined that the building “just doesn’t come up to the quality” of other City landmarks. Commission-



177 West Broadway in Tribeca.
 Credit: CityLand.

er Christopher Moore disagreed, finding that that the building's origins and the remaining amount of original materials were sufficient to merit landmark status.

Chair Tierney led a vote to de-calendar the property.

.....
LPC: 177 West Broadway House, 177 West Broadway, Manhattan (LP-2347) (June 26, 2012).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

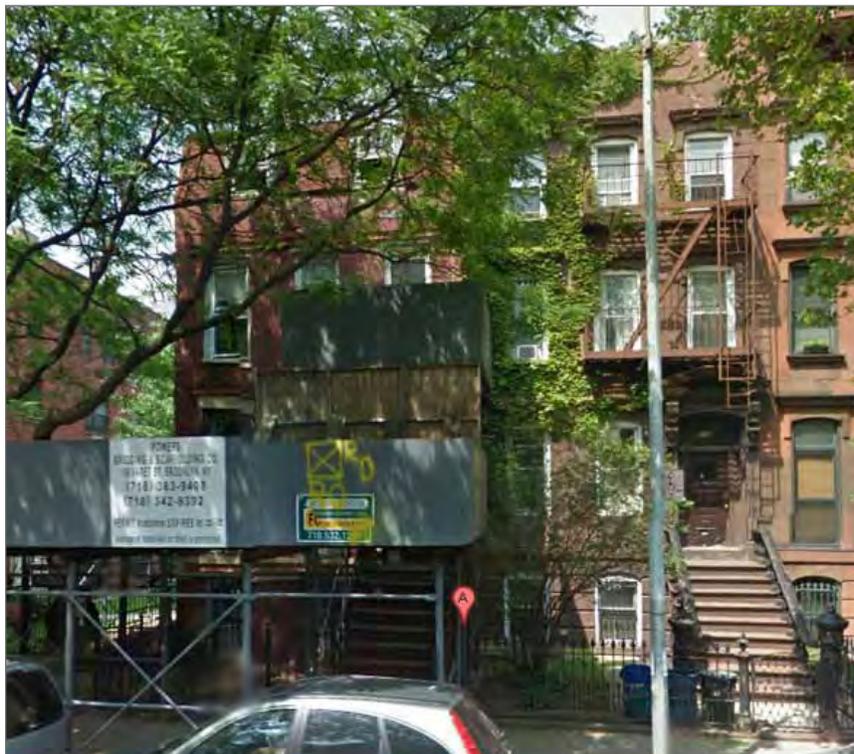
Fort Greene, Brooklyn

Landmarks Approves Reconstruction of Fort Greene Townhouse's Deteriorating Facade

[posted to CityLandNYC.org 6.15.2012]

"White knight" owner stepped in to rehabilitate 1866 townhouse after building fell into disrepair. On June 5, 2012, Landmarks approved a proposal to dismantle and reconstruct the deteriorating facade of an 1866 Second-Empire building at 434 Vanderbilt Avenue in the [Fort Greene Historic District](#). In addition to rebuilding the front facade, the proposal included plans to build a rear metal deck on top of an existing one-story extension. The owner also plans to replace the windows on the rear facade with glass entry doors to the deck. The work at the rear would be partially visible from street vantages.

According to Landmarks staff member Joshua Speakman, prior to 2006 a former owner performed illegal work on the home, which included replacing the roof, windows, and historic dormers. Subsequent owners took steps to repair and stabilize the dilapidated structure, which included installing temporary steel supports. Speakman explained that in November of 2011, the current owner obtained staff-level approval for restoration work on the roof, dormers, and rear facade. The owner then constructed an internal,



434 Vanderbilt Avenue in Brooklyn. Credit: Google Maps.

free-standing steel structure to stabilize the facade. The owner discovered the extent of the front facade's deterioration during the restoration work. The facade would need to be entirely rebuilt, using salvaged brick when possible. Marble window sills and lintels would be repaired and reinstalled, or replaced with cast stone where repair is not possible.

Landmarks General Counsel Mark Silberman explained that the site had been a "demolition-by-neglect matter of long standing," and the current owner had stepped in as a "white knight" to restore the building. Silberman said the discovery of the severely unstable facade was the "latest hiccup" in the restoration process.

Architect Vladimir Charles, of Second Floor Studios, presented photographs demonstrating the poor condition of the existing brick. Charles estimated that 60 percent of the existing brick could be reused in the reconstructed facade. He noted that the brick on the facade was not uniform because of the illegal work performed by previous owners. Charles said the proposal

intended to bring back the house's "historical glory."

Landmarks Chair Robert B. Tierney pointed out that Brooklyn Community Board 2 supported the proposal. The Historic Districts Council's Nadezhda Williams testified that the organization was "happy to see someone willing to try to bring this unique little house back to life," but said material samples for the project should have been provided to the public.

The commissioners endorsed the proposal and praised the owner for seeking to preserve the building. Commissioner Margery Perlmutter told the owner that the rear deck was "the least you could have" for the "heroic task" of restoring the structure. Chair Tierney said the project would be a "great testament" to both the owner's and Landmarks staff's effort to prevent the total loss of the structure.

.....
LPC: 434 Vanderbilt Avenue, Brooklyn (13-1977) (June 5, 2012) (Architects: Second Floor Studios; Brent M. Porter Architect and Associates).

LANDMARKS PRESERVATION COMMISSION

Designation Hearing

Financial District, Manhattan

Former Home of the American Stock Exchange Considered for Landmarking

[posted to CityLandNYC.org 6.22.2012]

The 1929 building, with a 1931 addition, has been vacant since the AMEX closed in 2009. On June 12, 2012, Landmarks held a public hearing on the potential designation of the New York Curb Exchange Building at 78 Trinity Place in Lower Manhattan as an individual City landmark. The origin of the building's name, which was once known as the New York Curb Market, dates to the mid-1800s when stocks and securities were traded on the streets of the Financial District by "curbstone traders." The original Starrett & Van Vleck-designed building was completed in 1921 and faced Greenwich Street. Despite 1929's stock market crash, a 14-story, Art Deco addition was built facing Trinity Place in 1931. Also designed by Starrett & Van Vleck, the addition features metal reliefs depicting the types of commodities traded, and a set-back crown with large windows and free-



New York Curb Exchange. Credit: CityLand.

standing piers. The Curb Exchange was renamed the American Stock Exchange in 1953, and it merged with a group headed by the New York Stock Exchange in 2008. The building has been vacant since 2009.

Attorney Valerie Campbell, representing the building's owner, testified that the owner was amenable to landmarking. Campbell said the owner planned to reuse the building for commercial and retail uses. Mary Dierickx, representing the Citizens for Downtown, noted that the building had already been designated a National Historic Landmark, and called it a "powerful visual reminder of the rise of the American financial industry." Representatives of the Historic Districts Council and the New York Landmarks Conservancy also spoke in support.

Landmarks has not set a date to vote on the designation.

.....
LPC: New York Curb Exchange Building, 78 Trinity Place, Manhattan (LP-2515) ([June 12, 2012](#)).

UPDATE: Landmarks designated the New York Curb Exchange Building as an individual City landmark on June 26, 2012.

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

Midtown, Manhattan

New Facade and Addition Approved for "Accidental Landmark" Adjacent to Plaza Hotel

[posted to CityLandNYC.org 6.22.2012]

Eight-story building sharing same tax lot as Plaza Hotel was included in 1969 designation. On June 19, 2012, Landmarks approved a plan to rebuild the facade of, and build a rooftop addition to, an eight-story building at 22 Central Park South. The building was constructed in 1897, and was substantially modified and enlarged in 1909. It abuts the western wall of the individually landmarked Plaza Hotel, and was



22 Central Park South in Midtown. Credit: CityLand.

included in the 1969 landmarking of the Plaza Hotel because it shared a tax lot with the hotel at the time. At the hearing, Landmarks Chair Robert B. Tierney termed the building an "accidental landmark," noting that it was not mentioned in the [1969 designation report](#).

Historic preservation consultant William Higgins, speaking on behalf of the owner, explained that 22 Central Park South shared the same tax lot with the hotel from 1965 until 1980, and claimed the proposal was before Landmarks as an "administrative technicality." Higgins said the building had undergone significant changes since its 1909 enlargement; gaining a subway entrance, a rooftop addition, and a fire escape. According to Higgins, the Plaza Hotel acquired the property in 1915, but never physically incorporated it into the hotel. Instead, it was leased to commercial tenants or used as administrative offices.

