



**IN THE MATTER OF** an application submitted by 51 White 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 height and setback requirements of Section 23-662 (Maximum height of buildings and setback regulations) and Section 23-692 (Height limitations for narrow buildings or enlargements), the inner court requirements of Section 23-85 (Inner Court Regulations) and the minimum distance between legally required windows and walls or lot lines requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), to facilitate the vertical enlargement of an existing 5 story building, on property located at 51 White Street (Block 175, Lot 24), in a C6-2A District, within the Tribeca East Historic District, Borough of Manhattan, Community District 1.

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This application for a special permit was filed by 51 White Street LLC on May 17, 2018. The requested special permit would facilitate a two-story vertical enlargement of an existing five-story building, and the introduction of a new mezzanine level between existing first and second floors, at 51 White Street in the Tribeca neighborhood of Manhattan.

## **BACKGROUND**

The applicant requests bulk waivers to facilitate the enlargement of an existing building in the Tribeca East Historic District in Manhattan Community District 1. 51 White Street is located on the south side of White Street, between Broadway and Church Street. The site is a rectangular 3,900-square-foot interior lot. White Street is a 50-foot-wide westbound street.

The existing five-story building contains 16,965 square feet of floor area for a floor area ratio (FAR) of 4.35. It rises to five stories, excluding cellar and subcellar levels, and is approximately 76 feet tall. The rear open area is 5.5 feet deep behind the first floor, cellar and sub-cellar levels and 15 feet deep behind the second through fifth floors. The building is of a similar scale and use to other buildings on the same block, which typically range from five to seven stories. Most surrounding buildings were constructed as commercial loft buildings, but many of them have been converted to residential use above the ground floor. 49 White Street (the Tribeca Synagogue), which borders the project site to the west, is a three-story community facility building that rises to a height of 67 feet. The individually landmarked 55 White Street, which borders the project site to

the east, is a seven-story mixed-use building with ground floor retail space and residential space above. It has a street wall height of 80 feet and an overall building height of approximately 99 feet, excluding mechanical equipment and bulkheads.

The building was constructed in 1858 and is located within the Tribeca East Historic District, which was designated by the Landmarks Preservation Commission (LPC) in 1992. The building itself is not a designated landmark, but the Historic District Designation report describes how 51 White Street contributes to the overall historic character of the district. Historically, the building was used by importers and wholesalers of fabrics. In the early 20<sup>th</sup> century, many modifications were made to the building's façade, including alteration of the six storefront bays and the addition of a fire escape.

The site is located within a C6-2A zoning district, which permits residential use at 6.02 FAR, commercial use at 6 FAR, and community facility use at 6.5 FAR. C6-2A zoning districts require that developments on narrow streets (less than 75 feet in width) provide a base between 60 feet and 85 feet high, and a minimum 15-foot setback above a height of 85 feet, and limit the overall building height to 120 feet. The site and the surrounding blocks were rezoned from C6-4 to C6-2A in 1995 (C 940309 ZMM) to reinforce the existing built context of the area and to create a transition from the higher-density Downtown Central Business District and Civic Center areas to the loft character of Tribeca.

The building was converted as-of-right to residential apartments in 1984 under the prior C6-4 zoning. Until 2016, the building was occupied by commercial office space and accessory storage on the building's first, cellar, and subcellar floors, and 12 market-rate rental apartments on the existing building's second through fifth floors. The building has been vacant since April 2016.

The applicant proposes to construct a two-story vertical enlargement and add a new mezzanine between the first and second floors, enabling the existing five-story building to rise to seven-stories, reaching an approximate overall height of 100 feet, eight inches including mechanical equipment and stair bulkhead. The enlarged seven-story building would have commercial use on

the ground floor, accessory storage space in the cellar and subcellar levels, and residential use on the second through seventh floors, including on the new mezzanine level. The building would contain a total of six condominium units, with each unit occupying a single floor and the sixth and seventh floors consisting of a duplex unit. The enlarged building would contain a total of 23,150 square feet of floor area (5.94 FAR), which is less than the maximum floor area permitted by the C6-2A zoning district. The new sixth floor would be set back 10 feet along the entire frontage, and the new seventh floor would have setbacks ranging from 12 feet along an 18-foot eastern portion of the frontage to 48 feet along the westernmost portion of the frontage. The bulk would also be partially set back from the western wall between 13 and 21 feet, providing relief for the western neighbor, 49 White Street, which is set back 12 feet from the lot line and only rises to a height of three stories or 67 feet.

