

Table of Contents

CITY COUNCIL

Quinn's SOC address	19
Hudson Sq. hearing	21
Plans for Maple Lanes	23

CITY PLANNING COMMISSION

Sp. Hudson Sq. Dist. approved ..	24
----------------------------------	----

LANDMARKS

Crosby St. revisions	26
Support for Bialystoker Center. .	27
Proposed housing in DUMBO . . .	29
BK carriage house redo	30

CITY LAW BREAKFAST

Speaker Christine C. Quinn	31
----------------------------------	----

CITYLAND COMMENTARY

Ross Sandler	20
--------------------	----

GUEST COMMENTARY

NYC Comptroller John C. Liu . . .	28
-----------------------------------	----

CITYLAND PROFILE

CM Stephen Levin	32
------------------------	----

CHARTS

DCP Pipeline	C-1
ULURP Pipeline.....	C-1
BSA Pipeline.....	C-2
Landmarks Pipeline.....	C-3
CityAdmin.org New Decisions. .	C-4



City Council Speaker Christine C. Quinn spoke at the Center for New York City Law's breakfast on February 15, 2013. Read coverage of the event on page 31.

CITY COUNCIL

State of the City Address
New York City

Speaker Quinn Addresses Affordable Housing in State of the City Address

Presumptive mayoral candidate focuses on solutions to the "middle class squeeze" in speech. On February 11, 2013, City Council Speaker Christine C. Quinn gave her final [State of the City Address](#). Speaker Quinn, who is term limited at the end of this year, is expected to announce her candidacy for mayor in September's Democratic primary.

Quinn's speech focused primarily on helping the middle class. The Speaker highlighted [The Middle Class Squeeze](#), a report that she and the City Council issued earlier that same day. The report explains that the City's middle class has shrunk due to decreasing middle-class jobs, increasing middle-class unemployment, the expensiveness of the City, and rising housing costs that exceed middle-class incomes. In her speech she stated, "Our top priority must be to keep our middle class here, attract new middle-class families, and give every New Yorker the opportunity to enter the middle class." The Speaker contended that New York faces an *(cont'd on page 21)*

Thank You Landmarks Preservation Commission

Here is a bouquet of flowers for the Landmarks Preservation Commission for preserving the greatest interior spaces in New York City. This thought came to mind when I entered the former Bowery Savings Bank building at [130 Bowery](#) in Manhattan to attend New York Law School's annual Gala on Monday, February 25, 2013. Guests at the New York Law School Gala entered the Bank through what Landmarks described as a "triumphal arch motif" with an "outer enframing reminiscent of the temple-form, complete with pediment." ([LPC 1966](#)). After walking through a "magnificent recessed barrel vaulted entrance portal," guests passed into the former waiting room constructed in the form of a soaring basilica with two bays of ionic columns forming a broad nave ([LPC 1994](#)) where cocktails were served and the silent auction items displayed.

Bowery Savings Bank was built in 1893-95 on plans of Stanford White of McKim, Mead & White and is now the home of [Capitale](#), a company which operates the space for events. Capitale set up the Gala dinner in the sky-lit, 80-by-80 foot square former banking floor that set the standard for all savings banks: "dignity and fortress-like strength." ([LPC 1994](#)). White followed Roman prototypes comparable "in scale to the grandest buildings of ancient Rome." The banking floor is based on the Basilica Ulpia (A.D. 98) in Rome, with the columns closely modeled on those of the portico of the Pantheon (A.D. 120-24). A 50-square-foot skylight 60 feet above the banking floor is edged with "richly coffered, barrel-vaulted aisles" similar to those in the Basilica of Constantine (A.D. 312) in Rome. ([LPC 1994](#)).

Savers in the old days felt safe giving their money to the Bowery Savings Bank in exchange for an entry in a pocket-size bank-book. And the bank paid interest — five percent interest!

New York Law School honored four outstanding alumni at the Gala. The food was haute cuisine, the band lively, and the 400 guests happy. Revenue surpassed \$1 million, a record success. The silent star of the evening, however, was the absent Stanford White and the trustees of the Bowery Savings Bank to whom McKim, Mead & White submitted its winning design.

Thank you Landmarks Preservation Commission for landmarking interior spaces. As the AIA Guide says, "The interior of the Bowery Savings Bank is one of the great spaces of New York. *Go in.*"

Ross Sandler

CITYLAND

Ross Sandler
*Professor of Law and Director,
Center for New York City Law*

Brian J. Kaszuba '04
CityLand Editor

Randy Kleinman '12
Amber Gonzalez '12
Fellows

Lebasi Lashley
*Art Director
Petting Zoo Design*

Jesse Denno
Staff Writer, Production Asst.

Sarah Knowles
Administrative Coordinator

CITYLAND ADVISORY BOARD

Kent Barwick
Andrew Berman
Molly Brennan
Albert K. Butzel

Howard Goldman
Jerry Gottesman
David Karnovsky
Ross Moskowitz '84

Frank Munger
Carol E. Rosenthal
Michael T. Sillerman
Paul D. Selver

CENTER FOR NEW YORK CITY LAW ADVISORY COUNCIL

Stanley S. Shuman,
Chair

Arthur N. Abbey '59
Sheila Aresty '94
Harold Baer, Jr.
David R. Baker
Michael A. Cardozo
Anthony Coles
Paul A. Crotty
Richard J. Davis
Michael B. Gerrard
Judah Gribetz
Kathleen Grimm '80
Eric Hatzimemos '92

Michael D. Hess
Lawrence S. Huntington '64
William F. Kuntz II
Eric Lane
Randy M. Mastro
Robert J. McGuire
Francis McArdle
John D. McMahon '76
Thomas L. McMahon '83
Gary P. Naftalis
Steven M. Polan
Gail S. Port '76
Joseph B. Rose

Ernst H. Rosenberger '58
Frederick P. Schaffer
Frederick A.O. Schwarz, Jr.
O. Peter Sherwood
Edward Wallace
Richard M. Weinberg
Peter L. Zimroth
James D. Zirin

The Center expresses appreciation to the individuals and foundations supporting the Center and its work: The Steven and Sheila Aresty Foundation, Fund for the City of New York, The Durst Foundation, The Charina Endowment Fund, The Murray Goodgold Foundation, Jerry Gottesman, The Marc Haas Foundation and The Prospect Hill Foundation.

CITYLAND (ISSN 1551-711X) is published by the Center for New York City Law at New York Law School, 185 West Broadway, New York City, New York 10013, tel. (212) 431-2115, fax (212) 941-4735, e-mail: nycitylaw@nyls.edu, website: www.citylaw.org © Center for New York City Law, 2012. All rights reserved. Printed on recycled paper. Maps presented in **CITYLAND** are from Map-PLUTO copyrighted by the New York City Department of City Planning. City Landmarks and Historic Districts printed with permission of New York City Landmarks Preservation Commission.

POSTMASTER: Send address changes to **CITYLAND**, 185 West Broadway, New York, New York 10013-2921. Periodicals postage paid at New York, New York.

affordability crisis and the City needs to make sure that people who want to stay here can afford to do so.

Quinn believes that affordable housing is at the heart of this crisis. The Speaker went on to outline her four-part plan to make housing in New York City more affordable:

Part 1: The Speaker plans to build 40,000 new middle-income affordable apartments over the next ten years. In order to accomplish this goal, Quinn called for increased financial commitment from the City. She believes the government needs to continue to be more efficient and save money by streamlining its back office operations. She cited the City's technology upgrades and management of its own vehicle fleet as ways the government has saved millions of dollars per year. The Speaker also believes the capital budget needs to be used more efficiently; for example, the City should use idle funds from agencies to build housing. Finally, Quinn believes it's time for the City to borrow additional funds to invest in the middle class now while interest and mortgage rates are at an all-time low.

Part 2: The Speaker announced that she is working with New York State Senator Martin J. Golden and Assembly Member Keith L.T. Wright to introduce the Permanent Affordability Act in the State Legislature. This Act will give building owners a new tax exemption by capping property taxes at a certain percentage of their rental income. In return, they will be required to keep their units affordable. This program builds on the Mitchell-Lama Housing Program which helped create over 100,000 middle-income rental apartments. However, the affordability requirements in that program were built to sunset after 20 years. So far 30,000 affordable units have been converted to market rent. The Permanent Affordability Act would help preserve affordable units that are in danger of being lost.

Part 3: Quinn plans to use a new innovative tool that will turn

existing market-rate housing into affordable units. The Speaker is working with New York State Assembly Speaker Sheldon Silver and Senator Golden to introduce legislation to create a pilot program targeting certain neighborhoods. In exchange for converting a number of units to affordable middle-income housing, building owners in these neighborhoods will receive property tax caps at a fixed percentage of the building's rental income. This will help make areas such as Park Slope, Carroll Gardens, and Astoria affordable for the middle class.

Part 4: Quinn believes the City needs to take steps to ensure that the City's housing is good enough for people to want to live and raise their families there. The Speaker plans to work with the Council to undertake a top-to-bottom overhaul of the City's Housing Maintenance Code. For example, the overhaul would seek to prevent bad landlords from relying on quick fix remedies for general housing code violations by implementing new penalties for landlords who have repeated violations.

The remainder of Quinn's speech focused on tax crediting child care costs, creating more middle-class jobs, helping small businesses, expanding health care industry jobs, and reinventing the workforce development system.

