Disposition/Rezoning
West Concourse, Bronx

“House that Ruth built” to get new home

82-year-old Yankee Stadium and nearby public parks to be replaced by new stadium, park space and public parking. On April 5, 2006, City Council approved 11 Parks applications related to development of a new Yankee Stadium in the Bronx, including disposition of three parcels of land to the Economic Development Corporation.

The new stadium site on East 161st Street is immediately north of Yankee Stadium’s current site. The proposal included 15.82 acres of new public park space and four new parking garages. The plan required map amendments to designate new parkland and eliminate portions of surrounding streets, as well as an action by the State legislature to eliminate 162nd Street. The plan also required two special permits for parking garages, a concession for new tennis facilities, and City acquisition of a leasehold interest in the new stadium to facilitate the financing of the project. The Yankees will fund the entire cost of the new stadium, spending over $800 million, while the City and State will provide $160 million and $70 million respectively on nearby infrastructure and additional improvements.

Yankee Stadium, built in 1923 and remodeled in 1976, is outdated and lacks modern space for seating, press, food service, shops, restrooms and player training. The new stadium will accommodate 54,000 spectators, 2,298 fewer than the current stadium, but will allow for more spacious circulation, food service, media and security as well as a team store and Yankees history museum. The stadium will also have 60 suite boxes, up from 18 in the current stadium. The new sta- (cont’d on page 39)
Yankee Stadium: built in 1923, renovated in 1976, and rebuilt in 2006

This issue of CITYLAND leads with the Council’s approval of the Yankee Stadium project. The map of the project on page 39 details the locations of new parkland, ball fields, parking lots and stadium. The Council’s approval comes thirty years after the completion of the 1976 renovation of Yankee Stadium, which was commenced in the Administration of Mayor John V. Lindsay. That renovation in those difficult economic times was controversial and, in the end, cost about $100 million, some three to four times what the Lindsay Administration had estimated. The renovation kept the Yankees in the Bronx, but could not stem the tide of urban decay that marked that era.

Today the Bronx is on an upswing and the new project, which reaches beyond the walls of the stadium to involve parks, the waterfront and the community, comes at a more optimistic time. The costs in dollars will be more than ten times the 1976 expenses, with the Yankees obligated to pay the amortization on the City debt needed to finance the new stadium.

Bronx Borough President Adolfo Carrion, Jr., in his formal ULURP comment supporting the project, stated that the Yankee Stadium redevelopment will revitalize the surrounding residential and civic center areas. This time, there is more reason to believe that it will be so.

CITYLAND to be honored.

The Historic Districts Council each year selects an organization that, in the media, has shown support for historic preservation throughout New York City. This year, the Historic Districts Council selected CITYLAND for its “Friend in the Media” award. In its selection, the Historic Districts Council cited CITYLAND’s role in educating and informing the public about issues affecting land use in New York City. The award will be presented at the Historic Districts Council’s Annual Preservation Party on May 11, 2006 at St. Mark’s Church in-the-Bowery. All of us at the Center for New York City Law are honored and grateful for this recognition of CITYLAND. Ross Sandler
Arroyo, opposed the plan, criticizing nearly all aspects of the proposal and highlighting the Yankees’ reputation as a poor neighbor in the Bronx. Council Member Foster, a lifelong Bronx resident, said that she was adamantly opposed to the proposal and described herself as “a Yankee fan, but not a fan of the Yankees organization.” Council Members Thomas White and Charles Barron joined the Bronx

In its initial proposal, the Yankees proposed to maintain the existing stadium as a “heritage field” where little leagues and other groups could play by appointment. The Yankees revised the plan, however, and will demolish the existing stadium to accommodate new City parks that will replace two existing public parks eliminated by the new stadium. The revised plan will create 15.82 acres of parks on the site of the current Yankee Stadium, along the Harlem River waterfront and on River Avenue, 5.91 more acres of parkland than currently exists. On the site of the existing Yankee Stadium, Parks will construct three softball fields for use without an appointment. The waterfront park will include an esplanade, a comfort station and a 16-court tennis facility. The River Avenue park will include facilities for soccer, track, baseball and basketball.

Four new garages with a total of 4,769 spaces are planned, including a four-level, 1,300-space garage to the southwest along the Macomb’s Dam Bridge entrance; a three-level, 949-space garage five blocks to the south with retail space along River Avenue; a 920-space garage to the north, a majority of which would be reserved for Yankee players and staff; and a two-level, below-ground, 1,600-space garage with a park above to the south.

At a March 28, 2006 hearing of the Council’s Planning, Dispositions & Concessions Subcommittee, Parks Commissioner Adrian Benepe urged approval, saying that the plan would provide jobs, reinvigorate the area’s parks, and secure the Yankees’ presence in the Bronx for another 40 years. The Yankees have agreed to pay for all stadium maintenance. Currently the City pays to maintain portions of Yankee Stadium and projects that the current stadium will become unprofitable for the

In response to concerns raised by Subcommittee Chair Dan Garodnick, Assistant Parks Commissioner Joshua Laird noted that the plan would take measures to minimize construction time and provide temporary parks and parking until the project was complete.

The Council’s Bronx delegation, including Maria Baez, Helen D. Foster, and Maria del Carmen

Yankee Stadium, parking garages, and replacement parks plan. Image and information Courtesy of NYC Parks and STV.
Yankees Corporate President Randy Levine and Hall of Fame outfielder Reggie Jackson touted the jobs and financial investment the project would bring to the Bronx. Levine also expressed a desire to develop a binding community benefits agreement in which the Yankees would provide support for Bronx parks, education, and other community needs. Jackson admitted that the Yankees have not always been good neighbors, but urged the community to use the current opportunity to get the attention of Yankees owner George Steinbrenner. Council Member Foster commented that she would not sign a community benefits agreement.

When questioned about alternate plans, the Yankees argued that nearby Macombs Dam Park and John Mullaly Park provided the only feasible site in the Bronx for a new stadium, and that the footprint of the current site could not accommodate a modern stadium.

Other speakers in support included Bronx Borough President Aldofo Carrion Jr., union representatives, residents, and the local Chamber of Commerce, who argued that the plan would create jobs, improve parks, and build a neighborhood that, in conjunction with the nearby Bronx Terminal Market plan, would become a destination for tourists and other New Yorkers. Opponents to the plan came from Community Board 4, parks advocates, and residents, who criticized the construction timetable, scattered nature of the park replacement plan, and traffic impacts.

The Dispositions Subcommittee voted unanimously on April 5 to approve the proposal. That same day the Land Use Committee approved by a 22-1 vote with Council Member Barron voting against it. Later that day the full Council approved the plan by a vote of 45-2-2 with Council Members Barron and Foster voting against, and Council Members Letitia James and Rosie Mendez abstaining. Council Members Baez and Arroyo voted in favor of the plan after reaching a signed community benefits agreement in which the Yankees agreed to provide $2.3 million in job training, education and other community support to the Bronx. Arroyo also announced that her support was influenced by a pledge from Mayor Bloomberg and Governor Pataki to build a new Metro North railway station as part of the new development.

The Council’s Finance Committee scheduled a hearing for April 10, 2006 to allow comment on the plan’s PILOTS and tax-free bonds. Full Council review on the PILOTS and bonds is pending.

ULURP Process: Parks, as lead agency, issued a final EIS on February 10, 2006, which proposed environmental impact mitigation measures. Community Board 4 disapproved all 11 applications by a vote of 16-8-5. Borough President Aldofo Carrion Jr. approved on several conditions, including acceleration of the construction schedule and that the plans include a hotel, a sports industry high school, and a Metro North station. Following a public hearing with 28 speakers in favor and 32 opposed, the Planning Commission approved with 12 votes. Commissioner Irwin G. Cantor recused himself.

