



IN THE MATTER OF an application submitted by NY 70th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the inner courts requirements of Section 23-851, the minimum distance between legally required windows and walls or lot lines requirements of Section 23-861 and the maximum building height requirements of Section 23-692 to facilitate the conversion of an existing 6-story building to residential use, on property located at 19 East 70th Street (Block 1385, Lot 15), in a C5-1 District, within the Special Madison Avenue Preservation District, within the Upper East Side Historic District, Borough of Manhattan, Community District 8.

The application for a special permit was filed by NY 70th Street on August 3, 2016. The special permit seeks to modify the minimum dimensions and minimum area for inner courts requirements of Section 23-851, the minimum distance between legally required windows and lot lines of Section 23-861, and the maximum building height of Section 23-692, which will allow the conversion of an existing building to residential use in the Upper East Side neighborhood of Manhattan Community District 8.

BACKGROUND

19 East 70th Street is located on the north side of 70th Street, 43 feet west of Madison Avenue, on the block bounded by East 70th Street, Fifth Avenue, East 71st Street, and Madison Avenue. The building is located within a C5-1 zoning district in the Lenox Hill portion of the Upper East Side. The zoning lot is 30 foot wide and 100.42 foot deep (3,012 square feet) with 15,325 square feet with an FAR of 5.09.

C5-1 districts allow residential uses as-of-right. The C5-1 zoning district permits a maximum FAR

of 10.0 for residential and community facility use, a basic maximum FAR of 4.0 for commercial use, and a basic maximum FAR of 10.0 for any combination of residential, commercial (not exceeding 4 FAR) and community facility uses. The surrounding neighborhood generally consists of a mix of townhouses (typically five-to-six stories) that were built between the 1890s and the 1930s and while some of these townhouses are single-family residences, there are a number of multi-family apartments. Larger apartment buildings from 12-to-20 stories are located along the avenues.

19 East 70th Street is a six-story neo-Italian Renaissance style townhouse designed by Thornton Chard and completed in 1910 as a residence. The building was converted to office use in 1952 and was later used as an art gallery, known as the Knoedler Gallery, starting in 1972. In 2011, the building was deeded from Knoedler Gallery LLC to East Renaissance, LLC and in 2014 from East Renaissance, LLC to the Applicant, who purchased the Building intending to restore it for use as a personal residence. The building is an individual landmark, designated on July 23, 1974, and a contributing building to the Upper East Side Historic District. The building with a limestone front is considerably wider, at 30 feet in width, than the adjoining town houses. The depth of the building and the location of the rear windows are typical of many of the residential buildings constructed in the late 19th Century and early 20th Century particularly for town houses and mansions in the Upper East Side Historic District.

The applicant is proposing to convert the building back to its original use as a single-family home and the proposed conversion would include the restoration and repair of the exterior of the building

and modifications to the front façade, reconstruction of the rear façade, and the reconstruction and reconfiguration of portions of the penthouse: all which have been approved by the Landmarks Preservation Commission. The renovation will increase the zoning floor area of the building by 127 square feet to a total of 15,452 square feet.

Because the building predates the existing zoning regulations, it contains features that do not conform to the zoning requirements for residential uses, therefore the applicant is seeking waivers pursuant to Zoning Resolution Section 74-711. In particular, the building's rear windows are 10 feet from the rear lot on the cellar and first floor and range from approximately 13 feet to 21 feet from the rear lot line on the upper floors, rather than the 30 feet required by Section 23-86 of the Zoning Resolution. In addition, the open area at the rear of the building is considered an inner court for zoning purposes and does not provide the minimum dimension of 30 feet or the minimum area of 1,200 square feet of space required for inner courts under Section 23-851 of the Zoning Resolution.

The distance between the rear lot line and the original rear wall and windows of the residence, and the size and dimensions of an air shaft along the eastern lot line beginning above the first story, have not changed since its initial construction in 1910 as are the living rooms in the back of the building. The air shaft abutting the eastern side lot line with a width of approximately 4'-6 1/2", a depth of approximately 14'-1 1/2", and total area of approximately 65 square feet is also less than the required minimum 30 foot dimension and 1,200 square foot area for inner courts. The air shaft is being eliminated during the restoration which removes it as a non-complying inner court,

however, it locates new floor area above the maximum permitted building height of 60 feet under Section 23-692. In addition, the reconfiguration of the mechanicals for the building has added some additional floor area in excess of the existing bulk which subsequently must also be waived.