CITY COUNCIL

Rezoning/Text Amendment
Hudson Square, Manhattan

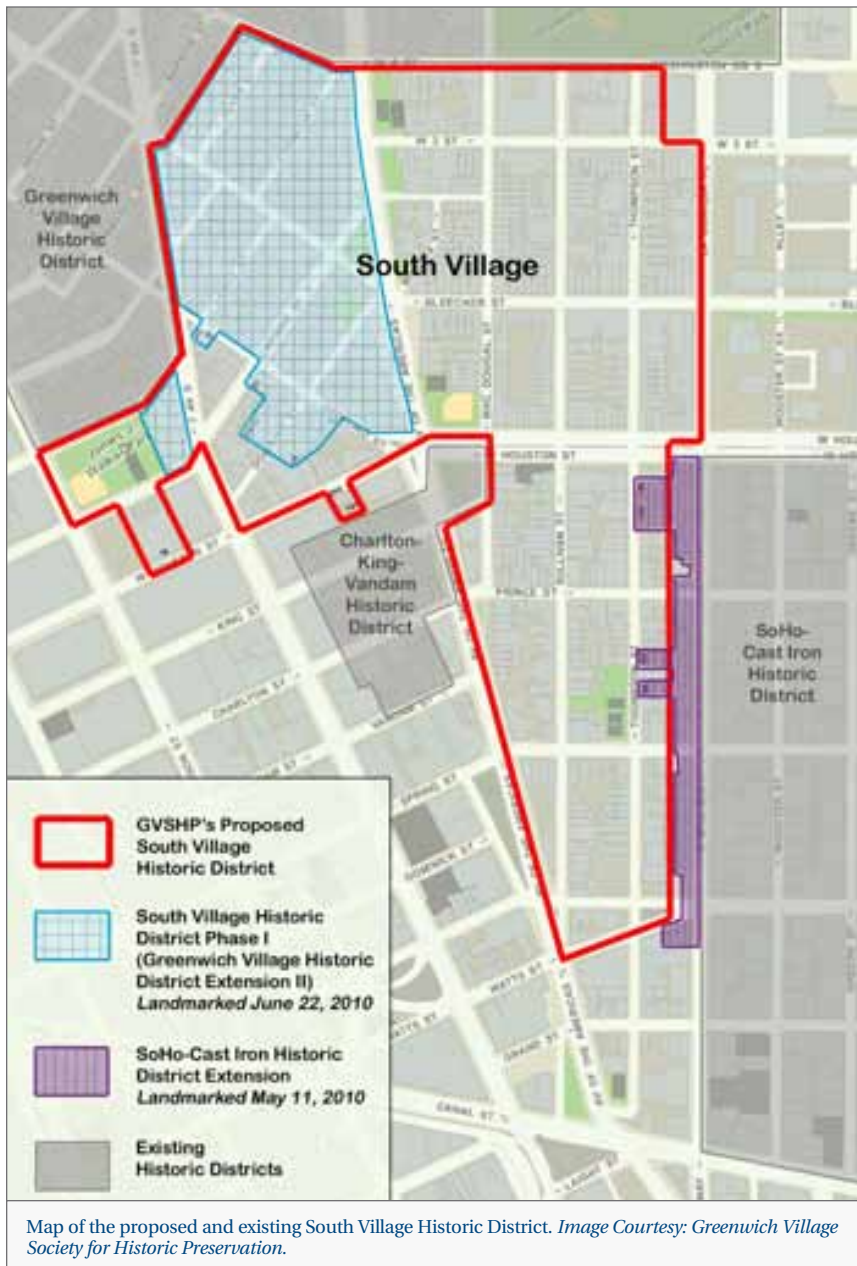
Community Concerns Voiced at City Council Hearing for Special Hudson Square District

Community Board urges Trinity to build a new recreation center to accommodate projected population increase. On February 12, 2013, the City Council's Zoning & Franchises Subcommittee held a hearing for [Trinity Church](#)'s application to rezone 18 blocks generally bounded

by West Houston and Canal Streets, Avenue of the Americas, and Greenwich Street. The [Special Hudson Square District](#) will facilitate residential development, maintain commercial office space, and encourage ground-floor retail. [Trinity Church](#) owns approximately 39 percent of the lots within the proposed Special District.

The proposal would retain the area's [M1-6](#) zoning, but would add provisions to allow residential and increased community facility uses. The Special District would establish height limits of 185 feet on narrow streets and 320 feet on wide streets as well as setback regulations. The proposal also includes Subdistrict A (see inset map), which would set a height limit of 430 feet. Subdistrict A would accommodate Trinity Church's plans to develop a mixed-use development with a 75,000-square-foot, 444-seat [public school](#) across from Juan Pablo Duarte Square Park. The maximum floor area ratio would be 10.0 for non-residential uses and 9.0 for residential uses, with a possibility of 12.0 for participation in the City's [Inclusionary Housing Program](#). The proposal would also establish protective provisions to prevent the permanent conversion of existing commercial space and control hotel development.

The City Planning Commission held a hearing on the proposal on November 28, 2012 and approved the proposal with modifications on January 23, 2013. Manhattan Community Board 2 testified against the Special District, citing Trinity's inadequate proposals to provide the area with open space. Manhattan Borough President Scott M. Stringer recommended conditional approval of the application, asking for height reduction on wide streets and open space options. Property owners in the area testified requesting increased heights for midblock sites on narrow streets in order to achieve the maximum floor area ratio available under the City's Inclusionary Housing Program. The Bor-



ough President, Community Board, local elected officials, community groups, and local residents testified to request that City Planning urge the Landmarks Preservation Commission to landmark nearby South Village. City Planning credited Trinity's \$5.6 million contribution commitment for nearby [Tony Dapolito Recreation Center](#) renovations as an adequate mitigation of the rezoning's adverse open space impact. In response to the affordable housing issue, City Planning added a special permit provision to allow midblock sites on narrow streets to

modify height (up to 210 feet) and setback requirements. City Planning declined to comment on the South Village landmarking, stating that the issue was out of the Commission's scope of review. (See *CityLand*'s coverage of the CPC hearing on page 24).

On February 12, 2013, the City Council's Zoning & Franchises Subcommittee held a hearing on the proposal. Representatives from the Community Board were present at the hearing to reiterate their opposition to the proposal unless Trinity adequately resolves the open space

issue. Representatives testified that the rezoning would bring 7,000 to 8,000 new people to an area that is already lacking in open space. The Community Board was not satisfied with Trinity's \$5.6 million contribution commitment to Dapolito Recreation Center because the Center is Parks-controlled and ought to be improved with public funds. The Community Board demanded that Trinity build a new recreation facility in exchange for the benefits rezoning would bestow on them. Eileen McColgan, a parent of a student at [NYC iSchool](#) located at [131 Avenue of the Americas](#), testified that the NYC iSchool and the [Chelsea Career and Technical High School](#) share a building without a gymnasium. Students must use an auditorium, some small weight rooms, or make private arrangements after school in order to fulfill their New York State physical education requirements. She requested that Trinity address the community's existing needs by constructing a new recreational facility.

[Jesse Masyr](#), of [Wachtel, Masyr & Missry](#), testified on behalf of Edison Properties, the owner of [274 Spring Street](#). He testified that City Planning's special permit provision for midblock sites to request a height maximum of 210 feet would only apply to the Spring Street site. He stated that the proposed height would prohibit the owner from achieving the full 12 FAR allowed under the City's Inclusionary Housing Program. He testified that the particular site, currently a storage building and parking lot, is on a unique shallow block that is 175 feet deep compared with an average block depth of 200 feet. He asked the Council to raise the maximum height to 230 feet, which would ensure the owner's use of the Inclusionary Housing Program and result in approximately 50 units of permanent affordable housing. He also testified that a special permit requirement to get an additional 25 feet is "too much process for too little result." Representatives of other property owners in the area who

would not be subjected to the special permit provision, including Extell Development Company at [68-70 Charlton Street](#) and Toll Brothers at [78-86 King Street](#), testified in support of a height increase to 210 feet on midblock, narrow street sites in order for their developments to utilize the Inclusionary Housing Program.

Landmarking of an area known as the South Village was also heavily discussed at the hearing. The South Village Historic District was designated in 2010 as the [Greenwich Village Historic District Extension II](#). However, local elected officials, the Community Board, residents, and the [Greenwich Village Society for Historic Preservation](#) all contended that a second, larger swath of the community directly adjacent to Hudson Square [should be designated](#) as well. Advocates suggested that the Hudson Square rezoning will negatively impact the undesignated parts of South Village by catalyzing development pressure in the area. Advocates suggested that any rezoning be done simultaneously with the South Village's designation by the Landmarks Preservation Commission. According to Greenwich Village Society for Historic Preservation, the South Village is not currently calendared for designation but is "landmark eligible."

The Subcommittee closed the hearing without a vote. The City Council has until March 18, 2013 to vote on the proposal.

Council: [Special Hudson Square Rezoning and Text Amendment](#) (C 120380 ZMM – rezoning); (N 120381(A) ZRM – text amendment) (January 23, 2013).

CITY COUNCIL

Rezoning

Borough Park/Bensonhurst

Maple Lanes Bowling Alley to Become Market-Rate Apartments

Demolition of bowling alley will lead

to construction of 112 dwelling units and a two-story synagogue. On October 20, 2008, an application for a zoning map amendment was filed to rezone property located at [1560 60th Street](#) in Brooklyn. The location has been occupied by [Maple Lanes Bowling Alley](#) for more than 50 years. The application calls for the demolition of the one-story, 35,000-square-foot bowling alley.