Council: Yankee Stadium (April 6, 2006); CPC: Yankee Stadium (C 060056 MMX – map amendment; parkland); (C 060057 MMX – map amendment; parkland); (C 060058 MMX – map amendment; parkland); (C 060059 MMX – map amendment; streets and parkland); (C 060144 PQX – acquisition of interest); (C 060145 PPX – disposition of property); (C 060146 PPX – disposition of property); (C 060147 PPX – disposition of property); (C 060148(A) MCX – concession, tennis courts); (C 060149 ZSX – special permit, garage); (C 060150 ZSX – special permit, garage) (February 22, 2006).
City Council approved a controversial application by 22 Caton Place Corporation to rezone two lots in Brooklyn’s East Windsor Terrace to facilitate a large residential development.

Catons’s original application received strong opposition from local residents, Brooklyn Community Board 7 and Borough President Marty Markowitz, who complained that the proposed 68-unit, 80-foot tall structure was too large for East Windsor Terrace and, further, that the developer provided no guarantee that, once rezoned, it would not construct an even larger development. Many residents complained about the cumulative impact of Caton’s development when combined with several other projects currently under construction and worried about the impact of dense development on the nearby Kensington Stables, which provides horse rides in Prospect Park.

Caton’s original application sought to rezone the lots from R6 to R7A to increase the floor area permitted on the sites and the overall height limit from 55 feet to 80 feet after a 15-foot setback. On the first lot at 22 Caton Place, this would increase the permitted residential floor area from 50,119 to 82,500 sq.ft. and facilitate Caton’s proposed construction of an 80-foot tall, 80,700-square-foot structure to replace the site’s vacant one-story manufacturing building. The second lot at 81 Ocean Park-place contains a six-story, 80-unit residential building that is 12,000 sq.ft. larger than permitted. The rezoning would bring the building into compliance.

Council followed the recommendation of the Planning Commission, approving a rezoning to an R7B district rather than the R7A zoning originally sought by Caton. With the modification, Council Member Bill de Blasio noted that Markowitz and the Community Board supported the proposal. The R7B zoning would allow development with a maximum total height of 75 feet and a maximum FAR of 3.0, allowing for roughly 55 units.

ULURP Process: The Planning Commission, as lead agency, issued a conditional negative declaration. Community Board 7 voted unanimously to disapprove by a vote of 30-0-0. Brooklyn Borough President Marty Markowitz disapproved, with the condition that the zoning designation be changed to R7B. The Planning Commission modified the application, approving an up-zoning to a R7B district.

Council: Caton Place (April 5, 2006); CPC: Caton Place (C050203 ZMK) (February 22, 2006).

Rezoning/Special Permit
Chelsea, Manhattan

Manhattan’s Toy Center to become apartments

Rezoning will allow Chelsea’s International Toy Center to be converted for residential use. 200 Fifth, LLC applied to rezone 200 Fifth Avenue and 1107 Broadway in Chelsea, Manhattan, to allow conversion of manufacturing/commercial buildings to residences with an expected 500 units. The buildings, located between Sixth Avenue and Broadway, along West 23rd and 25th Streets, are home to The International Toy Center and nearly 300 toy companies, many of which have been tenants since 1938. The map amendment would replace M1-6 with C5-2 on two blocks, permitting residential and commercial use without altering the FAR or height limits. 200 Fifth also applied for a special permit to construct a 54-space attended garage on the site to service the new residences.

At the February 8, 2006 Commission hearing, there were no speakers in opposition. Manhattan Borough President Scott Stringer’s representative, Anthony Borelli, advocated approval on condition that current tenants have access to the building for the February 2006 toy fair. The Toy Industry Association also spoke in favor and noted 200 Fifth’s agreement to allow tenants to remain for the toy fair and provide relocation assistance. A representative from the Economic Development Corporation spoke about its efforts to keep the toy industry in New York City by helping relocate the tenants.

The Commission approved the application on March 8, 2006 by a vote of 11-1 with Commissioner Karen Phillips voting against it. In approving, the Commission noted that recent development has changed the area’s character and that the City will benefit from additional housing without significantly disrupting the neighborhood.

ULURP Process: The Planning Commission, as lead agency, issued a negative declaration on November 14, 2005. Community Board 5 disapproved by a vote of 29-1-1. On January 18, 2006, newly elected Manhattan Borough President Scott Stringer recommended approval with conditions. City Council review is pending.

CPC: Madison Park West (C060210 ZMM – map amendment) (C060211 ZSM – special permit) (March 8, 2006).
Rezoning
Bayswater/Far Rockaway, Queens

Area rezoned to preserve one- and two-family homes

Residents sought rezoning to halt subdivisions and out-of-character residential development. On March 22, 2006, the Planning Commission unanimously approved a rezoning impacting 82 blocks of the Bayswater and Far Rockaway neighborhoods in Queens. The rezoned areas are predominately residential and border the Far Rockaway commercial district. The rezoning was proposed in response to overdevelopment concerns caused by the subdivision of large lots and replacement of one- and two-family homes with multi-family homes.

Existing R2, R3-2, R4, and R5 districts will be rezoned R1-2, R3A, R3X, R4A, and R4-1 to ensure that new development will match existing density and housing types. The new zoning restricts residential development to one- or two-family detached residences with height limited to 35 feet (R3A, R3X, R4A, and R4-1) or based on the sky exposure plane (R1-2). Minimum lot size requirements within the rezoning are 5,700 sq.ft. (R1-2), 2,375 sq.ft. (R3A and R4-1), 3,325 sq.ft. (R3X), and 2,250 sq.ft. (R4A).

At the Commission’s February 22, 2006 public hearing, speakers in favor of the rezoning, including neighborhood associations and residents, addressed the need to curb out-of-scale construction and prevent demolition of sound one- and two-family detached homes. Blaming overdevelopment and increased density, the Bayswater Civic Association reported traffic and sewer problems in the area. The Far Rockaway Neighborhood Association expressed concern over unreliable evacuation routes. Speaking in opposition, the owners of 13-50 Norton Drive testified that the new R1-2 zone unfairly included their lot and reduced its value.

The Commission unanimously approved the rezoning without modifications on March 22, 2006, finding that the rezoning will preserve the area’s low-density character and ensure consistent development in the future.

ULURP Process: The Planning Commission, as lead agency, issued a negative declaration. Community
Rezoning
Ozone Park, Queens
New DOT maintenance yard approved

Ozone Park DOT facility will have green components and noise buffers. The DOT sought a map amendment and site selection approval to allow construction of a new maintenance facility at 88-20 Pitkin Avenue in Ozone Park, Queens. The proposed 46,812-square-foot project site would require elimination of a portion of Linden Boulevard that has not been open to the public since the existing DOT facility was built in 1939. The site’s current facility, consisting of two dilapidated one-story brick buildings, would be replaced by a 24,153-square-foot, semi-industrial facility. The new facility would replace DOT’s current maintenance operations base located at the Glendale Yard facility in Forest Hills Gardens, Queens.

The neighborhood surrounding the project site is predominately developed with one- and two-family residential homes and multi-family walk-ups. Because the district’s R4 zoning does not permit semi-industrial use, the Mayor issued a zoning override on February 1, 2005 to allow DOT’s use.

No opposition appeared at the Commission’s public hearing on February 22, 2006. The Commission unanimously approved on March 22, 2006, finding that the replacement of an obsolete and dilapidated structure with a new structure including green components and aesthetic features was appropriate. The Commission noted that the facility would take adequate measures to minimize noise, light and traffic.

ULURP Process: DOT, as lead agency, issued a negative declaration for both applications on November 23, 2004. Community Board 10 and Borough President Helen Marshall approved. City Council review is pending.

CPC: Bayswater Rezoning (C 060259 ZMQ) (March 22, 2006).