The proposed ZR 74-711 special permit would waive the requirements for minimum inner court dimension, minimum inner court area, minimum distance to the lot line for legal windows, and new bulk above the permitted height limit.

In order to grant the special permit, the Commission must find that the proposed bulk modifications have minimal effects on the near-by structures or open space, in terms of scale, location and access to light and air.

ENVIRONMENTAL REVIEW

This application (C 170040 ZSM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 17DCP079M. The lead is the City Planning Commission.

After a study of the potential impact of the proposed actions, a Negative Declaration was issued on December 12, 2016.

UNIFORM LAND USE REVIEW

This application (C 170040 ZSM) was certified as complete by the Department of City Planning on December 7, 2016, and was duly referred to Community Board 8 and the Borough President, in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Manhattan Community Board 8 held a public hearing on this application at its Land Use meeting on Wednesday, January 11, 2017 and, on that date, approved the application by a vote of 35 in favor, 1 opposed, 1 abstention, and 1 not voting for cause.

Borough President Review

This application was considered by the Manhattan Borough President, who issued a recommendation approving the application on February 27, 2016.

City Planning Commission Public Hearing

On February 22, 2017 (Calendar No. 8), the City Planning Commission scheduled a March 8 2017 public hearing on this application (C 170040 ZSM). The hearing was duly held on March 8, 2017 (Calendar No. 24). There were three speakers in favor of the application and none in opposition.

The applicant's architect provided an overview of the project focusing on facilitating the building back to its original use and on the restoration of the historic building. The applicant's counsel discussed how the zoning regulations relate to the proposed action. A representative of the Office

of the Manhattan Borough President also spoke in favor of the proposal.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of this special permit is appropriate.

The existing building at 19 East 70th Street occupies an interior lot area of 3,012 square feet and is located in a C5-1 zoning district within the Upper East Side Historic District. The building contains a total of 15,325 square feet of zoning floor area with an FAR of 5.09. The requested action would permit the modification of the bulk regulations pursuant to Section 74-711 of the Zoning Resolution in order to allow the conversion of the building to a conforming residential use. The portion of the building that is subject to the waivers pre-dates the bulk requirements of the 1961 Zoning Resolution and that the building floor area has not been expanded or otherwise extended into the rear yard since its original construction in 1910.

The Commission is in receipt of a letter dated September 11, 2015, from the Landmarks Preservation Commission (LPC) to the City Planning Commission stating that the LPC voted in support of the application for the special permit and detailed the restorative work that will be completed on the building that will reinforce the architectural and historic character of the building, and that the applicant has agreed to a continuing maintenance program for the building.

The Commission believes that the additional bulk above the permitted height of 60 feet that is created from filling in the air shaft and the moving of mechanicals around the upper levels of the building are minimal, do not increase the height of the building, and are suitable for the overall restoration and rehabilitation of the building.

The Commission also believes that the proposed waivers of the minimum distance between the rear lot line and legal windows in the building, the inner court regulation depth, the inner court area, which would maintain the same condition which has existed since 1910, will have minimal adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air and, therefore, believes that the grant of a special permit is appropriate.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-711 (Landmark preservation in all districts) of the Zoning Resolution:

- (1) such bulk modifications shall have minimal effects on the structures or open space in the vicinity in terms of scale, location and access to light and air.
- (2) such use modifications shall have minimal adverse effects on the conforming uses within the building and in the surrounding area.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment, and

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by NY 70th Street LLC for the grant of special permit pursuant to Section 74-711 of the Zoning Resolution to modify the inner court area regulations and the minimum dimension of an inner court of Section 23-851 (Minimum dimensions of inner courts); permit additional bulk above a maximum building height of Section 23-692 (Height Limitations for Narrow Buildings or Enlargements); modify the minimum distance between lot lines and legally required windows requirements of Section 23-861 (General provisions), and to facilitate the conversion and renovation of a building to a single-family residence located at 19 East 70th Street (Block 1385, Lot 15), in a C5-1 District, within the Upper East Side Historic District, Borough of Manhattan, Community District 8, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 170040 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Paul Alter of Lee H. Skolnick Architecture + Design Partnership, filed with this application and incorporated in this resolution:

<u>Drawing Number</u>	<u>Title</u>	<u>Last Date Revised</u>
CPC-001	Zoning Analysis	December 7, 2016
CPC-002	Zoning Lot Site Plan	December 7, 2016
CPC-009	Waiver Plan (Roof Plan)	December 7, 2016
CPC-010	Waiver Section Through Elevator Bulkhead	December 7, 2016

