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**IN THE MATTER OF** an application submitted by 62 Greene Owners Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-14D(2)(a) to allow retail uses (Use Group 6 uses) on portions of the ground floor and cellar of an existing 5-story building occupying more than 3,600 square feet of lot area, on property located at 62 Greene Street (Block 485, Lot 3), in an M1-5A District, Borough of Manhattan, Community District 2.

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This application was filed by 62 Greene Owners Corporation (“62 Greene Owners Corp.”) on February 17, 2017 for a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(a) to allow retail uses (Use Group 6) on portions of the ground floor and cellar of an existing five-story building located at 62 Greene Street (Block 485, Lot 3), within an M1-5A Zoning District, in the SoHo Cast-Iron Historic District, Manhattan Community District 2.

**BACKGROUND**

62 Greene Street is located on the east side of Greene Street between Broome and Spring Streets. The 4,800-square-foot site is improved with a five-story building with a lot coverage of 4,512 square feet and a built floor area ratio (FAR) of 4.76. The building was constructed in approximately 1881 and has a cast-iron street facade designed by Henry Fernbach. The upper floors of the building were converted to four Joint Living-Work Quarters for Artists (“JLWQA”) in 1981 and have been occupied by certified artists since that time. The ground floor has been leased for the last eight years to an establishment engaged in the sale of architectural building materials, a conforming Use Group 16 use. According to the applicant, the lease expires September 2017 and the tenant does not intend to renew the lease. The building is held in artist cooperative ownership.

62 Greene Street is located within an M1-5A zoning district, which allows up to 5.0 FAR for commercial uses and light manufacturing uses and 6.5 for community facility uses. For buildings in an M1-5A district with lot coverage greater than 3,600 square feet, the space below the floor

level of the second story can only be occupied by Use Group 7 (home maintenance and repair), 9 (business services), 11 (custom manufacturing), 16 (semi-industrial), or 17A, 17B, 17C, and 17E (light industrial) uses. Retail uses (Use Group 6) are not permitted below the level of the second story.

The project site is located in the SoHo neighborhood. Once a primarily manufacturing district, over the years the area has evolved into a mixed-use district. Today, buildings along Greene Street and in the SoHo neighborhood typically house retail stores, art galleries, eating and drinking establishments, and lighting/furniture showrooms/wholesalers on the ground floor. The upper floors of many buildings have been converted to JLWQA, Use Group 2 residential units, Interim Multiple Dwellings and lofts. The remaining buildings contain commercial offices and light manufacturing uses on their upper floors. Buildings within the immediate vicinity range from three to seven stories, including cast-iron elevator buildings and low-rise brick walk-up apartment buildings.

The applicant proposes to use 4,073 square feet of zoning floor area on the ground floor and 2,029 square feet of gross floor area in the cellar for Use Group 6 retail uses. The proposed development also includes a comprehensive restoration of facade, storefront, window elements, and masonry party walls.

On December 7, 2016, the Landmarks Preservation Commission (LPC) issued a report (LPC-190354, MOU 19-5877) stating that a program has been established for continuing maintenance, and that the proposed restorative work required under the program contributes to a preservation purpose. To facilitate the proposed development, the applicant requests the grant of a City Planning Commission special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of ZR Section 42-14D(2)(a), to permit the proposed retail use.

## **ENVIRONMENTAL REVIEW**

This application (C 170280 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 17DCP112M. 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 3, 2017, a Negative Declaration was issued on March 6, 2017.

## **UNIFORM LAND USE REVIEW**

This application (C 170280 ZSM) was certified as complete by the Department of City Planning on March 6, 2017, and was duly referred to Manhattan Community Board 2 and Manhattan 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 2 held a public hearing on this application on April 12, 2017, and on April 20, 2017, by a vote of 33 in favor, one opposed, and with no abstentions, adopted a resolution recommending approval of the application with the condition that there be no eating and drinking establishment tenant.

