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Antony Wong, *Treasurer*
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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

November 21, 2014

Carl Weisbrod, Director
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Mr. Weisbrod:

At its Full Board meeting on November 20, 2014, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

498 Broome St. Application 130066ZSM to the City Planning Commission by Goose Mountain NYC LLC for a special permit pursuant to ZR 74-711 to modify use regulations of 42-10 to facilitate a proposal to convert 6,295 gross square feet of floor area located on floors 2 through 6 of an existing six story vacant building from Joint Living Work Quarters for Artists (JLWQA) to Use Group 2 Residential. The building is located on Block 487, Lot 6, in an M1-5A district in the SoHo Cast Iron Historic District. The ground floor will be occupied by as-of-right Use Group 6 commercial uses.

A resolution recommending approval of the application if modified.

Whereas,

1. The application was presented to the committee by Frederick Becker of The Law Office of Frederick A. Becker, representing the applicant;
2. The existing five-story building, currently vacant, is located in an M1-5A zone in the SoHo Cast Iron Historic District;
3. Floors 2-5, prior to being vacated more than three years ago, were occupied by an artist's studio belonging to the building owner;
4. The application proposes Use Group 2 residential use on Floors 2-5 and new penthouse;
5. This application meets conditions required for a special permit under 74-711 including certifications from the Landmark Preservation Commission pertaining to permanent preservation of the building and having minimal adverse effects on the structures and open space in the vicinity;
6. The application also meets conditions regarding the maximum number of units in the building, in this case providing only four units when seven would be allowed;

7. The application states that the use modification will have minimal adverse effects on the conforming uses with the building and the surrounding area, but the application does not discuss the impact of the loss of JLWQA units;
8. The applicant refused a request from the committee to consider retention of JLWQA apartments or inclusion of affordable housing units;
9. The applicant assured the committee that rooftop air conditioning units would be mini-split units that run almost silently;
10. The stock of affordable housing in the district is in decline, with the continued loss of rent stabilized units;
11. JLWQA housing is a conforming use in the zone that when legally occupied provides residential units for artists with the rent and purchase levels reduced by the more limited market;
12. The loss of JLWQA units represents a loss of affordable housing for the district;
13. The loss of affordable units and artists housing has had a harmful impact on the character of the area by reducing the diversity of the residential population;
14. City policy now recognizes the negative impact of the loss of affordable housing causing a burden on residents and threatening the long term viability of the economy as well a diminishing the diversity in many neighborhoods;
15. In response to changing conditions in the neighborhood, CB2 favors mandatory inclusion of affordable units in all developments requiring special permits or variances;
16. Per 74-711, use modifications shall have minimal adverse effects on the conforming uses with the building and the surrounding neighborhood;
17. The development as proposed will cause the loss of conforming JLWQA units in the building and will promote and encourage continuation of the harmful trend that reduces the affordability of artists housing in the neighborhood and thereby harms the successful character of SoHo;
18. Per ZR 74-711, the City Planning Commission may prescribe appropriate additional conditions to enhance the character of the development.
19. The building floor plate is too small to allow for multiple units on one floor;

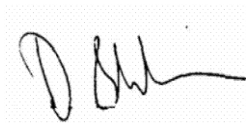
Therefore it is resolved that CB#2, Man.

- 1. Recommends APPROVAL of the use modification to allow Use Group 2 but only if appropriate additional conditions are prescribed to compensate for the loss of JLWQA units;**
- 2. Recommends that the proposal be modified to retain at least one JLWQA unit.**

Vote: Unanimous, with 49 Board members in favor.

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

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

DG/EM

c: Hon. Jerrold L. Nadler, Congressman
Hon. Sheldon Silver, Assembly Speaker
Hon. Deborah Glick, Assembly Member
Hon. Daniel Squadron, NY State Senator
Hon. Brad Hoylman, NY State Senator
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Edwin Marshall, Dept. of City Planning

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November 21, 2014

Mr. Kris Goddard, Executive Director
BID Program & Development
Department of Small Business Services
110 William Street, 7th Floor
New York, NY 10038

Mr. Carl Weisbrod
Director
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Messrs. Goddard and Weisbrod:

At its Full Board meeting on November 20, 2014, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

Meatpacking District Business Improvement District. Application to the City Planning Commission for a new Business Improvement District generally bounded by Horatio Street to the south, 8th Avenue to the east, 17th Street to the north, and 11th Avenue to the west, to provide services including sanitation, landscape maintenance and beautification, public safety, economic development, advocacy, and administration.

A resolution recommending approval of the District Plan for the Meatpacking Business Improvement District and a related Memorandum of Understanding (MOU), with changes.

Whereas,

1. The proposed District Plan for a Meatpacking Business Improvement District was presented to the committee by Laura Danziger, Executive Director of the Meatpacking Improvement Association, as part of the Business Improvement District Legislation Authorization Process;
2. This new Business Improvement Association is proposed to encompass 21 blocks, within Manhattan Community Districts 2 and 4, bounded by 17th Street to the North, Gansevoort and Horatio Streets to the South, West and Washington Streets to the West, and 8th Avenue to the East;
3. Consistent with the defined process for establishing a new BID, the District Plan was prepared by a Steering Committee including property owners, commercial tenants, elected officials, residents, community organizations, including representatives of the two affected Community;