Architect David West, of Goldstein Hill and West Architects, said the proposal intended to create a "well-proportioned, tasteful building that respects its comrades." The building's brick facade would be replaced with limestone and a granite base. The fire escape would be removed and windows would be replaced. The entrance to the build-

City Council Proposes Important Changes to Landmarks Law

The New York City Landmarks Preservation Commission (“LPC”) has designated more than 1,400 individual landmarks and 107 historic districts. Approximately 29,000 buildings are under LPC regulation. With only five percent of that total comprising individual landmarks, 95 percent are subject to LPC regulation solely because they are located within historic districts, regardless of individual merit.

With the proliferation of buildings subject to LPC regulation, both as individual landmarks and within historic districts, attention has increasingly focused on the landmark process. On May 2, 2012, the City Council’s Housing and Buildings Committee and Land Use Committee, chaired by Erik Martin Dilan and Leroy G. Comrie, Jr., respectively, held a [joint public hearing](#) to consider eleven separate bills.

Some of the bills would provide landmarked or eligible properties with increased protection. [Intro 80](#), for example, would extend existing protective requirements for historic buildings located near construction sites from 90 feet to 150 feet. Under [Intro 20](#), the Department of Buildings must revoke a valid building permit once a property is designated or included within a historic district. This would eliminate the protection currently provided under the Landmarks Preservation Law whereby permits are grandfathered if issued prior to designation. A property owner could have a permit reinstated, but only upon an application to the Board of Standards & Appeals to prove “substantial performance and substantial expenditures” in reliance on the permit.

The majority of the bills, however, seek to bring increased transparency and certainty to the landmark process, and include the following:

- Creation of a publicly accessible online database of public requests – known as Requests for Evaluation – that a property or historic district be designated. ([Intro 532A](#))
- Require LPC staff to make a written recommendation regarding whether a Request for Evaluation is accepted for further study within 120 days, with a 60-day extension right for a maximum of 180 days. ([Intro 222A](#))
- Creation of an appeal process for a Request for Evaluation denied by LPC staff. An appeal by a Community Board or Borough Board would trigger a vote by the full Commission. ([Intro 849](#))
- For Request for Evaluations accepted for further study, LPC staff would have an eight month (for individual landmarks) or eighteen month (for historic districts) deadline to conclude

its analysis. ([Intro 850](#))

- Require LPC to hold a public hearing and vote within six months after a property owner is notified that its property is being considered for designation. The public hearing must be held within two months after the designation is calendared for public hearing, with a one-time extension of three months if more than one hearing is required. ([Intro 850](#))
- Permit public testimony at LPC hearings to include evidence addressing the economic impact of a proposed designation. In addition, the City Planning Commission’s report to the City Council regarding the designation must include an analysis of the impact of such designation on the “development, growth, improvement, renewal, or economic development of the area involved... and shall specifically consider the relationship between the development potential of all properties affected by the proposed designation, both public and private, and the existing development on such properties at the time of designation.” ([Intro 846](#))
- Require LPC to issue a draft designation once a property is calendared for designation. ([Intro 846](#))

The concept of fixed time limits for agency actions reflects the provisions of the Uniform Land Use Review Procedure (“ULURP”), which governs the review of major land use actions by the Community Board, Borough President, City Planning Commission, and City Council. The requirement that economic impacts be disclosed is similar to City Environmental Quality Review (“CEQR”), whereby the potential for significant environmental impacts, including socio-economic impacts, must be disclosed during the period of agency consideration.

The landmark process is governed largely by the New York City Landmarks Preservation Law, which was adopted in 1965, a decade prior to the adoption of ULURP and CEQR. Given the tremendous growth in the number of affected properties since that time, it is appropriate for the City Council to revisit the Landmarks Preservation Law and focus on ways of increasing both transparency and predictability.

— Howard Goldman & Eugene Travers

Howard Goldman is a partner at GoldmanHarris LLC.

Eugene Travers is an associate at the firm.

ing would be moved, and the subway entrance would be lined with limestone. A set-back ninth-story addition would be partially visible from Central Park South and from some Central Park vantages during the winter. West said the proposal's design and materials were inspired by, and would comport with, the surrounding buildings.

Howard Mendes, representing Manhattan Community Board 5, supported the proposal, stating that it would be "a major improvement over what's there." Representatives from the Historic Districts Council and the Society for the Architecture of the City argued that the plan should incorporate more of the existing fabric and refrain from demolishing the entire front facade.

Commissioner Fred Bland said the redesigned building would fit in with the "elegance and classicism" of Central Park South. Commissioner Libby Ryan said the building's "accidental landmark status" justified allowing significant changes to the building and found that the proposed materials would not "fight" with the Plaza Hotel. Commissioner Margery Perlmutter found the proposal appropriate, acknowledging that the building's "so-called accidental landmark status" persuaded her to support the project. Commissioner Michael Devonshire was re-

luctant to characterize the building as an "accidental landmark," and while he did not consider the proposal elegant, he found that it would enhance the Plaza Hotel.

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LPC: 22 Central Park South, Manhattan (13-1299) ([June 19, 2012](#)) (Architect: [Goldstein Hill and West Architects](#)).

LANDMARKS PRESERVATION COMMISSION

Designations

Midtown, Manhattan

Two Hotels in Midtown Designated as Individual Landmarks

[posted to CityLandNYC.org 6.15.2012]

Turn-of-the-century residential hotels, which served rising professional class, among City's newest landmarks. On June 12, 2012, Landmarks voted to designate two Midtown hotels constructed in the early 20th century as individual landmarks. The Beaux-Arts Hotel Mansfield is located at 12 West 44th Street, and the Renaissance Revival Martha Washington Hotel is located at 30 East 30th Street.

The 12-story Hotel Mansfield is on the same block as several other individual landmarks, including the Algonquin Hotel, the New York

Yacht Club, the Harvard Club, and the former Yale Club. The firm of Renwick, Aspinwall and Owen designed the Hotel Mansfield, which was completed in 1902. The hotel catered to affluent single men and couples without children, who occupied rooms on a permanent and transient basis. The heavily ornamented building features a two-story rusticated limestone base, a balcony below a copper cornice, and a mansard roof with three large arched dormers. The building continues to function as a hotel. At a hearing on the designation in March 2012, no one opposed designation.

At Landmarks' June 2012 meeting, Commissioner Margery Perlmutter praised the building's architecture, noting that the distinguished block contained "one jaw-dropper after the next." Vice Chair Pablo Vengoechea led the unanimous vote for designation.

The 12-story Martha Washington Hotel was designed by Robert W. Gibson and completed in 1903. It was the first hotel in the City to exclusively accommodate single professional women. The hotel provided 500 rooms for permanent tenants and 150 rooms for those staying temporarily. Men were not allowed to stay at the hotel until 1998. The building continues to operate as a hotel under the name Hotel Thirty-Three. At a [public hearing](#) in June 2011, representatives of the Hotel supported designation and said the owner looked forward to working with Landmarks to restore the entire property.

At the June 2012 meeting, Vice Chair Vengoechea noted the owner's responsible stewardship of the property, and the commissioners voted unanimously to designate the building.

.....
LPC: Hotel Mansfield, 12 West 44th Street, Manhattan ([LP-2517](#)); Martha Washington Hotel, 30 East 30th Street, Manhattan ([LP-2428](#)) (June 12, 2012).

UPDATE: On [June 19, 2012](#), Landmarks modified the landmark site of



Former Martha Washington Hotel at 30 East 30th Street in Manhattan. Credit: LPC.

the Martha Washington Hotel. Two townhouses sharing the lot with the hotel were removed from the landmark site. Chair Robert B. Tierney explained that Landmarks was taking a corrective action to avoid “another accidental landmark.” (See previous article.)

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness
SoHo, Manhattan

Landmarks Asks for Changes to Canal Street Project Identical to a Design Approved for Site in 2004

[posted to CityLandNYC.org 7.3.2012]

Landmarks in 2004 approved design for building at the corner of Canal and Greene Streets, but financing fell through and 2007-issued certificate of appropriateness expired. On June 26, 2012, Landmarks considered Donald Fishoff’s proposal to build a mixed-use, six-story plus penthouse on a parking lot at the corner of Canal and Greene Streets in the [SoHo-Cast Iron Historic District](#). The large lot at 341 Canal Street has 172 feet of frontage along Greene Street and 65 feet of frontage along Canal Street.

Landmarks in 2004 [approved](#) a similar project proposed by Fishoff for the site. Landmarks approved the original proposal after several revisions, and issued a certificate of appropriateness for the building in 2007. Fishoff also obtained City Planning Commission [approval](#) for a special permit to develop the 34-unit project in 2008. However, Landmarks’ certificate of appropriateness expired in 2010 before the project was developed. Fishoff’s current proposal matches the design and massing of the previously approved plan.