The [application](#), filed by Fairmont Lanes LLC, would rezone the location from [M1-1](#) to [R6A](#) to facilitate construction of a mixed-use development. The proposed rezoning would cover the entire 72,704-square-foot, irregularly shaped lot. The residential component of the proposal consists of 24 attached and semi-detached four-story buildings, 21 of which would be townhouse-style buildings containing four dwelling units each. At the corners of 16th Avenue and 60th Street, and 16th Avenue and 61st Street, larger residential buildings with seven dwelling units each would be constructed. The project also includes a two-story synagogue that would serve area residents. Accessory parking would be provided for 56 cars in a below-grade parking garage. The overall floor area ratio for the project would be 2.52.

Brooklyn Borough President Marty Markowitz supported the application [conditionally](#). Markowitz

requested that the developer establish a fund toward either reestablishing a bowling alley in a nearby area or a traffic study to change parking near Shell Lanes in Brighton Beach, Brooklyn. The Borough President also wanted a binding commitment that Maple Lanes remains operational until a permit is issued for the site's construction. Moreover, Markowitz wanted a commitment that the project would be built as presently proposed with no changes. Furthermore, he requested that a commitment is made to provide a portion of the housing to those of moderate to middle income. Brooklyn Community Board 12 unanimously supported the proposal under the condition that no changes are made to the proposed FAR.

On December 19, 2012, the City Planning Commission held a public hearing on the application. A representative from Fairmont Lanes stated that the proposed rezoning reflects a sensitive balance between the existing land uses and the housing needs of the community. He testified that there is no intention to build affordable housing as part of the project. Two local residents spoke in favor of the application stating there was a demand for housing in the community. A letter of support was submitted by local Assembly Member Dov Hikind. There was no opposition present at



The site is currently occupied by the Maple Lanes Bowling Alley. Photo: Melissa Murphy, a Brooklyn-based portrait & lifestyle photographer.

the hearing.

On January 23, 2013, the City Planning Commission voted to approve the application as originally proposed. The Commission was pleased that the applicant planned to make no changes to the proposal and was satisfied with the applicant's contention that affordable housing was not feasible for the scope and location of this project.

On February 12, 2013, the City Council's Zoning & Franchises Subcommittee held a hearing on the application. In response to questions from Council Member Diana Reyna, the applicant reiterated that there would not be affordable housing. Sam Stober, a local resident, was the only speaker at the hearing and he spoke in favor of the application. Local Council Member Sarah Gonzalez and neighboring Council Member David Greenfield both favored the proposal. The Subcommittee voted unanimously in favor of the application. On February 14, 2013, the Land Use Committee also voted in favor of the application with Council Member Charles Barron casting the only vote against the proposal due to the lack of affordable housing.

The full City Council voted in favor of the application at the Statemed Meeting on February 27, 2013. When Maple Lanes closes, there will only be a handful of bowling alleys left in Brooklyn.

Council: [Maple Lane Views](#) (C 090154 ZMK – rezoning) (February 14, 2013).

CITY PLANNING COMMISSION

Rezoning/Text Amendment

Hudson Square, Manhattan

Special Hudson Square District Moves from CPC Approval to Council Hearing

Trinity Church committed \$5.6 million for Dapolito Recreation Center renovations but open space issues remain at City Council. On January

23, 2013, the City Planning Commission approved [Trinity Church's](#) application to create the [Special Hudson Square District](#). The purpose of the Special District is to maintain commercial office space – mainly occupied by creative industries – that has made the Hudson Square neighborhood distinct, while encouraging mixed-use development and a vibrant community. The proposal would retain the area's [M1-6](#) zoning, which permits only commercial, manufacturing and limited community facility uses, but would add and modify zoning regulations aimed to allow residential and in-

creased community facility uses. The area is generally bounded by West Houston and Canal Streets, Avenue of the Americas, and Greenwich Street. [Trinity Church](#) owns approximately 39 percent of the lots within the 18-block proposed Special District. (See [CityLand's](#) past coverage [here](#)).

The area's M1-6 zoning currently does not provide building height limits and setbacks, which has led to [out-of-character development](#) in recent years. The Special District would establish height limits of 185 feet on narrow streets and 320 feet on wide streets as well



as setback regulations. The maximum floor area ratio would be 10.0 for non-residential uses and 9.0 for residential uses, with a possibility of 12.0 for participation in the City's [Inclusionary Housing Program](#). The proposal expects approximately 3,000 new residential units will be added to the Special District as a result of the rezoning.

The proposal would also establish protective provisions to prevent the conversion of existing commercial space. Conversion of existing commercial or manufacturing buildings with at least 70,000 sq.ft. of floor area to either hotel use (100-plus rooms) or residential use must retain the same amount of commercial or manufacturing floor area. For hotel conversions, the replacement floor area can be within the same building or elsewhere in the Special District and must be accomplished through a special permit. The special permit requirement expires when 75 percent of the projected residential units are developed.

Residential conversion of existing commercial or manufacturing buildings would require that non-residential floor area be replaced on the same zoning lot. Provisions for ground floor retail and transparency were also tailored to encourage an active streetscape.

The proposal would create two subdistricts. Subdistrict A would accommodate Trinity Church's future development plans for a mixed-use building with a [444-seat public school](#). Subdistrict A is bounded by Avenue of the Americas, Grand, Canal, and Varick Streets. Subdistrict B would set lower FAR and building heights than the rest of the Special District in order to discourage demolition of the existing rowhouses in an area that includes portions of Dominick, Broome, Watts, and Varick Streets, and part of the Holland Tunnel entrance.

Manhattan Community Board 2 voted unanimously to disapprove the application unless certain conditions were met. The main concern

of the Community Board was Trinity Church's failure to encourage or propose open space options. With the neighborhood's population expected to rise with the rezoning, the Community Board was concerned that the area lacks an adequate amount of open space to accommodate new residents. Additionally, the Community Board requested the elimination of Subdistrict B because it did not believe the proposed regulations would successfully preserve the area.

Manhattan Borough President Scott M. Stringer recommended conditional approval of the application and asked for a height reduction on wide streets, elimination of Subdistrict B, and the facilitation of open space.

At City Planning's hearing on November 28, 2012, many local residents and property owners generally praised the proposal, hoping new retail and residential establishment would enliven the area on evenings and weekends. Local elected officials, the Community Board, and neighborhood residents raised concerns about Subdistrict B and open space. The Community Board and local residents called for Trinity Church to build a new community facility within the mixed-use development in Subdistrict A. Trinity Church contended that a new recreation facility was economically infeasible, but committed to find existing open space areas for improvement.

The Community Board and the Borough President reiterated their concerns over wide street building heights, suggesting between 250 to 290 feet. Some local property owners suggested raising building heights for midblock buildings on narrow streets to 210 feet or higher. Those owners stated that the proposed maximum height of 185 feet will restrict developers from achieving the maximum floor area ratio available under the City's Inclusionary Housing Program, which would result in less overall affordable housing in

the area.

[Nick Hockens](#), of [Greenberg Traurig](#), who represented the owner of properties at [233 Spring Street](#) and [161 Avenue of the Americas](#), requested grandfathering development plans currently awaiting a Department of Buildings permit. The two buildings are currently separated by a one-story, 19-foot-wide loading dock on Spring Street. The owner seeks to modernize and enlarge the existing office and ground floor retail space as well as build a 15-story core building to replace the loading dock. The core building would eventually provide a shared lobby and elevator core for the Spring Street and Avenue of the Americas buildings. The project complies with the current zoning regulations, but would not comply with the rezoning proposal's street wall requirements. Under the proposed rezoning, the core building's street wall would have to match the street line up to a minimum base height of 125 feet. The proposed core building's design calls for a recessed street wall deeper than the street lines of the buildings, which are at differing depths. Hockens argued that the result under the proposed rezoning would be a less efficient building design with less continuity between all of the buildings.

On January 23, 2013, the City Planning Commission [approved](#) the rezoning with modifications. The Commission eliminated Subdistrict B from the proposal because it would have placed unnecessary density and bulk controls on the designated area. The Commission reduced the maximum building height on wide streets from 320 to 290 feet, while increasing the maximum width from 150 to 175 feet, as long as the street wall has at least a five-foot recess above 150 feet. This change was believed to be more in context with the area's buildings. The Commission added a special permit provision to allow midblock sites on narrow streets to modify height (up to 210 feet) and setback regulations. The Commission also added a provi-



View of 233 Spring Street (left) and 161 Avenue of the Americas (right) buildings. A core building is proposed to replace the middle one-story loading dock. Credit: Google maps.

sion to grandfather the development project at 233 Spring Street and 161 Avenue of the Americas.

Trinity Church executed a restrictive declaration stating that when it seeks building permits that would result in the Special District exceeding 60 percent of the proposed residential units (1,062 units), the applicant will provide \$5.6 million to the City's Department of Parks and Recreation for improvement of existing open space. Improvement priority will be given to the [Tony Dapolito Recreation Center](#) at Clarkson Street and 7th Avenue South, because of its proximity to the Special District and its capacity to accept new membership. Tony Dapolito was a legendary community advocate for parks in Greenwich Village and served on Community Board 2 for 52 years until his death in 2003. The improvements proposed are central air conditioning, a larger main gymnasium, upgrades to the indoor track, and an increase of fitness rooms. The Dapolito Recreation Center will undergo structural improvements by Parks, but if improvements to the Center become impracticable in the future, Parks will consult with both the Community Board and the local council member for alternative

open space improvement options.

Commissioner Michelle de la Uz voted "no" on the proposal, citing the proposal's failure to raise the maximum height of buildings on midblock, narrow street sites to 210 feet to encourage use of the City's Inclusionary Housing Program.

The application was heard at City Council's Zoning & Franchises Subcommittee hearing on February, 12, 2013. The main issues presented during testimony involved open space, midblock heights on narrow streets, and the landmarking of the [South Village](#) neighborhood.