Residential building OK’ed on narrow Chelsea lot

Opponents asked that owner re-use existing four-story building. Jack Ancona proposed to demolish a four-story, 3,375-square-foot building at 132 West 26th Street between Sixth and Seventh Avenues, replacing it with a twelve-story, 135-foot retail and residential project. Because the lot retained its manufacturing zoning, the proposal required a use variance.

CPC: Gateway Cathedral (C 060134 ZSR) (March 20, 2006).

SI church obtains approval for 941-car parking lot

Special permit is associated with major church addition. Gateway Cathedral, located on a 22.5 acre site at 200 Boscombe Avenue in Richmond Valley, Staten Island, applied for a special permit to allow a total of 941 accessory parking spaces. Gateway plans to expand its current 34,493-square-foot church by an additional 87,870 sq.ft. Once the expansion is completed, the church’s capacity will be 3,454 people, up from its current capacity of 820. The expansion plan also included a 12,648 square-foot addition to Gateway’s school, and construction of an outdoor athletic field and memorial gazebo garden.

Currently, Gateway has 225 accessory parking spaces. Under the expansion plan, the church must add an additional 250 parking spaces, for a total of 475 required parking spaces. Gateway, however, requested an additional 466 spaces bringing its total to 941.

At the Commission’s public hearing, five speakers appeared in favor and no one opposed. Gateway’s pastor stated that the church was in favor of widening nearby Richmond Valley Road, which Gateway partially owns, to accommodate the increased traffic that would result from the Cathedral’s expansion.

The Commission approved the application on March 20, 2006, finding that the site’s accessory streets will adequately handle the increased traffic. The Commission noted that Gateway had revised its plans to increase the width of Richmond Valley Road to a width of 45 to 65 feet.

ULURP Process: The Planning Commission, as lead agency, issued a negative declaration. Community Board 3 unanimously approved and Borough President James Molinaro approved with the condition that the width of Richmond Valley Road be expanded. City Council review is pending.

CPC: Gateway Cathedral (C 060134 ZSR) (March 20, 2006).

Special Permit
Richmond Valley, Staten Island

SI church obtains approval for 941-car parking lot

CITY PLANNING COMMISSION

CITYLAND
Ancona claimed that his site’s narrow 18-foot, 9-inch width made it unique and rendered manufacturing uses impractical. Ancona provided documents showing only six other lots less than 20 feet in width within the immediate eight-block radius. Unlike his lot, the six lots were adjacent to one another and could, Ancona argued, be grouped into one large development lot. Ancona also claimed that 40 percent of the surrounding buildings contained residential use, largely stemming from illegal conversions in the 1980s and the City’s residential rezoning of large portions of West 24th and West 28th Streets between Sixth and Seventh Avenues.

BSA found the narrowness of Ancona’s lot was unique, but requested that Ancona study the possibility of providing retail on the ground floor only, rather than the proposed two-story retail plan. Opponents argued that the existing four-story building could be retrofitted to accommodate a manufacturing use and asked BSA to require that the 2005 financial information submitted with Ancona’s original application be updated to reflect 2006 prices. In February 2006, the opponents, in a final submission, claimed that Ancona had provided false comparables and had understated the project’s income calculations. Ancona argued that viable retail space needed a second story since the bulk of the narrow first floor would be used for entrances and diminished the retailer’s presence on the street.

BSA rejected the opposition’s contentions, noting that Ancona priced the upper units at over $1,000 per square foot. BSA also noted that updating of financial data was not required, since Ancona had not argued that the existing building’s condition created a hardship. BSA accepted Ancona’s need for two-stories of retail and granted a variance for a 135-foot tall building with 12,886 sq.ft. of residential space and 3,332 sq.ft. of retail space on the ground floor and second story.

**BOARD OF STANDARDS & APPEALS**

**Building Permit/Appeal**

**Lincoln Square, Manhattan**

**BSA refuses to revoke Lincoln West’s cert. of occupancy**

*Upper West Side resident requested revocation of temporary certificates of occupancy for near-complete Trump development. BSA denied an application made by Olive Freud, on behalf of the Committee for Environmentally Sound Development, to rescind two temporary certificates of occupancy for The Heritage, a 31-story residential condominium on 240 Riverside Boulevard in Lincoln Square, Manhattan. The building is located within Trump Place, a 15-parcel, residential/commercial development along Riverside Drive South on Manhattan’s west side.*

After the Planning Commission approved the project in 1992, the developer entered into a mapping agreement with the City and received the required permits from BSA: 132 West 26th Street (77-05-BZ) (February 28, 2006) (Greenberg Traurig, LLP for Ancona).

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but Equinox’s Third Avenue gym occupies space on four stories.

In 1996, Equinox sought to legalize the gym space, applying to BSA for a special permit. Originally, the building had two full stories with L-shaped floors on the third and fourth stories. The Related Company, owners of 1511 Third Avenue at the time, built out full stories on the third and fourth levels, adding 4,400 sq.ft. of space. When Equinox applied for a special permit to legalize the gym, BSA ruled that the building exceeded its floor area limits and could not be legalized by special permit. Equinox altered the application, seeking a variance, which BSA denied.

Equinox then filed new applications to legalize the space, explaining that the 4,400 sq.ft. of space was leased to a community facility use, a legal use under the zoning code. BSA inspected the site and found that Equinox occupied the space that supposedly contained a community facility use and no wall partition or separate entrance existed.

Equinox again sought a special permit from BSA, claiming that it had designed separate egress for the community facility use, a legal use under the zoning code. BSA rejected the proposal and BSA denied it, finding that the layout did not provide a distinct separation between the gym and the community facility space.

In addition, the building’s owner had added more floor area under a separate Buildings permit, which encroached into the rear yard. Buildings had authorized the extra floor area for mechanical purposes, specifically for a water conservation device. A neighbor appealed to BSA, and when a site visit revealed that Equinox was using the space for laundry, BSA revoked the permit.

In 2005, Equinox proposed a new design for egress to the community facility space and sought new approval. The FDNY had no objections. BSA approved the permit, finally legalizing the gym.

BOARD OF STANDARDS & APPEALS

Variance
Greenpoint, Brooklyn

Owner withdraws Greenpoint variance application

Owner sought to convert industrial building to residential units. 202 Meserole LLC, owner of a three-story building located at the corner of Jewel Street and Meserole Avenue in Greenpoint, Brooklyn, sought a variance to convert the 15,960-square-foot building into 17 residential units.

In its BSA application, Meserole represented that the building was structurally incapable of supporting as-of-right manufacturing because the building was originally intended for residential use, and consequently had low ceilings and no freight elevator.

Brooklyn Community Board 1, by a vote of 37-0-0, urged BSA to reject the variance, noting that Greenpoint’s remaining manufacturing district was being invaded by market rate housing and loft conversions.

Following a hearing, BSA asked 202 Meserole to explain the discrepancy in the load bearing capacity given in an engineering report versus
the certificate of occupancy and, if structural weakness could be shown, for figures showing the additional expense of reinforcing the building to allow as-of-right uses.

At a subsequent hearing, BSA requested that Meserole corroborate its claim of insufficient load bearing capacity with documentation from Buildings. Following a meeting with Buildings, Meserole sought an adjournment to allow Buildings time to complete its assessment of the building. When BSA denied the adjournment, Meserole withdrew its application.

BSA: 100 Jewel Street (202-04-BZ) (Einbinder & Dunn, for 202 Meserole LLC).

BOARD OF STANDARDS & APPEALS

Variance
Bedford Stuyvesant, Brooklyn

Music studio wins variance

Former metal manufacturing plant will be converted into a music studio. The owner of 28 Quincy Street in Bedford Stuyvesant, Brooklyn proposed to convert a one-story warehouse into a private-use music studio with two newly-constructed, second-story residential units. Located on a 5,747-square-foot lot between Classon Avenue and Downing Street, the warehouse has most recently served as storage; it previously served as a garage and a metal manufacturing plant. The owner was permitted as-of-right to construct the second-story residential units, but required BSA approval to change from warehouse to studio use. The owner stated that the studio would be soundproofed and that no structural alterations would be made to the foundations or load bearing walls.

