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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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July 19, 2019

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

Dear Ms. Lago:

At its Full Board meeting on July 18, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

**\*419 Broadway** (on the corner of Canal St.) and also known as **301 Canal St.** – DCP 190250 ZSM is an application for a special permit pursuant to ZR Section 74-711 to facilitate the construction of a new eight-story commercial office building with ground-floor and cellar retail use and the preservation of a three-story federal-era row house; a modification of Section 42-14D(2)(b) to allow UG 6 below the second floor; and a modification of Section 43-43 to allow the proposed development to encroach within the initial setback distance above the maximum front wall height of 85 feet.

### Whereas:

1. The project area is in an M1-5B zoning district that is in the SoHo-Cast Iron Historic District and the SoHo Historic District.
2. The tax lot in question was created in 2017 by merging three previously-existing tax lots, which correspond to three existing buildings: Lot 11 is a three-story, contributing building in the SoHo Historic District (known as 423 Broadway) with no Certificate of Occupancy (C of O) on record. Lot 1 is occupied by a two-story building with office over retail with no C of O; Lot 12 is occupied by a one-story retail building with a C of O.
3. The applicant proposes to demolish these last two buildings and construct a new eight-story building with internal connections to the historic building and containing UG 6 retail and UG 6 offices on the ground floor and UG 6 office above.
4. The proposed development would rise to its full height of eight stories, or 115 feet at the Canal St and Broadway street lines before setting back to accommodate mechanical and elevator bulkheads, hence the request for a modification of Section 43-43.
5. At completion, the FAR for the site would be 5, the maximum permitted for commercial uses in M1-5B.

6. The vast majority of properties within 600 feet of the development site date from the 19th century and have been improved with commercial or mixed-use residential and commercial buildings with retail on the ground floor.
7. The architect informed the committee that there will be 5,170sf of retail space on the ground floor, and 3,070sf of retail space in the cellar, excluding the lobby and mechanicals.
8. The Land Use committee favored the applicant's suggested division of the retail space into three smaller spaces with access on Broadway. However, the applicant suggested that deliveries would occur on Canal St., i.e., in front of the two subway entrances and the entrance to the office space. Not only is the sidewalk narrow all around the site, but it narrows further in front of the proposed delivery zone, and near the corner, it is encumbered with two subway staircases, two light posts and a fire hydrant--which already leads to bottlenecks and crowding.
9. The Canal St. subway stop of the N/Q/R lines has no ADA access; the nearest MTA elevator is at Lafayette and Canal Sts., which is more than 500' away and serves only the northbound line, offering no accessible transfer between the northbound and southbound platforms.
10. During the CPC Review Session for 419 Broadway, Commissioners Levin and de la Uz raised the issue of subway station access, calling the proposed plan that leaves subway stairs on the public sidewalk, a "missed opportunity." The Commissioners noted that when possible, the Commission looks to include better access to the subway. Indeed, it is City policy as stated by MTA President Andy Byford and noted in the MTA's May 2018 [Fast Forward](#) Plan.
11. During the Land Use committee meeting, several members of the public spoke to the need to improve pedestrian circulation on the corner of Canal and Broadway and the need for ADA accessibility. CB2 received correspondence from the public on this subject as well.

**Therefore, CB2 recommends:**

- 1. Denial of the modification (Section 42-14D (2)(b)) to allow UG 6 retail below the second floor unless the applicant agrees to insert provisions in the retail leases that:**
  - a. Restrict deliveries to daytime hours and prohibits the retail tenants from blocking the sidewalk with garbage and deliveries.**
  - b. Prohibit illuminated or animated signage in the retail spaces.**
- 2. Denial of the bulk waiver (Section 43-43) unless the applicant works with the MTA to see that an entrance (preferably ADA-compliant) is incorporated into the building to ameliorate the worsening congestion that will be caused by the increased number of pedestrians directly generated by the retail and office uses of the proposed building.**

Vote: Passed with 34 Board members in favor and 1 Board members opposed (J. Liff).

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

Sincerely,



Carter Booth 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

CB/jt

- c: Hon. Jerrold Nadler, Congressman  
Hon. Brian Kavanagh, State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Gale A. Brewer, Manhattan Borough President  
Hon. Margaret Chin, Council Member  
Andrew Cantu, Dept. of City Planning

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July 19, 2019

Margery Perlmutter, Chair  
NYC Board of Standards & Appeals  
40 Rector Street, 9th Floor  
New York, New York 10006-1705

Dear Chair Perlmutter:

At its Full Board meeting on July 18, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

**\*277 Canal St.** (on the northeast corner of Canal St. and Broadway) - BSA Cal. No. 25-09-BZ is an application filed pursuant to Section 73-36 that seeks the extension of the term of previously-granted special permit for a term of ten years to permit the operation of a physical culture establishment. This application also seeks a change of operator from Champion Fitness to UFC SoHo Gym.

### Whereas:

1. The site is in a M1-5B district and within the SoHo-Cast Iron Historic District.
2. The site has a total lot area of 9781sf and contains a three-story, 29,880sf commercial building.
3. The PCE is located on the third floor.
4. On June 23, 2009, the Board approved the legalization of a 9960sf PCE operated by Champion Fitness. At that time, the board determined that the PCE would neither alter the essential character of the surrounding neighborhood; impair the use or development of adjacent properties; nor be detrimental to the public welfare.
5. The conditions within the building and the neighborhood are essential unchanged since then. Furthermore, UFC SoHo Gym's use of the space is in full compliance with the terms of the board's original approval.
6. The term of the approval expired on November 23, 2018 and now the applicant is looking for a ten-year extension and a change in name of the operator.
7. Requested hours of operation are 6am to 11pm, seven days a week.
8. The site is developed and operated in accordance with the BSA-approved plans and resolution with the exception of the certain aspects of the fire safety system. Operator is still in discussion with the Fire Department as to the details of this system.
9. There are three open violations on the building, which are unrelated to the PCE.

10. The building has a Certificate of Occupancy.

11. No one from the neighborhood appeared to speak against the application.

**Therefore, CB2 Manhattan has no objection to the granting of the ten-year extension or the change in operator.**

Vote: Unanimous, with 35 Board members in favor.

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

Sincerely,



Carter Booth 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  
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