At the hearing, attorney Howard Zipser, representing Fishoff, testified that financing for the previously approved development fell through due to the economic down-



Rendering of proposed building at 341 Canal Street. Credit: Gene Kaufman Architect P.C.

turn. Zipser stated that while the current proposal was “technically a new application,” it was in all ways identical to the previously approved design. Gene Kaufman, the project’s architect then and now, explained that the building would be clad in aluminum and painted yellow. The ground floor would be devoted to retail use, while the upper floors would be residential. He said the building had been designed to fit the language, rhythm, and proportions of other buildings in the district.

Manhattan Community Board 2’s Doris Diether said that CB 2 had generally approved the original application, and had recently agreed to follow that recommendation. The Historic Districts Council’s Nadezhda Williams criticized the project, arguing that new application gave the commissioners the “opportunity to review what might have once been considered appropriate, but may not be seen so now.” Williams called the building “a very flat, watered down” rendition of the district’s architecture, and found it to have the appearance of an “undistinguished midtown office building.” Christabel Gough, from the Society for the Architecture of the City, suggested the plan “could profit from more articulation and depth in the facade.”

Only four of Landmarks’ eleven commissioners from the January 2004 approval remain, and this time Landmarks viewed Fishoff’s proposal with skepticism. Commissioner Fred Bland found the proposal “woefully lacking” in design and presentation. Bland stated that he was “perplexed” by Landmarks’ previous decision to approve the project, and told the applicants “to start over.” Commissioner Margery Perlmutter said that Landmarks has grown accustomed to, and come to expect, high-quality proposals for new work in the district. Perlmutter recommended that the long facade along Greene Street should be “broken down” to reflect the scale of other buildings in the district. Commissioner Michael Devonshire stated that the proposal did not “reach the quality of materials that this site deserves.” Commissioner Joan Gerner agreed, saying it was “an opportunity to put a better building on the site.”

Chair Robert B. Tierney agreed with the commissioners, and asked the applicants to reconsider the proposal and return to Landmarks at a later date.

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LPC: 341 Canal Street, Manhattan (12-9676) (June 26, 2012) (Architect: Gene Kaufman Architect P.C.).

LANDMARKS PRESERVATION COMMISSION

Designation Hearing

Lower East Side, Manhattan

Bowery Mission Considered for Individual Landmark Status

[posted to CityLandNYC.org 6.15.2012]

Broad support for landmarking one of the country's oldest extant Christian missions. On June 12, 2012, Landmarks held a public hearing to consider designating the Bowery Mission at 227 Bowery in Manhattan's Lower East Side as an individual landmark. The red brick neo-Grec store-and-loft building was constructed in 1876 for use by an undertaker. [The Bowery Mission](#) relocated to the building in 1909 after its former home at 55 Bowery was demolished to accommodate the approach to the Manhattan Bridge. In 1908 and 1909, the Mission altered 227 Bowery by installing four stained-glass windows with mock half-timbering at the second floor. The Mission is one of the oldest extant Christian missions in the country. In 1909, President William H. Taft made a speech to 600 men at the Mission, and the building soon became famous for the bread lines that once queued outside.

The Mission President and CEO Ed Morgan testified in support of designation. Morgan spoke of the desperate conditions in the Bowery at the time the Mission moved into the building. He acknowledged that while the Bowery now possessed a vastly different character, the work of "helping New York's hurting citizens" is ongoing. Morgan said landmarking the building would "memorialize the Bowery's colorful past" while recognizing the Mission's ongoing work. The New York Landmarks Conservancy's Andrea Goldwyn said that the building merited designation for its architectural, cultural, and historic significance, and called it "one of the City's most

important social-service organizations." Representatives of the Historic Districts Council and the Bowery Alliance of Neighbors also testified in support of designation.

Landmarks did not set a date to vote on the designation.

LPC: The Bowery Mission, 227 Bowery, Manhattan (LP-2494) (June 12, 2012).

UPDATE: Landmarks designated the Bowery Mission as an individual City landmark on June 26, 2012.

ECONOMIC DEVELOPMENT CORPORATION

Request for Proposals

Bronx/Brooklyn/Queens

EDC Seeks Developers for Sites Slated for Industrial Development

[posted to CityLandNYC.org 7.3.2012]

City seeks proposals for industrial-use lots in parts of the Bronx, Brooklyn, and Queens. On June 25, 2012, the Economic Development Corporation issued a rolling request for proposals for the purchase or lease of four City-owned industrial parcels in the Bronx, Brooklyn, and Queens. The sites are: North Zerega in Unionport, Bronx; Chestnut-Dinsmore in Cypress Hills, Brooklyn; Moore McCormack in Sunset Park, Brooklyn; and College Point in the College Point Industrial Park section of Queens. The RFP is a part of EDC's efforts to support the retention and growth of industrial businesses in the City, and complements the 22 industrial initiatives [announced](#) by Mayor Michael R. Bloomberg and City Council Speaker Christine C. Quinn in June 2011. The goals of the RFP include increasing access to affordable industrial spaces and aligning City resources with industrial businesses' needs. All four lots are eligible for the City's Brownfield Incentive Grant program and federal Environmental Protection Agency grants. The sites are zoned for manufacturing, which allows

manufacturing, industrial, and most commercial uses.

North Zerega Site. The North Zerega site is a 95,000-square-foot lot located at 2399 Watson Avenue in the Bronx's Zerega Industrial Business Zone. The lot is primarily vacant and zoned M1-1. EDC has already obtained ULURP approval for the site's unrestricted disposition. According to EDC, the site may contain contaminants, including Polycyclic Aromatic Hydrocarbons (PAHs), metals, and volatile organic compounds (VOCs). In addition to the City's Brownfield Incentive and EPA grants, the site may be eligible for a low-interest cleanup loan from the Bronx Overall Economic Development Corporation.

Chestnut-Dinsmore Site. The highly-visible 80,000-square-foot corner lot is located at Atlantic Avenue and Chestnut Street in Cypress Hills, Brooklyn and zoned M1-1. According to EDC, a Phase I initial environmental assessment of the site indicated that some remediation may be required. Chestnut-Dinsmore is within the East New York Brownfield Opportunity Area, and may be eligible for up to \$100,000 from the Brownfield Incentive Grant program.

Moore McCormack Site. The Moore McCormack site is a 53,000-square-foot lot located at 24th Street and Third Avenue in Sunset Park, Brooklyn. The lot is located on the upland portion of the 25th Street Pier and is part of the Southwest Brooklyn Industrial Business Zone and the Sunset Park Significant Maritime and Industrial Area. The M3-1-zoned site is available on a long-term ground lease basis. EDC will favor proposals that generate additional industrial maritime activity across the bulkhead or through the 25th Street Pier. The site is occupied by three deteriorated buildings which the developer may need to demolish. A third party holds an approximately 9,300 sq.ft. easement along the site's northern end. According to EDC, a 2004 Phase I and

a 2008 partial assessment of the site indicated the possible presence of asbestos and lead-based paint. The site is within the Sunset Park Brownfield Opportunity Area.

College Point Site. The College Point site is a 40,000-square-foot lot located at the intersection of 28th Avenue and 122nd Street in Queens' College Point Corporate Park. The site is zoned M2-1, and is at the northwestern edge of the Special College Point District. EDC expects to deliver the site vacant, and the developer would be responsible for remediating any existing contamination.

Through this RFP, and other initiatives, the City is seeking to create, preserve, and revitalize up to 9 million sq.ft. of underutilized industrial space; create and retain up to 30,000 industrial jobs; and generate annual payroll earnings of \$900 million and more than \$150 million in tax revenue.

The RFP's rolling deadline allows developers to submit proposals prior to any of four quarterly deadlines over the course of nearly one year. These deadlines are: September 13, 2012; December 13, 2013; March 14, 2013; and June 13, 2013.

EDC: [Request for Proposals – NYC Industrial Sites](#) (June 25, 2012).

ECONOMIC DEVELOPMENT CORPORATION

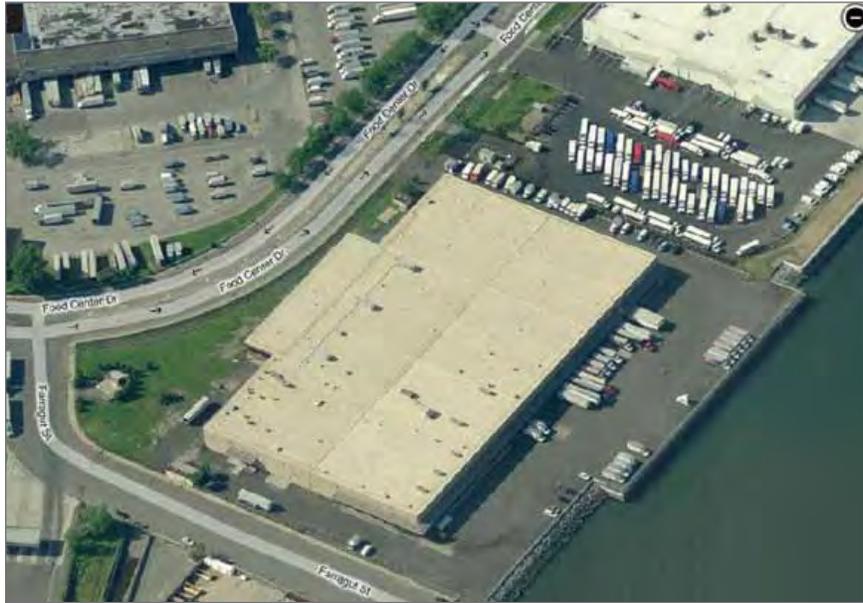
Request for Proposals

Hunts Point, Bronx

EDC Seeking Developer for Large Rooftop Farm in Hunts Point

[posted to CityLandNYC.org 6.22.2012]

Opportunity to develop and operate a rooftop farm on a 200,000 sq.ft. building near the Halleck Industrial Development Site. On June 11, 2012, the Economic Development Corporation [issued a request for proposals](#) for the development and operation of a year-round rooftop farm on a 200,000-square-foot



Site of proposed rooftop farm at 600 Food Center Drive. Credit: Google Maps.