CPC-011	Waiver Section Through Mechanical Bulkhead	December 7, 2016
CPC-012	Waiver Section Through Air Shaft Infill	December 7, 2016
CPC-013	Front and Rear Elevations - Proposed	December 7, 2016

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

The above resolution (C 170040 ZSM), duly adopted by the City Planning Commission on April 5, 2017 (Calendar No. 16), is filed with the Office of the Speaker, City Council and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, Chair

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,
JOSEPH I. DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
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James G. Clynes
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**The City of New York
Manhattan Community Board 8**

January 17, 2017

Hon. Carl Weisbrod
Chair
The Department of City Planning
22 Reade Street
New York, New York 10007

**Re: ULURP Application No. 170040ZSM, CEQR No. 17DCP079M, 19 East 70th Street, Block 1385,
Lot 15**

Dear Chair Weisbrod:

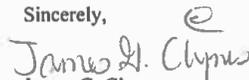
At its Land Use meeting on Wednesday, January 11, 2017 Community Board 8M approved the following resolution by a vote of 35 in favor, 1 opposed 1 abstentions and 1 not voting for cause.

WHEREAS, the application pursuant to Sections 197-ac and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the inner courts requirements of Section 23-851, the minimum distance between legally required windows and walls or lot lines requirements of Section 23-861 and the maximum building height requirements of Section 23-692 to facilitate the conversion of an existing 6-story building to residential use, on property located at 19 East 70th Street in a C5-1 District, within the Special Madison Avenue Preservation District within the Upper East Side Historic District, therefore

BE IT RESOLVED that Community Board 8 approves the ULURP application for a special permit pursuant to Section 74-711 of the NYC Zoning Resolution for 19 East 70th Street.

Please advise this office of any decision made by City Planning concerning this matter.

Sincerely,


James G. Clynes
Chairman

cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Gail Brewer, Manhattan Borough President
Honorable Carolyn Maloney, 14th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 26th Senatorial District
Honorable Rebecca Seawright, NYS Assembly Member, 76th Assembly District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Daniel Garodnick, NYC Council Member, 4th Council District
Valerie Campbell, Esq.

Application #: **C 170040 ZSM**

Project Name: **19 East 70th Street**

CEQR Number: 17DCP079M

Borough(s): **Manhattan**

Community District Number(s): **08**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by NY 70th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the inner courts requirements of Section 23-851, the minimum distance between legally required windows and walls or lot lines requirements of Section 23-861 and the maximum building height requirements of Section 23-692 to facilitate the conversion of an existing 6-story building to residential use, on property located at 19 East 70th Street (Block 1385, Lot 15), in a C5-1 District, within the Special Madison Avenue Preservation District, within the Upper East Side Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271.

RECEIVED

DEC 19 2013

NY COMMUNITY BOARD 8

Applicant(s): NY 70th Street LLC c/o Elysium Management 445 Park Avenue Suite 1401 New York, New York 10022		Applicant's Representative: Valerie Campbell, Esq. Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, New York 10036	
Recommendation submitted by:			
Date of public hearing: 11/11/17		Location: NY Blood Center, 310 E 67 th St	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>	
Date of Vote: 11/11/17		Location: NY Blood Center, 310 E 67 th St	
RECOMMENDATION			
<input checked="" type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting			
# In Favor: 35		# Against: 1	
# Abstaining: 1		Total members appointed to the board: 48	
Name of CB/BB officer completing this form Layla Thompson		Title District Mgr.	Date 11/17/17



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BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

February 27, 2017

**Recommendation on ULURP Application C 170040 ZSM – 19 East 70th Street
By NY 70th Street LLC**

NY 70th Street LLC (“the applicant”) seeks a special permit pursuant to Section 74-711 of the Zoning Resolution (“ZR”) to modify the inner courts requirements, the minimum distance between legally required windows and walls or lot lines requirements, and the maximum building height requirements to facilitate the conversion of an existing 6-story building to residential use at 19 East 70th Street, Block 1385, Lot 15 (“Project Site”) located in a C5-1 District within the Special Madison Avenue Preservation District and the Upper East Side Historic District in Community Board 8, Borough of Manhattan.