To achieve this proposed increase in bulk, the applicant seeks several waivers of the Zoning Resolution (ZR) relating to height, setback, inner court, and rear windows. Located on a narrow street and having a street wall that is less than 45 feet wide, Section 23-692 (Height limitations for narrow buildings or enlargements) would typically limit the height of a new or enlarged building on this zoning lot to that of the street width (50 feet). However, paragraph (d) of that section provides that, if both abutting street walls already exceed the height permitted for narrow streets, a building on the site is permitted to reach the height of its lowest neighbor. Since the two abutting buildings achieve street wall heights of 67 feet (49 White Street) and 80 feet (55 White Street), the maximum permitted building height at 51 White Street is 67 feet. However, the site is already built to a height of 76 feet two inches, exceeding the as-of-right maximum permitted building height of 67 feet; as such, no vertical enlargement of any height is permitted as-of-right. A bulk waiver of Section 23-692(d) is therefore needed to allow the building to exceed the existing building height and to achieve the proposed height of 100 feet 8 inches. The enlarged portion of the building is subject to the height and setback regulations of ZR Section 23-662, which requires a setback of 15 feet above a height of 85 feet. A small portion of the seventh floor, on the eastern side of the lot, is located within 15 feet of the street wall and above 85 feet. As this portion of the seventh floor is only set back 12 feet, a waiver of ZR Section 23-662 is requested to allow a minor encroachment of three feet into the required setback area for a length of 15 feet.

The mezzanine level between the existing first and second levels is proposed where there is an existing open area with a depth of five feet six inches to the rear lot line and an area of 214 square feet. At the proposed sixth and seventh floor levels, an open area with a depth of 20 feet to the rear lot line and an area of 780 square feet is proposed at each new level. The inner court requirements of ZR Section 23-851(b) would normally require an open area with a minimum depth of 30 feet to the rear lot line and a minimum area of 1,200 square feet. The applicant requests a waiver of these inner court requirements to permit open areas with the proposed depths and areas at the new mezzanine, sixth, and seventh floor levels. No changes are proposed to the depths and sizes of the open areas at the first through fifth floors. Similarly, a waiver of the window-to-lot-line distance requirements of ZR Section 23-861 is needed for the mezzanine, sixth and seventh floor. For residential units, a window-to-lot line distance of 30 feet is required. The residential units on floors two through five have an existing legal noncompliant distance of 15 feet, and those floors were legally converted to residential use in 1984. A window-to-lot line distance of five feet six inches is proposed at the new mezzanine level, and a window to lot line distance of 20 feet is proposed at the new sixth and seventh floors.

As a part of the proposal, the applicant would restore all six storefront bays at the ground floor to the original 19th-century appearance by exposing and restoring the original cast iron columns currently covered in 20th-century cement block and installing new wood and glass storefronts. The non-original fire escape would be removed, the entire marble façade would be cleaned and major repairs would be made to the marble units and decorations. All 62 wooden windows would be replaced on both facades from the subcellar to fifth floors with wood windows matching the original profiles, and the existing original fire shutters would be restored. The application includes a report from the LPC dated December 22, 2017, stating that a continuing maintenance program has been established that will result in the preservation of 51 White Street, and that the proposed restorative work required under the program contributes to a preservation purpose.

## **ENVIRONMENTAL REVIEW**

This application (C 180439 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 lead is the City Planning Commission. The designated CEQR number is 18DCP092M.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 6, 2018. This Negative Declaration was prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

### **UNIFORM LAND USE REVIEW**

This application (C 180439 ZSM) was certified as complete by the Department of City Planning on August 6, 2018, and was duly referred to Community Board 1 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**

Community Board 1 held a public hearing on this application on September 25, 2018, and on that date, by a vote of 43 in favor, none opposed, one abstaining and one recused, adopted a resolution recommending approval of the application with the condition that “the Manhattan Borough President is satisfied that the applicant has provided sufficient notice to the community.”