City-owned warehouse along the East River in the Hunts Point section of the Bronx. The farm would be located on the roof of 600 Food Center Drive, which is currently occupied by Sultana Distribution and Citarella. EDC anticipates executing a lease with the chosen developer by the end of the summer of 2012, with construction beginning in the fall of 2012. The site is south of the Halleck Industrial Development Site, which is subject to a separate, and ongoing, EDC request for proposals process. (See *CityLand's* coverage of the Halleck Industrial Development Site RFP [here](#)).

The warehouse's lot is zoned M3-1, which permits heavy manufacturing uses. According to EDC, a rooftop farm or greenhouse would be permitted as-of-right on the warehouse. The warehouse is located within the boundary of the Hunts Point Market Food Cooperative and is considered a "Market Property" under the State Agriculture and Markets Law. Therefore, the lease would require review through the City's Environmental Quality Review process, but would be exempt from ULURP because it would be for a market-consistent (food-related) use.

The stated goals of the project include enabling and enhancing the

City's urban agriculture base and expanding and preserving quality jobs for local residents.

Interested developers must submit their proposals by August 6, 2012.

EDC: [Request for Proposals – Rooftop Farming](#) (June 11, 2012).

COURT DECISIONS

Department of Buildings

Bayside, Queens

Appellate Court Denies Challenge to St Mary's Hospital Five-Story Addition

[posted to CityLandNYC.org 6.28.2012]

Opponent's attempt to stop construction declared moot. St. Mary's Hospital for Children operates a 97-bed children's hospital on an eight-acre campus at 29-01 216th Street in Bayside, Queens. The hospital building was built in the 1950s. In 2006, St. Mary's sought to add a five-story, 90,000 sq.ft. addition to the eastern side of the hospital. In October 2008, St. Mary's sought a determination from the Department of Buildings confirming that the site was permitted a maximum floor area ratio (FAR) of 1.0. Buildings denied the request, stating that the proposed ad-

dition needed to comply with a 1973 amendment to the zoning resolution restricting community facilities like St. Mary's to a maximum FAR of 0.5. The amendment included an exception clause indicating that the amendment "shall not apply to buildings for which plans were filed with the Department of Buildings prior to November 15, 1972 including any subsequent amendments thereof." On October 20, 2010, Buildings reconsidered, approving the request and allowing an FAR of 1.0 because the hospital was built prior to November 15, 1972.

In August 2010, Weeks Woodlands Association, Inc., a local advocacy group, filed an article 78 petition for injunctive relief to prevent any construction or issuance of bonds to finance the construction, and requested a restraining order to halt construction. Weeks Woodlands argued that the addition would exceed the site's permitted FAR of 0.5. According to Weeks Woodlands, the 1973 amendment's exception clause only applied to buildings in "the approval pipeline on November 15, 1972," and not to projects proposed to be built 40 years later. St. Mary's responded that the addition's plans submitted to Buildings constituted a "subsequent amendment" under the zoning text because the addition was a modification within the scope of the project as shown in the hospital's original plans, which were filed in the 1950s.

In January 2011, the [lower court denied the preliminary injunction](#), finding that Weeks Woodlands failed to establish a likelihood of success with respect to their claim that the exception clause did not apply to the addition. The court held that a plain language reading of the 1973 amendment indicated that the exception clause applied to all buildings whose plans were filed prior to November 15, 1972, whether such buildings had been completed at that time or were still in construction.

In March 2011, Weeks Woodlands appealed the lower court's denial of the preliminary injunction to the Appellate Division, First Department (New York County). Meanwhile, St. Mary's continued building the addition.

In a split 3-2 decision issued on May 31, 2012, the First Department dismissed the appeal, finding it moot. A party seeking to halt construction must move for such relief at each level of the litigation. The appellate court found that, in this case, Weeks Woodlands failed to file a separate preliminary injunction directly with the First Department while the appeal was pending. Given the advanced stage of construction work on the project, which included completed foundation walls, a steel superstructure, and duct work, the majority found that Weeks Woodlands was "complicit in the project's having reached its present advanced stage." As a result, the appeal had become moot and therefore had to be dismissed.

In dissent, Justice James M. Catterson wrote that Weeks Woodlands' original request for injunctive relief with the lower court should have been sufficient to prevent the appeal from becoming moot. The original request for a preliminary injunction with the lower court put St. Mary's on notice of Weeks Woodlands' desire to pause construction while litigation was pending. Justice Catterson wrote that the lower court erred in denying the preliminary injunction because the lower court erroneously construed the zoning resolution. According to Justice Catterson, the reference to "subsequent amendments" in the 1973 amendment limited the scope of the exception clause to projects which had started prior to November 15, 1972 and were still "in the works" awaiting final inspection and certificates of occupancy. As a result, the exception clause should not include plans for an addition filed with Buildings in 2010, more than a half-century after St. Mary's original plans had

been filed.

In response to the dissent, the majority noted that they "would have adopted the dissent's cogent analysis of the zoning issue if [they] were to reach the merits."

.....
[Weeks Woodlands Association v. Dormitory Authority of the State of New York](#), 95 A.D.3d 747 (1st Dep't May 31, 2012) (Albert K. Butzel, for Weeks Woodlands Association; Karen Binder, for Dormitory Authority and St. Mary's).

COURT DECISIONS

City Council

Williamsburg, Brooklyn

Williamsburg Mixed-Use Project Withstands Legal Challenge

[posted to CityLandNYC.org 6.28.2012]

City approved developer's request to rezone 15 tax lots to facilitate the development of two, six-story buildings near site of Domino Sugar project. Bruce Terzano (through JBJ, LLC) sought City approval to build a two-building mixed-use project at the corner of Wythe Avenue and South 3rd Street in Williamsburg, Brooklyn. To facilitate his proposal, Terzano asked the City to expand a nearby MX-8 special mixed-use district to include 15 tax lots on the eastern portion of the block bounded by South 2nd and South 3rd Streets between Wythe and Kent Avenues, and rezone the blocks from M3-1 to MX8:M1-4/R6A. Terzano needed the rezoning in order to replace a parking lot and low-rise plumbing supply store with two, six-story buildings, providing 18 affordable apartments, 61 market-rate apartments, and ground floor commercial space.

The proposal was met with opposition from the local community during the ULURP review process. Brooklyn Community Board 1 opposed the proposal, recommending that the area be rezoned to M1-4/R6B, and that Terzano record a deed restriction excluding bars



Corner of Wythe Avenue and South 3rd Street in Williamsburg. Credit: CityLand.

and restaurants from the development's commercial space. At the City Planning Commission's [public hearing](#), Brandon Cole, president of the Williamsburg Community Preservation Committee, asked the City to postpone the "spot" rezoning and perform a comprehensive study of the neighborhood similar to the study carried out prior to the 2005 Greenpoint-Williamsburg Rezoning plan.

The Planning Commission [approved](#) the proposal without modification, noting that the surrounding zoning districts permitted heights and bulk similar to or greater than the proposed rezoning area. One month later, the City Council unanimously [approved](#) the proposal.

The Williamsburg Community Preservation Coalition filed an article 78 petition challenging the City's approval. The Coalition argued that the rezoning violated State law because it had not been part of a well-considered plan. According to the Coalition, the rezoning's R6A residential designation was out-of-context with the area and inappropriate for narrow streets, such as South 2nd and South 3rd Streets. The Coalition claimed the City should have followed the example of an earlier rezoning of Grand Street, which applied a lower density R6B district

to five blocks of Grand Street between Berry Street and Marcy Avenue. The Coalition also argued that the City did not comply with State and City environmental review requirements because it failed to consider the aggregated environmental impacts of possible future rezonings subsequent to Terzano's rezoning proposal.