Pursuant to ZR § 74-711, applicants may request a special permit to modify the use regulations of zoning lots that contain landmarks or are within Historic Districts as designated by the Landmarks Preservation Commission (“LPC”). In order for the City Planning Commission (“CPC”) to grant use modifications, the applicant must first meet the following conditions:

- 1) LPC has issued a report stating that the applicant will establish a continuing maintenance program for the preservation of the building and that such modification or restorative work will contribute to a preservation purpose;¹
- 2) The application shall include a Certificate of Appropriateness, other permit, or report from LPC stating that such bulk modifications relate harmoniously to the subject landmark building in the Historic District;²
- 3) The maximum number of permitted dwelling units is as set forth in ZR § 15-111.³

Further, in order to grant a special permit, the CPC must find that:

- 1) The modifications shall have minimal adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air;
- 2) Such modifications shall have minimal adverse effects on the conforming uses within the building and in the surrounding area.

PROJECT DESCRIPTION

The applicant proposes three waivers to facilitate the conversion of an existing 6-story building

¹ The LPC issued a report, MOU 17-6491 dated September 11, 2015.

² The LPC issued a Certificate of No Effect (CNE 17-7831) and an associated Amendment 16-6471 on May 16, 2014 and September 10, 2015, respectively. The Certificate of Appropriateness (COFA #17-6483) and Miscellaneous Amendments (#19-0659) were issued on September 11, 2015 and July 18, 2016 respectively.

³ The proposal is for one dwelling unit. This is below the maximum permitted number of dwelling units, 22, set forth in Section 15-111.

to its original use as a single-family residence. The building has existing non-conforming conditions pursuant to zoning requirements for residential uses including: minimum distance to rear lot line for legal windows, minimum inner court dimensions, minimum court area and maximum building height for narrow streets.

Pursuant to the Certificate of Appropriateness issued by LPC, the applicant has been approved for work on the rear façade, the roof southern face, the portico on the southern façade and alterations, restoration and repair of the building exterior. The exterior work would include reconstructing the rear façade, removing copper sheet metal clad bay and brickwork, punched openings at the second through sixth floors, double-hung windows and multi-light doors, two metal balconies at the second floor level and copper spandrel panels and bays at the basement, first, third and fourth floor levels.

The restoration work also includes reconstruction and reconfiguring portions of the penthouse. This includes construction of a new rear façade, enlarged punched openings with multi-light windows, increasing the footprint and reducing the height of the elevator bulkhead, construction of a new exterior stair with a sloping sidewall, new mechanical equipment, metal screens and metal railings on the roofs, removal of double-hung windows at fifth floor level for metal multi-light doors. The storm door will be replaced with a metal gate at the ground floor entrance at the southern façade and new taller metal fencing. The special permit pursuant to ZR § 74-711 requires the applicant enter into a Restrictive Declaration with the LPC and establish a continuing maintenance program for the preservation of the building.

Area Context

The project site is located in a C5-1 zoning district in the Special Madison Avenue Preservation District and the Upper East Side Historic District. The Special Madison Avenue Preservation District (MP) was established in 1973 along Madison Avenue between East 61st Street and East 96th Street. The goal was to preserve and insure the commercial retail character of Madison Avenue while balancing the residential character on the mid blocks. The ground floor of buildings on Madison Avenue must be occupied by selected retail uses, while bulk controls such as height and street wall provisions ensure the continuity of the streetscape. The floor area ratio (FAR) is 10.0. The project site is also located within the Upper East Side Historic District, which the LPC designated in 1981. The district historically represents the city's wealthiest community and contains a concentration of various architectural styles and building types constructed in the late 19th century and early 20th century designed by some of the nation's most famous and prestigious architects.

Most of the surrounding area has R8B as the underlying zoning district on the midblock, with a C5-1 district along Madison Avenue and R10 districts north of the site beginning at East 72nd Street and further east along Park Avenue. R8B contextual districts have a maximum building height of 75 feet and the base height of new buildings before a setback is 55 to 60 feet. The district also requires open areas to be planted between the street wall and street line. Along Park Avenue, due east, is the Special Park Improvement District (PI), which limits the heights of new buildings to 210 feet or 9 stories, whichever is less, mandates street wall continuity, and was put in place to preserve the residential character and architectural quality of Fifth and Park avenues in the neighborhood.