### **Borough President Recommendation**

The application was considered by the Borough President, who issued a recommendation approving the application on May 19, 2017, with the conditions that no eating and drinking establishment occupy the ground floor and/or cellar space, and that the applicant make a serious effort to work with the Department of Cultural Affairs and the Economic Development Corporation's Made in NY program to connect with cultural and creative organizations that might be appropriate for the ground floor and cellar space.

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

On May 10, 2017 (Calendar No. 15), the City Planning Commission scheduled May 24, 2017, for a public hearing on this application (C 170280 ZSM). The hearing was duly held on May 24, 2017

(Calendar No. 33). The applicant's land use counsel spoke in favor of the application, stating that the proposed project would satisfy the findings of the special permit, enhance the historic character of Greene Street, and support the artists that still reside in the building. There were no other speakers and the hearing was closed.

## **CONSIDERATION**

The Commission believes that the grant of this special permit (C 170280 ZSM) is appropriate.

The special permit to modify the use regulations of Section 42-14(D)(2)(a) would facilitate the conversion of the ground floor and cellar of an existing five-story artist co-op building located at 62 Greene Street into retail uses.

The Commission believes that the modification of use regulations to allow Use Group 6 retail use on portions of the ground floor and cellar of the building would not adversely affect any conforming uses within the building, as the current conforming tenant on the ground floor does not intend to renew its lease and will relocate to an upper floor space in Midtown Manhattan. The Commission also notes that the JLWQA units on the upper floors of the artist co-op building would not be adversely impacted by a retail use of modest size.

The Commission also believes that such use modification would not have adverse effects on the conforming uses in the surrounding area. The Commission recognizes that over the years, the surrounding SoHo neighborhood has evolved from a primarily manufacturing district to a mixed-use area with a dynamic mix of retail uses; offices; a variety of dwellings, including JLWQAs, residential lofts and Use Group 2 residences; and few remaining manufacturing and light industrial uses. The Commission notes that the buildings on Greene Street, between Broome and Spring Streets, already have many ground floor retail uses, including clothing stores, lighting/furniture stores, commercial art galleries, and eating and drinking establishments. The Commission therefore believes that the proposed Use Group 6 retail use on the ground floor of the building is consistent with the uses occupying most of the surrounding buildings along Greene Street, and the prevailing land use pattern found in the surrounding area.

Although not a condition of this application, the Commission is pleased that the applicant has committed, in a letter to the Manhattan Borough President, to working with the Department of Cultural Affairs and the Economic Development Corporation's Made in NY program to explore potential tenants that support arts and cultural organizations, but is aware that the applicant intends to find a tenant that can afford market rent to sufficiently support the maintenance and upkeep of the building.

The Commission is also in receipt of a report dated December 7, 2016 (LPC-190354, MOU 19-5877) from the LPC, 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 redevelopment and improvement of this building, to be facilitated by this special permit, will enhance the architectural and historic built fabric of Greene Street and the SoHo Cast-Iron 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) [This finding is not applicable; no bulk modification is being requested]
- (2) Such use modifications shall have minimal adverse effects on the conforming uses within the building and in the surrounding area.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the 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 62 Greene Owners Corp. 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 use regulations of Section 42-14D(2)(a) to allow retail uses (Use Group 6 uses) on portions of the ground floor and cellar of an existing 5-story building, on property located at 62 Greene Street (Block 485, Lot 3), in an M1-5A District, within the SoHo-Cast Iron Historic District, Borough of Manhattan, Community District 2 as follows:

1. The property that is the subject of this application (C 170280 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 Bone/Levine Architects, filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
G-02	Site Plan	2-15-17
Z-01	Zoning Analysis	2-15-17
A-01	Cellar Level Plan	2-15-17
A-02	Ground Floor Plan	2-15-17
A-03	Waiver Sections	2-15-17

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

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
6. Development pursuant to this resolution shall be allowed only after the restrictive declaration dated June 14, 2017, executed by 62 Greene Owners Corp., the terms of which are hereby incorporated in this resolution, shall have been recorded and filed in the Office of the Register of the City of New York, New York County.
7. 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.

