



August 22, 2018/Calendar No. 19

C 170116 ZSM

IN THE MATTER OF an application submitted by Kalodop II Park Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 5 uses (transient hotel and accessory uses) and Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 8-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story building, on property located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension, Borough of Manhattan, Community District 2.

*197-d(2)(B) eligible

This application for a special permit was filed by Kalodop II Park Corporation on October 6, 2016 to allow hotel use (Use Group 5) and office and local retail uses (Use Group 6) below the second story of a building in an M1-5B zoning district. The requested action, in conjunction with the related actions, would facilitate the development of an eight-story hotel or office building with a ground floor lobby and restaurant at 27 East 4th Street in the NoHo Historic District Extension of Manhattan Community District 2.

RELATED ACTIONS

In addition to the special permit (C 170116 ZSM) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

N 170115 ZRM Zoning text amendment to modify use and bulk regulations on certain sites within the NoHo Historic District Extension.

C 170117 ZSM Special permit to modify bulk regulations.

BACKGROUND

The applicant, Kalodop II Park Corporation, seeks to develop an eight-story hotel with a ground floor lobby and retail at 27 East 4th Street (Block 544, Lot 72), within an M1-5B zoning district,

in the NoHo Historic District Extension in Manhattan. To facilitate the proposed development, the applicant requests a zoning text amendment to Section 74-712 of the Zoning Resolution (ZR), which governs development in Historic Districts designated by the Landmarks Preservation Commission (LPC), to allow by special permit the modification of bulk regulations for sites improved with a one-story building, located in M1-5A and M1-5B zoning districts within the NoHo Historic District, and the grant of a special permit pursuant to the amended Section 74-712.

The site is on the northern side of East 4th Street between Bowery and Lafayette Street. The lot has a frontage of approximately 27 feet and a depth of 129 feet for a total lot area of 3,483 square feet. The site is improved with a one-story brick and cinderblock building that occupies 100 percent of the lot and rises to a height of approximately 15 feet. The building is described by the LPC as a garage and repair shop built circa 1945 and is not a contributing building to the NoHo Historic District Extension. The building is currently used for commercial storage.

The site is located in the NoHo neighborhood. Once a primarily manufacturing district, over the years the area has evolved into a mixed-use district. Today, buildings in the NoHo neighborhood typically house retail stores, art galleries, eating and drinking establishments, and interior design showrooms/wholesalers on the ground floor. The upper floors of many buildings have been converted to Use Group 2 residential units, Interim Multiple Dwellings, and Joint Living-Work Quarters for Artists. The remaining buildings predominantly contain commercial offices on their upper floors. Several new residential buildings have been constructed on Bond Street in recent years, largely through variances from the Board of Standard and Appeals. Ground floor retail uses are prevalent within a 600-foot radius of the site consisting of over 60 stores and restaurants along both the narrow east-west streets (including East 4th Street, Great Jones Street, and Bond Street) and the wide north-south streets (including Broadway, Lafayette Avenue, and Bowery-Cooper Square). These uses exist as pre-existing non-conforming uses, variances or by special permit. The commercial character of the area is further defined by the addition of two hotels with ground floor restaurants constructed on Bowery-Cooper Square in recent years.

The area's built form consists of buildings with varying heights, ranging from two to 35 stories, the majority of which are in the eight- to 15-story range. Generally, the buildings have decorative

facades and street walls that do not set back from the street line. The building immediately west of the site, 25 East 4th Street, is permitted to be used for joint living-work quarters for artists (JLWQA) and is an eight-story (105 feet) building, slightly taller than the proposed development. The building immediately east of the site, 29 East 4th Street, is the Merchant's House Museum, a three-story federalist-style home constructed in 1833. The LPC designated the museum an individual landmark on October 14, 1965 and an interior landmark on December 22, 1981. The museum is not within an historic district. The Department of Parks and Recreation (DPR) owns the museum and is responsible for its care and management, which is carried out by the Historic House Trust of New York City (Trust) through a public-private partnership with DPR. The day-to-day operation of the museum and ownership of its collection rests with Old Merchants House of New York, Inc., a member of the Trust.

The site is located in an M1-5B zoning district, which allows light manufacturing and commercial uses including warehousing, parking facilities, and hotels. Residential development is not permitted as-of-right. Uses below the second story are limited to wholesale, business service, warehouse and light industrial uses. Commercial uses including retail, office, and art galleries are not permitted below the second floor as-of-right. M1-5B zoning districts permit an as-of-right maximum 5.0 manufacturing floor area ratio (FAR), 5.0 commercial FAR, and 6.5 community facility FAR.

The applicant proposes an eight-story (90 feet, 10 inches) building with approximately 17,141 square feet of floor area (4.97 FAR) that would rise without setback at the street line. The proposed development would contain either a transient hotel (Use Group 5), with 28 rooms or offices (Use Group 6) located at the second story and above. Proposed ground floor uses include an accessory lobby for the hotel or office use and a neighborhood restaurant (Use Group 6C) of approximately 2,093 square feet. The cellar level would be used for accessory uses, including either back-of-house hotel operations or commercial storage.

The proposed development was designed to mirror the existing built form of the NoHo Historic District Extension by rising without setback to its roof and by maintaining its street wall along the site's entire frontage. The building's height would be comparable to the adjacent buildings to the

west of the site along East 4th Street and along Lafayette Street. In addition to aligning with the existing buildings, the proposed development would fill in a gap in the street wall along East 4th Street. All components of the proposed building, including its height, fenestration, massing and street wall, were reviewed and evaluated by the LPC. On April 8, 2014 the LPC approved the demolition of the existing one-story structure and the construction of the proposed building, as the building as designed relates harmoniously to the buildings within the NoHo Historic District Extension (LPC No. 130884, SUL No. 15-6190).