State Supreme Court Justice Carol R. Edmead dismissed the challenge. Justice Edmead found that the rezoning had been part of a well-considered plan, citing the Planning Commission's report approving the proposal and an affidavit from Steven Lenard, an urban planner at City Planning, which described the contrasting purposes of Terzano's proposal and the earlier rezoning of Grand Street. Lenard stated that the purpose of the Grand Street rezoning was to preserve the existing low- to mid-rise context along the corridor, while the purpose of Terzano's proposal was to facilitate the development of an underutilized parcel in a way that would contribute to the orderly growth of a changing area.

Justice Edmead also found that the City took a hard look at the potential impacts of the proposal and offered a reasoned elaboration for its approval. Contrary to the Coali-

tion's assertions, Justice Edmead found that the City or State environmental review laws did not require the City to aggregate the impacts of possible future rezonings when analyzing the impacts of a discrete, small-scale rezoning.

.....
[Williamsburg Community Preservation Coalition v. City of New York](#), 2012 N.Y. Slip Op. 50827U (N.Y. Cty. Sup. Ct. May 9, 2012) (Edmead J.) (Attorneys: Allyson M. Phillips for Coalition; Michael A. Cardozo and Diana M. Murray for NYC; Cozen O'Connor for Terzano).

Judicial Updates

Sunset Park Rezoning Plan Upheld:

The Court of Appeals upheld the City's contextual rezoning proposal for 128 blocks in Sunset Park, Brooklyn. See *Chinese Staff & Workers' Ass'n v. Burden*, N.Y. Slip Op. 05122 (N.Y. June 27, 27, 2012). For *CityLand's* past coverage of the rezoning and subsequent litigation, please visit <http://www.CityLandNYC.org>, or see the October 15, 2011 issue of *CityLand*.

CENTER FOR NEW YORK CITY LAW

UPCOMING EVENTS

CITY LAW BREAKFAST SERIES 2012

The City Law Breakfast Series resumes this fall with three scheduled dates.

- **Friday, September 21, 2012** – Hon. Jonathan Lippman, Chief Judge, New York State Court of Appeals
- **Friday, October 12, 2012** – TBA
- **Friday, November 9, 2012** – TBA

Breakfasts begin at 8:15 a.m. at New York Law School 185 West Broadway, 2nd Floor Events Center, New York, New York

There is no charge for the City Law Breakfast Series. For updates on future speakers, and webcasts of past speakers, please visit our website at www.citylaw.org

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CITYADMIN

Decisions on www.CityAdmin.org

AGENCY NAME	NUMBER OF DECISIONS	YEARS AVAILABLE
BSA	3,926	2002-Present
Council	1,084	2003-2005
CPC	1,960	2003-Present
DOB	68	1999-Present
Landmarks	2,953	2002-Present
Loft Board	2,852	1996-Present

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CITY PLANNING PIPELINE

New Applications Filed with DCP - June 1 to June 30, 2012

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	ULURP NO.	REPRESENTATIVE
ZONING TEXT AND MAP AMENDMENTS				
DFR 57 LLC	625 West 57th Street, MN	Rezone the midblock portion of the project block from M1-5 to C6-2 to constr. parking and mixed residential, commercial, and community facility; mod. of an existing restrictive declaration; mod. to the LGSD site plan; spec. perm. for a LGSD for the distribution of allowable floor area and location of buildings; spec. perm. to allow a 285-space accessory parking garage	120396ZMM; 010148AZMM; 010151BZSM; 120397ZSM; 120398ZSM	Richard Leland
College Pt. Holdings I, LLC	114-01 14th Avenue, QN	Renewal of special permit to allow Large Scale Residential Development; renewal of spec. perm. to modify maximum building height; renewal of authorization to waive rear yard requirements; renewal of authorization to modify permitted street wall length	120385CMQ; 120386CMQ; 120387CMQ; 120388CMQ	
EBI Consulting, Inc.	Waterpointe 151-45 6th Road, QN	Renewal of a spec. perm. to approve L.S.R.D. to allow 52-home development	120401CMQ	Akerman Senterfitt
CG&J Realty, LLC	137-61 Northern Boulevard, QN	Rezoning from R6/C2-2 to C4-3 to allow resid./community facility bldg.	120403ZMQ	Eric Palatnik PC
SPECIAL PERMITS/OTHER ACTIONS				
LPC	12 West 44th Street, MN	Landmark designation (Hotel Mansfield)	120411HKM	
LPC	1151 Third Avenue, MN	Landmark designation (Yorkville Bank Building)	120412HKM	
LPC	27 East 29th, MN	Landmark amendment (Martha Washington Hotel)	120413HKM	
LPC	111-02 to 111-04 Queens Blvd., QN	Landmark designation (Firehouse Engine Co. 305)	120410HKQ	
LPC	618-620 East 138 Street, BX	Landmark designation (Firehouse Engine Co. 83 and Ladder Co. 29)	120408HKX	
LPC	330 East 150th Street, BX	Landmark designation (Firehouse Engine Co. 41)	120409HKX	
Clew Z Angus (USA) Inc.	15 Greenwich Avenue, MN	New 10-seat enclosed sidewalk cafe (Niu Noodle)	120393ECM	
C&V 77 Enterprises, LLC	1477 First Avenue, MN	Renewal of 47-seat enclosed sidewalk cafe (The Green Kitchen)	120391ECM	
MNY Holdings Assoc., LLC	1152 First Avenue, MN	Renewal of 28-seat enclosed sidewalk cafe (Baker Street)	120392ECM	
200 Water SPE, LLC	200 Water Street, MN	Cert. to redesign plaza area A (Water and John Street Corner Plaza)	120389ZCM	Fried Frank
411 9th Ave. Realty LLC	411 9th Avenue, MN	Cert. to increase the basic maximum floor area ratio	120390ZCM	JMV Assoc.
SDS Leonard, LLC	78-80 Leonard Street, MN	Certification (loft space condo)	120400ZCM	Second Dev. Serv.
B'way 280 Park Fee LLC	280 Park Avenue, MN	Cert. to allow cont. operation of 2 existing open-air cafes for 3-year term	120406ZCM	Kramer Levin
Toras Moshe	81 Spencer Street, BK	Cert. to reduce the parking requirement for a house of worship	120407ZCK	Shloma Perlmutter
Khemraj P. Sukhnandan	103-24 111 Street, QN	Waiver of parking requirements for locally oriented house of worship	120402ZMQ	Sheldon Lobel
Walid Shehadeh	661 Todt Hill Road, SI	Auth. to mod. topography, mod. of tree preserv. to const. 2-sty home	120395ZAR	Studio 16 Arch.
Raj Mehta	87 Circle Road, SI	Auth. to construct an outdoor at-grade patio for a 1-family home	120405ZAR	Rampulla Assoc.
Robert De Luca Ent.	147 Justin Avenue, SI	Cert. to subdivide 1 lot into 6 to build 3, 1-family and 3, 2-family homes	120394RCR	Calvanico Assoc.
Perry Cristeli	84 Discala Lane, SI	Cert. for school seats in the Special South Richmond Development Dist.	120404RCR	Rampulla Assoc.

ULURP PIPELINE

New Applications Certified into ULURP

PROJECT	DESCRIPTION	COMM. BD.	ULURP NO.	CERTIFIED
Hardeman Child Care Center	Rezoning, acquisition	QN 3	120260PQQ	6/4/2012
Travers Park Addition	Site selection & acquisition	QN 3	120378PCQ	6/4/2012
131st Street Rezoning	Rezoning	QN 7	120138ZMQ	6/4/2012
Bailey House	Special permit	MN 11	100179ZSM	6/18/2011
Non-ULURP Referrals				
PROJECT	DESCRIPTION	COMM. BD.	APP. NO.	REFERRED
Downtown Brooklyn Parking Text Amendment	Zoning text amendment	BK 2	N120384ZRK	6/4/2012