### **Borough President Recommendation**

The application was considered by the Borough President, who issued a recommendation on October 31, 2018 to approve the application with the following condition: “The Applicant should conduct outreach to the community to make them aware of the pending City Planning Commission hearing on this application. They have provided notification to their neighbors on the street and will be reaching out to local preservation groups. They should also put signage up at the site, as well as the surrounding blocks, in order to inform the community of the upcoming public hearing. They should submit evidence of this outreach to the City Planning Commission as part of their review.”

### **City Planning Commission Public Hearing**

On October 31, 2018 (Calendar No. 5), the City Planning Commission scheduled November 14, 2018 for a public hearing on this application (C 180439 ZSM). The hearing was duly held on November 14, 2018 (Calendar No. 34). One speaker testified in favor of the application.

The speaker, the applicant's representative, described the proposed enlargement and how the project meets the findings, highlighting how the careful placement of bulk would reduce visibility from the street. The speaker stated that, prior to becoming vacant in 2016, the building contained 12 market- rate rental units and that, upon completion of the proposed project, would contain six condominium units, with the sixth and seventh floors considered a single duplex unit and the mezzanine level its own unit. The speaker explained how the applicant has reached out to abutting neighbors and to the Historic District Council and, upon urging by the Community Board and Borough President, conducted further outreach by writing letters and posting fliers notifying neighbors of the proposed enlargement and of the upcoming public hearing. The speaker further explained that, due to the setback of the neighboring Tribeca Synagogue, there is a blank wall on the western side of 51 White Street that has been untreated since the synagogue's construction in 1967. The speaker clarified that the blank wall is located within the synagogue's tax lot, and stated that any treatment of the wall would require a proposal from the synagogue and the input – and likely approval – from the LPC.

There were no other speakers and the hearing was closed.

### **CONSIDERATION**

The Commission believes that the grant of this special permit (C 180439 ZSM) is appropriate. The Commission believes that the modifications to the height, setback, inner court and window-to-lot line regulations will not have adverse effects on the structures or open spaces in the vicinity in terms of scale, location, or access to light and air. The modifications will facilitate the renovation of the building façade and restoration of the historic elements of the building that will further enhance the historic district.

The Commission understands that, with the exception of minor encroachments into the required front setback area, the proposed enlargement mostly fits within an otherwise as-of-right envelope for new development within a C6-2A zoning district, notwithstanding the provisions of ZR Section 23-692 that restrict the enlargement potential for this narrow building. The proposed enlargement has varied setbacks arranged to prevent its visibility from the street, such that the encroachment within the required setback area is minimal. The Commission believes that this small encroachment within the required setback area is appropriately offset by deeper setbacks elsewhere and that, overall, the two-story enlargement will not unduly affect access to light and air from the street.

The Commission believes that the proposed building height will be consistent with the scale of many of the buildings in the surrounding area, and notes that several other enlargements have taken place on the same block as the development site. 55 White Street, the neighboring building to the east, was enlarged to a height of seven stories, approximately 99 feet. The top of the proposed seventh floor of 51 White Street reaches a height of approximately 92 feet. The Commission understands that those nearby buildings that were previously enlarged have street walls that are wider than 45 feet, and their ability to be vertically enlarged was therefore not restricted by the provisions of ZR Section 23-692.

The Commission believes that the requested modification of the minimum distance between legally required windows and the rear lot line is appropriate. This waiver only applies to the mezzanine level and the sixth and seventh floors. The proposed sixth and seventh floors are set back 20 feet, further than the existing legal noncompliance of the legally converted residential units of floors two through five, which are set back 15 feet.

The Borough President, in her recommendation, requested that the applicant notify neighbors of the proposed development and the public hearing, which was held on November 14, 2018. In response to this request, the applicant's representative, in his testimony at the public hearing, stated that letters were mailed and notices posted on the building and on the surrounding block to notify neighbors of the proposed development and public hearing.

The Commission understands that, due to the setback of the neighboring Tribeca Synagogue, a blank wall condition exists on the westerly wall of 51 White Street. Although not a condition of this application, the Commission encourages the applicant to work with the synagogue and the LPC to treat this blank wall in a manner that could complement the restorative work that is being facilitated by the proposed special permit.