Requested Actions

Zoning Text Amendment

The applicant seeks a zoning text amendment (N 170115 ZRM) to ZR Section 74-712, which allows the Commission to grant special permits for use and bulk waivers on sites in M1-5A and M1-5B districts that are: (1) in a designated historic district and (2) as of December 15, 2003, are vacant, land with minor improvements or developed with buildings with lot coverage of not more than 40 percent. Because the proposed development site has a building with an existing lot coverage of 100 percent, it is ineligible for the existing 74-712 special permit. Accordingly, the applicant requests a zoning text amendment to enable sites within the NoHo Historic District Extension that are improved with a one-story building to be eligible for the special permit and a broadening of the uses allowed via the special permit to include those in Section 32-14.

The proposed text amendment would result in only one potentially eligible site that could avail of a special permit for waivers pursuant to the amended ZR Section 74-721, aside from the site that is the subject of this application. This additional site is located at 53 Great Jones Street. All excess development rights belonging to 53 Great Jones Street were previously conveyed to the property located at 48 Bond Street. The property is also encumbered by an easement for light, air, and view that prohibits new construction above a height greater than 22 inches higher than the existing building. Therefore it is not considered as a potential development site.

Special Permits

The applicant also seeks the grant of a special permit (C 170116 ZSM) pursuant to ZR Section 74-712(a), as amended by the proposed text amendment described above, to modify the use

regulations of Section 42-00 (GENERAL PROVISIONS) and Section 42-14(D)(2)(b) to allow Use Group 5 (transient hotel and accessory use) and Use Group 6 (retail and office uses) below the building's second story; and a second special permit (C 170117 ZSM) pursuant to Section 74-712(b), as amended by the proposed text amendment described above, to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks).

M1-5B zoning districts do not allow hotel, office, or retail uses below the second floor as-of-right. The requested use modification special permit (C 170116 ZSM) would enable Use Group 5 (transient hotel and accessory use) and Use Group 6 (retail and office uses) on the ground and cellar levels.

The proposed development would also require a bulk modification special permit (C 170117 ZSM) to allow the seventh and eighth floors to encroach into the required setback distance at the front of the building. The underlying height and setback regulations in ZR Section 43-43 require buildings to set back from a narrow street line at least 20 feet at a height of 85 feet or six stories, whichever is less. Buildings must also comply with a sky exposure plane starting at 85 feet above curb level and rising at a slope of 2.7:1 (vertical to horizontal). The proposed building would rise to a height of eight stories (90 feet, 10 inches) without a setback to remain consistent with the heights and strong street wall character of the NoHo Historic District Extension. A bulk waiver is therefore requested to allow the portion of the seventh floor within the required 20-foot setback distance, and the eighth floor, which is within the required 20-foot setback distance and penetrates the sky exposure plane.

ENVIRONMENTAL REVIEW

This application (C 170116 ZSM), in conjunction with the applications for the related actions (N 170115 ZRM and C 170117 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 15DCP145M. The lead is the City Planning Commission.

After a study of the potential impacts of the proposed actions in the Environmental Assessment Statement (EAS) issued on March 23, 2018, a Negative Declaration was issued on March 26, 2018. The Negative Declaration included an (E) designation (E-470) related to air quality and noise to avoid the potential for significant adverse impacts.

The (E) designation requirements related to air quality and noise would apply to the following development site:

Manhattan Block 544, Lot 72

The text for the (E) designation (E-470) related to air quality is as follows: Any new development or enlargement on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning for the (HVAC) system and ensure that the HVAC stack is located at the highest tier or at least 102 feet above the grade to avoid any potential significant adverse air quality impacts.

The text for the (E) designation (E-470) related to noise is as follows: for any new hotel development on Block 544, Lot 72, a closed window condition with a minimum of 28 dB(a) window/wall attenuation must be provided in order to maintain an acceptable interior noise level. Further, to ensure a closed-window condition, an alternate means of ventilation must also be provided. Alternate Means of Ventilation includes, but is not limited to, air conditioning.

With the implementation of the above (E) designation (E-470), no significant adverse impacts related to air quality and noise would occur.

UNIFORM LAND USE REVIEW

This application (C 170116 ZSM), in conjunction with the application for the related special permit (C 170117 ZSM), was certified as complete by the Department of City Planning on March 26, 2018 and duly referred to Manhattan Community Board 2 and the Manhattan Borough President in accordance with Title 62 of the rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 170115 ZRM), which was referred for information and review in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Manhattan Community Board 2 held a public hearing on this application (C 170116 ZSM) on April 11, 2018. On May 24, 2018, by a vote of 41 in favor, none opposed, and no abstentions, the board adopted a resolution recommending disapproval of the application “unless and until the proposed development is modified so as to avoid all harm to the Merchant’s House Museum, as evidenced by support of the Museum board and the New York City Parks Department.”

Borough President Recommendation

This application (C 170116 ZSM) was considered by the Manhattan Borough President, who issued a recommendation on June 26, 2018 to disapprove the application unless the following conditions were met:

“The Applicant make all reasonable efforts to develop the project at 403 Lafayette Street, as the site would be more appropriate for development. The City of New York through its applicable agencies: Department of City Planning and Landmarks Preservation Commission, should assist the applicant in these efforts starting with an immediate meeting to assess the feasibility of this and;

“If the applicant is unable to develop on the alternate site after exhausting all efforts, then the City of New York, through the Department of Parks and Recreation, should obtain an independent expert assessment that will develop a plan to ensure the structural stability of the museum building throughout construction of the project prior to final approval of the application. The City Planning Commission (CPC) should require a restrictive declaration as a condition of the 74-712 special permits. The restrictive declaration should include require the developer to adhere to conditions and safeguards to minimize adverse effects on the adjacent Merchant House. The Department of Parks and Recreation should also be responsible for overseeing implementation of the conditions and safeguards, regularly performing assessments of the site and performing repairs and maintenance as needed, to ensure the stability of the museum building as a treasured landmark for generations to come.”