BSA approved after the owner agreed to remove graffiti from the building within 48 hours and limit the studio’s signage to a single two-by-three-foot sign.

BSA: 28 Quincy Street (648-42-BZ) (Sheldon Lobel, PC, for owner).

37 Bridge’s initial proposal for residential use included 60-units, a 1,200-square-foot courtyard and two additional stories atop the three-story portion of the building. BSA rejected the proposal and required that 37 Bridge remove the two additional stories. The developer submitted a revised plan for a 52-unit building without additional stories, but lacking accessory parking. It also provided a study showing that accessory parking was not feasible and a survey indicating insufficient off-street parking and mass transit to accommodate the new residential building.

BSA, recognizing the neighborhood’s increasing residential development, required that 37 Bridge obtain or lease 26 parking spaces for its residents’ use in garages or lots within a half-mile radius of the building. BSA also requested that 37 Bridge relocate a visually obtrusive external stairwell to the interior of the building; 37 Bridge agreed. Community Board 2 recommended approval of the residential conversion, and after an environmental study by BSA and DEP, a final plan was approved for a 52-unit structure that would not alter the building’s envelope.

BSA: 37 Bridge Street (289-04-BZ) (Howard Goldman, LLC, for owner).

BOARD OF STANDARDS & APPEALS

Variance
Sheepshead Bay, Brooklyn

BSA denied variance to Sheepshead Bay residence

Owner sought to enlarge one-family home. The owner of 2026 Avenue T, a 2,640-square-foot corner lot in Sheepshead Bay, Brooklyn, sought a variance to enlarge a 3,001-square-foot residence. The existing structure, already non-complying, is 1,020 sq.ft. larger than allowed in an R4 district.

Initially, the owner sought a special permit to enlarge the residence into the south side yard with an addi-
Landmarks approved controver-
sial three-story addition. At a March 7, 2006 meeting, Landmarks unan-
imously approved a three-story rear addition to an 1841 Greek Revival
top-story envelope. Commissioner Joan Gerner proposed that a provi-
sion be added to protect the yard’s elm tree that might be affected by
construction, which was also unan-
imously adopted.

LANDMARKS PRESERVATION
COMMISSION

Binding Report
Downtown Brooklyn

Kiosks and trailblazing signs
approved for downtown

Signs requested by MetroTech
BID and local businesses. Landmarks
issued a binding report approving
MetroTech BID’s proposal to install
“way finding signage” throughout
downtown Brooklyn. The proposal
developed more than three years ago
from a general consensus among
MetroTech and downtown Brooklyn
business groups that there was a lack
of signage in downtown Brooklyn to
assist pedestrians in finding key desti-
nations. Initially using its own funds,
and later obtaining capital funding
from Brooklyn Borough President
Marty Markowitz and the City Coun-
cil, MetroTech is now working with
the Economic Development Corpo-
ration to further its proposal.

MetroTech’s plan to install
kiosks and pole-mounted signs
throughout downtown Brooklyn
impacted six historic districts: Broo-
lyn Academy of Music, Brooklyn
Heights, Clinton Hill, Cobble Hill,
Fort Greene, and Fulton Ferry. The
kiosks will be approximately seven-
feet tall and two-feet wide and placed
at major pedestrian traffic locations,
such as subway and bus stops. They
will display a map directory on one
side and a detailed, area-wide map
on the other. Directional signs,
approximately two-feet square, will
be mounted on poles approximately
11-feet tall and will complete the sig-
nage system by providing directions
to specific locations.

LANDMARKS PRESERVATION
COMMISSION

Certificate of Appropriateness
Greenwich Village, Manhattan

Back yard addition to 1841
Village townhouse approved

Landmarks approved controver-
sial three-story addition. At a March 7,
2006 meeting, Landmarks unani-
mously approved a three-story rear
addition to an 1841 Greek Revival
building at 159 West 12th Street in the
Greenwich Village Historic District.
The initial plan, presented by Hot-
tenroth & Joseph Architects, called
for demolition of an existing two-
story addition and construction of a
new four-story addition approxi-
ately 1,300 sq.ft. larger.

At the hearing, the owners,
Donna and Paul Ullman, testified
that they respected historic preser-
vation, were restoring the building’s
facade, and had chosen an architect
who would be historically and con-
textually sensitive. The Ullmans,
who have two young children, also
said they had purchased the building
for its expandability. The Ullmans’
representative, Shelly Friedman of
Friedman and Gotbaum, testified
that the expansion would leave 40
feet of yard space, that no trees
would be harmed by the construc-
tion, and that the addition would not
be visible from public streets.

Public testimony opposing the
plan included Richard Davis, a
neighbor who claimed that the addi-
tion would block sunlight and views.
He called the addition a “threat to the
historical character of the Village,”
and stated that he had over 40 letters
from Greenwich Village residents
who opposed the project. Christabel
Gough of the Society for the Archi-
tecture of the City argued that “any
addition should leave the original
roofline,” and worried that a large
elm tree in the Ullmans’ yard
would be killed by construction.

Jennifer Sage from the City and
Country School, which abuts the Ull-
mans’ property, supported the proj-
ject and testified that she thought
the Ullmans’ addition and restoration
would be an asset to the neighbor-
hood. A representative from the
James Beard Foundation, located
across the street, found the addition’s
scale appropriate and also wel-
comed the facade restoration.

Landmarks approved the proj-
ect unanimously after determin-
ing that the top floor of the proposed
addition should not be permitted
in order to preserve the original

BSA: 2026 Avenue T (382-04-BZ) (Eric
Palatnik, PC, for applicant).

LANDMARKS PRESERVATION
COMMISSION

Certificate of Appropriateness
Greenwich Village, Manhattan

Back year addition to 1841
Village townhouse approved

Landmarks approved controver-
sial three-story addition. At a March 7,
2006 meeting, Landmarks unani-
mously approved a three-story rear
addition to an 1841 Greek Revival
building at 159 West 12th Street in the
Greenwich Village Historic District.
The initial plan, presented by Hot-
tenroth & Joseph Architects, called
for demolition of an existing two-
story addition and construction of a
new four-story addition approxi-
ately 1,300 sq.ft. larger.

At the hearing, the owners,
Donna and Paul Ullman, testified
that they respected historic preser-
vation, were restoring the building’s
facade, and had chosen an architect
who would be historically and con-
textually sensitive. The Ullmans,
who have two young children, also
said they had purchased the building
for its expandability. The Ullmans’
representative, Shelly Friedman of
Friedman and Gotbaum, testified
that the expansion would leave 40
feet of yard space, that no trees
would be harmed by the construc-
tion, and that the addition would not
be visible from public streets.

Public testimony opposing the
plan included Richard Davis, a
neighbor who claimed that the addi-
tion would block sunlight and views.
He called the addition a “threat to the
historical character of the Village,”
and stated that he had over 40 letters
from Greenwich Village residents
who opposed the project. Christabel
Gough of the Society for the Archi-
tecture of the City argued that “any
addition should leave the original
roofline,” and worried that a large
elm tree in the Ullmans’ yard
would be killed by construction.

Jennifer Sage from the City and
Country School, which abuts the Ull-
mans’ property, supported the proj-
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the Ullmans’ addition and restoration
would be an asset to the neighbor-
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LANDMARKS PRESERVATION
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Village townhouse approved

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BSA: 2026 Avenue T (382-04-BZ) (Eric
Palatnik, PC, for applicant).
In approving a master plan for the dimensions, colors and location of the kiosks and signage within the historic districts, Landmarks found that the signs would not detract from the architectural features of the historic districts, and that the placement of the signs and kiosks would not detract from nearby buildings, in part because the buildings were not individual landmarks. A limited number of kiosks on the street would not overwhelm the streetscape and signs would be limited to major thoroughfares and spread throughout the historic districts so as to not be visually overwhelming. Having already obtained approval of the proposal from DOT, MetroTech is now seeking design approval from the City Art Commission.