The Commission is in receipt of a report from the LPC dated December 22, 2017, stating that it has reviewed the proposal and that a program has been established for continuing maintenance that will result in the preservation of the subject building, and that the required restoration work under the continuing maintenance program contributes to a preservation purpose. The continuing maintenance program is contained within a restrictive declaration entered into in connection with this application. The Commission believes that the improvement of this building, to be facilitated by this special permit, will enhance the architectural and historic built fabric of White Street and the Tribeca East Historic District.

## **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 adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air;
- (2) [This finding is not applicable; the applicant is not requesting a use modification]

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment ; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and

findings described in this report, the application submitted by 51 White Street, LLC for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum height of buildings and setback regulations) and Section 23-692 (Height limitations for narrow buildings or enlargements), the inner court requirements of Section 23-85 (Inner Court Regulations) and the minimum distance between legally required windows and walls or lot lines requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), to facilitate the vertical enlargement of an existing 5 story building, on property located at 51 White Street (Block 175, Lot 24), in a C6-2A District, within the Tribeca East Historic District, is approved, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 180439 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 Roman Sorokko Versatile Engineering, P.C., filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
G-000.00	Cover Sheet	05/04/2018
G-002.00	Zoning Lot Site Plan	06/26/2018
G-003.00	Waiver Plan	06/26/2018
G-004.00	Proposed Building Section A-A and Waiver Diagram	06/26/2018
G-005.00	Proposed Building Section B-B and Waiver Diagram	06/26/2018
Z-001.00	Zoning Analysis	06/26/2018

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 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 and the attached restrictive declaration whose provisions 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 as stated 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 or of the attached restrictive declaration.
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 failure to act in accordance with the provisions of this special permit.

The above resolution (C 180439 ZSM), duly adopted by the City Planning Commission on December 19, 2018 (Calendar No. 13), is filed with the Office of the Speaker, City Council, and

the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

**KENNETH J. KNUCKLES**, *Esq.*, *Vice-Chairman*

**ALLEN P. CAPPELLI**, *Esq.*, **ALFRED C. CERULLO, III**,

**MICHELLE de la UZ**, **JOSEPH I. DOUEK**, **RICHARD W. EADDY**,

**HOPE KNIGHT**, **ANNA HAYES LEVIN**,

**ORLANDO MARIN**, **LARISA ORTIZ**, **RAJ RAMPERSHAD**. *Commissioners*

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 25, 2018

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	10 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	1 Abstained	1 Recused

RE: 51-53 White Street, application 180439 ZSM for Special Permit for modifications to bulk regulations

WHEREAS: An application has been submitted by 51 White Street LLC for the grant of a special permit pursuant to the Zoning Resolution Section 74-711 to enlarge an existing building vertically by two stories and restore the façade of the building located at 51-53 White Street so that it is a contributing building to the Tribeca East Historic District; and

WHEREAS: The project site is located in a C6-2A zoning district, which was contextually rezoned from C6-4 on May 24, 1995 as part of the C 940309 ZMM portion of the Special Lower Manhattan Mixed Use Districts (LMM); and

WHEREAS: The Tribeca East Historic District, which encompasses all or portions of twelve blocks, was designated in 1992. The boundaries of which generally fall south of Canal Street, east of West Broadway, north of Worth Street, and west of Lafayette Street; and

WHEREAS: The special permit sought by the applicant would facilitate the restoration of facade elements as well as a maintenance schedule to guarantee the continued preservation of historical elements through an enlargement of the current building with more residential floor area resulting from the construction of a mid-floor mezzanine between the first and second floors and a two-story roof extension; and

WHEREAS: The special permit would waive bulk regulations including Zoning Resolution (ZR) Section 23-692(d), which limits the height of a narrow building; ZR Section 23-662, which sets the minimum setback requirements on a narrow street; ZR Section 23-861, which sets the minimum required distance between windows and a zoning lot line; and ZR Section 23-851(b), which sets the requirements for the minimum dimensions and area of inner courtyards; and

WHEREAS: The proposed development would be seven stories and have a height of 100.63 feet. The development would contain a total of 23.150 zoning square feet of floor area, at an FAR of 5.94. Less than the maximum permitted by the current zoning; and