4. Letters in support of the proposal were received by CB2 from Aurora Capital Associates, High Line Stages; Elite Investigations, Brass Monkey, Screen Shot, and Irene and Elizabeth Doyle;
5. Statements were made at the meeting in favor of the proposal on behalf of The Whitney Museum, Jamestown Properties, Friends of The High Line, 320 West 15th Street Owners, and Chelsea Market Baskets;
6. The president of the Jane Street Block Association spoke in favor of the proposal but expressed concern about insufficient influence of residents;
7. Two residents spoke in favor of the proposal based on improvements to the proposal made during consideration by the project Steering Committee;
8. Residents who participated in discussions resulting in the MOU spoke in favor of the plan generally but expressed concern that the priorities of the BID might not address the quality of life concerns of residents and some retail businesses;
9. There were no letters or statements from the public opposing the proposal;
10. Whereas the Legislation Authorization Process is as follows

ACTION MANDATED	TIME
1. Inter-Agency review by SBS.	Official Start
2. SBS submits district plan to City Planning Commission (CPC). SBS notifies City Council (CC) of submission of plan to CPC.	No mandated time: submission after steering committee and SBS finalize district plan.
3. CPC submits district plan to Community Boards (CB), Borough Boards (BB), and CC.	Within 5 days of receipt of district plan.
4. CB and BB hold hearings and make recommendations for the district plan, which are then taken to the CPC.	Within 30 days of receipt of plan from CPC.
5. CPC holds public hearings, makes recommendations, approves report, and sends report to the Mayor, the affected Borough President, the CC and City Clerk.	Within 60 days of the receipt of CB recommendation.
<p>6. CC introduces both a Resolution and Local Law (LL).</p> <ul style="list-style-type: none"> • Resolution contains the district plan and all information about the BID and sets the date for the Finance Committee hearing on the LL establishing the BID. • Local Law incorporates the BID plan (by reference), CPC, Borough President and CB recommendations, if any, and CC report. 	<p>Next stated CC meeting following the filing of a district plan with the City Clerk.</p> <ul style="list-style-type: none"> • CC must approve the Resolution. • Local Law is forwarded to Finance Committee for hearing. • Notice is published from 10 to 30 days before the Finance Committee’s hearing.

• CC Resolution or summary is published in the City Record and mailed to property owners.	
7. Finance Committee holds first hearing on BID LL. Hearing adjourns without vote.	Within the 10 to 30 day period after Resolution approved by full CC.
8. Mandatory objection period for affected property owners to file objections with the City Clerk.	30 days from close of Finance Committee's hearing.
9. Finance Committee holds second hearing to consider and enact BID LL.	No earlier than 30 days from the adjournment of the first Finance Committee's public hearing.
10. CC adopts BID LL.	Next stated CC meeting following Finance Committee's approval of BID LL.
11. Mayor signs BID LL at public hearing.	Mayoral public hearing within 20 days after CC adoption. Mayoral signing within 30 days (usually happens day of public hearing).
12. NYC sends statements regarding the financial impact of the proposed BID to State Comptroller for review and approval.	Within 20 days from the date of BID LL signing.
13. State Comptroller issues approval notification.	Within 60 days of receipt of statements.
14. SBS files LL with the City Clerk.	Within 10 days of receipt of State Comptroller's approval.
15. City Clerk publishes LL in the City Record.	Within 14 days of filing receipt.
16. Public has opportunity to seek judicial review.	Within 30 days from date of publication in the City Record.
17. SBS signs contract with District Management Association	As soon as 30 days after judicial review period.

Therefore it is resolved that CB#2, Man. recommends approval of the District Plan and MOU subject to amendment as follows:

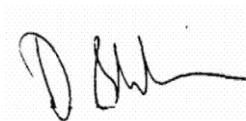
- 1. To assure full incorporation of the MOU into the bylaws and to commit the BID to a transparent process including a public hearing for approval and amendment of bylaws;**
- 2. To assure that the Board members elected by the Impact Areas Advisory Committee (IAAC) will be represented on the Interim Board and on any committee involved in writing or approving the Bylaws;**
- 3. To assure that the IAAC advisory board will be able to designate representatives to participate on BID subcommittees including but not limited to those concerned with Traffic, Public Safety, Sanitation, and Neighborhood Improvement;**

4. **To recognize the impacts of noise, traffic, and other nighttime conditions as harmful to the quality of residential life and balanced business activity and to prioritize nighttime public safety services and specify the budget for such services to focus on nighttime conditions as long as they remain unabated;**
5. **To include a commitment by the BID to preservation of the Gansevoort Market Historic District, and, in the Impact Area, the Greenwich Village Historic District, and generally to the quality and character of the neighborhoods.**
6. **To add a fifth goal to the Vision Statement of the District Plan for “a BID that recognizes its place within an historic district, respects its residential and small business neighbors, and supports the quality of life of the broader community;”**
7. **Consistent with the MOU, to avoid all BID-generated commercial and/or fundraising events in the plazas, and to avoid BID uses of any kind in parks, playgrounds, and Greenstreets.**
8. **To supplement the census information with more detailed data on the number of commercial property owners, residential property owners, commercial tenants, and residential tenants, and the amount of property represented by each group, so that different sectors within each membership class may be fairly represented on the Board;**
9. **To assure an appropriate balance of commercial and residential owners on the board.**
10. **To prohibit advocacy on behalf of individual owners or tenants before City or State agencies.**

Vote: Passed, with 43 Board members in favor, 3 in opposition (D. Ballen, A. Meadows, R. Sanz), 2 in abstention (D. Diether, S. Sweeney) and 1 recusal (D. Collins).

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

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

DG/em

c:

Hon. Jerrold L. Nadler, Congressman
Hon. Sheldon Silver, Assembly Speaker
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