City Planning Commission Public Hearing

On June 13, 2018 (Calendar No 9), the City Planning Commission scheduled July 11, 2018 for a public hearing on this application (C 170116 ZSM) and the related applications (N 170115 ZRM and C 170117 ZSM). The hearing was duly held on July 11, 2018 (Calendar No. 33). There was one speaker in favor of the application, one person who spoke as neutral and 17 speakers in opposition to the application.

The applicant team provided a summary of the proposed development and the design process associated with the LPC certificate of appropriateness granted on April 6, 2018. They described the design as the product of LPC input that sought to create a contextual street wall and a consistent streetscape, resulting in the requested waivers for portions of the 4th Street elevation. The project engineer discussed the proposed monitoring, excavation, and construction plans. He explained that the east and west boundary walls and foundations of the existing building would be retained for the structural benefit of the museum. The proposed development would be constructed within the existing boundary walls, which would further reduce possible damage to the museum by stepping back the excavation and foundation work from the museum. The engineer stated that the proposed program meets all regulatory requirements including the Department of Buildings' (DOB) Technical Policy and Procedure Notice (TPPN) 10/88, which regulates construction adjacent to a historic structure. He also said that excavation was planned to be undertaken by hand, as defined by DOB, and that a monitoring program would report any displacement at 15 survey points, according to vibration requirements detailed in TPPN 10/88.

The applicant stated that an existing condition survey of the museum building has not yet been completed and that DPR would have to permit access for such a survey to be undertaken. The project engineer said that a preconstruction survey, plumb and level survey, and video documentation of the museum building's interior and exterior, in consultation with museum staff and advisors, would also have to be done.

The applicant noted that multiple lot line windows on the easterly facade of 25 East 4th Street would be obstructed by the proposed building, but that the specific use of these windows was not

known at the time. The property owner stated that he also owns a property at 403 Lafayette Street that shares a lot line with a portion of the 27 East 4th Street lot. He further stated that the site is currently improved with a parking garage and there are no plans for its relocation, and that he believes that a transfer of development rights to 403 Lafayette Street from 27 East 4th Street is not possible.

The New York State Assembly Member for the area expressed concern about the impact of the proposed development on the Merchant's House Museum and asked the Commission to deny the application. She said that the proposed development is out of context and that a DOB permit would be insufficient to protect the museum. The Assembly Member reiterated the recommendation of the Borough President that the developer should instead construct on the alternate lot under its ownership.

A representative of the Manhattan Borough President testified in opposition to the project, stating that the proposal must first demonstrate minimal adverse effects on conforming uses in the surrounding area, carefully considering the interior and exterior of the museum. The speaker said that DPR has not undertaken a capital needs assessment of the building and claims that such an assessment is needed. The representative stated that the Borough President believes that the lot at 403 Lafayette Street, under the same ownership as the subject site, is eligible to receive development rights from 27 East 4th Street and is a more appropriate site for a hotel use. Several other speakers reiterated this recommendation.

The executive director of the Historic House Trust spoke from a neutral perspective. He pointed out the likely need for the house to close and collections to be removed, which would interfere with the museum's public mission. He believed that a necessary precondition survey would require funding of at least \$1 million and a lengthy procurement process, if completed by the City. He stated that the goal must be to proactively prevent damage to the museum.

There were 17 speakers who opposed the application, including representatives of Community Board 2's Land Use and Housing Committee, the Greenwich Village Society for Historic Preservation, the Historic Districts Council, the Municipal Art Society of New York, and staff and

volunteers of the Old Merchants House of New York, Inc. Community members and professionals affiliated with the museum, including architects, an interior designer, engineer, and a land use attorney also contributed testimony.

The Co-Chair of Community Board 2's Land Use and Housing Committee reiterated the Board's recommendation and described testimony against the project during its public hearing. A museum staff member said that 5,200 signatures in opposition to the proposal had been gathered on change.org.

Some speakers said that a hotel use is undesirable in this location. The massing of the proposal was also described by some as inconsistent with the character of the neighborhood. An engineer retained by Old Merchants House of New York, Inc. said that the criteria of TPPN 10/88 applies to typical structures in typical condition, and that the museum is exceptional in both respects. One speaker stated that nothing that would endanger the museum should ever be built on the site.

The museum's executive director stated that a site east of the building was demolished by bulldozer in 1988, damaging the building and interrupting its operation for two and a half years. Several speakers also cited a more recent pipeline project on the vacant site to the east, stating that it damaged the building and illustrated the insufficiency of existing regulations.

Several speakers objected to the narrow applicability of the proposed zoning text amendment.

A resident of 25 East 4th Street said that contrary to the applicant's comments, the building's lot line windows date back to at least 1960, provide light, air and emergency exit for bedrooms, and had been approved by DOB.

CONSIDERATION

The Commission believes that the grant of this special permit (C 170116 ZSM), in conjunction with the related applications for a special permit to modify bulk regulations (C 170117 ZSM) and a zoning text amendment (N 170115 ZRM), is appropriate.

The application, along with related actions, would facilitate the redevelopment of the site at 27 East 4th Street with an eight-story hotel or commercial building with ground floor restaurant use in the NoHo neighborhood of Manhattan. The proposed development is consistent with the character of the surrounding area.