WHEREAS: This is a landmarked property. CB1's Landmark & Preservation Committee and Full Board adopted a resolution recommending approval of this project and the applicant has obtained a Certificate of Appropriateness from the New York City Landmarks Preservation Commission. The applicant is restoring all of the storefront bays to the original 19th century appearance in addition to other improvements and restorations; and

WHEREAS: The Land Use, Zoning & Economic Development Committee (LZE) was not satisfied with the amount of notice provided by the applicant to the surrounding community about the proposed developments and asked to circulate a petition throughout the neighborhood to prove to the Manhattan Borough President that notice was given; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 believes that this project will improve the historic fabric of the East Tribeca Historic District; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 asks that the Office of the Borough President take into account the applicant's efforts to notify the neighbors of the proposed development when formulating her recommendations to the City Planning Commission; and

BE IT

FURTHER

RESOLVED

THAT: CB1 recommends that the City Planning Commission approve this proposed development on the condition that the Manhattan Borough President is satisfied that the applicant has provided sufficient notice to the community.

# Borough President Recommendation

**City Planning Commission**  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
Fax # (212) 720-3488

## INSTRUCTIONS

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

Applications: C 180439 ZSM - 51 White Street

### Docket Description:

**IN THE MATTER OF** an application submitted by the 51 White Street LLC, Section 74-711 of the Zoning Resolution ("ZR") and Section 197-c of the New York City Charter, to modify height and setback requirements of Section 23-662 and Section 23-692. The special permit would also modify inner court requirements of Section 23-85 and minimum distance between legally required windows to lot lines of Section 23-86 of the Zoning Resolution. This special permit would allow for vertical enlargement of an existing building by two stories.

COMMUNITY BOARD NO:

1

BOROUGH: Manhattan

## RECOMMENDATION

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

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

See Attached.

  
BOROUGH PRESIDENT

31 Oct 2018  
DATE



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

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**Gale A. Brewer, Borough President**

October 31, 2018

**Recommendation on  
ULURP Application No. C 180439 ZSM 51 White Street By 51 White Street LLC**

**PROPOSED ACTIONS**

51 White Street LLC (“the applicant”) seeks a special permit pursuant to Section 74-711 of the Zoning Resolution (“ZR”) to modify height and setback requirements of Section 23-662 and Section 23-692. The special permit would also modify inner court requirements of Section 23-85 and minimum distance between legally required windows to lot lines of Section 23-86 of the Zoning Resolution. This special permit would allow for vertical enlargement of an existing building by two stories.

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;<sup>1</sup>
- 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;<sup>2</sup>

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.

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<sup>1</sup> The LPC issued a report, MOU (#19-11468) dated December 22, 2017.

<sup>2</sup> The LPC issued the Certificate of Appropriateness (#19-11467) on December 29, 2017.

## **PROJECT DESCRIPTION**

The development site consists of a single site located 51 White Street (Block:175 Lot:24). It is bounded by Franklin Street to the South, Franklin Place to the East, and Church Street to the West. The property has 39 feet of frontage along the south side of White Street and a depth of 100 feet, for a total lot area of 3,900 square feet. The site is an interior lot, approximately 59'-7" from the intersection of White Street and Franklin Place. The site is mapped within a C62-A (R8A equivalent) zoning district and the site is also located within the Tribeca East Historic District. The site has a 5-story building that is currently vacant. According to the applicant, the sub-cellar, cellar, and first floor of the building were previously occupied by Use Group 6 commercial office space. The development site's second through fifth floors consisted of residential apartments, which were converted as-of-right in 1984. However, according to the applicant, no Certificate of Occupancy was issued for residential use in conjunction with the conversion.

## **Background and Area Context**

In 1992, the Landmarks Preservation Commission designated the Tribeca East Historic District, encompassing approximately twelve blocks. In addition to the district, there are several individual landmarks nearby the development site, such as the Condict Store immediately to the east of the development site at 55 White Street. The development site's westerly neighbor, The Civic Centre Synagogue, is a non-contributing building in the historic district. Most of the buildings immediately surrounding the development site range in height from five to seven stories and are residential, mixed use, and commercial buildings. According to the applicant, the area within 600 feet of the development site does contain some taller buildings, ranging in height from eight to 25 stories. The land within 600 feet of the development site is predominantly zoned C6-2A (R8A-equivalent) and C6-4A (R10A-equivalent). White Street, where the development site is located, is a narrow westbound one-way street with a width of 50 feet.