8. 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 170280 ZSM), duly adopted by the City Planning Commission on June 21, 2017 (Calendar No. 18), 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*

**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**

**MICHELLE DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,**

**CHERYL COHEN EFFRON, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ**, *Commissioners*



Terri Cude, *Chair*  
Dan Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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April 21, 2017

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

Dear Ms. Lago:

At its Full Board meeting on April 20, 2017, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

**62 Greene Street** (between Broome and Spring Streets) DCP P2015M0282. The applicant requests a special permit 74-711 to permit conversion of the ground floor and cellar to retail use. No change proposed to the upper units.

### Whereas:

1. The applicant seeks to convert a portion of the existing ground floor and cellar (UG16) of this five-story building built in 1872 to commercial retail use.
2. The building's footprint is approximately 4,512sf; it has an FAR of 4.76.
3. In addition to the 2,540sf of JLWQA storage that will remain unchanged, there is another approximately 2,029sf of space in the cellar; there is approximately 4,073sf of warehouse and office space on the ground floor.
4. The latest Certificate of Occupancy (C of O) lists a boiler room and storage in the cellar, a warehouse and office on the first floor, and JLWQA units on floors two through five.
5. The LPC has issued a Certificate of No Effect for the proposed restoration work.
6. Since the year 2000, the City Planning Commission has granted 27 special permits for conversions to retail and/or residential uses in the surrounding area. In the same period of time, the Bureau of Standards and Appeals has granted nine variances for conversion to retail and/or residential.
7. Retail uses occupy 100% of frontages on both sides of Greene between Prince and Spring; 97.5% between Spring and Broome; and 100% between Broome and Grand. Fifty-eight percent of these stores are listed as retail on their C of O's.
8. The retail unit on the ground floor has been leased for the last eight years to a design center that sells interior and exterior architectural materials. Their lease expires in November 2017.

9. The upper floors of the building were converted to JLVQA in 1981 and all four of the artists who participated in that conversion remain tenants of the building, are the shareholders of the proposed retail space, and are in favor of the conversion.
10. The applicant is willing to place limitations in the lease regarding hours and noise to ensure that the residents above are not disturbed.

**Therefore**, CB2, Man. recommends approval of this special permit with the condition there is to be no eating and drinking retail tenant.

Vote: Passed, with 33 Board members in favor, and 1 in opposition (D. Diether).

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

Sincerely,



Terri Cude, Chair  
Community Board #2, Manhattan



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

TC/fa

- c:
- Hon. Jerrold L. Nadler, Congressman
  - Hon. Deborah Glick, Assembly Member
  - Hon. Daniel Squadron, NY State Senator
  - Hon. Gale A. Brewer, Manhattan Borough President
  - Hon. Margaret Chin, Council Member
  - Sylvia Li, Dept. of City Planning



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**Gale A. Brewer, Borough President**

**May 19, 2017**

**Recommendation on ULURP Application C 170280 ZSM – 62 Greene Street  
By 62 Green Owners Corporation**

**PROPOSED ACTIONS**

62 Greene Owners Corporation<sup>1</sup> (“the applicant”) seeks a special permit pursuant to Section 74-711 of the Zoning Resolution (“ZR”) to modify the use regulations to allow retail use on portions of the ground floor and cellar floors of an existing 5-story building located at 62 Greene Street (Block 485, Lot 3) in an M1-5A district within the SoHo-Cast Iron Historic District, in Community Board 2, Manhattan.

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

- 1) LPC has issued a report stating that the applicant will establish a continuing maintenance program for the preservation of the building and that such modification or restorative work will contribute to a preservation purpose;<sup>2</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>3</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.

**PROJECT DESCRIPTION**

The applicant seeks a special permit pursuant to ZR § 74-711 to allow commercial/retail (Use Group 6) on portions of the ground floor and cellar of an existing 5-story stylized Classical style store building.

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<sup>1</sup> 62 Greene Owners Corporation is comprised of four shareholders, artists and their partners, who occupy the four Class A Multiple Dwelling units at this property.

<sup>2</sup> The LPC issued a report, MOU (#19-5877) dated December 7, 2016.

<sup>3</sup> The LPC issued the Certificate of No Effect (#19-5859) on December 9, 2016.