The Commission believes that the requested use modification would not have adverse effects on the conforming uses in the surrounding area. The Commission recognizes that, over the years, NoHo has evolved from a primarily manufacturing district to a mixed-use area with a dynamic variety of retail, hotel, and residential uses. The proposed ground floor hotel or office lobby and restaurant uses are commonplace in the NoHo neighborhood and contribute to its active and vibrant character. The Commission therefore believes that the proposed restaurant use (Use Group 6) below the second floor of the building, and the placement of a hotel or office lobby (Use Groups 5 and 6, respectively) below the second floor to support hotel or office uses above the second floor are consistent with the uses occupying many of the surrounding buildings and the prevailing land use pattern found in the surrounding area.

The special permit to allow modification of the underlying M1-5B height and setback regulations (C 170117 ZSM) is appropriate. The proposed development would entail the demolition of the existing one-story brick and cinderblock building that is not a contributing structure to the NoHo Historic District Extension and would enable the construction of a building with a contextual street wall that is characteristic in the historic district. The proposed building design would rise without setback to 90 feet 10 inches, which is consistent with the buildings to the west of the site that are also in either the NoHo Historic District or NoHo Historic District Extension, and both rise to a little over 100 feet. Enforcing the existing height and setback regulations upon the site would require an initial setback distance of 20 feet at a height of 85 feet or six stories (whichever is less) and compliance with the sky exposure plane requirements. In the case of this site and the proposed building, the 20-foot setback would be required at the sixth-story (69 feet, 2 inches), which would introduce an uncharacteristic street wall design into the historic district. The LPC has determined that the proposed design, which requires height and setback waivers, is desirable in its relationship to the historic district, as reflected in the issuance of a certificate of appropriateness.

The proposed zoning text amendment (N 170115 ZRM) is appropriate. It will apply the provisions of ZR Section 74-712 to the subject property. Section 74-712 allows developers of certain lots in historic districts, including vacant lots and those with minor improvements, to obtain relief from use and bulk regulations via special permit. The proposed development site contains a one-story building on a slender lot in a historic district, and the Commission believes that the relief permitted in Section 74-712 is appropriate on the site and consistent with similar zoning text amendments for use and bulk modifications on lots within M1-5A and M1-5B districts in the NoHo and SoHo neighborhoods.

The Commission considered testimony related to how construction on the proposed development site might affect the museum, as well as letters received from City agencies. The Commission received a letter from DPR dated August 3, 2018 stating that, as the property owner of the museum, it would help coordinate with the applicant and Old Merchants House Inc. to enable a comprehensive pre-construction conditions survey of the museum's existing interior and exterior conditions to inform a monitoring and protection plan. DPR also stated its commitment to remain involved throughout demolition, excavation, and construction of the proposed development site to ensure that the monitoring and protection plan is adhered to and modified if necessary.

The Commission received a letter from DOB dated August, 6, 2018 stating that the NYC Building Code, specifically Chapters 17, 18 and 33, imposes obligations and responsibilities on the owner of construction sites to ensure safe and code compliant development. The letter also references that the proposed development site would be subject to TPPN 10/88, which provides procedures to avoid damage to historic structures from adjacent construction. In addition, DOB's Chief Engineer, in a presentation to the Commission, stated that it is commonplace for DOB to consider construction activity in similar circumstances and that DOB is well equipped to work with developers and landmark owners throughout the planning and construction phases.

The Commission received a letter from the LPC dated August 3, 2018 stating that there was much discussion during the LPC public hearing process about the risk of impacts to the exterior and interior of the museum, and that while the Landmarks Law (Section 25-307) does not require the LPC to consider impacts of work on buildings outside of the historic district, the LPC will consider

impacts of work on an individual landmark and did so in this case. The letter further explained that the LPC routinely approves new construction adjacent to historic buildings, and recognizes that such construction can occur safely and appropriately with procedures and tools such as TPPN 10/88 and a construction protection plan. The LPC also noted that the applicant is required, after receiving approval from the CPC, to submit the final DOB construction plans and filing drawings to the LPC for review. These materials include the Support of Excavation drawings and materials, as well as the construction protection plan.

The Commission notes that if the proposed development were constructed pursuant to the as-of-right zoning regulations, procedures regarding appropriate monitoring plans and safe construction practices would be in place through LPC and DOB. The Commission further notes that the discretionary nature of this action enables additional coordination and transparency among City agencies (including DPR, DOB, LPC, and CPC), than would be the case if the project were completed as-of-right. The Commission believes that the commitments by DPR, DOB, and LPC are appropriate for protecting the museum during construction on the proposed development site.

The Commission heard concerns that the zoning text amendment was too narrowly focused and resulted in a spot zoning. A spot zoning is defined as a legally impermissible manipulation of the City's power to enact zoning regulations in accordance with a well-considered plan. The Commission notes that in this case, the property owner seeks a text amendment to ZR Section 74-712 that would enable the site to apply for the use and bulk waivers afforded in that section. The Commission has modified Section 74-712 multiple times including in 2003 for 465 Broadway, in 2006 for 311 West Broadway, in 2013 for 300 Lafayette Street, and most recently in 2016 for 150 Wooster – all in Manhattan and within a one-mile radius of one another and the site. These approvals were similar to the subject proposal in that they provided a mechanism for underdeveloped sites to more fully contribute to the neighborhood context with its varied building heights and its uses that are predominantly buildings with dwelling units on the upper floors and retail uses on the lower floors or all commercial buildings. The Commission has therefore determined that the zoning text amendment does not constitute a spot zoning.