CPC: [Special Hudson Square Rezoning and Text Amendment](#) (C 120380 ZMM – rezoning); (N 120381(A) ZRM – text amendment) (January 23, 2013).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

SoHo, Manhattan

Revisions to Selldorf-Designed Building Insufficient to Win Approval

Revised plan included a higher street wall, a reduced setback tower, and alterations to the facade design. On

February 12, 2013, the Landmarks Preservation Commission considered a revised proposal for a new building on a corner lot at 42 Crosby Street in the [SoHo-Cast Iron Historic District](#). A parking lot and garage currently occupy the site. Landmarks [initially considered a plan for the site](#) on December 11, 2012.

The original proposal called for a new building rising to 71 feet at the street wall, matching the adjacent cornice lines, with an additional four-story tower set back from the front facades. The facade would be composed primarily of molded aluminum and projecting glass windows. Commissioners were split on the appropriateness of the massing, and some asked that design details be further refined. No vote was taken on the original proposal.

Architect Annabelle Selldorf, Principal of [Selldorf Architects](#), presented the revised plan at the February 12th meeting, and characterized the changes as "subtle but significant." The cornice line of the new building's base would be raised six feet, separating it from the neighboring structures and creating a stronger presence at the corner. The tower would no longer rest on the rear lot lines of the lower structure, reading more clearly as a distinct element. The facade design also changed, with columns brought closer together and more vertical, rectangular windows introduced. Selldorf said the new street wall would continue the district's "rhythm of columnar elements." A more articulated cornice than in the previous proposal was also presented. The overall height of the building would be two feet above that of the previous proposal. In response to the Commissioners questions, Selldorf said the building's envelope was appropriate because there are "plenty of divergent massings all around the neighborhood."

On Crosby Street, a double-bay, 16-foot-wide recessed section would separate the aluminum building from the adjacent brick



Corner lot at 42 Crosby Street. Credit: Google.

structure. The recessed portion would have a garage entrance at the ground floor. The upper stories would house the windows to the residences' master bedrooms.

Commissioner Fred Bland found that the proposal had "improved dramatically," but still wasn't entirely comfortable with the massing and suggested the applicants lower the height of the tower by one story. Bland also recommended that the double-hung windows be replaced with panel windows. Commissioner Libby Ryan concurred, calling the proportions "too atypical" for the district. Ryan suggested making the base of the building one story taller and the tower one story shorter. Commissioner Joan Gerner objected to the scale of the project and also found the recessed portion "strange" and of dubious appropriateness. Commissioner Margery Perlmutter said she would like to see the height of the base raised even further, though praised the revisions as being "much more SoHo." Commissioner Roberta Washington thought the upper portions of the structure should not be visible from the street. Commissioner Michael Devonshire found that there was "just something a little bit too much

about this mass," but, in general, determined that the project would enhance the district, and that he could vote to approve it as presented.

Chair Robert B. Tierney found insufficient consensus among the Commissioners to call a vote and asked the applicants to further revise the plan and return to Landmarks at a later date. Tierney praised the "elegance" and "thoughtfulness" of the proposal, but agreed that the base needed to be raised or the tower lowered.

.....
LPC: 42 Crosby Street, Manhattan (13-6801) ([Feb. 12, 2013](#)) (Architect: Sell-dorf Architects).

LANDMARKS PRESERVATION COMMISSION

Designation Hearing

Lower East Side, Manhattan

Hearing on Former Art Deco Home for the Aged Draws Supportive Crowd

Retirement home served the Lower East Side's Jewish community from 1931 until it closed in 2011. On February 12, 2013, the Landmarks Preservation Commission held a hear-

ing on the potential designation of the Bialystoker Center and Home for the Aged at [228 East Broadway](#) in Manhattan, as an individual City landmark. Built between 1929 and 1931 to designs by architect Harry Hurwit, the Art Deco Bialystoker Center was built by a Jewish benevolent society, established in 1921. The Center initially focused on relief efforts in Europe and the assistance of recent immigrants to New York. In constructing the building, an essential component was the incorporation of a home for the aged to support the existing Jewish immigrant community in the City.

The ten-story building is clad primarily in brick, with terra-cotta ornament and a limestone base. The building features an ornate entrance and bas relief rondels bearing symbols of the Twelve Tribes of Israel. The Landmarks staff noted that the building was one of the few buildings in the area to emerge unscathed from the [Seward Park](#) urban renewal projects of the 1960s.

Gary Ambrose, representing the Board of Trustees for the home, did not oppose designation and stated "we cherish this building and its history." He expressed pride in the Center's role in the social development of the Lower East Side. He said, however, that the Board's primary



Door of Bialystoker Center and Home for the Aged. Credit: CityLand.

Liu: City's Marriott Marquis Lease is a \$345 Million Land Giveaway



The City's Economic Development Corporation is famous for doling out corporate welfare without making sure that the companies that get those tax breaks and subsidies produce jobs.

Our latest discovery, however, shows just how wasteful and disgraceful that agency's actions can be.

My Audit Bureau uncovered a secret deal that the EDC made in 1998 with the [Marriott Marquis Hotel](#) that could cost our taxpayers at least \$345 million. In fact, it may be the worst deal since Manhattan was sold for \$24.

Because of this bad deal, in four years the Marriott Marquis can purchase the land it sits on from the City — one of the hottest pieces of New York City real estate — for a fire-sale price of \$20 million. That's ten cents on the dollar compared to the land's value of \$200 million today.

City Hall must do whatever it takes to tear up this contract and renegotiate it so that taxpayers don't get fleeced for millions of dollars.

The Marriott Marquis hotel rakes in more money than any of the company's hotels around the world, but our so-called Economic Development Corporation and City Hall signed away any share of that revenue. It boggles the mind how terrible this

deal was for New York City.

We need to get back as much of this lost money as we can. We want City Hall and the EDC to correct the incredible, terrible lease that was given to the Marriott Marquis.

Fortunately, our Audit Bureau also uncovered that Marriott has failed to keep records according to the terms of its lease. The hotel's lease requires that it hold onto at least six years of records, but Marriott has not done that. That's a breach of contract.

We're calling on the City to use this breach of contract to reopen the lease and do whatever it takes to renegotiate it so that we can hopefully limit the damage that has already been done here. We don't have much time. In less than four years, this land in the heart of the Theater District will belong to Marriott for a song.

Our City faces billions in deficits in coming years. City Hall needs to reexamine this agreement and do whatever it can to recoup some of the \$345 million that taxpayers have lost to this boondoggle.

— John C. Liu

John C. Liu is New York City Comptroller.

Read the Comptroller's financial audit: [Audit Report on the Compliance of the Marriott Marquis with Its City Lease Agreement](#) (February 11, 2013).

responsibility was to raise the necessary capital to honor the Center's financial obligations. The Board's goal had always been "to keep the Bialystoker Center operational." The Board had hoped to sell the property to an operator who would commit to modernizing the nursing home to no avail. The home was forced to close down in 2011, due to the building's obsolescence for modern care and declining health care reimbursements. Ambrose said the nursing home's closing left many families without nearby alternatives and many long-time staffers without employment. The Board now has significant debts to former employees, vendors, and the government, which it had hoped would be resolved through the sale. Many former employees, who are union members, still continue to wait for

repayment of back wages, benefits, and pension funds. Ambrose stated that the Board is in discussion with several prospective buyers who understand and accept the pending landmark designation, but no contract of sale has been signed yet. Ambrose said he hoped to work with Landmarks towards a "win-win" situation where the building would be preserved and could be sold for a sufficient amount of money for the organization to meet its obligations.

Council Member Margaret Chin attended the hearing to express her strong support for designation and testified to her belief that "the future of this building is still bright." The structure could be profitably reused in a neighborhood "that is going to be a hot area." A representative of Manhattan Borough President Scott M. Stringer

also spoke in favor of designation, stating "the Bialystoker Home serves as a reminder of the many immigrant groups that have moved to this country with the intention to grow roots and age within a community." Landmarks Chair Robert B. Tierney stated that State Senator Daniel L. Squadron had sent a letter to the Commission supporting the designation.

Various area residents and representatives of local community organizations also attended in support of designation. Carolyn Ratcliffe, of Manhattan Community Board 3's Landmarks Subcommittee, read a resolution in favor of designation. She argued that the building was part of a triumvirate of socially and architecturally significant sites related to the area's Jewish history, along with individual landmarks such as

the [Forward Building](#) and the [Jarmulowsky Bank](#). Kerri Culhane, Associate Director of the [Two Bridges Neighborhood Council](#), described the building as among the “important architectural and cultural touchstones” of the Lower East Side. [Friends of the Lower East Side’s](#) Linda Jones claimed that the building “can survive to find a new use.” Resident Justin Ferate noted that the Bialystoker Center was among the first major Art Deco structures built in the United States and said that “much of the Lower East Side’s historical memory continues to be endangered” by development. Rob Hollander, of the [Lower East Side History Project](#), drew attention to the building’s unique setbacks, which he called an “imaginative solution” to the new zoning laws during the Art Deco movement. Developer Michael Sokolow testified that the building had the potential for adaptive reuse and also possessed transferable air rights.

Sam Solasz, a former president of the Bialystoker Center’s board of directors, testified that the Center helped him, as well as many other displaced European Jews in the years following World War II. The Center helped get him established in the United States, providing food, money, and help finding a job, and



Bialystoker Center and Home for the Aged at 228 East Broadway, Manhattan.
Credit: CityLand.

said “it would be a shame if they would knock down the building.”