The project site's lot area is 4,800 square feet, built with 22,843 square feet of floor area and a floor area ratio (FAR) of 4.76. The applicant proposes a change of use for a total of 6,102 square feet of floor area from light commercial/manufacturing use (Use Group 16) to commercial retail (Use Group 6). This includes 4,073 square feet on the first floor and 2,029 square feet of storage space in the cellar. The applicant proposes no change of uses to the JLWQA storage space in the cellar, boiler room space, and JLWQA lobby. There are no proposed changes to the upper floors including interior alterations nor changes to the dwelling unit count.

The project site is located within an M1-5A district which permits light manufacturing, commercial and community facility uses; joint-live work quarters are permitted as a light manufacturing use. Use Group 3A, 4-14, 16, 17 and 17D are permitted below the second story as-of-right. The manufacturing and commercial maximum floor area ratio (FAR) is 5.0 and the community facility FAR is 6.5.

### **Background**

The existing building was constructed as a store building for John Henderson in 1872. The building was designed by Henry Fernbach, a leading architect of cast-iron façades in the 1870s. The 1920 Certificate of Occupancy ("CofO") lists the ground floor use as a store and the upper floors as a factory use. In 1974, three of the four current artist-shareholders of the building purchased the building and by 1981, the four upper floors of the building became JLWQA, Class "A" Multiple Dwellings and occupied by Certified Artists.

From 1981 to the present, the CofO has listed the ground floor as Use Group 16 warehouse use and office. Since 2008, the ground floor of the building has been occupied by Trespa International's Design Centre, which functions as the lead showroom for the architectural material company with exhibits and events. By 2012, the company relocated their North American headquarters from California to the building with offices in the cellar. The company will vacate the building by November 30, 2017.<sup>4</sup>

On December 7, 2016 the Landmarks Preservation Commission approved restorative work to restore the building to a sound, first class condition, including restoration to the storefront, repair of the street façade, and maintenance to the rear masonry façade.

### **Area Context**

The project site is located in an M1-5A zoning district in the SoHo-Cast Iron Historic District in Community District 2, Manhattan. The SoHo-Cast Iron Historic District was designated by the Landmark's Preservation Commission in 1973 as an effort to preserve the city's cultural and historic heritage of the brick, stone, mixed iron and masonry commercial construction of the post-Civil War period. The SoHo-Cast Iron Historic District consists of 26 blocks containing 500 buildings and is the largest concentration of full and partial cast-iron façades in the world. The district is bounded by West Houston Street, Crosby Street, Howard Street, Broadway, Canal Street and West Broadway.

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<sup>4</sup> Within the Discussion of Findings in the application packet, the applicant states the tenant is not renewing its lease and will vacate when the current lease ends in June 2017. However, at a meeting with one of the building shareholder's on May 9, 2017, it was stated the tenant's lease was extended to November 30, 2017.

The project site is bounded by Spring Street to the north, Mercer Street to the east and Broome Street to the south. The block consists primarily of three to six-story commercial/office buildings with JLWQA units, Interim Multiple Dwellings or commercial office and light manufacturing on the upper floors. Most of the buildings along this street also contain retail frontage including several clothing boutiques, furniture showrooms and a fine art gallery. South and east of the site there is an M1-5B zoning district that is bordered by Broome Street to its north, Mercer Street to its east, and Canal Street to its south.

The project site is served by the Spring Street No. 6 subway line located at Broome Street and Lafayette Street just four blocks east and the B/D/F/M subway line is located three blocks north at East Houston Street and Crosby Street. Citibike bicycle stations are also located one block south at Grand Street and Greene Street and one block north of the site at Mercer Street and Spring Street.

### **Proposed Actions**

The applicant seeks a special permit pursuant to ZR § 74-711 to modify use regulations to permit retail use (UG 6) on portions of the ground floor and cellar of an existing 5-story building.