The Commission heard concerns that the lot line windows on the building at 25 East 4th Street were legally required for light and air for residential units. The Commission notes that a lot line window declaration for the property was agreed upon when the building was converted to Joint Living-Work Quarters for Artists in 1997. The declaration states that the windows along the easterly lot-line wall of the building will not be used as sources for any required light and air for residential units. It further provides procedures if a building is constructed on 27 East 4th Street for promptly sealing the windows and altering the affected units to ensure that the configuration does not require the use of lot line windows to light and ventilate any of the rooms.

The Commission heard a recommendation that the applicant instead build the proposed development on an adjoining site under the same ownership. It is beyond the purview of the Commission to require that an applicant look to an alternate site for redevelopment.

FINDINGS

Based upon the above considerations, the City Planning Commission hereby makes the following findings pursuant to paragraphs (a) and (b) of Section 74-712 (Developments in Historic Districts) of the Zoning Resolution, as amended in the report on the related zoning text amendment (N 170115 ZRM):

Such use modifications

- (i) have minimal adverse effects on the conforming uses in the surrounding area;
- (ii) are compatible with the character of the surrounding area; and
- (iii) for modifications that permit residential use, result in a development that is compatible with the scale of the surrounding area.

Such bulk modifications:

- (1) shall not adversely affect structures or open space in the vicinity in terms of scale, location and access to light and air; and
- (2) relate harmoniously to buildings in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action 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 Kalodop II Park Corporation for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 5 uses (transient hotel and accessory uses) and Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 8-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story building, on property located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension, Borough of Manhattan, Community District 2, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 170116 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following approved plans, prepared by SRAA+E Architecture & Engineering, P.C., filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-00	Zoning Analysis	January 19, 2018
Z-01	Zoning Lot Site Plan	January 19, 2018
Z-02	Zoning Ground Floor Plan	August 7, 2017
Z-03	Cellar Plan	January 19, 2018
Z-04	Bulk Waiver Plan	January 19, 2018
Z-05	Waiver Section	January 19, 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, operating 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 report and resolution 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, sub-lessee 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 170116 ZSM), duly adopted by the City Planning Commission on August 22, 2018 (Calendar No. 19), 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*
ALFRED C. CERULLO, III, MICHELLE DE LA UZ,
JOSEPH DOUEK, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN,
ORLANDO MARIN, LARISA ORTIZ, *Commissioners*

Terri Cude, *Chair*
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Susan Kent, *Second Vice Chair*
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Antony Wong, *Treasurer*
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COMMUNITY BOARD NO. 2, MANHATTAN

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May 25, 2018

Marisa Lago, *Chair*
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on May 24, 2018, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***27 East 4th Street** (between Lafayette Street and the Bowery) CPC has three ULURP #'s for proposed text amendment (N 170115 ZRM) and (170116 ZSM and 170117 ZSM) for two special permits to allow modifications of use and bulk to facilitate the development of an eight-story commercial building located within an M1-5B zoning district, in the NoHo Historic District Extension.

Whereas:

1. This is an application for one text amendment and two special permits under Section 74-712: one for height and setback modifications, the other to permit Use Group 5 (transient hotel and accessory uses) below the second story.
2. Approval will facilitate the construction of 28-room hotel with a 200-seat restaurant (Use Group 6C, not 6A or 12A) and lobby on the ground floor in an eight-story building, located in the NoHo Historic District Extension (M1-5B) that will rise without setback to a height of 90'-10". Request for no setback is one of the special permits sought.
3. As-of-right construction is restricted to a specific set of conforming uses that includes hotels and offices. As-of-right, the applicant could build a six-story hotel with the hotel lobby on the second floor.
4. On April 8, 2014, the LPC voted to approve the demolition of the existing one-story building located at 27 E Fourth St. and the design of the proposed building.
5. The Merchant's House Museum (1832), a New York City, New York State and National Landmark with a rubble foundation, is next door at 29 E Fourth St. It is an entirely unique, enormously treasured, and fragile and irreplaceable landmark and museum.

6. At the April 11 meeting of the CB2 Land Use committee, eight speakers and approximately 200 individuals opposed the application because of the possibility of massive and irreparable harm to the foundation, underpinning, and original plaster on the interior, as a result of the proposed demolition and construction.
7. John Krawchuk, executive director of the Historic House Trust, in his testimony, pointed out the following deficiencies and inaccuracies in the project EAS, which need to be investigated and, if true, rectified:
 - a. Page 6: The EAS application indicates there is no effect on a public resource, but the Merchant's House is, in fact, publicly-owned land under the jurisdiction of NYC Parks. Construction next door will likely require the house to close for an extended period of time and for the collections to be moved out of the house, preventing it from serving its mission as a public museum.
 - b. Page 7: Under Item 5 Shadows, the applicants answered "no" to Question b: Would the proposed project result in any increase in the structure height and be located adjacent or across the street from a sunlight-sensitive resource? In fact, there is a proposed increase in the height of the building to create a "street wall" and a public garden that relies on sunlight is located in the rear yard of the house. A full shadow study should be conducted.
 - c. Page 7: Under Item 6 Historic and Cultural Resources, the impact of construction and in-ground disturbance on the project site is of high concern for CB2. The design details and construction means and methods for the project site should be fully disclosed at this stage to determine the potential impacts to the house. Even significant monitoring, shoring and remedial stabilization work cannot really ensure the protection of the fragile structure and interiors next door.
 - d. Page C-1: Under Attachment C: Shadows, Definition and Methodology, the legend and map for the Shadows section describes the rear yard of the Merchant's House as a vacant lot. It is in fact a public garden on NYC Parks Dept. land. This section must include more details of the Merchant's House so that impacts are understood.
 - e. Attachment D: Under Historic and Cultural Resources, this section completely omits any reference to the landmark Merchant's House as an individual NYC Landmark and Interior Landmark listed on the National Register of Historic Places. This section should be revised and proper analysis conducted for significant and non-significant impacts of the proposed project on the Merchant's House.
8. These deficiencies and inaccuracies adversely affect the credibility of the applicant's other assertions and need to be investigated and rectified before any modifications of use and/or bulk are considered.
9. Credible testimony indicates that the proposed project will adversely affect structures and open space in the vicinity in terms of location and access to light and air, namely the Merchant's House Museum and its garden.
10. The bulk and use modifications are requested under ZR 74-712, but a text amendment would be required because the current text does not apply when existing lot coverage exceeds 40%.
11. The application for a text change does not provide credible land use considerations to explain why the 40% requirement should be changed for this single site. For example, no case is made that the property cannot be well-used as currently developed as a one-story building with full lot coverage, perhaps in conjunction with an adjacent property on Lafayette Street owned by the same party.