Landmarks Actions Taken in March 2006

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>LANDMARK/HISTORIC DISTRICT</th>
<th>DESCRIPTION</th>
<th>CASE</th>
<th>APP'D</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 7, 2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>147 W. 123rd St., MN</td>
<td>St. Paul's Lutheran Ch.</td>
<td>Remove stained glass windows</td>
<td>05-4597</td>
<td>Yes</td>
</tr>
<tr>
<td>200 E. Pkwy., BK</td>
<td>Brooklyn Museum</td>
<td>Construct addition</td>
<td>06-0509</td>
<td>Yes</td>
</tr>
<tr>
<td>459 Broadway, MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Const. roof add., inst. infill; Report to City Planning</td>
<td>06-0054; 06-4885</td>
<td>Yes</td>
</tr>
<tr>
<td>28 Wooster St., MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Install access lift</td>
<td>06-4372</td>
<td>Yes</td>
</tr>
<tr>
<td>686 Broadway, MN</td>
<td>NoHo HD</td>
<td>Alter facade</td>
<td>06-4542</td>
<td>Yes</td>
</tr>
<tr>
<td>838 Greenwich, MN</td>
<td>Gansevoort Market HD</td>
<td>Install wall sign</td>
<td>06-4845</td>
<td>Yes</td>
</tr>
<tr>
<td>28 L. W. 12th, MN</td>
<td>Gansevoort Market HD</td>
<td>Install infill</td>
<td>06-0631</td>
<td>Yes</td>
</tr>
<tr>
<td>15 Charles St., MN</td>
<td>Greenwich Village HD</td>
<td>Install infill, awnings</td>
<td>06-4712</td>
<td>Yes</td>
</tr>
<tr>
<td>159 W. 12th St., MN</td>
<td>Greenwich Village HD</td>
<td>Const. rear yard addition</td>
<td>06-4047</td>
<td>W/Mod</td>
</tr>
<tr>
<td>67 8th Ave., MN</td>
<td>Greenwich Village HD</td>
<td>Install infill</td>
<td>06-2817</td>
<td>Yes</td>
</tr>
<tr>
<td>409 W. 21st St., MN</td>
<td>Chelsea HD</td>
<td>Replace windows</td>
<td>06-4482</td>
<td>In Part</td>
</tr>
<tr>
<td>439 W. 21st St., MN</td>
<td>Chelsea HD</td>
<td>Alter area/way, inst. fence</td>
<td>06-3219</td>
<td>W/D</td>
</tr>
<tr>
<td>40 W. 23rd St., MN</td>
<td>Ladies’ Mile HD</td>
<td>Install flagpoles, banners</td>
<td>06-4232</td>
<td>No</td>
</tr>
<tr>
<td>765 Park Ave., MN</td>
<td>Upper East Side HD</td>
<td>Const. rooftop addition</td>
<td>06-4615</td>
<td>Yes</td>
</tr>
<tr>
<td>March 14, 2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>130 W. 42nd St., MN</td>
<td>Bush Tower</td>
<td>Create new window openings</td>
<td>06-3373</td>
<td>Yes</td>
</tr>
<tr>
<td>630 Fifth Ave., MN</td>
<td>Rockefeller Center</td>
<td>Alter infill</td>
<td>06-4806</td>
<td>Yes</td>
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<tr>
<td>Central Park, MN</td>
<td>Central Park</td>
<td>Enclose stable’s courtyard</td>
<td>06-2273</td>
<td>Yes</td>
</tr>
<tr>
<td>8 W. 70th St., MN</td>
<td>Shearith Israel Synagogue</td>
<td>Demo. house, const. new bldg.</td>
<td>03-2628</td>
<td>Yes</td>
</tr>
<tr>
<td>116 E. 80th St., MN</td>
<td>116 E. 80th St. House</td>
<td>Const. rooftop additions</td>
<td>06-2569</td>
<td>Yes</td>
</tr>
<tr>
<td>346 W. 89th St., MN</td>
<td>Isaac &amp; Julia Rice House</td>
<td>Alter yard, install fence</td>
<td>06-2454</td>
<td>Yes</td>
</tr>
<tr>
<td>32 Greene St., MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Const. roof add., inst. infill</td>
<td>06-3671</td>
<td>Yes</td>
</tr>
<tr>
<td>5 E. 64th St., MN</td>
<td>Upper East Side HD</td>
<td>Alter facade</td>
<td>06-4478</td>
<td>Yes</td>
</tr>
<tr>
<td>134 E. 70th St., MN</td>
<td>Upper East Side HD</td>
<td>Alter facade, inst. new windows</td>
<td>06-4324</td>
<td>Yes</td>
</tr>
<tr>
<td>760 Park Ave., MN</td>
<td>Upper East Side HD</td>
<td>Alter window openings</td>
<td>06-3602</td>
<td>Yes</td>
</tr>
<tr>
<td>48 Prosp. Pl., BK</td>
<td>Park Slope HD</td>
<td>Demo. rear facade, const. add.</td>
<td>06-4820</td>
<td>Yes</td>
</tr>
<tr>
<td>58 Strong Pl., BK</td>
<td>Cobble Hill HD</td>
<td>Const. additions, rep. windows</td>
<td>06-4442</td>
<td>Yes</td>
</tr>
<tr>
<td>March 21, 2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>217 W. 43rd St., MN</td>
<td>New York Times Building</td>
<td>Alt. entrance, make masterplan</td>
<td>06-5441</td>
<td>Yes</td>
</tr>
<tr>
<td>56 W. 66th St., MN</td>
<td>First Battery Armory</td>
<td>Install rooftop mech. equip.</td>
<td>06-4142</td>
<td>W/D</td>
</tr>
<tr>
<td>8 Bond St., MN</td>
<td>NoHo HD</td>
<td>Const. 7-story bldg.</td>
<td>06-5159</td>
<td>Yes</td>
</tr>
<tr>
<td>2 Fifth Ave., MN</td>
<td>Greenwich Village HD</td>
<td>Alter canopy, inst. lighting</td>
<td>06-5316</td>
<td>Yes</td>
</tr>
<tr>
<td>28 W. 8th St., MN</td>
<td>Greenwich Village HD</td>
<td>Legalize infill</td>
<td>06-3325</td>
<td>No</td>
</tr>
<tr>
<td>92 Perry St., MN</td>
<td>Greenwich Village HD</td>
<td>Install storefronts</td>
<td>06-2466</td>
<td>W/Mod</td>
</tr>
<tr>
<td>59 Horatio St., MN</td>
<td>Greenwich Village HD</td>
<td>Legalize infill</td>
<td>06-4843</td>
<td>Yes</td>
</tr>
<tr>
<td>415 W. 21st St., MN</td>
<td>Chelsea HD</td>
<td>Legalize windows, deck</td>
<td>06-4852</td>
<td>Yes</td>
</tr>
<tr>
<td>65 Ct. Pl., BK</td>
<td>Upper West Side/CPW HD</td>
<td>Enlarge window openings</td>
<td>06-3716</td>
<td>Yes</td>
</tr>
<tr>
<td>7 E. 63rd St., MN</td>
<td>Upper East Side HD</td>
<td>Redesign front facade</td>
<td>06-2509</td>
<td>W/Mod</td>
</tr>
<tr>
<td>20 E. 65th St., MN</td>
<td>Upper East Side HD</td>
<td>Const. bulkhead, install equip.</td>
<td>06-5549</td>
<td>Yes</td>
</tr>
<tr>
<td>917 President St., BK</td>
<td>Park Slope HD</td>
<td>Replace windows</td>
<td>06-5291</td>
<td>No</td>
</tr>
</tbody>
</table>

Designation

**New Brighton, Staten Island**

**One Pendleton Place designated**

High Victorian villa with English Rustic and Swiss styles. On March 14, 2006, Landmarks designated 1 Pendleton Place, located at 166 Franklin Avenue in the New Brighton section of Staten Island. Constructed in 1860, the house is a rare surviving example of a High Victorian picturesque villa incorporating elements of the English Rustic and Swiss styles. 2 CITYLAND 11 (Dec. 15, 2005). In approving, Landmarks Commissioner Robert B. Tierney remarked that the house was “an exceptional work of architecture with rich details and an impressive history.” The present owners undertook careful restoration of the home’s massed gabled roof, overhanging eaves, exposed rafters, decorative trusses, and prominent chimneys, receiving an award from the Preservation League of Staten Island.