As described in the application materials, LPC's Certificate of Appropriateness and Certificate of No Effect reports, the proposed scope of work will ensure the building is maintained in a sound, first-class condition and reinforce the architectural and historic character of the building streetscape and the historic district. The approved work also includes: replacement of the upper stories' windows to historic two over two, repair of metalwork on the west façade and fire escape; scraping and repainting the west façade and fire escape to match the historic finishes; replacement of deteriorated and modern sashes; installing sashes with frosted glazing; replacement of metal doors at the window openings adjacent to the fire escape; realignment of doors to be square in their openings; removal of abandoned HVAC equipment; replacement of deteriorated brickwork; scraping and repainting of vault covers and cleaning the facades and sidewalk. The LPC found the proposed restorative work would return the building closer to its historic appearance and would reinforce the architectural and historic character of the building and the SoHo-Cast Iron Historic District.

### **COMMUNITY BOARD RECOMMENDATION**

On April 21, 2017, Manhattan Community Board 2 ("CB2") recommended approval of the application by a vote of 33 in favor, 1 in opposition, and 0 abstentions. CB2 stated their approval of this application is with the condition there is no eating and drinking retail tenant.

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

The special permit pursuant to ZR § 74-711 is a tool to modify use or bulk restrictions of the Zoning Resolution in order to make the ownership and preservation of historic buildings less financially burdensome. In order to grant the waivers associated with this special permit as a condition of approval, the applicant must ensure the property will be properly rehabilitated and maintained in perpetuity. The applicant for this special permit has proposed significant

restoration work of the building and the Landmarks Preservation Commission has determined that the restoration and maintenance plan will contribute to a preservation purpose. The findings under which this special permit may be granted, is that the modification must have a minimum impact on the conforming uses within the building and within the surrounding community.

Since shortly after taking office, I have repeatedly expressed concerns about the cumulative effects on the character of SoHo and NoHo from the application of this and other special permits to allow change in use. However, this building's occupancy and use history does not raise many of the concerns to which this office has become so sensitive to in other cases such as the loss of Joint Live Work Quarters for Artists (JLWQA) or other types of protected units. These special permits are typically used to turn loft buildings into luxury condominiums with ground floor retail to subsidize the costs of restoration but the purpose of this application is to help ensure these certified artists and their partners can remain in their units while covering the cost of necessary restorative work. In keeping with the purpose of this special permit, the use change for the first floor and cellar level will actually allow for the preservation of the building structure and use by and for certified artists and their families. Additionally, the physical structure was purposely built for retail use and both the designation report, certificates of occupancy, and history of the building conclude that a form of retail use has been present for most of the building's existence.

In a meeting between the applicant and my office, one of the shareholders stated that not only has it been difficult to attract a conforming user at the price necessary to sustain the building, but that a potential tenant withdrew after being lured by a developer of a neighboring building a few blocks away who was offering a monetary incentive. The shareholder indicated that the cooperative association, made up of certified artists or their family members, is not in a position to offer financial incentives or build out space for tenants. However, the shareholder stated her desire to have a tenant within context of the existing character along Greene Street and a willingness to work with non-profit artist organizations and reach out to the Department of Cultural Affairs and the Economic Development Corporation's Made in NY program in an effort to connect with cultural and creative organizations that might be appropriate for the ground floor and cellar space (see attached letter).

I still have concerns about how these land use actions will continue to impact the landscape of the SoHo and NoHo neighborhood's without a holistic, comprehensive framework moving forward but this application meets the conditions and findings for a special permit for a use modification pursuant to ZR § 74-711. The proposed uses are appropriate and will not adversely impact existing surrounding uses and the restoration of the building's significant features will ensure that another building in the historic district is maintained in perpetuity.

## **BOROUGH PRESIDENT'S RECOMMENDATION**

**Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 170280 ZSM under the condition that no eating and drinking establishment occupy the ground floor and/or cellar space; and under the condition that the applicant make a serious effort to work with the Department of Cultural Affairs and**

**the Economic Development Corporation's Made in NY program to connect with cultural and creative organizations that might be appropriate for the ground floor and cellar space.**

A handwritten signature in black ink that reads "gale A. Brewer". The signature is written in a cursive, lowercase style with a large initial 'g'.

Gale A. Brewer

Manhattan Borough President