The area's land use is predominately residential with single-family townhomes, multifamily buildings, and mixed-use buildings with high-end fashion stores at their base with residential use above along Madison Avenue. The buildings range in height from two to twenty stories with the taller buildings at the corners along the avenues. The project site is also surrounded by educational and religious uses including the Frick Museum immediately west of the project site and St. Jame's Church one block north.

The area is served by the No. 6 train located at East 68th Street and Lexington Avenue and the Q train at East 72nd Street and Second Avenue. Access to the M1, M2, M3, M4 and M72 buses is available along Madison Avenue and 5th Avenue. Citibike stations are located two blocks northeast of the site at East 72nd Street and Park Avenue and two blocks south of the site at East 68th Street and Madison Avenue.

Site Description

The Project Site is a landmarked 6-story neo-Italian Renaissance style townhouse located at 19 East 70th Street (Block 1385, Lot 15) in a C5-1 zoning district within the Special Madison Avenue Preservation Historic District and the Upper East Side Historic District. C5-1 districts are an R10 equivalent and permit a maximum floor area ratio (FAR) of 10.0 for residential use and 4.0 FAR for commercial uses. The permitted uses in a C5-1 zoning district are residential, community facility, local and destination retail, and wholesale uses (Use Groups 1 through 6 and 9 through 11).

The Building was constructed from 1909-1910 by Thornton Chard as a single-family residence for Dave Hennen Morris, a U.S. Ambassador to Belgium. In 1952, the Building was converted to office use and between 1972 and 1977 it was converted to an art gallery for the Knoedler Gallery. From the 1970's until 2012, the building was occupied and operated by Knoelder Gallery as an art gallery space and accessory office use. The applicant purchased the building in 2014 with the intention to convert the building to its original use as their residence. The building is currently vacant.

Proposed Actions

The applicant seeks a special permit pursuant to ZR § 74-711 to modify bulk controls related to inner court minimum dimensions, minimum distance between legally required windows and walls or lot lines requirements, and the maximum building height requirements to facilitate the conversion of an existing 6-story building to its original residential use. A restrictive declaration will be recorded which sets forth a continuing maintenance plan for the building to ensure the preservation of the building and the fulfillment of the preservation purpose as a condition of approval for this special permit.

The first waiver is to permit the existing non-complying distance to the rear lot line for legal windows which ranges from 10 to 21 feet, to remain; pursuant to ZR §23-861, the requirement is 30 feet. The second waiver is to allow an inner court in the rear of the building, depth of 10 feet and 300 total square feet which is less than the required 30 foot depth dimension and 1,200 square foot area for inner courts pursuant to ZR §23-851. This waiver would also permit filling

in the air shaft located on the eastern side lot line which would facilitate relocating floor area above the maximum permitted building height of 60 feet pursuant to ZR § 23-692.

As described in the application materials and LPC's Certificate of No Effect, the reconstruction work and redesign of the building is proposed to place it in a sound, first-class condition and the restoration of missing architectural details will reinforce the architectural historic character of the building and district. The restoration program is proposed throughout the building, including in kind window replacement, limestone patching, replacing roof membrane, paving and copper roofing panels, per the LPC report.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on January 11, 2017, Manhattan Community Board 8 ("CB8") recommended approval of this application by a vote of 35 in favor, 1 opposed, 1 abstention, and 1 not voting for cause.

BOROUGH PRESIDENT'S COMMENTS

The Upper East Side Historic District, particularly along Fifth Avenue, is noted for the distinguished mansions and townhomes built for prestigious clients in the late 19th century which contribute to and enhance the unique architectural and historical significance of the neighborhood. 19 East 70th Street, between Fifth Avenue and Madison Avenue, is a neo-Italian Renaissance style townhouse originally constructed for a U.S Ambassador in 1910 on a residential block. The three requested waivers for minimum distance to rear lot line for legal windows, minimum inner court dimensions, minimum court area and maximum building height for narrow streets are waivers typical of buildings in the neighborhood.

The Manhattan Borough President believes the conditions and findings have been met for the requested special permit. The building has existing non-conforming conditions pursuant to zoning requirements for residential uses. The infill of the air shaft increases the floor area but it does not significantly increase the non-conformance of the building, and as proposed, is minimally visible from adjacent buildings.

The applicant has also proposed a first-class restoration of the building including removal of the CMU block infill, installation of new stamped-patinated copper bay windows, cast stone coping and a new brick façade to match the original. The restoration work will reinforce the historic significance of this building within the Upper East Side Historic District.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 170040 ZSM.



Gale A. Brewer
Manhattan Borough President