LPC: Case No. 06-5375, Various Locations (March 10, 2006) (MetroTech BID).
City Planning Commission
New Brighton, Staten Island

Court reverses order compelling Commission vote

Staten Island landowners claimed delay prejudiced their development application. The three Putter brothers owned a six-acre tract of land in the West Brighton/New Brighton section of Staten Island. Their property was located within the Special Hillsides Preservation District, which requires landowners to obtain Planning Department permission to develop their property. In 1999, the brothers submitted an application to the Planning Department to develop their site with 60 affordable townhouses.

Over the next several years the brothers prepared an environmental assessment and continued discussions with Planning over their proposed plan. In early 2004, the brothers learned that the Planning Department was preparing zoning text amendments to establish the Lower Density Growth Management Area for Staten Island, which would conflict with their development plan. In March 2004, the brothers filed a revised application, but the Planning Department would not certify it until specific impediments were removed. At that point the application, if approved, would have avoided compliance with the new proposed LDGMA.

In early July 2004, City Planning informed the brothers that the Planning Commission had scheduled a public hearing and vote on the LDGMA within the month, and that it was unlikely that their application would be completed prior to adoption. Planning suggested that the brothers appear at the public hearing to request an amendment to the proposed text allowing for the grandfathering of applications filed and referred to the Community Board, but not yet acted on.

The brothers did not appear at the hearing, but instead submitted a revised, non-compliant application to the Planning Department, insisting that they were entitled to grandfathering because of delays in the processing of their application. After Community Board 1 recommended disapproval of the application, the brothers requested that the Commission vote on the application before the City Council could approve the LDGMA. The Commission denied the request, informing the brothers that it would not waive its usual processes.

On August 5, 2004, the brothers sought a court order requiring the Commission to vote on their application at its August 9 public hearing. Justice Faviola Soto granted the brothers’ motion and ordered the Commission to vote on their application. The City immediately appealed and Justice Soto’s order was automatically stayed. On August 12, 2004, the City Council adopted the LDGMA text amendments.

The First Department ruled that the lower court erred when it ordered the Commission to consider and vote on the brothers’ application. The court should not have taken away the Commission’s review powers or its power to manage its own calendar. The court found no reason to justify a preliminary injunction since the brothers could not have been irreparably harmed. Any delay they suffered was compensable through money damages. Even if the Commission wrongfully refused to grant the application, the brothers could have sought court permission to build their development.


LANDMARKS PIPELINE

Proposed Designations – March 2006

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>ACTION</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morse Building</td>
<td>10-14 Beekman St, MN</td>
<td>Heard</td>
<td>3/14/06</td>
</tr>
<tr>
<td>1 Pendleton Place</td>
<td>1 Pendleton Place, SI</td>
<td>Designated</td>
<td>3/14/06</td>
</tr>
<tr>
<td>American Telephone</td>
<td>195 Broadway, MN</td>
<td>Calendared</td>
<td>3/21/06</td>
</tr>
</tbody>
</table>

COURT DECISIONS

Condemnation
Upper East Side, Manhattan

Court allows late submittal of appraisal

Court considered local practice. To develop a 75-unit, low-income rental project, the City took title through eminent domain of property located at 1823 Madison Avenue, within the Milbank Frawley Circle East Urban Renewal Area. IM Gas Inc., the property owner, timely filed its notice of claim and an appraisal report, seeking compensation for the taking. When the City did not file its appraisal report within nine months after IM’s claim, IM moved for an order preventing the City from filing its appraisal report, claiming a trial would be delayed by the City’s inaction.

Justice Martin Schoenfeld allowed the City to submit its appraisal report, ruling that IM would not be prejudiced and the City would not be unduly advantaged. The court considered the local practice that parties customarily submit appraisals after a request for a mutual exchange of reports has been made. The court also found there would be no delay to trial since the City’s condemnation plan involved multiple parcels and the City filed eight months earlier.


April 15, 2006
## CITY COUNCIL

<table>
<thead>
<tr>
<th>RES. NOS.</th>
<th>PROJECT</th>
<th>DESCRIPTION</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>159</td>
<td>Cypress Homes, BK</td>
<td>Partial real property tax exemption</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>160</td>
<td>Allen Affordable, QN</td>
<td>Amend UDAAP by HPD</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>161</td>
<td>507 E. 26th St., BK</td>
<td>UDAAP by HPD</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>162</td>
<td>1151 Rogers Ave., BK</td>
<td>UDAAP by HPD</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>† 164-165</td>
<td>Greenpoint/Williamsburg FUCA, BK</td>
<td>Zoning text amendment; rezone 19 blocks</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>166</td>
<td>Cornerstone Site 1, MN</td>
<td>UDAAP by HPD (18 units)</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>† 167</td>
<td>Salem House, MN</td>
<td>UDAAP by HPD (48 units)</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>168</td>
<td>Oceanus/Brighton By The Sea, BK</td>
<td>Modify restrictive declaration</td>
<td>3/1/2006</td>
</tr>
<tr>
<td>207</td>
<td>Sunset Gardens Senior Housing, BK</td>
<td>Partial real property tax exemption</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>208</td>
<td>608 Wales Ave., BK</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>209</td>
<td>398 Lefrants Ave., BK</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>† 210</td>
<td>Petham Bay Rezoning, BX</td>
<td>Zoning map amendment (45 blocks)</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>† 211</td>
<td>Middle Village - Glendale Rez., QN</td>
<td>Zoning map amendment (161 blocks)</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>212</td>
<td>Café D’Alsace, BX</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<tr>
<td>213</td>
<td>158 Bleecker St., BK</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<tr>
<td>214</td>
<td>Odessa Apartments LLC, MN</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<tr>
<td>215</td>
<td>Acorn Homes, BK</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<td>216</td>
<td>251 Wilson Ave., BK</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<td>217</td>
<td>Central Harlem NHP, MN</td>
<td>UDAAP by HPD</td>
<td>3/22/2006</td>
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<tr>
<td>† 218</td>
<td>Seaman Cottage, SI</td>
<td>Landmark designation</td>
<td>3/22/2006</td>
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<tr>
<td>220</td>
<td>Westchester Square Rezoning, BX</td>
<td>Zoning map amendment (36 blocks)</td>
<td>3/22/2006</td>
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<tr>
<td>221</td>
<td>Phys. Culture/C1-8X Text Amend., MN</td>
<td>Allow gyms in C1-8X zones by BSA permit</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>† 222</td>
<td>Special West Chelsea FUCA, BK</td>
<td>Zoning text amendment</td>
<td>3/22/2006</td>
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</tbody>
</table>

