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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

April 24, 2019

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

Gale Brewer
Manhattan Borough President
1 Center Street, 19th Floor
New York, NY 10007

Margaret Chin
City Councilmember Margaret Chin
101 Lafayette St., 9th Floor
New York, NY 10013

Dear Ms. Lago, President Brewer, and Councilmember Chin:

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

SoHo NoHo Planning Study - A resolution in response to a presentation by the sponsors of the SoHo NoHo Planning Study (Department of City Planning, Manhattan Borough President Gale Brewer, and Council Member Margaret Chin) and the open forum for public comment that followed. The resolution contains recommendations on how the planning study should be modified and provides a framework for CB2's participation in the process.

Whereas:

1. The same failed sense of history, lack of appreciation for art and architecture, ignorance of the roots of urban vitality, and lack of vision that led to the demolition of Penn Station in the 1960's also threatened SoHo and NoHo, the destruction of which would have precluded the great success of New York City in the post-industrial era.
2. The rescue and adaptive reuse of these two neighborhoods was led by artists, who built a special and internationally-renowned arts community that supercharged the real estate values here and beyond.
3. The long-term and stable regulatory framework for this success was a combination of the creative amendment of the M1-5A and M1-5B zoning texts, including the Special Permit requirements, the Loft Law, and the creation of the Historic Districts.
4. An assessment of the need for any changes cannot be properly conducted while existing regulations (such as limitations on size of retail stores) are not being consistently enforced.

5. Continued success of this established community depends on ensuring that the civic values that created it are always prioritized over individual property interests.

Therefore, CB2 recommends that any process intended to amend any part of the regulatory framework:

1. Must acknowledge the special and essential value of artists as community leaders and must sustain, protect and rebuild the community of artists living and working in SoHo and NoHo, whose contribution represents the heritage and soul of the neighborhoods.
2. Must recognize the great importance of not doing harm to SoHo and NoHo by making changes (such as consideration of legalizing unrestricted residential occupancy) that would further drive up the value of property or fundamentally change the underlying character of SoHo and NoHo, thereby displacing current artists and residents.
3. Must include artists and arts-related businesses as part of any advisory group or deliberative body.
4. Must limit its goals to the resolution of specifically-described issues and concerns.
5. Must be fully transparent if it is to earn the trust of the people who live and work here.

And further recommends that:

1. The Planning Study sponsors' current timeline for the publication of a report in June be substantially lengthened, with all emphasis on accuracy, not speed.
2. A mission statement should be created to guide this process.
3. Any work products produced by the sponsors should be based on accurate census data and information specifically collected for this planning study, and that data and information should also be made accessible to the public.
4. Detailed minutes of all closed-door meetings must be made public and, going forward, video recordings of all meetings should be made available online.
5. All future public meetings should be held at venues in SoHo and NoHo, and when possible, meeting flyers should be posted in advance throughout SoHo and NoHo.
6. Any report generated from this study should not recommend any specific actions, but should function only as a draft scope for public review and comment, identifying areas of concern and enumerating specific regulations that will be under consideration for change.
7. After comment is considered by the public, Community Board 2, and Advisory Group member organizations, a final scope should be created that will become the basis for further discussion.
8. The final report should lead with a description of the strengths of the neighborhood and the vulnerability of stakeholders to unintended consequences of change, most importantly the dislocation of artists and residents and changes to the character of SoHo and NoHo likely to be caused by such changes. It should enumerate and respond to all public comment during the draft stage.

Vote: Unanimous, with 36 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
Community Board #2, Manhattan

CB/jt

c: Hon. Brian Kavanaugh, State Senator
Hon. Brad Hoylman, Sate Senator
Hon. Debra Glick, Assembly Member
Hon. Corey Johnson, City Council Speaker
Hon. Carlina Rivera, City Council Member
Sylvia Li, Department of City Planning
Jonathan Martin, BFJ Planning (J.Martin@bfjplanning.com)

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April 22, 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 April 18, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***290 Mulberry St.** (on the southeasterly corner of East Houston and Mulberry Sts) - BSA Cal. No. 2019-23-BZ is an application filed pursuant to Section 73-36 for a special permit for a term of ten years to legalize the operation of a physical culture establishment/martial arts studio known as Martial Arts Family Studio.

Whereas:

1. The site is in a C6-3 zoning district within Subarea B (Houston St. corridor) of the Special Little Italy District and contains an 11-story plus cellar, mixed use, residential and commercial building.
2. The facility opened on September 15, 2018.
3. The PCE is located in portions of the cellar and first floor, with an entrance on the first floor on Mulberry St. ADA access is achieved on the first floor, but there is no ADA access to the cellar, where the facility contains only additional restrooms.
4. The site is well-served by public transportation.
5. Hours of operation are Monday to Friday, 9am to 9pm and Saturday/Sunday from 10am to 3pm and there will be 50-100 patrons per day.
6. The facility has an approved fire alarm system.
7. The facility has engaged the services of an acoustical consultant to draw up a plan for to eliminate noise and vibration. According to the applicant's attorney, these plans have not been implemented nor have there been any complaints.
8. As of Jan 31, 2019, there are no open DOB violations and one ECB violation that does not relate to the PCE.

9. The operation of the facility does not impair the essential character or future use of development of the surrounding area and is in keeping with the mixed-use character of the neighborhood.
10. There is no portion of the PCE on the roof.
11. There are no potential hazards that impact the privacy, light and air in the neighborhood.
12. The PCE will not interfere with any public improvement project or existing street system.
13. The building has a Certificate of Occupancy.
14. No one from the neighborhood appeared to speak against the application.

Therefore, CB2 Manhattan has no objection to this application.

Vote: Unanimous with 36 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
Community Board #2, Manhattan

CB/jt

- c:
- Hon. Carolyn Maloney, Congresswoman
 - Hon. Brian Kavanagh, State Senator
 - Hon. Deborah Glick, Assemblymember
 - Hon. Gale A. Brewer, Manhattan Borough President
 - Hon. Margaret Chin, City Councilmember