Chair Tierney closed the hearing, with no date set for a vote on the building’s designation.

.....
LPC: Bialystoker Center and Home for the Aged, 228 East Broadway, Manhattan (LP-2529) ([Feb. 12, 2013](#)).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

DUMBO, Brooklyn

Proposed Residential Building Would Replace DUMBO Garage

Commissioners praised design of project composed of five residential townhouses, but asked to see further refinements before voting to approve. On February 5, 2013, the Landmarks Preservation Commission held a hearing on a proposal to demolish a one-story garage building, and construct a new residential development at [55 Pearl Street](#). The site is at the corner of Water Street in Brooklyn’s [DUMBO Historic District](#). The heavily modified garage building is thought to have been constructed in the early 20th century by the John W. Masury & Son company, a prominent paint manufacturer. The proposed building would rise to five stories, with an additional floor-height parapet to conceal a penthouse.

Architect [Jared Della Valle](#), of [Alloy Development](#), presented the plan and noted that it was significantly smaller in height and floor area than what was allowable as-of-right. The new building would be composed of five individually-owned townhouses with separate entrances. There would be no indication of the distinct properties on the upper stories. Della Valle stated that the proposal sought to create “a happy marriage” between context and economic viability. An alley would be visible above the first floor of the building on Pearl Street,

which would provide parking for residents. Della Valle noted that this was consistent with the “slot alleys” common to the formerly industrial neighborhood.

At the ground floor, the new building would be clad in unpainted, sealed wood with zinc panels. Four residential entrances would be on Water Street, and one on Pearl Street. The upper floors would be faced with high-tensile ductile concrete, with one-inch-thick molded fins projecting a foot from the facade. The building’s facade grid would be largely consistent with adjacent structures and would have an irregular window pattern. Della Valle said the use of the material was inspired by the historic use of concrete as a building material in the district, while incorporating the “infinitely better technology” now available. The facade system would also serve to help attenuate noise from the nearby Manhattan Bridge. In response to the commissioners’ questions, Della Valle said he expected maintenance of the shared aspects of the structure to be overseen by a homeowners’ association.

Doreen Gallo, of the [DUMBO Neighborhood Alliance](#), argued against the wholesale demolition of the existing garage, arguing that it should be adaptively reused or that its brick facades be integrated into any new structure. She further found the proposal too “bulky” for the corner. The Society for the Architecture of the City’s Christabel Gough claimed the new building would block views of the Manhattan Bridge and that the site called for a “less aggressive, less intrusive, smaller intervention.” Nadezhda Williams, representing the Historic Districts Council, stated that brick would be a more appropriate facade material and that the bulk of the building should be shifted to preserve bridge views. Della Valle responded that the building would not block view corridors and reiterated that the building was smaller than what could be permitted under



Rendering of proposed residential building at 55 Pearl Street. Image Courtesy: Alloy Development.

the site's zoning.

Commissioner Michael Goldblum found the proposal “appropriately scaled to its environment.” However, he objected to the use of the ductile concrete as “a tensile element,” essentially functioning as a “light gray metal” and also found the plan too opaque for the district. Commissioner Margery Perlmutter disagreed about the materials, finding them a “contemporary use of an old masonry form.” Perlmutter objected, however, to the parking area labeled an “alley,” saying the applicants should either close the gap in the streetwall or make it an alley visible to pedestrians. Commissioner Libby Ryan also determined that the alley was “not a fully resolved aspect of the proposal.” Commissioner Fred Bland found the project close to approvable as proposed and a “thrilling and very exciting interpretation of a new building in DUMBO.” Commissioner Michael Devonshire found the plan “too delicate” for the neighborhood and the wood at the base too insubstantial. Vice Chair Pablo Vengoechea

said “the alleyway should be celebrated as an alleyway” and asked that the individual townhouses be further differentiated from one another. No commissioners objected to the proposed demolition of the garage building.

Vice Chair Vengoechea asked the applicants to consider the commissioners’ comments, and return to the Landmarks Commission with a revised proposal.

LPC: 55 Pearl Street, Brooklyn (13-9538) (Feb. 5, 2013) (Architect: Alloy Development).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

Brooklyn Heights, Brooklyn

Facade Demolition and Reconstruction Approval for 19th-Century Carriage House

The Commission expressed concerns over proposal but approved reconstruction of building's long-stuccoed

brick facade. On February 26, 2013 the Landmarks Preservation Commission voted to approve a proposal to reconstruct the facade of an 1880s carriage house at [165 Columbia Heights](#) in the [Brooklyn Heights Historic District](#). The two-story structure, converted to residential use in the early 20th century, had its original brick facade covered with stucco in the 1930s. The building is owned by the George and Anita Driscoll Feiger Living Trust, which purchased the property from the Jehovah's Witnesses organization in 2012.

Architect Ann Krsul of [Krsul + Viederman Architects](#), presented the proposal, which she said would restore the building to its historic condition. The plan is to remove the front facade and reconstruct it without stucco, using salvaged brick from the original facade, if possible. Krsul explained that the original brick beneath the stucco had been scarified so the material would better adhere; they hope to use the reverse side of the bricks on the building's face. If the existing brick proves to be unsalvageable, the applicants intend to use salvaged bricks from another site to maintain the historic quality or use commercial brick closely matching the original. The brick detailing of the original facade would be retained, using the original brick, as Krsul believed the orna-



Current facade of 165 Columbia Heights. Credit: Google.

mental features were not scarified. In response to the Commissioners' questions, Krsul stated that conservators from Highbridge Materials Consulting and [2 ARTS Conservation](#) would assist in the brick's restoration. The applicants would also seek to recreate the era's original mortar recipe for the new facade's mortar and pointing. Steel window frames in the front facade would be replaced with wood, as they were originally.

Openings on the rear facade would also be reconfigured and larger windows would be created. Krsul noted that none of the work to the rear could be seen from a public way and little would be visible to neighbors.

Judy Stanton, Executive Director of the [Brooklyn Heights Association](#), testified that the organization generally supported the proposal, but asked Landmarks to withhold approval until a more complete study of the feasibility of reusing the original brick could be done. The Historic Districts Council's Nadezhda Williams was dubious that the original brick would prove salvageable and recommended that the facade "remain stuccoed, as it has been for much of its life."

Commissioner Fred Bland approved the proposal. He stated that there was a "fine line" between restoration and "Disneyfication," but he noted that the applicants had an appreciation for this type of architecture's "great legacy." He also added that the existing stucco cladding was "without style." Commissioner Libby Ryan concurred, stating she was convinced that the applicant was "fully aware of the implications of removing the entire facade." She was particularly impressed by their analysis of the historic mortar and their willingness to replicate it. Commissioner Michael Goldblum said he was troubled by the proposed "skinning it and rebricking it," but was persuaded by the "technically-focused" applicants. Commissioner Margery

Perlmutter, who did not vote on the proposal because she missed a portion of the presentation, argued "in policy" against wholesale demolition and replication.

Chair Robert B. Tierney agreed with the bulk of the commissioners' comments, adding that "caution must be observed." The commissioners unanimously voted for approval.

.....
LPC: 165 Columbia Heights, Brooklyn (13-9439) ([Feb. 26, 2013](#)) (Architect: Krsul + Viederman Architects).

NEW YORK CITY LAW BREAKFAST

Speaker Christine C. Quinn
New York Law School

Center for New York City Law Breakfast: Speaker Christine C. Quinn

On February 15, 2013, the [Center for New York City Law](#) at New York Law School hosted one of its [City Law Breakfasts](#). The event was co-hosted by the [Center for Real Estate Studies](#). New York Law School and the Center were honored to have City Council Speaker Christine C. Quinn as the morning's speaker.

Speaker Quinn was introduced by the Center's founder and Director, Ross Sandler. Quinn began by thanking Ross Sandler and praising New York Law School Dean Anthony Crowell.

In front of over 200 attendees, Speaker Quinn talked about a recent City Council legal victory over a proposed Department of Homeless Services (DHS) policy. That policy would make it harder for homeless single adults to access shelter. The policy was implemented without providing the Council notice and without holding a public hearing pursuant to the City Charter. The Supreme Court and the Appellate Division ruled in favor of the Council. DHS will now work with the Council to create a new policy.

Speaker Quinn also focused on her [State of the City Address](#) that she gave on February 11, 2013.

After her remarks, Quinn answered many questions from the audience relating to topics such as Stop & Frisk, Congestion Pricing, Police Commissioner Ray Kelly's performance, the NYC Building Code, the MTA Transit system and Hurricane Sandy, and NYC Housing Authority issues.

Following the Breakfast, John Tepper Marlin, Chief Economist at



The Center for New York City Law with Speaker Quinn on February 15, 2013. (From left to right) Sarah Knowles, Amber Gonzalez, Brian Kaszuba, Ross Moskowitz, Randy Kleinman, Christine Quinn, Ross Sandler, William Vidal, Melissa Wagner.

Council Member Stephen Levin: Bringing the City Council to the People

District 33 – Brooklyn Heights, Greenpoint, parts of Williamsburg, Park Slope, Boerum Hill



Credit: Official NYC Council Photo by William Alariste.

Council Member Stephen Levin grew up just outside of New York City, in Plainfield, New Jersey. He knew he wanted to be in Brooklyn even while he was attending Brown University in Providence, Rhode Island. To get there though, he dabbled with various jobs including working as a waiter (he was fired), a book store clerk, and an artist's assistant. About a year after graduation from Brown, he was living in Bushwick, Brooklyn and starting his political career, although maybe he didn't quite know it at the time. He got his first advocacy experience at the Lead Safe House Program in Brooklyn, which gets children with elevated lead levels out of danger and into a safe space. Levin ran the program and worked with families and building owners from across the borough, as well as State and City agencies. He also helped families tackle various other issues, such as education and health, during their stay at the Lead Safe House. Seeing families through a sometimes difficult bureaucratic process, he couldn't help but make the connection between government policy and effective direct service. It was here that he first thought that if the opportunity to actually conceive and implement good policies presented itself, he would take it.