## CITY PLANNING COMMISSION

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>DESCRIPTION</th>
<th>LOCATION</th>
<th>ULURP #</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yankee Stadium</td>
<td>Special permit (949-space garage); special permit (waiver of required rear yard); disposition of City-owned property; City map amendments; acquisition of interest in stadium property; operation of new tennis facility</td>
<td>BX 4</td>
<td>C060150ZSX; C060149ZSX; C060148AMCX; C060147PPX; C060146PPX; C060145PPX; C060144PQX; C060143MMX; C060142PQX; C060141MMX</td>
<td>2/22/2006</td>
</tr>
<tr>
<td>Madison Park West</td>
<td>Zoning map amendment (M1-6 to C5-2); special permit (54-space garage)</td>
<td>MN 5</td>
<td>C060212MM; C060211ZSM</td>
<td>3/8/2006</td>
</tr>
<tr>
<td>Union-Utopia Rezoning</td>
<td>Zoning map amendment (83 blocks)</td>
<td>QN 8</td>
<td>C060232MMQ</td>
<td>3/8/2006</td>
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<tr>
<td>Gateway Cathedral</td>
<td>Special permit (accessory parking)</td>
<td>SI 3</td>
<td>C060134SR</td>
<td>3/20/2006</td>
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<tr>
<td>DOT Headquarters</td>
<td>DOT office lease</td>
<td>MN 1</td>
<td>N060350PXM</td>
<td>3/22/2006</td>
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<tr>
<td>NYS Court of Appeals</td>
<td>NYS Court of Appeals office lease</td>
<td>MN 5</td>
<td>N060351PPX</td>
<td>3/22/2006</td>
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<tr>
<td>Atlantic Terrace</td>
<td>UDAAP by HPD (80 units); zoning map amendment (C6-1 to C6-2)</td>
<td>BK 2</td>
<td>C060171HAK; C060170PXM</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>Wazobia House</td>
<td>Special permit (community facility); UDAAP by HPD (43 units)</td>
<td>BK 3</td>
<td>C060195ZSK; C060194RAH</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>OEM Warehouse</td>
<td>Acquisition of property for warehouse</td>
<td>BK 4</td>
<td>C060078PQM</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>East Elmhurst Library</td>
<td>Acquisition of property for library expansion</td>
<td>QN 3</td>
<td>C060081HQ</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>DOT Sunrise Yard Maint. Fac.</td>
<td>Site selection for maintenance facility; City map amendment</td>
<td>QN 10</td>
<td>C050364PSO; C050363MMQ</td>
<td>3/22/2006</td>
</tr>
<tr>
<td>Bayswater Rezoning</td>
<td>Zoning map amendment (82 blocks)</td>
<td>QN 14</td>
<td>C060259ZSM</td>
<td>3/22/2006</td>
</tr>
</tbody>
</table>

## BOARD OF STANDARDS & APPEALS

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<tr>
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<th>CASE NO.</th>
<th>REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>341 Canal St., MN</td>
<td>Construct 6-story mixed-use building</td>
<td>W/D</td>
<td>289-04-BZ</td>
<td>Sheldon Lobel, PC</td>
</tr>
<tr>
<td>132 W. 26th St., MN</td>
<td>Construct 12-story mixed-use building</td>
<td>App’d</td>
<td>77-05-BZ</td>
<td>Greenberg Traurig</td>
</tr>
<tr>
<td>1511 Third Ave., MN</td>
<td>Legalize gym</td>
<td>App’d</td>
<td>180-05-BZ</td>
<td>Wachtel &amp; Masry</td>
</tr>
<tr>
<td>3543 Broadway, MN</td>
<td>Extend special permit (accessory parking)</td>
<td>App’d</td>
<td>111-94-BZ</td>
<td>Ari Goodman</td>
</tr>
<tr>
<td>117 Seventh Ave. S., MN</td>
<td>Extend special permit (phys. culture est.)</td>
<td>App’d</td>
<td>1-95-BZ</td>
<td>Francis Angellino</td>
</tr>
<tr>
<td>230 E. 124th St., MN</td>
<td>Extend time to complete construction</td>
<td>App’d</td>
<td>262-99-BZ</td>
<td>Sheldon Lobel, PC</td>
</tr>
<tr>
<td>240 Riverside Blvd., MN</td>
<td>Rescind two TCOs</td>
<td>Denied</td>
<td>189-05-A</td>
<td>James Periconi</td>
</tr>
<tr>
<td>3120 Heath Ave., BX</td>
<td>Extend variance term (parking lot)</td>
<td>App’d</td>
<td>384-74-BZ</td>
<td>Sheldon Lobel, PC</td>
</tr>
<tr>
<td>100 Jewel St., BK</td>
<td>Convert industrial bldg. into 17 res. units</td>
<td>W/D</td>
<td>202-04-BZ</td>
<td>Einblatt &amp; Dunn</td>
</tr>
</tbody>
</table>

*Bold indicates the decision is covered in this issue. The symbol † indicates that the decision was covered in a previous issue.*
**New Decisions Added to CITYADMIN www.citylaw.org – March 2006**

**BOARD OF STANDARDS & APPEALS (CONTINUED)**

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<tr>
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<th>DESCRIPTION</th>
<th>ACTION</th>
<th>CASE NO.</th>
<th>REPRESENTATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1426 Fulton St., BK</td>
<td>Special permit (gym)</td>
<td>App'd</td>
<td>150-05-BZ</td>
<td>Henry &amp; Dooley</td>
</tr>
<tr>
<td>1925 E. 21st St., BK</td>
<td>Enlarge 1-family res. (FAR, open space, yard)</td>
<td>App'd</td>
<td>164-05-BZ</td>
<td>Eric Palatnik, PC.</td>
</tr>
<tr>
<td>770 McDonald Ave., BK</td>
<td>Extend time to complete construction</td>
<td>App'd</td>
<td>617-80-BZ</td>
<td>Eric Palatnik, PC.</td>
</tr>
<tr>
<td>2508 Ave. J, BK</td>
<td>Extend time to complete construction</td>
<td>App'd</td>
<td>54-01-BZ</td>
<td>Fredrick A. Becker</td>
</tr>
<tr>
<td>2317 Ralph Ave., BK</td>
<td>Extend variance term (gas station)</td>
<td>App'd</td>
<td>7-57-BZ</td>
<td>Ruth Peres</td>
</tr>
<tr>
<td>37 Bridge St., BK</td>
<td>Convert manufacturing bldg. into residential</td>
<td>App'd</td>
<td>269-04-BZ</td>
<td>Howard Goldman, LLC</td>
</tr>
<tr>
<td>2026 Avenue T, BK</td>
<td>Enlarge 1-family res. (FAR, open space, yards)</td>
<td>Denied</td>
<td>382-04-BZ</td>
<td>Eric Palatnik, PC.</td>
</tr>
<tr>
<td>28 Quincy St., BK</td>
<td>Convert from warehouse to music studio</td>
<td>App’d</td>
<td>648-42-BZ</td>
<td>Sheldon Lobel, PC.</td>
</tr>
<tr>
<td>69-69 Main St., QN</td>
<td>Enlarge 1-family res., change use to comm. fac.</td>
<td>App’d</td>
<td>322-05-BZ</td>
<td>Eric Palatnik, PC.</td>
</tr>
<tr>
<td>20-17 Clintonville St., QN</td>
<td>Construct two, 2-fam. res. in bed of mapped st.</td>
<td>App’d</td>
<td>200-05-A; 201-05-A</td>
<td>Joseph Morello</td>
</tr>
<tr>
<td>198-02 Foothill Ave., QN</td>
<td>Construct 1-family residence (lot width)</td>
<td>App’d</td>
<td>137-05-BZ</td>
<td>Gerard Caliendo, RA</td>
</tr>
<tr>
<td>404 Bayside, QN</td>
<td>Enlarge 1-family res. not fronting mapped street</td>
<td>App’d</td>
<td>1-06 A</td>
<td>Zygmunt Staszweski</td>
</tr>
<tr>
<td>25 Janet Lane, QN</td>
<td>Enlarge 1-family res. not fronting mapped street</td>
<td>App’d</td>
<td>2-06 A</td>
<td>Zygmunt Staszweski</td>
</tr>
<tr>
<td>439 Hilcrest Ave., QN</td>
<td>Enlarge 1-family res. not fronting mapped street</td>
<td>App’d</td>
<td>3-06 A</td>
<td>Zygmunt Staszweski</td>
</tr>
<tr>
<td>42 Queens Walk, QN</td>
<td>Enlarge 1-family res. not fronting mapped street</td>
<td>App’d</td>
<td>7-06 A</td>
<td>Gary Lenhart</td>
</tr>
<tr>
<td>6 Cornell Lane, QN</td>
<td>Enlarge 1-family res. not fronting mapped street</td>
<td>App’d</td>
<td>198-05-A</td>
<td>Sheldon Lobel, PC.</td>
</tr>
<tr>
<td>460 Brielle Ave., SI</td>
<td>Construct telecomm. tower</td>
<td>App’d</td>
<td>329-05-BZ</td>
<td>Wireless EDGE</td>
</tr>
<tr>
<td>496 Bradford Ave., SI</td>
<td>Construct two, 1-fam. res. in bed of mapped st.</td>
<td>App’d</td>
<td>25-04-A; 26-04-A</td>
<td>Rothkug Rothkug</td>
</tr>
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**LANDMARKS PRESERVATION COMMISSION**