## **Proposed Development**

The applicant is proposing to construct a two-story vertical enlargement to the existing development site, and add a mezzanine floor between the first and second floors. The construction would result in a seven-story mixed use building (not including cellar and sub-cellar), with residential uses on the mezzanine through seventh floors and commercial office use on the first floor, cellar, and sub-cellar.

In order for the applicant to realize this enlargement as planned, they require waivers of the requirements of several sections of the Zoning Resolution.

1. ZR § 23-662, which requires a 15 foot setback at 85 feet.  
A small portion of the vertical enlargement penetrates the sky exposure plane as a result of the setback.

2. ZR § 23-692, which limits the height of the building to 67 feet, as it is limited to the lesser of the two abutting buildings. The neighboring building at 53 White Street (Civic Centre Synagogue) is 67 feet in height.  
The existing development site is currently 76 feet in height, which already exceeds what is allowed, as the building was constructed prior to the 1961 Zoning Resolution. The vertical enlargements would increase the height to approximately 100'3" (including the bulkhead) and would still be contextual with other building heights in the vicinity.
3. ZR § 23-851, requiring a minimum inner courtyard area of 1,200 square feet  
The existing development site does not conform to this requirement. The addition of the mezzanine floor will result in an inner courtyard area equal the current courtyard area of approximately 214 square feet. The vertical enlargements on the sixth and seventh floor will create a courtyard area of approximately 780 square feet.
4. ZR § 23-861, requiring a minimum distance of 30' to the lot line for legal windows  
The existing development site does not conform to this requirement. The addition of the mezzanine floor will result in a window to lot line distance of 5'6", as it exists currently in the building. The vertical enlargements on the sixth and seventh floor will result in a window to lot line distance of 20' on these floors.

### **COMMUNITY BOARD RECOMMENDATION**

51 White Street LLC presented their formal ULURP presentation of the proposed project at the Manhattan Community Board 1 Landmarks Committee Meeting held on October 20, 2016 and Community Board 1 Land Use, Zoning, and Economic Development Committee meeting held on September 13, 2018. The committee raised concern about the outreach to the surrounding community and suggested that a petition be circulated in order to raise awareness of the project prior to the Borough President recommendation.

At the full board meeting on September 25, 2018, 43 members of the board present voted to approve the application (with one abstention) on the condition that the Borough President is satisfied that sufficient notice was given to the community.

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

New York City's landmarks and historic districts are important in maintaining our unique identity and culture. The creation of the East Tribeca Historic District has resulted in the historic preservation of approximately 197 buildings in lower Manhattan. However, preservation while managing growth and demand is a major issue this city must deal with as we develop. It must be done carefully and thoughtfully within the context of the surrounding areas.

The proposed development at 51 White Street appears to be within context for the area. There have been similar enlargements within the district. According to the applicant, the building is also undergoing a major façade restoration, which would result in the removal of cement block that currently covers the original cast iron columns of the building. Other elements of the façade, including the marble, will be cleaned and restored and all of the windows will be replaced with

windows that match the original window profile. The original fire shutters on the building will also be restored. The applicant, and all subsequent owners, will be required to maintain these improvements in perpetuity, as part of a restrictive declaration to be filed on the property. This will ensure that the building's architectural history will be preserved for future generations.

**BOROUGH PRESIDENT'S RECOMMENDATION**

Therefore, the Manhattan Borough President recommends approval of ULURP Application Nos. C 180439 ZSM as long the following condition is met:

The Applicant should conduct outreach to the community to make them aware of the pending City Planning Commission hearing on this application. They have provided notification to their neighbors on the street and will be reaching out to local preservation groups. They should also put signage up at the site, as well as the surrounding blocks, in order to inform the community of the upcoming public hearing. They should submit evidence of this outreach to the City Planning Commission as part of their review.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, flowing style.

Gale A. Brewer  
Manhattan Borough President