Opportunity knocks. After working in the neighborhood for some time, Assembly Member Vito Lopez noticed Levin's community advocacy abilities and hired Levin as his new Chief of Staff in 2006. Levin learned how to build coalitions and organize the community into a politically empowered force, particularly on housing issues. So in 2009, when City Council District 33 had an open seat despite a crowded democratic primary field to fill it, he thought "Why not? What's the worst that could happen?" He knew the community from working in Lopez's office but he also realized that an effective City Council candidate has to

knock on a few thousand doors to uncover the issues that matter most to voters. That strategy paid off; Levin was elected with 33.9 percent in the primary election and easily won the general election. Levin called it a valuable experience that he's looking forward to doing again this election year.

Direct Servant. Levin's district office is a wheelchair-accessible storefront on Atlantic Avenue in Boerum Hill. Levin prides himself on being accessible to his constituents and strives to embody a traditional elected official's role, "Before 311 you called your local Council Member if there was an issue: sidewalks, potholes, etcetera. I take a lot of pride in just being able to do the little things that taken together add to the district's quality of life."

Housing now, not later. Levin represents some of the most coveted, as well as gentrified, neighborhoods in Brooklyn. He is always looking for ways to balance affordability with desirability, either by advocating for rent and vacancy controls on existing housing stock or demanding increased affordability from new developments in his district. When Levin first became Council Member, he fought for, and accomplished, a ten percent increase in permanently affordable units and more family-friendly, three- and four-bedroom units in the Rose Plaza on the River development proposal. He was excited to hear Speaker Quinn focus on affordable housing in her recent State of the City Address, believing that the best way to meet the City's housing needs is to fund it now. Additionally, Levin is deeply concerned that the City is falling dangerously short on senior citizens' housing needs. He is troubled that whenever he meets with seniors, someone will invariably tell him that they are facing eviction. The City is not building any new senior housing because of federal budget cuts, but the need for senior housing increases every day. Senior housing is one of the toughest issues he is working on and he constantly seeks plausible, good ideas from the administration on how to address the problem.

How do you spend a million dollars? Last year, Levin joined seven other Council

Members in giving the community a voice in how to spend \$1 million in taxpayer money. Launched in New York City in 2011, the Participatory Budgeting program seeks to democratize the budget process. Council Members agree to set aside a portion of their discretionary budget and let the community decide how to spend it. District residents propose and vote on capital projects during a series of public meetings. Council Members submit the projects with the most votes as part of their funding priorities in the City Council's budget. Levin wants his constituents to feel that local government is responsive to the community's needs and believes Participatory Budgeting encourages trust by promoting budget transparency. Some of the community's proposals for District 33 include a pedestrian-friendly connection to Brooklyn Bridge Park via Atlantic Avenue, improvements to the Taylor-Wythe Houses playground in Williamsburg, and renovations to the P.S. 261 library in Boerum Hill. Final votes on the projects are expected to be held this April.

A good ending makes a good beginning. Levin's end of term goals include getting Mayor Bloomberg's administration to follow through on his open space commitments on the Brooklyn waterfront, such as at 65 Commercial Street. He also wants education to be a focus of his reelection campaign, especially early childhood education. Levin sponsored resolutions to call on New York State to require that all 5-year-old children in New York City attend kindergarten and to support breakfast in the classroom initiatives. He said that education is a very basic, fundamental responsibility of the City because nothing is as important as the education of children. Even if Levin runs unopposed this fall, you can be sure he'll be knocking on doors just as he did four years ago, generating ideas for an even better second term.

— Amber Gonzalez

Stephen Levin is Chair of the Planning, Dispositions & Concessions Subcommittee.

the NJ Institute for Social Justice, [wrote an op-ed piece for the Huffington Post](#) on Quinn's talk at New York Law School and had fantastic things to say about the Center for NYC Law's breakfast series: "Ross Sandler, a NY Law School professor, is the breakfast host. His breakfast event is the closest thing to a succes-

sor to the long-lamented City Club of New York, which played a significant role in the City of New York for more than 100 years, including in the fiscal crisis and then the mayoralty of the late Ed Koch. A moment of respectful silence for the loss of a great mayor... and another for the demise of the City Club."

To watch the full video of Speaker Quinn's speech, please visit the following link: <http://www.city-landnyc.org/center-for-new-york-city-law-breakfast-speaker-christine-c-quinn/>

.....
(CityLaw Breakfast Series, February 15, 2013).

CENTER FOR NEW YORK CITY LAW

UPCOMING EVENTS

TRENDS IN NYC LAND USE AND DEVELOPMENT SIXTH ANNUAL CLE CONFERENCE

Co-sponsored by: Center for New York City Law,
Center for Real Estate Studies, and
The New York City Law Department

Thursday, April 25, 2013, 1:45 p.m. to 6:00 p.m.

New York Law School • 185 West Broadway (between Worth & Leonard Streets), New York, New York

For more information contact Sarah Knowles at 212-431-2383.

FOLLOW CITYLAND FOR FREE!

Previously a subscription-only, printed journal, *CityLand* — the Center for NYC Law's award-winning land use publication — is now a [totally free resource](#) available to the general public! This new web-based format enables us to pass along breaking New York City land use news in a much timelier manner.

Sign up to receive e-mail notifications when new articles are posted! All you have to do is go to the new *CityLand* homepage — www.CityLandNYC.org — and enter your email address into the sidebar box. This is a simple procedure which asks only for your email address.

Social media users, take note: *CityLand* is now on Twitter and Facebook!

If you're a Twitter or Facebook user, it's now simpler than ever to stay informed of breaking NYC land use developments. Follow us today: <https://twitter.com/CityLandNYC> & <https://www.facebook.com/citylandnyc>

**NEW YORK
LAW SCHOOL**

The Center for New York City Law • New York Law School
185 West Broadway New York NY 10013-2921

CITY PLANNING PIPELINE

New Applications Filed with DCP - February 1 to February 28, 2013

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	ULURP NO.	REPRESENTATIVE
ZONING TEXT AND MAP AMENDMENTS				
Trust for Governors Island	Special Governors Island District, MN	Zoning map amendment to establish the Special Governors Island District; text amendment to create a new section	130190ZMM; 130189ZRM	AKRF
John Young	Bellerose, Floral Pk., Glen Oaks, QN	Rezoning of 411 blocks in north-eastern Queens	130188ZMQ	NYC-DCP Queens
SPECIAL PERMITS/OTHER ACTIONS				
G&M Realty LP	22-44 Jackson Ave., QN	Special perm. to mod. street wall, FAR to build mixed-use dev. in Sp. LIC Dist.	130191ZSQ	Kramer Levin
NYC DCAS	NYPD 90 Church St., MN	Acquisition of 50,000-square-foot office space for police unit relocation	130196PXM	Chris Fleming
NYC DCAS	NYPD 233 Broadway, MN	Acquisition of 13,000-square-foot office space for police unit relocation	130195PXM	Chris Fleming
El Nuevo Sandy Rest.	2261 Second Ave., MN	New enclosed 36-seat sidewalk cafe (El Nuevo Sandy Restaurant)	130184ECM	
GVS Bakery, Inc.	36-21 Ditmars Blvd., QN	New enclosed 66-seat sidewalk cafe (Martha's Bakery)	130185ECQ	
Sherwood 20 Assoc. LLC	508 West 20th St., MN	Cert. for 1.0 FAR HL transfer for 1-story commercial bldg. in Sp. W. Chel. Dist.	130183ZCM	Herrick Feinstein
YYY 35th Street LLC	Dyer Ave. btw W. 35 & 36 Sts., MN	Auth. to mod. height, setback to fac. two 2-story res. in Sp. Hud. Yrds. Dist.	130187ZAM	Akerman Senterfitt
Ralph J. Giggio	95 Detroit Ave., SI	Certification to build a 2-family home in Special South Richmond District	130186RCR	Michael Rowe
Jacob Agai	312 London Rd., SI	Certification to subdivide 1 lot into 2 to build two 1-family homes in SSRD	130182ZCR	James V. Morri
Joseph Ferdinando	5851 & 5855 Amboy Rd., SI	Certification for an additional curb cut on an arterial street in SSRD	130181RCR	Michael Deruvo

ULURP PIPELINE

New Applications Certified into ULURP

PROJECT	DESCRIPTION	COMM. BD.	ULURP NO.	CERTIFIED
Pitkin-Berriman Rezoning	Zoning map amendment to facilitate 7-story mixed-use building	BK 5	130161ZMK	2/4/2013
Special Governors Island District	Zoning map amendment to establish the Special Governors Island District; zoning text amendment to create a new section	MN 1	C130190ZMM; N130189ZRM	2/19/2013
McCarren Park Addition	City map change to demap & close Union Ave., remap as park addition	BK 1	110254MMK	2/19/2013
Bellerose/Floral Pk./Glen Oaks	Rezoning of 411 blocks in north-eastern Queens	QN 13	130188ZMQ	2/19/2013

