



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

At its December 2019 monthly meeting, Community Board 3 passed the following resolution:

TITLE: ULURP #200077ZSM: 3 St Marks Place - Special Permit to transfer air rights from landmarked 4 St Marks Pl and modify height and setback requirements to facilitate a 10-story commercial building

WHEREAS, REEC St Marks LP is seeking a City Planning Commission Special Permit pursuant to Section 74-79 of the New York City Zoning Resolution (ZR); and

WHEREAS, this special permit would facilitate the construction of a ten-story commercial building located at 3 St. Mark's Place on the corner of St. Marks Place and 3rd Avenue; and

WHEREAS, the ground floor program would contain retail and office uses while the upper floors will exclusively contain office uses; and

WHEREAS, the Special Permit would allow a transfer of 8,386 square feet of development rights from a site across the street at 4 St. Mark's Place, occupied by the landmarked Hamilton-Holly House, to the receiving site at 3 St. Mark's Place; and

WHEREAS, pursuant to ZR Section 74-79, the proposed transfer would increase the basic maximum FAR at the receiving site by the maximum allowable percentage of 20 percent; and

WHEREAS, the Special Permit would also modify the provisions of ZR Section 33-432 to allow the building at the receiving site at 3 St. Mark's Place to penetrate the maximum front wall height and sky exposure plane within the 20-foot initial setback distance on St. Mark's Place; and

WHEREAS, the applicant appeared before the Community Board 3 Landmarks Committee in February 2019, and the Board passed a resolution opposing the transfer of development rights and recommending that LPC not issue an approving report; and

WHEREAS, this resolution identified a lack of a harmonious relationship between the proposed development and the existing character of the neighborhood, and questioned whether the dedicated maintenance funds for an already restored landmark building justified additional height and bulk at the proposed development across the street; and

WHEREAS, the developer and their representatives who presented the project at the December 2019 Community Board 3 meeting provided nothing to justify a conclusion different from CB3 opposition to the transfer of air rights; and

WHEREAS, an increase in the FAR of the proposed building from 6.0 FAR as-of-right to 7.2 FAR is a consequential increase which is not justified by additional enhancements to the landmarked building's previous improvement; and

WHEREAS, all members of the community who spoke at the hearing spoke against the transfer of air rights, arguing that the 10-story building would not be harmonious with the character of the neighborhood and that the funds to be allocated to the already restored landmark do not justify a larger building across the street;

THEREFORE BE IT RESOLVED, Community Board #3 recommends disapproval of the proposed transfer of development rights and modifications to height and setback requirements associated with the requested special permit as outlined in the application for ULURP #200077 ZSM, "3 St Marks Place."

Please contact the Community Board office with any questions.

Sincerely,



Alysha Lewis-Coleman, Chair
Manhattan Community Board 3



Jacky Wong, Chair
Land Use Zoning, Public & Private Housing

cc: Office of Councilmember Carlina Rivera
Office of Manhattan Borough President Gale Brewer
Office of NYS Assemblymember Deborah J. Glick
Office of NYS Senator Brad Hoylman