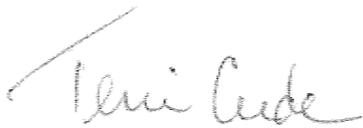
12. CB2 Manhattan has recommended approval of 74-712 text amendments in the past when strong land use arguments were presented and applicants have sought and obtained support from the surrounding community and immediate neighbors.
13. The proposed text change would affect no other sites citywide, and thus represents an effort to alter the zoning resolution to serve the private interests of the applicant exclusively, with no public benefit and with substantial potential harm to the Merchant House, an important public resource.
14. Neighbors spoke against the hotel use, which would be facilitated by the proposed modifications.

Therefore, CB2 recommends denial of the application for a text change and two special permits to facilitate the application for bulk and use changes under 74-712 unless and until the proposed development is modified so as to avoid all harm to the Merchant's House Museum as evidenced by support of the Museum board and the New York City Parks Department.

Vote: Unanimous, with 41 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Anita Brandt, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan



Frederica Sigel, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TC/jt

- c:
- Hon. Carolyn Maloney, Congresswoman
 - Hon. Brad Hoylman, State Senator
 - Hon. Deborah Glick, Assembly Member
 - Hon. Gale A. Brewer, Manhattan Borough President
 - Hon. Carlina Rivera, Council Member
 - Sylvia Li, Dept. of City Planning

Borough President Recommendation

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

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.

Application:

Docket Description:

IN THE MATTER OF an application submitted by Kalodop II Park Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 5 uses (transient hotel and accessory uses) and Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 8-story commercial building on a zoning lot that, as of December 15, 2004, is improved with a one-story building, on property located at 27 East 4th Street (Block 544, Lot72), within an M1-5B zoning district, in the NoHo Historic District Extension of Manhattan Community District 2.

COMMUNITY BOARD NO:

2

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



Gale A. Brewer
BOROUGH PRESIDENT

6/26/2018
DATE



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

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Gale A. Brewer, Borough President

June 26, 2018

**Recommendation on
ULURP Application Nos. N170115 ZRM, 170117 ZSM, and 170116 ZSM
27 East 4th Street By Kaladop II Park Corp**

PROPOSED ACTIONS

Kaladop II Park Corporation (“the applicant”) is seeking the following actions:

Zoning text amendment of Zoning Resolution Section 74-712 and associated special permits pursuant to Sections 74-712(a) and 74-712(b) to waive height and setback and use requirements. The requested actions will facilitate the construction of a new, 8-story building at the property located at 27 East 4th Street within the NoHo Historic District Extension in Manhattan Community District 2.

In evaluating the text amendment, this office must consider whether the proposed language meets the underlying premise of the Zoning Resolution of promoting the general health, safety and welfare of the city and whether the development it will facilitate would be appropriate to the neighborhood.

PROJECT DESCRIPTION

The project area consists of a single site located at 27 East 4th Street (Block:544 Lot:72). The property has 26.67 feet of frontage along East 4th Street and a depth of 128.83 feet, for a total lot area of 3,456 square feet. The site is mapped within an M1-5 zoning district and the site is also located within the NoHo Historic District Extension. The site currently has a 1-story building which is utilized for commercial storage, and will be demolished as part of the Proposed Development.

Background

The property located at 27 East 4th Street is mapped within an M1-5B zoning district and is within the NoHo Historic District Extension. In 1971, the City Planning Commission adopted zoning amendments which created the M1-5A and M1-5B districts. By permitting the conversion of underutilized loft buildings to artists' living-work quarters, the M1-5A/5B districts were intended to balance the needs of the artists that were moving into the SoHo area with those of the area's remaining manufacturing and warehouse uses. In 1976 the M1-5B district was extended to include NoHo. The M1-5A/5B zoning designations are unique to SoHo and NoHo. Although

these areas still play a vital role in the city's artistic life, over the past forty years they have evolved into more mixed-use communities with residential and commercial uses predominating. In 1973 the Landmarks Preservation Commission (LPC) designated the SoHo-Cast Iron Historic District. The NoHo Historic District was designated by the LPC in 1999. The NoHo Historic District Extension was approved by the LPC in 2008.

Proposed Development

The Proposed Development includes the construction of a new 8-story hotel with a ground floor restaurant. The proposed building is comprised of eight stories and rises without setbacks along its East 4th Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). The hotel component of this project includes three rooms per floor (on floors 2 through 8, inclusive) for a total of 21 hotel units. The ground floor will be primarily used for the proposed restaurant, with a small area that will include the hotel lobby. The cellar level will be for accessory uses related to the project.