BSA PIPELINE

New Applications Filed with BSA — June 1 to July 3, 2012

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	APP. NO.	REPRESENTATIVE
VARIANCES				
JZS Madison LLC	933 Madison Ave., MN	Enlarge buildings, modify use & bulk	198-12-BZ	Kramer Levin
The Watchtower Society	98 Montague St., BK	Reconvert community facility to transient hotel	189-12-BZ	Kramer Levin
Delta Holdings LLC	1517 Bushwick Ave., BK	Construct self-storage facility (max permitted fl. area)	199-12-BZ	Sheldon Lobel PC
SPECIAL PERMITS/OTHER ACTION				
Oversea Chinese Mission	154 Hester St., MN	Enlarge house of worship	200-12-BZ	Sheldon Lobel PC
Vornado Realty Trust	384 Lafayette St., MN	Permit physical culture establishment in M1-5B district	193-12-BZ	Rothkrug Rothkrug
1030 S. Blvd. Assocs.	1030 Southern Blvd., BX	Permit physical culture establishment in R7-1 district	202-12-BZ	Rothkrug Rothkrug
Sarah Weinberger	1286 E. 23rd St., BK	Enlarge, partially legalize, 1-family dwelling	165-12-BZ	Fredrick A. Becker
Dmitriy Kotlarsky	2373 E. 70th St., BK	Leg. discontinuance of 1-car garage, convert to rec. area	206-12-BZ	George Guttman
Garmac Properties LLC	108-15 Crossbay Blvd., QN	Reinstate variance to const. 2-story office bldg.	195-12-BZ	Eduardo J. Diaz
APPEALS				
26-28 Market Street Inc.	24 Market St., MN	Appeal determination that signs are not a non-conforming use	169-12-A; 170-12-A	Davidoff Hutcher
Almavi Enterprises	511 Canal St., MN	Appeal sign registration rejection	181-12-A	Akiva Shapiro
Sky East LLC	638 E. 11th St., MN	Certificate of occupancy modification	166-12-A	NYC DOB
Gemini 442 West 36th	442 W. 36th St., MN	Appeal determination that sign is not a non-conforming use	203-12-A	Davidoff Hutcher
Flash Inn Inc.	101 Macombs Pl., MN	Appeal determination that sign is not a non-conforming use	167-12-A	Davidoff Hutcher
Borden Realty Corp.	355 Major Deegan Expwy., BX	Appeal Borough Commissioner dec. (advertising sign)	205-12-A	Fried Frank
Bruckner Assocs.	18 Bruckner Blvd., BX	Appeal determination that sign is not a non-conforming use	204-12-A	Davidoff Hutcher
Dep't of Ports & Trade	476 Exterior St., BX	Appeal sign registration rejection	183-12-A	Clear Channel
Dep't of Ports & Trade	477 Exterior St., BX	Appeal sign registration rejection	184-12-A	Clear Channel
Dep't of Ports & Trade	475 Exterior St., BX	Appeal sign registration rejection	185-12-A	Clear Channel
MTA	Major Deegan Expwy., BX	Appeal sign registration rejection	186-12-A	Clear Channel
MTA	Major Deegan Expwy., BX	Appeal sign registration rejection	187-12-A	Clear Channel
MTA	Major Deegan Expwy., BX	Appeal sign registration rejection	188-12-A	Clear Channel
MTA	Major Deegan Expwy. at 161st St., BX	Appeal determination that sign not a legal advertising sign	182-12-A	Davidoff Hutcher
Amtrak	Cross Bronx Expwy., BX	Confirm railroad signs exempt from City sign regs.	171-12-A	Stroock & Stroock
Amtrak	Cross Bronx Expwy., BX	Confirm railroad signs exempt from City sign regs.	172-12-A	Stroock & Stroock
Amtrak	Cross Bronx Expwy., BX	Confirm railroad signs exempt from City sign regs.	173-12-A	Stroock & Stroock
Amtrak	I-95 & Hutchinson Pkwy., BX	Confirm railroad signs exempt from City sign regs.	174-12-A	Stroock & Stroock
Amtrak	I-95 & Hutchinson Pkwy., BX	Confirm railroad signs exempt from City sign regs.	175-12-A	Stroock & Stroock
Amtrak	Bruckner Blvd. & Hunts Pt. Ave., BX	Confirm railroad signs exempt from City sign regs.	176-12-A	Stroock & Stroock
Amtrak	Bruckner Blvd. & Hunts Pt. Ave., BX	Confirm railroad signs exempt from City sign regs.	177-12-A	Stroock & Stroock
Amtrak	Bruckner Expwy., BX	Confirm railroad signs exempt from City sign regs.	178-12-A	Stroock & Stroock
Amtrak	Bruckner Expwy., BX	Confirm railroad signs exempt from City sign regs.	179-12-A	Stroock & Stroock
CSX	Major Deegan Expwy., BX	Confirm railroad signs exempt from City sign regs.	180-12-A	Stroock & Stroock
Poe Affiliates	2432 Grand Concourse, BX	Appeal determination that sign is not a non-conforming use	168-12-A	Davidoff Hutcher
Breezy Pt. Co-op.	210 Oceanside Ave., QN	Building not fronting mapped street, in mapped street bed	164-12-A	Joseph A. Sherry
JRR Realty Co., Inc.	42-45 12th St., QN	Appeal determination that sign not a legal advertising sign	190-12-A- 192-12-A	Davidoff Hutcher
Gelu-Durius Musica	213-14 Union Turnpike, QN	N/A	194-12-A	John Sullivan
Breezy Pt. Co-op.	26 Ocean Ave., QN	N/A	196-12-A	Deidre Duffy
Breezy Pt. Co-op.	164 Reid Ave., QN	Reconstruct building not fronting mapped street	207-12-A	Zygmunt Staszewski
Scott Whalen	112 Alberta Ave., SI	Appeal Borough Commissioner denial of 1-story dwelling	201-12-A	Rothkrug Rothkrug

LANDMARKS PIPELINE

Proposed Designations — June 2012

NAME	ADDRESS	ACTION	DATE
New York Curb Exchange	86 Trinity Pl., MN	Heard; Designated	6/12/2012; 6/26/2012
The Bowery Mission	227 Bowery, MN	Heard; Designated	6/12/2012; 6/26/2012
Martha Washington Hotel	27 E. 29th St., MN	Designated; Modified	6/12/2012; 6/19/2012
Hotel Mansfield	12 W. 44th St., MN	Designated	6/12/2012
Yorkville Bank Building	1511 Third Ave., MN	Designated	6/12/2012
Firehouse, Engine Co. 83	618 E. 138th St., BX	Designated	6/12/2012
Firehouse, Engine Co. 41	330 E. 150th St., BX	Designated	6/12/2012
Firehouse, Engine Co. 305	111-02 Queens Blvd., QN	Designated	6/12/2012
177 West Broadway House	177 W. Broadway, MN	Decalendared	6/26/2012
Bowery Bank	124 Bowery, MN	Designated	6/26/2012
East Village/Lower East Side HD	East Village, MN	Heard	6/26/2012
Riverside-West End HD Ext. I	Upper West Side, MN	Designated	6/26/2012
Park Place HD	Crown Heights, BK	Designated	6/26/2012

Actions Taken — June 2012

FINAL PERMITS TO BE ISSUED AFTER LANDMARKS RECEIVES CONFORMING PLANS

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	DOCKET NO.	APP'D
June 5, 2012				
361 Broadway, MN	James S. White Building	Alter facades, courtyard, const. rooftop addition	11-3759	W/Mod
150 E. 42nd St., MN	Socony-Mobile Building	Install signage	13-1170	Yes
123 W. 44th St., MN	The Gerard	Install painted & illuminated signs	11-9184	Yes
171 E. 73rd St., MN	171 East 73rd Street Building	Demo. rear extension, const. additions	13-0643	W/Mod
250 W. 77th St., MN	Hotel Belleclaire	Install canopy, skylight	12-7548	Yes
95 Horatio St., MN	Gansevoort Market HD	Establish master plan (signage); amend C of A (alter ground fl., install infill ramps, signage)	12-9288; 13-1655	Yes Yes
126 E. 62nd St., MN	Upper East Side HD	Construct rear addition, modify window	12-7436	Yes
825 Fifth Ave., MN	Upper East Side HD	Reconstruct balconies, railings	13-0066	Yes
120 E. 64th St., MN	Upper East Side HD	Construct rear yard addition	12-0639	Yes
127 E. 69th St., MN	Upper East Side HD	Construct rear yard addition	13-0486	W/Mod
45 W. 70th St., MN	Upper West Side/CPW HD	Excavate rear yard, construct rear addition	12-6428	Yes
47 W. 70th St., MN	Upper West Side/CPW HD	Excavate rear yard, construct roof, rear additions	12-8912	Yes
11 E. 77th St., MN	Upper East Side HD	Demo. rear extension, construct addition	12-8516	Yes
25 W. 88th St., MN	Upper West Side/CPW HD	Construct roof, rear additions, alter rear facades	12-9373	Yes
174 State St., BK	Brooklyn Heights HD	Construct stoop, entrance portico	13-0374	Yes
21 Sidney Pl., BK	Brooklyn Heights HD	Construct connector building	13-1269	Yes
434 Vanderbilt Ave., BK	Fort Greene HD	Reconstruct facade, alter rear facade, const. deck	13-1977	Yes
110 Berkeley Pl., BK	Park Slope HD	Install lamp post, stoop railing, fence	13-1208	Yes
June 12, 2012				
60 Grand St., MN	SoHo-Cast Iron HD	Install painted wall sign	13-0939	Yes
430 Broome St., MN	SoHo-Cast Iron HD Ext.	Install basement stairs, iron work	13-0175	Yes
435 Broome St., MN	SoHo-Cast Iron HD	Install storefront infill	12-9065	Yes
127 Prince St., MN	SoHo-Cast Iron HD	Install ramps	13-0246	Yes
18 Bleecker St., MN	NoHo East HD	Alter door openings, create, install windows	13-1286	Yes
84 Bedford St., MN	Greenwich Village HD	Legalize work to facade, bulkhead enlargement	13-1695	In Part
725 Greenwich St., MN	Greenwich Village HD	Relocate illegal a/c unit	12-9607	W/Mod
24 Bethune St., MN	Greenwich Village HD	Reconstruct facade	12-9612	Yes
52 Gansevoort St., MN	Gansevoort Market HD	Install storefront infill, signage	13-1546	Yes
333 W. 20th St., MN	Chelsea HD	Construct rear yard addition	12-7343	Yes
195 Lenox Ave., MN	Mount Morris Park HD	Amend C of A (install stoop, storefront, alter areaway)	13-0274	Yes

Chart continues on next page

LANDMARKS PIPELINE (CONT.)