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<tr>
<th>ADDRESS</th>
<th>LANDMARK/HISTORIC DISTRICT</th>
<th>DESCRIPTION</th>
<th>CASE APP’D</th>
<th>ISSUED</th>
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<tbody>
<tr>
<td>29 E. 36th St., MN</td>
<td>Pierpont Morgan Library</td>
<td>Install plaques, signs, flagpoles</td>
<td>06-5822</td>
<td>Yes</td>
</tr>
<tr>
<td>346 W. 89th St., MN</td>
<td>Isaac &amp; Julia Rice House</td>
<td>Alter yard, install fence</td>
<td>06-6580</td>
<td>Yes</td>
</tr>
<tr>
<td>147 W. 123rd St., MN</td>
<td>St. Paul's Lutheran Church</td>
<td>Remove stained glass windows</td>
<td>06-6575</td>
<td>Yes</td>
</tr>
<tr>
<td>3101 Kingsbridge, BX</td>
<td>40th Precinct Station House</td>
<td>Construct addition</td>
<td>06-6329</td>
<td>N/A</td>
</tr>
<tr>
<td>319 Church St., MN</td>
<td>Tribeca East HD</td>
<td>Install infill</td>
<td>06-5637</td>
<td>Yes</td>
</tr>
<tr>
<td>112 Prince St., MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Construct rooftop addition</td>
<td>06-5985</td>
<td>Yes</td>
</tr>
<tr>
<td>700 Broadway, MN</td>
<td>NoHo HD</td>
<td>Install signs, awnings</td>
<td>06-6031</td>
<td>Yes</td>
</tr>
<tr>
<td>4 Charles St., MN</td>
<td>Greenwich Village HD</td>
<td>Alter rear facade</td>
<td>06-5894</td>
<td>Yes</td>
</tr>
<tr>
<td>314 W. 11th St., MN</td>
<td>Greenwich Village HD</td>
<td>Legalize sign</td>
<td>06-5879</td>
<td>Yes</td>
</tr>
<tr>
<td>67 Ave., MN</td>
<td>Greenwich Village HD</td>
<td>Install infill, replace brownstone</td>
<td>06-6550</td>
<td>Yes</td>
</tr>
<tr>
<td>216 E. 14th St., MN</td>
<td>Stuyvesant Square HD</td>
<td>Construct alcoves, canopy, doors</td>
<td>06-5285</td>
<td>Yes</td>
</tr>
<tr>
<td>168 Fifth Ave., MN</td>
<td>Ladies’ Mile HD</td>
<td>Alter facade, install infill</td>
<td>06-5800</td>
<td>Yes</td>
</tr>
<tr>
<td>4 W. 21st St., MN</td>
<td>Ladies’ Mile HD</td>
<td>Lower parapet, create setback</td>
<td>06-5490</td>
<td>Yes</td>
</tr>
<tr>
<td>40 W. 23rd St., MN</td>
<td>Ladies’ Mile HD</td>
<td>Install banners, flagpoles</td>
<td>06-4232</td>
<td>No</td>
</tr>
<tr>
<td>5 E. 81st St., MN</td>
<td>Metropolitan Museum HD</td>
<td>Construct 2-story addition</td>
<td>06-5912</td>
<td>Yes</td>
</tr>
<tr>
<td>152 East End Ave., MN</td>
<td>Henderson Place HD</td>
<td>Construct bulkhead</td>
<td>06-5553</td>
<td>Yes</td>
</tr>
<tr>
<td>314 W. 92nd St., MN</td>
<td>Riverside/West End HD</td>
<td>Construct greenhouse, rooftop add.</td>
<td>06-2257</td>
<td>Yes</td>
</tr>
<tr>
<td>1149 Park Ave., MN</td>
<td>Carnegie Hill HD</td>
<td>Construct rooftop addition</td>
<td>06-5615</td>
<td>Yes</td>
</tr>
<tr>
<td>Various Locations, BK</td>
<td>Fulton Ferry HD</td>
<td>Install directional signs</td>
<td>06-5375</td>
<td>Yes</td>
</tr>
<tr>
<td>214 Columbia Hts., BK</td>
<td>Brooklyn Heights HD</td>
<td>Construct iron balcony</td>
<td>06-5891</td>
<td>Yes</td>
</tr>
<tr>
<td>21 Monroe Place, BK</td>
<td>Brooklyn Heights HD</td>
<td>Resurface facade</td>
<td>06-6327</td>
<td>Yes</td>
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**Selected New Building Permit Applications – Published by DOB from Feb. 27 to Mar. 24, 2006**

<table>
<thead>
<tr>
<th>OWNER</th>
<th>SITE</th>
<th>GROSS FLOOR AREA (SQ. FT.)</th>
<th>STORIES/HT.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Craig Collins, NYC School Constr. Authority</td>
<td>1551 E. 172nd St., BX</td>
<td>148,358</td>
<td>4/70 ft.</td>
</tr>
<tr>
<td>Cho-Chiao Lin, Winner Property</td>
<td>42-37 Main St., QN</td>
<td>137,600</td>
<td>17/181 ft.</td>
</tr>
<tr>
<td>Frank Gradiade, GB Development Group</td>
<td>100 W. 18th St., MN</td>
<td>99,176</td>
<td>10/149 ft.</td>
</tr>
<tr>
<td>Kenneth Horn, Westward 58 Properties</td>
<td>662 W. 58th St., MN</td>
<td>96,337</td>
<td>10/101 ft.</td>
</tr>
<tr>
<td>Lawrence Ginsburg, West 60th St. Assoc.</td>
<td>229 W. 60th St., MN</td>
<td>81,928</td>
<td>1/26 ft.</td>
</tr>
<tr>
<td>Sue Rheim, East Remont LLC</td>
<td>1920 Washington Ave., BK</td>
<td>74,746</td>
<td>6/59 ft.</td>
</tr>
<tr>
<td>Sam Chang, MCMAM Hotel, LLC</td>
<td>128 W. 29th St., MN</td>
<td>63,808</td>
<td>20/184 ft.</td>
</tr>
</tbody>
</table>


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Full text of decisions covered by CITYLAND can be obtained free on CITYADMIN at www.citylaw.org. Together, CITYLAND and CITYADMIN make a powerful research tool.

Equinox Gym at 1511 Third Ave. See story page 4. Photo: Kevin E. Schultz.