Area Context

The proposed development is located within the NoHo neighborhood of Manhattan and is within Community District 2. The site is also located within the NoHo Historic District Extension. The surrounding neighborhood consists of buildings with varying heights, ranging from 2 to 35 stories.

Much of the surrounding area is within an M15-B zoning district which permits most industrial and several commercial uses as-of-right, although commercial uses such as Use Group 6 are not permitted below the level of the second floor. Joint Live Work Quarters (JLWQA) are permitted in existing buildings erected prior to 1961, provided that the lot coverage of such buildings does not exceed 5,000 square feet. The majority of the buildings in the area, constructed in the late 19th and early 20th centuries, were originally used for manufacturing and industrial purposes. They now largely contain dwelling units on the upper floors –JLWQA and traditional residential uses - and retail uses on the ground levels.

The area is well-served by public transportation. There are three bus lines in the vicinity: the M1 and M55 bus stops are approximately 0.2 miles away from the Proposed Development and the M103 bus stop is less than 500 feet away. The area is also 0.2 miles east from the Bleecker Street 6 train stop, which also provides access/transfer to the B/D/F/Q trains at Broadway/Lafayette.

Immediately to the west of the Proposed Development is an 8-story building that is permitted for JLWQA. Immediately to the east of the proposed development is the Merchant's House Museum.

Merchant's House Museum

The Merchant's House was built in 1832 and occupied in 1835 by the Treadwells, a wealthy family. The family continued to occupy the home over the next century. When the last immediate family member who occupied the home passed away, a distant relative purchased the house and transformed it into a museum in 1936, displaying all of the original contents of the home, including clothing and furnishings. In 1965 the Merchant's House Museum was designated a landmark at the first meeting ever convened of the Landmarks Preservation Commission. A year later, it was designated a National Historic landmark. In 1981, the interior of the Merchant House Museum was designated an interior landmark.

The landmark has had extensive repair work done over the years because of water damage and structural wear. In 1968, the museum was closed for over a decade due to water damage and underwent an extensive renovation, including restoration of furniture and reproduction of textiles that were damaged from water infiltration. The architecture and construction of the museum, combined with the changing streetscape has also made it vulnerable. The museum is a townhouse; when it was built in 1832, it was part of a row of townhouses, constructed all at the same time. Buildings of this kind rely on the neighboring homes to provide structural support and protection from water and wind damage.

Up until 1988, the museum had three townhouses to the east, providing protection from any potential damage or structural degradation. They were sold to a developer who intended to build a residential building and subsequently demolished, which caused extensive structural damage to the museum. This developer informed the museum that they would do a manual demolition, to minimize risk to the building. Instead, they demolished the buildings without a permit by using a bulldozer, which caused extensive damage, including a shift of the eastern wall, exposition of the shared party wall which caused extensive water damage, large cracks, and damage to the roof. As a result, the museum was closed again for nearly three years to repair the damage, which cost over \$1 million dollars, with the museum bearing more than half of this expense. In 1999, the museum building and land were deeded to the City of New York in order for it to become a member of the Historic House Trust, which is partnered with the New York City Department of Parks and Recreation to advocate for publicly owned historic sites throughout the city.

The residential building was never developed and the ownership of the site was transferred to the City of New York in 2005. The New York City Department of Environmental Protection (DEP) used the site as part of a water tunnel project. It is presently a vacant lot that will be turned into park space. While there is no longer a threat of development to the east of the museum, there is still no structural support to the east and an exterior wall not originally built for this purpose, is still exposed to the elements. Continual repairs will have to occur in order to maintain the wall and ensure that no water will infiltrate.

The applicant's site, located to the west of the museum, originally was a townhouse that was demolished in the 1940, and a single story garage was erected in its place. While it provides some support, most of the lateral support provided by the original townhouse on the site is no longer there. The museum has structural cracks and water damage due to this exposure on the western façade. Structural investigation reports provided by the museum from two separate engineering firms and an historic preservationist indicate any construction adjacent to the

museum could potentially cause extensive permanent damage. In a letter to LPC in 2012, Robert Silman Associates, a Structural Engineering firm, stated:

“We believe that any significant vibration or settlement will lead to some degree of plaster failure on this wall. Of course once the plaster fails, its historical value is lost forever. It is not enough for the neighboring property’s owner to say, even in the best of good faith, that they will repair any damage to plaster at their own expense. It would be too late; the damage would be irreparable.”

The firm also noted that due to the age and previous damage incurred by the building, generally accepted thresholds of vibration during construction of sites adjacent would have a deleterious effect on the museum, as it is not believed that the structure could withstand present-day vibration from any construction. This is corroborated by WJE Engineers and Architects, P.C., another engineering firm that investigated the site conditions in 2012.

In 2017, Jan Hird Porkorny Associates, P.C., a firm that specializes in historic preservation, performed another condition assessment of the western wall of the museum, which is adjacent to the applicant’s property. Several cracks were identified, as well as open joints at various locations in which water infiltration is occurring. The top floor of the museum is currently covered by a tarp to deter water infiltration, which the firm notes is no longer effective in that function. The firm has made several recommendations to remediate these issues, at an estimated cost of approximately \$350,000. This would only resolve the current condition of the western portion of the building and would not provide additional structural support or enhanced protection against future damage.

COMMUNITY BOARD RECOMMENDATION

Kaladop II Park Corporation presented their formal ULURP presentation of the proposed project at the Manhattan Community Board 2 Land Use Committee meeting held on April 11, 2018. Several concerns were raised, primarily with regard to the impact on the Merchant’s House Museum. Several speakers spoke in opposition to the proposed development because of the risk of construction on the museum.