Actions Taken — June 2012

FINAL PERMITS TO BE ISSUED AFTER LANDMARKS RECEIVES CONFORMING PLANS

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	DOCKET NO.	APP'D
12 Middagh St., BK	Brooklyn Heights HD	Alter ground floor	12-6503	Yes
220 Adelphi St., BK	Fort Greene HD	Demo., construct rear yard addition	12-8323	Yes
212 Prospect Pl., BK	Prospect Heights HD	Legalize decking, garbage enclosures, planters	12-1858	In Part
326A President St., BK	Carroll Gardens HD	Legalize stoop alterations	13-1095	Yes
June 19, 2012				
1 Centre St., MN	Municipal Building	Install rooftop mechanical equipment	13-1350	W/Mod
320 E. 43rd St., MN	Ford Foundation Bldg. Interior	Alter pathway, install doorway, lpad stands	13-1110	Yes
1552 Broadway, MN	I. Miller Building	Install infill, signage, lighting	13-1001	Yes
457 Madison Ave., MN	The Villard Houses	Install HVAC louver, door	13-0360	Yes
1 W. 54th St., MN	The University Club	Install entrance, canopy	13-2283	Yes
5 Columbus Circle, MN	U.S. Rubber Company Bldg.	Install signage	13-1008	Yes
22 Central Park S., MN	Plaza Hotel	Redesign facades of adjacent bldg., const. add.	13-1299	Yes
125 Watts St., MN	Tribeca North HD	Construct rooftop addition, install railing	13-1630	Yes
36 Bleecker St., MN	NoHo East HD	Alter facade, const rooftop add., install infill	13-1343	Yes
1 Sheridan Sq., MN	Greenwich Village HD	Replace window	12-7177	W/D
7 W. 18th St., MN	Ladies' Mile HD	Install storefront infill	12-7265	Yes
224 Fifth Ave., MN	Madison Square North HD	Install signage	12-7553	W/Mod
236 Fifth Ave., MN	Madison Square North HD	Legalize windows, facade work	13-0104	Yes
19 E. 71st St., MN	Upper East Side HD	Install awnings, signage	13-2554	W/Mod
159 W. 78th St., MN	Upper West Side/CPW HD	Construct rooftop addition, alter rear windows	13-0063	Yes
1030 Fifth Ave., MN	Metropolitan Museum HD	Construct rooftop addition	12-2424	Yes
1050 Fifth Ave., MN	Carnegie Hill HD	Create window opening	13-0875	Yes
63 W. 89th St., MN	Upper West Side/CPW HD	Combine rear windows vertically	13-0767	Yes
63 E. 92nd St., MN	Carnegie Hill HD	Construct roof, rear additions, alter facades	12-8722	W/Mod
36 Strong Pl., BK	Cobble Hill HD	Amend C of A (construct addition)	13-0505	Yes
141 Lafayette Ave., BK	Fort Greene HD	Replace back-house roof	13-2666	Yes
100 Park Pl., BK	Park Slope HD	Enlarge tree pit	12-9066	Yes
June 26, 2012				
38 Greene St., MN	SoHo-Cast Iron HD	Install storefront infill	12-9606	W/Mod
42 Greene St., MN	SoHo-Cast Iron HD	Establish master plan (install infill)	12-8642	Yes
475 W. Broadway, MN	SoHo-Cast Iron HD	Install painted wall sign	13-1778	Yes
50 Bond St., MN	NoHo HD Extension	Alter roof deck	13-0180	W/Mod
91 Charles St., MN	Greenwich Village HD	Construct access ramp	13-1429	Yes
705 Greenwich St., MN	Greenwich Village HD	Legalize ground floor alterations, signage	13-1687	Yes
406 Sixth Ave., MN	Greenwich Village HD	Install signage	12-2157	Yes
431 W. 14th St., MN	Gansevoort Market HD	Install infill, awning	13-2458	Yes
81 Front St., BK	DUMBO HD	Replace infill, install signage	13-1788	Yes

New Decisions Added to CITYADMIN www.CityAdmin.org June 2012

CITY COUNCIL

RES. NOS.	PROJECT	DESCRIPTION	DATE
1358	247 Dyckman St., MN	Revocable consent for sidewalk cafe (Mamajuana Cafe)	5/31/2012
1359	Eastern Rail Yards Text Amendment, MN	Zoning text amendment (Special Hudson Yards District)	5/31/2012
1360	High Line Text Amendment, MN	Zoning text amendment (Special Hudson Yards District)	5/31/2012
1361	Special Tribeca Text Amendment, MN	Zoning text amendment (extend variance for bulk regs. modification)	5/31/2012
1362 ; 1363	Crossroads Plaza, BX	UDAAP by HPD at 500 Union Ave. (3 lots & 428 residential units); rezoning (R7-2 to R8-X)	5/31/2012
1364	63 W. 137th St., MN	UDAAP by HPD (8 lots)	5/31/2012

CITY PLANNING COMMISSION

PROJECT NAME	DESCRIPTION	LOCATION	ULURP NO.	DATE
83 Walker Street	Special permit for 9-story building (height & setback regs.)	MN 1	C100149ZSM	6/6/2012
New York University Core	Special permit for 4 new buildings (fl. area, location); City map amendment (close portions of Mercer St. & LaGuardia Place, establish park); rezoning (elim. R7-2 district, change R7-2 to C1-7, C6-2 to R7-2, C1-7, R7-2 to C1-5); zoning text amendment (special permit regs. for large-scale general developments)	MN 2	C120124ZSM ; C120077MMM ; C120122ZMM ; N120123ZRM	6/6/2012
Park Slope HD Extension	Landmark district designation	BK 6,7	N120297HKK	6/6/2012
Silvercrest Senior Housing	Special permit for 6-story non-profit (floor area)	QN 8	C110042ZSQ	6/6/2012
Barbizon Hotel for Women	Landmark designation	MN 8	N120298HKM	6/20/2012
Brook Avenue	UDAAP by HPD (66 units)	BX 1	C120161HAX	6/20/2012