Non-ULURP Referrals

PROJECT	DESCRIPTION	COMM. BD.	APP. NO.	REFERRED
Culture Shed/Hudson Yards Subarea	Zoning text amendment to allow cultural site in Sp. Hud. Yrds. Dist.	MN 4	N130178ZRM	2/4/2013
Forest Ave. Shoppers Town Retail	Authorization to reduce accessory parking requirement; certification that no new cross access connection is required to facilitate enlargement of a shopping center	SI 1	N130084ZAR; N130085ZCR; N130095ZCR	2/4/2013

BSA PIPELINE

New Applications Filed with BSA — February 2013

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	APP. NO.	REPRESENTATIVE
VARIANCES				
45 Great Jones St. LLC	45 Great Jones St., MN	Permit residential use on 7 floors of 8-story bldg.	77-13-BZ	Shelly S. Friedman
Yeshivas Novominsk	1690 60th St., BK	Enlarge yeshiva dormitory	55-13-BZ	Stuart A. Klein
Israel Rosenberg	123 Franklin Ave., BK	Permit 4-story, 7-family dwelling	65-13-BZ	Eric Palatnik, PC
Aqeel Khan	264-12 Hillside Ave., QN	Reinstate variance for auto service station	81-13-BZ	Nasir J. Khanzada
SPECIAL PERMITS/OTHER ACTION				
Everett Realty LLC	200 Park Ave. S., MN	Permit physical culture establishment	80-13-BZ	Goldman Harris
Chelsea W26 LLC	308 Eighth Ave., MN	Permit physical culture establishment	74-13-BZ	Rothkrug Rothkrug
B. Bros. Broadway Realty	1385 Broadway, MN	Permit physical culture establishment	61-13-BZ	Wachtel Masyr
200 East Tenants Corp.	201 E. 56th St., MN	Permit physical culture establishment	56-13-BZ	Francis R. Angelino
Triangle Plaza Hub LLC	459 E. 149th St., BX	Permit rooftop parking lot	73-13-BZ	Triangle Plaza Hub
Lyudmila Kofman	282 Beaumont St., BK	Enlarge 2-story dwelling	57-13-BZ	Eric Palatnik, PC
Norma Chakkalo	712 Avenue W, BK	Enlarge 1-family dwelling	64-13-BZ	Fredrick A. Becker
Victor Pometko	176 Oxford St., BK	Enlarge 1-story dwelling	76-13-BZ	Eric Palatnik, PC
Michal Cohen	1957 E. 14th St., BK	Enlarge 1-family dwelling	82-13-BZ	Fredrick A. Becker
Western Beef Properties	38-15 Northern Blvd., QN	Legalize physical culture establishment	72-13-BZ	Sheldon Lobel, PC
Cel-Net Holdings	11-11 44th Dr., QN	Permit physical culture establishment	63-13-BZ	Sheldon Lobel, PC
APPEALS				
5 Beekman Prop. Owner	5 Beekman St., MN	Convert commercial building to transient hotel	75-13-A	Fredrick A. Becker
813 Park Ave. Holdings	807 Park Ave., MN	Appeal zoning lot status determination	79-13-A	Howard B. Hornstein
Tuck-It-Away Assocs.	261 Walton Ave., BX	Appeal determination that advertising sign not non-conforming use	71-13-A	Goldman Harris
Esther Freund	261 Walton Ave., BX	Appeal determination that advertising sign not non-conforming use	70-13-A	Goldman Harris
Ess Prisa II LLC	330 Bruckner Blvd., BX	Appeal sign registration rejection	68-13-A	OTR Media Group
Wall & Assocs.	111 E. 161 St., BX	Appeal sign registration rejection	66-13-A	OTR Media Group
71 Greene LLC	71 Greene Ave., BK	N/A	60-13-A	NYC DOB
25 Skillman LLC	25 Skillman Ave., BK	Appeal sign registration rejection	69-13-A	OTR Media Group
Sylvaton Holdings LLC	4 Wiman Pl., SI	Appeal denial of construction of 12-story building	58-13-A	Rothkrug Rothkrug

LANDMARKS PIPELINE

Proposed Designations — February 2013

NAME	ADDRESS	ACTION	DATE
Bialystoker Home	228-230 E. Broadway, MN	Heard	2/12/2013
Firehouse, Engine Co. 46	451-453 E. 176th St., BX	Designated	2/12/2013
Firehouse, Engine Co. 73	659-661 Prospect Ave., BX	Designated	2/12/2013
Firehouse, Engine Co. 28	436 39th St., BK	Designated	2/12/2013
Firehouse, Engine Co. 40	1307-1309 Prospect Ave., BK	Designated	2/12/2013
Firehouse, Engine Co. 268	259 Beach 116th St., QN	Designated	2/12/2013

Actions Taken — February 2013

FINAL PERMITS TO BE ISSUED AFTER LANDMARKS RECEIVES CONFORMING PLANS

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	DOCKET NO.	APP'D
February 5, 2013				
277 Bleecker St., MN	Greenwich Village HD	Install sidewalk railing, cellar storefront, mod. storefront	12-6776	W/Mod
289 Bleecker St., MN	Greenwich Village HD	Replace storefront infill	13-8569	Yes
76 Greenwich Ave., MN	Greenwich Village HD	Amend C of A to demo. building, construct park	14-0327	Yes
425 W. 13th St., MN	Gansevoort Market HD	Install infill, signage	13-8840	Yes
138 E. 65th St., MN	Upper East Side HD Ext.	Alter facades, excavate rear yard	13-7754	Yes
22 E. 72nd St., MN	Upper East Side HD	Legalize rooftop mechanical equipment	13-6612	W/Mod
791 Park Ave., MN	Upper East Side HD	Replace HVAC units	13-6260	W/D
446 Columbus Ave., MN	Upper West Side/CPW HD	Replace storefront infill	13-7900	W/Mod
5255 Sycamore Ave., BX	Riverdale HD	Construct dormer windows	12-7982	Yes
430 W. 250th St., BX	Fieldston HD	Alter facade, gutters, eaves, enlarge windows	13-7779	W/Mod
1 Pierrepont St., BK	Brooklyn Heights HD	Legalize replacement of windows	13-9147	Yes
68 Cranberry St., BK	Brooklyn Heights HD	Demo. rear addition, construct rear addition	13-7791	Yes
142 Franklin St., BK	Greenpoint HD	Install storefront infill	13-7051	Yes
201 Water St., BK	DUMBO HD	Const. rooftop adds., alter openings, repl. windows, inst. infill	13-6825	Yes
600 West Dr., QN	Douglaston HD	Modify railing, install access lift	13-8666	W/Mod
February 12, 2013				
6 Varick St., MN	Tribeca West HD	Amend C of A to est. master plan for windows	13-6948	Yes
291 W. 4th St., MN	Greenwich Village HD	Const. rear, roof adds., alter rear facade, excavate basement	11-3630	Yes
241 W. 11th St., MN	Greenwich Village HD	Const. rear, roof adds., excavate basement, yard, areaway	12-6604	Yes
234 W. 13th St., MN	Greenwich Village HD	Alter ground floor, replace storefront infill	13-8203	W/Mod
11 E. 68th St., MN	Upper East Side HD	Const. roof, rear adds., alter windows, install door, lighting	13-6227	Yes
25 Montgomery Pl., BK	Park Slope HD	Replace rear window	13-4850	Yes
February 26, 2013				
451 Washington St., MN	Fleming Smith Warehouse	Replace window	13-8990	W/Mod
21 E. 70th St., MN	Pagenstecher House	Alter ground fl., rear parapet, inst. balconies, bulkhead	13-6385	W/Mod
1201 Lafayette Ave., BX	American Bank Note Co. Print. Plant	Install infill, signage, rooftop mechanical equipment	13-9875	W/Mod
462 Broadway, MN	SoHo-Cast Iron HD	Install infill, entrance canopy	14-0221	Yes
10 Downing St., MN	Greenwich Village HD Ext. II	Legalize heat lamps	13-9888	W/Mod
20 E. 64th St., MN	Upper East Side HD	Const. bulkheads, alter rear, excavate sub-cellar	13-9666	Yes
789 Madison Ave., MN	Upper East Side HD	Install infill, awnings	13-7626	Yes
165 W. 78th St., MN	Upper West Side/CPW HD	Alter areaway, install handrails	13-9859	Yes
6 Henderson Pl., MN	Henderson Place HD	Reconstruct facade	13-7317	Yes
165 Columbia Hts., BK	Brooklyn Heights HD	Reconstruct facade, replace windows & doors	13-9439	Yes
144 Montague St., BK	Brooklyn Heights HD	Legalize bracket sign	13-7685	Yes
16-20 Columbia Pl., BK	Brooklyn Heights HD	Legalize awnings	13-9012	Yes
297 Prospect Pl., BK	Prospect Heights HD	Alter opening, install doors, balcony	14-0409	W/Mod
255 Lincoln Rd., BK	Prospect Lefferts Gardens HD	Install rear deck, alter windows	13-9908	Yes
193 Ocean Ave., BK	Ocean on the Park HD	Legalize driveway, stoop alterations	13-9663	No

Chart continues on next page

New Decisions Added to CITYADMIN www.CityAdmin.org February 2013

CITY COUNCIL

RES. NOS.	PROJECT	DESCRIPTION	DATE
1656	1413 Pitkin Avenue, BK	UDAAP by HPD (2 lots)	2/5/2013
1657 ; 1658 ; 1659	Durst West 57th Street, MN	Rezoning (M1-5 to C6-2); special permit (wall height, setback, tower requirements, distance between buildings); special permit (285-space garage)	2/5/2013
1660	East Village/Lower East Side HD, MN	Landmark district designation	2/5/2013
1661	10 Downing Street, MN	Revocable consent (sidewalk cafe)	2/5/2013