At the full board meeting on May 24, 2018, the 41 members of the board present voted unanimously to deny the application unless the development is modified to avoid all harm to the Merchant’s House Museum, as evidenced by support of the Museum board and the New York City Department of Parks and Recreation.

BOROUGH PRESIDENT'S COMMENTS

This application comes to us because the zoning and the LPC requirement for development in the historic district appear to be in conflict. A building of the height proposed by the applicant would be as of right under the current zoning but would not meet the LPC requirement of a "harmonious relationship" to surrounding buildings because it would not maintain the street wall consistent with the historic district. In order for the applicant to obtain the required approval from the LPC, the proposed building requires a bulk waiver so that it can be relieved of the zoning setback requirement and satisfy the LPC. However, to satisfy the requirement of the special permit, the applicant must demonstrate to our satisfaction that the proposed development would have "minimal adverse effects on conforming uses in the surrounding area." ZR § 74-712(a)(2).

The necessity for this finding makes it impossible to divorce the proposed project from the fact that it is adjacent to the Merchant's House Museum, a historic landmark which is nearly 200 years old. The location of this proposed development in an historic district and adjacent to a beloved and fragile landmark (both interior and exterior) makes this very challenging. The museum is an historic house museum intended to showcase the lifestyle of a merchant family in the 1830s. Its exterior and interior landmarking, together with its collection of period furniture and objects, are part and parcel of its function. The age of the building, the structural condition and concern over the impact the construction of the proposed development could have on the exterior and interior of the museum building must be considered carefully.

While the applicant has been working with the museum since 2014 to mitigate any potential damage if its project were to proceed, there is still no agreement on whether or not these efforts would be effective or sufficient given the current condition of the museum building. We begin by pointing out that the owner of the land and museum building is the City's Department of Parks and Recreation (DPR). We recognize that the current condition of the western wall of the museum building with its cracks and water infiltration is not due to any action of the applicant and arguably should have been remedied by the City. In addition, the age of the building and its foundation, built on rubble, no doubt contributes to concerns of the museum's engineers that any construction vibrations could be harmful. Previous extensive damage resulted from a prior attempt (not by the applicant) at demolition and development to the east of the museum building. The applicant is in a difficult situation not of its own making.

In addition, there is still the issue of protecting the interior of the museum building, which is also landmarked. The interior walls of the museum are the original plaster, dating back to the 1830s, and according to consultants, are the museum's most historically significant feature. In order to protect the original plaster, the floorboards would have to be removed and interior scaffolding would be installed in order to provide a cushion to ensure that construction vibration would not damage the plaster, causing it to fall from the walls and ceilings.

Furthermore, according to the museum, the only way to ensure the items within the museum building are not damaged by the construction next door would be to close the museum for the construction period. This would require removal of the museum's collection in advance of the construction, and time allotted after construction to reinstall everything. The museum estimates this time to be two years, provided the construction is completed within 18 months as

projected. All of this would need to be completed by specialists and all items removed would require special storage. The museum estimates that the closure and interior protections would cost the museum in excess of two million dollars. This is a great expense that neither the applicant wishes to take on wholly nor does the museum have the capacity to bear.

At the present moment, DPR has not taken on any capital needs assessment of the museum's building and acknowledges that such an assessment is needed. We understand that DPR's position is they would like to see an assessment completed and any required protective measures undertaken before development begins. So it seems to me that before the current application is approved, an independent assessment conducted by an expert in historic properties must be conducted under the auspices of the DPR and the application not move forward unless a construction plan is developed that has an extremely high probability of success without damage to the museum. The City must have an ongoing role to ensure its proper implementation.

But before that occurs, I believe another route may prove advantageous and its immediate initial exploration should occur. During review of this application, it was discovered that the applicant also owns another property, 403 Lafayette Street (Block: 544 Lot:5). It is presently a 3-story parking garage. This site is also in the Noho Historic District Extension and is also within the same zoning lot as the development site. Preliminary conversations between this office and the New York City Department of City Planning (DCP) indicate that a transfer of development rights (TDRs) is possible depending on what the applicant were to propose to construct. LPC would also need to evaluate whether or not the proposed building at this new site with TDRs would be appropriate. This office believes the location of this alternate site is more appropriate for the hotel use sought by the applicant. While I sympathize with the applicant at the thought of starting over with a new site, this alternative could also benefit the applicant as it may be able to build a larger project. As a first step, representatives from LPC, DCP, the Community Board, elected officials and the applicant should meet immediately to assess the feasibility of this.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends disapproval of ULURP Application Nos. 170380 ZMM, and Zoning Text Amendment N170381 ZRM unless the following conditions are met:

The Applicant make all reasonable efforts to develop the project at 403 Lafayette Street, as the site would be more appropriate for development. The City of New York through its applicable agencies: Department of City Planning and Landmarks Preservation Commission, should assist the applicant in these efforts starting with an immediate meeting to assess the feasibility of this and;

If the applicant is unable to develop on the alternate site after exhausting all efforts, then the City of New York, through the Department of Parks and Recreation, should obtain an independent expert assessment that will develop a plan to ensure the structural stability of the museum building throughout construction of the project prior to final approval of the application. The City Planning Commission (CPC) should require a restrictive declaration as a condition of the 74-712 special permits. The restrictive declaration should include require the developer to

adhere to conditions and safeguards to minimize adverse effects on the adjacent Merchant House. The Department of Parks and Recreation should also be responsible for overseeing implementation of the conditions and safeguards, regularly performing assessments of the site and performing repairs and maintenance as needed, to ensure the stability of the museum building as a treasured landmark for generations to come.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive style with a large, looped initial "G".

Gale A. Brewer
Manhattan Borough President