BOARD OF STANDARDS & APPEALS

ADDRESS	DESCRIPTION	ACTION	CASE NO.	REPRESENTATIVE
372 Lafayette St., MN	Amend variance for new building (increase commercial floor area)	App'd	290-06-BZ	Kramer Levin
63 Eighth Ave., MN	Amend variance for service station (legalize fueling islands)	App'd	678-74-BZ	Tyree Service Corp.
29 W. 26th St., MN	Ext. time to compl. const. (convert manufacturing lofts to res. use)	App'd	1259-79-BZ	Sheldon Lobel PC
158 W. 27th St., MN	Permit physical culture establishment (Planet Fitness)	App'd	42-12-BZ	Sheldon Lobel PC
663 Second Ave., MN	Appeal DOB revocation of approval for non-conforming sign	Denied	86-11-A	Cozen O'Connor
110 W. 57th St., MN	Extension of term (movie theater)	App'd	849-49-BZ	Greenberg Traurig
1133 York Ave., MN	Variance to construct outpatient surgical center	App'd	183-11-BZ	Friedman & Gotbaum
110 E. 70th St., MN	Appeal failure by DOB to revoke permit for building reconstruction; appeal DOB determination that reconstruction of bldg. not permitted	Denied; Denied	25-12-A ; 27-12-A	Slater & Beckerman Greenberg Traurig
1470 Third Ave., MN	Enlarge physical culture establishment (SoulCycle)	App'd	22-12-BZ	Francis R. Angelino
1280 Allerton Ave., BX	Extension of term (Sunoco station)	App'd	196-49-BZ	Walter T. Gorman
1913 E. 28th St., BK	Enlarge 1-family dwelling (floor area, yards)	App'd	3-12-BZ	Sheldon Lobel PC
150 Norfolk St., BK	Enlarge 1-family dwelling (lot coverage, floor area, yards)	App'd	176-11-BZ	Eric Palatnik PC
8102 New Utrecht Ave., BK	Amend variance to add sales, body and painting to auto repair shop	App'd	188-78-BZ	Eric Palatnik PC
800 Union St., BK	Extend time to obtain C of O (parking garage)	App'd	997-84-BZ	Akerman Senterfitt
2001 Cropsy Ave., BK	Enlarge Shell station, legalize conversion of repair bays to store	App'd	442-42-BZ	Eric Palatnik PC
1232 E. 27th St., BK	Enlarge 1-family dwelling (floor area, open space, yards)	App'd	53-12-BZ	Fredrick A. Becker
705 Gravesend Neck Rd., BK	Enlarge 1-family dwelling (floor area, lot coverage, open space, yards)	App'd	8-12-BZ	Fredrick A. Becker
465 Carroll St., BK	Construct residential building in M1-2 district	App'd	129-11-BZ	Jeffrey Chester
16 Brighton 7th Walk, BK	Legalize changes to 2-family dwelling	W/D	99-11-A	Eric Palatnik PC
2257 E. 14th St., BK	Enlarge 1-family dwelling (floor area, lot coverage, open space, yards)	App'd	169-11-BZ	Eric Palatnik PC
2994 Cropsy Ave., BK	Legalize extension of use and enlargement of scrap metal yard	App'd	112-11-BZ	Eric Palatnik PC
1232 54th St., BK	Ext. time to complete construction, obtain c of o (synagogue)	App'd	395-04-BZ	Moshe M. Friedman
131-23 31st Ave., QN	Permit physical culture establishment (New York Spa)	App'd	102-11-BZ	H. Irving Sigman
35-04 Bell Blvd., QN	Extension of term (Gulf station)	App'd	808-55-BZ	Sheldon Lobel PC
110 Beach 220th St., QN	Reconstruct, enlarge 1-family dwelling not fronting mapped street	App'd	32-12-A	Gary Lenhart
137-35 Elder Ave., QN	Amend variance to construct mixed-use building (interior layout)	App'd	203-07-BZ	Sheldon Lobel PC
34-09 Francis Lewis Blvd., QN	Legalize physical culture establishment (Powerhouse Gym)	App'd	49-12-BZ	Sheldon Lobel PC
73-49 Grand Ave., QN	Extend accessory commercial parking in residential district	App'd	26-12-BZ	Sheldon Lobel PC
35 Janet Ln., QN	Reconstruct building in mapped street bed	App'd	52-12-A	Zygmunt Staszewski
29-01 Borden Ave., QN	Challenge DOB determination that outdoor signs not a legal use	App'd	15-12-A ; 158-12-A	Fried Frank
178-06 90th Ave., QN	Vested right to continue development under prior R6 zoning	App'd	196-11-A	Bryan Cave
11-11 44th Dr., QN	Ext. time to complete construction, obtain C of O	App'd	136-01-BZ	Eric Palatnik PC

Chart continues on next page

New Decisions Added to CITYADMIN www.CityAdmin.org June 2012

BOARD OF STANDARDS & APPEALS (CONT.)

ADDRESS	DESCRIPTION	ACTION	CASE NO.	REPRESENTATIVE
40-29 72nd St., QN	Legalize 3-family dwelling (side yard)	Denied	187-10-BZ	Khalid M. Azam
112-26 38th Ave., QN	Vested right to continue development under prior R6 zoning	App'd	41-12-A	Queen First Properties
38-30 28th St., QN	Vested right to continue development of 8-story hotel	App'd	19-12-A	Goldman Harris
68-10 58th Ave., QN	Vested right to complete construction under prior R4 zoning	App'd	173-11-A	Rothkrug Rothkrug
23-10 Qns Plaza South, QN	Appeal of DOB determination that sign not a legal use	Denied	154-11-A	Eric Palatnik PC
2385 Richmond Ave., SI	Permit physical culture establishment (Global Health Clubs)	App'd	40-12-BZ	Francis R. Angelino
131 Aviston St., SI	Construct 1-family dwelling not fronting mapped street	App'd	38-12-A ; 39-12-A	Rothkrug Rothkrug
1820 Richmond Rd., SI	Extend time to obtain C of O (Getty station)	App'd	749-65-BZ	Sheldon Lobel PC
268 Adams Ave., SI	Extend time to obtain C of O (auto repair)	App'd	305-00-BZ	Robert A. Caneco
41 Barker St., SI	Extension of term (auto repair)	App'd	820-67-BZ	Willy C. Yuin

LANDMARKS PRESERVATION COMMISSION - APPROVALS & CERTIFICATES

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	CASE NO.	APP'D	ISSUED
100 Broadway, MN	American Surety Co. Bldg.	Remove awnings, install sign panels	13-2588	Yes	6/1/2012
150 E. 42nd St., MN	Socony-Mobil Building	Replace ground floor infill	13-2637	Yes	6/5/12
Central Park, MN	Tavern on the Green	Remove adds., construct add., repl. windows, doors	13-2608	Yes	6/4/2012
52 Lispenard St., MN	Tribeca East HD	Remove parapet, construct 3-story addition	13-2618	Yes	6/8/2012
371 Canal St., MN	SoHo-Cast Iron HD	Remove and reset cast-iron facade	13-2938	Yes	6/12/2012
60 Grand St., MN	SoHo-Cast Iron HD	Paint wall sign	13-3077	Yes	6/14/2012
278 Lafayette St., MN	SoHo-Cast Iron HD	Replace storefront infill	13-2918	Yes	6/12/2012
18 Bleecker St., MN	NoHo East HD	Alter doors, replace windows, install windows	13-3163	Yes	6/19/2012
372 Lafayette St., MN	NoHo HD	Demo garage, construct 6-story building	13-2901	Yes	6/13/2012
84 Bedford St., MN	Greenwich Village HD	Leg. fire escape, inst. brownstone stucco, entrance	13-3093	Yes	6/18/2012
304 Bleecker St., MN	Greenwich Village HD	Replace infill, door, install sign band	13-2232	Yes	6/1/2012
714 Broadway, MN	NoHo HD	Install HVAC units	13-2907	Yes	6/11/2012
88 Seventh Ave. South, MN	Greenwich Village HD	Replace storefront infill	13-2861	Yes	6/11/2012
20 W. 11th St., MN	Greenwich Village HD	Replace windows	13-2319	Yes	5/25/2012
278 W. 11th St., MN	Greenwich Village HD	Construct 2-story addition, stoop, replace windows	13-2444	Yes	6/21/2012
142 E. 19th St., MN	Gramercy Park HD	Construct roof bulkhead, alter steps, ironwork	13-2903	Yes	6/7/2012
641 Sixth Ave., MN	Ladies' Mile HD	Install windows, doors, marquee, infill	13-3060	Yes	6/15/2012
7 E. 20th St., MN	Ladies' Mile HD	Replace windows	13-2762	Yes	6/7/2012
1 W. 22nd St., MN	Ladies' Mile HD	Replace storefront infill	13-2668	Yes	6/5/2012
236 Fifth Ave., MN	Madison Square North HD	Replace windows	13-3197	Yes	6/19/2012
120 E. 64th St., MN	Upper East Side HD	Construct 1-story rear yard addition	13-3080	Yes	6/15/2012
28 E. 70th St., MN	Upper East Side HD	Enlarge window	13-2942	Yes	6/12/2012
45 W. 70th St., MN	Upper West Side/CPW HD	Demo rear ext., construct rear ext., 4-story add.	13-3053	Yes	6/14/2012
149 E. 73rd St., MN	Upper East Side HD Ext.	Establish master plan (windows)	13-3059	Yes	6/15/2012
11 E. 77th St., MN	Upper East Side HD	Demo rear extension, const. 2-story addition	13-3006	Yes	6/14/2012
288 Carlton Ave., BK	Fort Greene HD	Remove rear ext., const. rear ext., deck	13-2606	Yes	6/4/2012
357 Waverly Ave., BK	Clinton Hill HD	Remove stairs, construct 1-story addition	13-2520	Yes	5/31/2012
29 Jay St., BK	DUMBO HD	Replace entrances, install poster boxes, signage	13-2739	Yes	6/6/2012
72 Poplar St., BK	Brooklyn Heights HD	Demo & replace secondary facades, const. addition	13-2840	Yes	6/12/2012
29 Sidney Pl., BK	Brooklyn Heights HD	Construct 4-story addition	13-2799	Yes	6/8/2012
31 Sidney Pl., BK	Brooklyn Heights HD	Install stoop, doors, ramp	13-2931	Yes	6/12/2012
39-76 44th St., QN	Sunnyside Gardens HD	Replace window, install door, stair, skylight	13-2570	Yes	6/1/2012