CITY PLANNING COMMISSION

PROJECT NAME	DESCRIPTION	LOCATION	ULURP NO.	DATE
South Street Seaport/Pier 17	Special permit (use regs., height & setback); rezoning (C2-8 to C4-6); special permit (mod. yard regs.); special permit (sign surface area, height); zoning text amendment (modify dimension reqs. for waterfront access and visual corridors); dispose of City-owned property; zoning text amendment (hours of operation for waterfront access areas)	MN 1	C130055ZSM ; C130052ZMM ; C130053ZSM ; C130054ZSM ; N130056ZAM ; C130059PPM ; N130080ZRM	2/6/2013
400 Liberty Ave. Office Space	Acquisition of office space (Dep't of Probation)	BK 5	N130163PXK	2/6/2013
Flushing Meadows East	Rezoning (M1-1, M1-2 to C2-6A)	QN 7	C070352ZMQ	2/6/2013

BOARD OF STANDARDS & APPEALS

ADDRESS	DESCRIPTION	ACTION	CASE NO.	REPRESENTATIVE
24 Market St., MN	Appeal DOB determination that signs are not a non-conforming use	Denied	169-12-A ; 170-12-A	Davidoff Hatcher
1 York St., MN	Permit physical culture establishment (Barry's Bootcamp)	App'd	261-12-BZ	Sheldon Lobel, PC
440 Broadway, MN	Permit retail use on 1st floor and cellar	App'd	283-12-BZ	Sheldon Lobel, PC
100 Varick St., MN	Build residential building with ground-floor retail	App'd	12-12-BZ	Greenberg Taurig
111 Varick St., MN	Appeal DOB determination regarding advertising signs	Denied	90-12-A	Fried Frank
600 Washington St., MN	Permit physical culture establishment (Gotham Gym)	App'd	244-12-BZ	Wachtel Masyr
39 W. 21st St., MN	Permit physical culture establishment (Flywheel Sports)	App'd	150-12-BZ	Goldman Harris
339 W. 29th St., MN	Appeal determination that owner required Landmarks approval	App'd	145-12-A	Marvin Mitzner
74 Park Ave., MN	Extension of term (accessory parking garage)	App'd	812-61-BZ	Peter Hirshman
620 12th Ave., MN	Appeal DOB determination regarding advertising signs	Denied	97-12-A ; 98-12-A	Fried Frank
301 W. 125th St., MN	Permit physical culture establishment (Blink)	App'd	291-12-BZ	Rothkrug Rothkrug
101 Macombs Pl., MN	Appeal DOB determination that sign not a non-conforming use	Denied	167-12-A	Davidoff Hatcher
1197 Bryant Ave., BX	Legalize retail store use	App'd	190-11-BZ	Sheldon Lobel, PC
66 Van Cortlandt Park S., BX	Enlarge nursing home (rear yard reqs.)	App'd	113-11-BZ	Slater & Beckerman
50 E. 153rd St., BX	Appeal DOB determination regarding advertising signs	Denied	85-12-A	Fried Frank
1320 E. 27th St., BK	Enlarge 1-family dwelling (fl. area, open space, yards)	App'd	249-12-BZ	Lewis E. Garfinkel
1815 86th St., BK	Extension of term (auto laundry)	App'd	135-01-BZ	Rothkrug Rothkrug
186 Girard St., BK	Enlarge 1-family dwelling (floor area)	App'd	9-12-BZ	Eric Palatnik, PC
2122 Avenue N, BK	Enlarge 1-family dwelling (fl. area, open space, yards)	App'd	275-12-BZ	Fredrick A. Becker
2701 Knapp St., BK	Amend variance to convert auto bays to store, ext. of term	App'd	39-65-BZ	Eric Palatnik, PC
3143 Atlantic Ave., BK	Extend commercial use into residential district (McDonald's)	App'd	278-12-BZ	John M. Marmora
43-60 Ditmars Blvd., QN	Extension of term (Matrix Fitness Club)	App'd	173-99-BZ	Gerald J. Caliendo
24-47 95th St., QN	Construct 1-family dwelling (floor area, yards)	App'd	147-11-BZ	Sheldon Lobel, PC
49-21 Astoria Blvd., QN	Appeal DOB determination that sign not a non-conforming use	Denied	162-12-A	Davidoff Hatcher
136-21 Roosevelt Ave., QN	Amend permit to change use from parking to office	W/D	93-97-BZ	Eric Palatnik, PC
114-01 Sutphin Blvd., QN	Permit drive-through facility (McDonald's)	App'd	260-12-BZ	John M. Marmora
142-41 Roosevelt Ave., QN	Permit accessory parking on supermarket roof	Denied	30-12-BZ	Eric Palatnik, PC
24-02 89th St., QN	Amend waiver to construct community facility building	App'd	142-12-A	Sheldon Lobel, PC

New Decisions Added to CITYADMIN www.CityAdmin.org February 2013

LANDMARKS PRESERVATION COMMISSION - APPROVALS & CERTIFICATES

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	CASE NO.	APP'D	ISSUED
32 W. 40th St., MN	Engineers' Club Building	Replace windows	13-8606	Yes	12/4/2012
30 Rockefeller Plaza, MN	The Rainbow Room	Repl. dance floor, repl., restore decorative elements	14-0695	Yes	2/12/2013
30 Rockefeller Plaza, MN	Rockefeller Center/GE Building	Enlarge windows, inst. safety panels, remove railings	14-0778	Yes	2/12/2013
272 Water St., MN	South Street Seaport HD	Const. bulkhead, replace parapet, inst. mech. equip.	13-8132	Yes	11/21/2012
254 Front St., MN	South Street Seaport HD	Demo. building, construct 8-story building	14-0335	Yes	1/30/2013
105 Chambers St., MN	Tribeca South HD	Enlarge, install windows, install infill	13-8198	Yes	11/26/2012
78 Reade St., MN	Tribeca South HD	Legalize fire escape installation	13-8138	Yes	11/23/2012
134 Duane St., MN	Tribeca South HD	Install deck	13-8772	Yes	12/7/2012
127 Hudson St., MN	Tribeca West HD	Replace sign	13-9744	Yes	1/11/2013
230 Mercer St., MN	NoHo HD	Remove illegal banners, flagpoles, legalize banners	13-8935	Yes	12/13/2012
10 Downing St., MN	Greenwich Village HD Ext. II	Install retractable awning	14-0586	Yes	2/7/2013
8-12 Bond St., MN	NoHo HD	Demo. building, construct 7-story building	14-0770	Yes	2/12/2013
688 Broadway, MN	NoHo HD	Construct 11-story building	13-7987	Yes	11/28/2012
726 Broadway, MN	NoHo HD	Est. master plan (install rooftop mechanical equip.)	14-0472	Yes	2/4/2013
103 Second Ave., MN	East Village/LES HD	Install exhaust flue	14-0700	Yes	2/11/2013
129 Charles St., MN	Greenwich Village HD Ext.	Construct rooftop, rear yard addition	13-9073	Yes	12/17/2012
430 W. 22nd St., MN	Chelsea HD	Alter window opening	13-8609	Yes	12/4/2012
555 W. 25th St., MN	West Chelsea HD	Install rooftop bulkhead, interior stair	13-8196	Yes	11/21/2012
4 E. 27th St., MN	Madison Square North HD	Replace door, install railings	13-8917	Yes	12/12/2012
220-224 Twelfth Ave., MN	West Chelsea HD	Establish master plan (install windows)	13-9530	Yes	1/4/2013
785 Fifth Ave., MN	Upper East Side HD	Install terrace enclosure	14-0437	Yes	2/1/2013
25 Central Park W., MN	Upper West Side/CPW HD	Establish master plan (install a/c units)	13-8993	Yes	12/14/2012
55 Central Park W., MN	Upper West Side/CPW HD	Replace doors, restore trimwork, transom	14-0777	Yes	2/12/2013
11-13 E. 67th St., MN	Upper East Side HD	Demo. rear, install pool, const. interior structure	13-9148	Yes	12/19/2012
49 W. 72nd St., MN	Upper West Side/CPW HD	Install sidewalk canopy	13-8225	Yes	11/27/2012
115 West 85th St., MN	Upper West Side/CPW HD	Construct roof, rear additions	13-8177	Yes	11/23/2012
1440 Lexington Ave., MN	Carnegie Hill HD	Exc. rear yard, extend cellar, const. rear yard add.	14-0446	Yes	2/1/2013
4750 Iselin Ave., BX	Fieldston HD	Construct 1-story addition	13-8708	Yes	12/7/2012
5255 Sycamore Ave., BX	Riverdale HD	Construct 2 dormers	14-0740	Yes	2/12/2013
20 Jay St., BK	DUMBO HD	Replace infill, windows, reorient ramp	14-0750	Yes	2/12/2013
545 8th St., BK	Park Slope HD	Construct vestibule	13-9592	Yes	1/3/2013
592 10th St., BK	Park Slope HD	Replace windows, door	13-8176	Yes	11/23/2012
242 Cumberland st., BK	Fort Greene HD	Construct rear yard addition, rooftop terrace	13-9846	Yes	1/16/2013
415 Clermont Ave., BK	Fort Greene HD	Leg. replacement of grilles, fence, windows	14-0457	Yes	2/4/2013
167 State St., BK	Brooklyn Heights HD	Extend rear yard addition	14-0469	Yes	2/4/2013
511 E. 16th St., BK	Ditmas Park HD	Replace windows	13-8318	Yes	11/27/2012
216 Beverly Rd., QN	Douglaston HD	Replace, modify windows, paint facade	14-0724	Yes	2/11/2013