The City Council approved an HPD-sponsored affordable housing project along the Harlem River in Manhattan that will be developed by L+M Development and Artimus Construction (view from the Harlem River). Image: Courtesy of GF55 Partners.

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The Rudin Family Plan for the St. Vincent’s Hospital site deserves support

There are many stalled construction sites in the City, but perhaps the most melancholy is Manhattan’s St. Vincent’s Hospital site. The neighborhood-friendly hospital closed permanently on April 30, 2010. Its shrouded windows line the sidewalks along West 11th and 12th Streets, deadening the West Village. The Rudin Family’s original salvage plan collapsed when the hospital declared bankruptcy. The Rudins announced a new plan in April 2011. It deserves approval.

The flaw in the original plan lay with a distortion of the landmarks law that would have permitted St. Vincent’s to demolish the O’Toole Building across Seventh Avenue from the main hospital. St. Vincent’s planned to build a new hospital on the O’Toole site while keeping the old hospital open during construction. Landmarks’ approval was based on a novel “campus” analysis that potentially opened the landmarks law to broad attacks by owners of other economically viable landmarked buildings that could be collected into a “campus.” The harm in the campus idea was that owners might use economic or programmatic needs distant from a landmarked building to justify the demolition of an otherwise economic landmarked structure.

The Rudin Family’s new plan avoids bending the landmarks law. Instead the plan embraces the landmarks law by following the existing certificate of appropriateness with respect to the buildings on the east side of Seventh Avenue, and by an adaptive reuse of the O’Toole Building on the west side. This is accomplished by converting the O’Toole Building into a comprehensive care center providing free-standing, around-the-clock emergency care.

Many in the community would prefer a full hospital, but there is no current reality to that option. Others are concerned about the height and bulk of a new Seventh Avenue tower to replace the existing hospital tower of similar height and bulk. The landmarks and zoning laws provide a range of options for owners. The Rudin plan for the St. Vincent site fits within those permitted options. As owners they are entitled to approval when they act within options permitted by the law. The public is equally served by plans that permit new uses yet preserve the essence of the landmarked neighborhood.

Ross Sandler
that are inconsistent with the neighborhood’s built character. Planning proposed replacing the R3-2 and R4 districts with ten contextual zoning districts that would reinforce existing development patterns and encourage growth in appropriate areas. The proposal would apply R3A districts to 385 blocks throughout the rezoning area, restricting development to detached homes. Sixty-three blocks in the study area’s northern portion would be rezoned to R4-1, allowing only detached and semi-detached housing. The plan would apply R5D districts to 80 blocks along Merrick, Sutphin, and Rockaway Boulevards to encourage a moderate increase in residential development density along those major corridors. The proposal would also update commercial overlays to better reflect existing uses.

Queens Community Board 12 and Borough President Helen M. Marshall supported the rezoning, and no one testified in opposition at the City Planning Commission’s public hearing in early March. No one opposed the proposal at the Council’s Zoning & Franchises Subcommittee hearing. The Subcommittee and Land Use Committee approved the rezoning, and the full Council is expected to vote on the plan at its May 11 stated meeting.

Review Process:
- Comm. Bd.: QN 12, App’d, 26-0-0
- Bor. Pres.: App’d
- CPC: App’d, 11-0-0
- Council: Pending

CPC: South Jamaica Rezoning (C 110145 ZMQ – rezoning); (N 110146 ZRQ – text amend.) (May 4, 2011).

CITY COUNCIL

Rezoning/Text Amendment
South Jamaica, Queens

Large Queens rezoning awaits final approval

Contextual rezoning would impact 538 blocks in South Jamaica. On May 4, 2011, the City Council’s Land Use Committee approved a Department of City Planning proposal to rezone South Jamaica and portions of Springfield Gardens and St. Albans in southeast Queens. The 538-block rezoning area is generally bounded by Liberty Avenue and South Road to the north, North Conduit to the south, Merrick and Springfield Boulevards to the east, and the Van Wyck Expressway to the west. Planning also proposed a zoning text amendment to expand the City’s FRESH program to commercial and manufacturing districts within the rezoning area and other portions of Queens Community District 12. The FRESH program offers incentives to encourage the development of grocery stores in underserved neighborhoods.

South Jamaica is a residential neighborhood characterized by one- and two-family detached houses, with small pockets of one- and two-family semi-attached and attached houses and multi-family buildings. Approximately 97 percent of the study area is zoned R3-2 and R4. These zoning districts permit a variety of housing types at densities that are inconsistent with the neighborhood’s built character.

Planning proposed replacing the R3-2 and R4 districts with ten contextual zoning districts that would reinforce existing development patterns and encourage growth in appropriate areas. The proposal would apply R3A districts to 385 blocks throughout the rezoning area, restricting development to detached homes. Sixty-three blocks in the study area’s northern portion would be rezoned to R4-1, allowing only detached and semi-detached housing. The plan would apply R5D districts to 80 blocks along Merrick, Sutphin, and Rockaway Boulevards to encourage a moderate increase in residential development density along those major corridors. The proposal would also update commercial overlays to better reflect existing uses.

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CPC: South Jamaica Rezoning (C 110145 ZMQ – rezoning); (N 110146 ZRQ – text amend.) (May 4, 2011).

CITY COUNCIL

Oversight Hearing
Citywide
Council examines City Charter’s fair share rules

Council held first oversight hearing on criteria established more than twenty years ago to ensure equitable distribution of public facilities. On April 12, 2011, the City Council’s Landmarks, Public Siting & Maritime Uses Subcommittee held the Council’s first oversight hearing to review the City’s Charter-mandated rules established to foster the equitable distribution of City facilities. Following the 1989 revision of the City Charter, the City Planning Commission promulgated the “fair share” criteria to encourage community consultation and establish a set of standards that City agencies must consider before siting or substantially changing existing City facilities. The fair share rules only apply when City agencies propose siting facilities that are operated by the City on city-controlled property greater than 750 square feet, or used for programs that receive certain levels of funding from City contracts.

Subcommittee Chair Brad Lander acknowledged the challenges of siting essential municipal facilities, such as waste transfer stations and homeless shelters, but noted that twenty years after the creation of the fair share rules, facilities are still concentrated in low-income and minority neighborhoods. Lander argued that in some cases the fair share process served as “window dressing,” or had been circumvented entirely.

Lander specifically criticized the Bloomberg Administration’s handling of the siting of new homeless shelters and solid waste transfer stations. He noted that the Administration had recently proposed deferring funding for three new marine transfer stations in Manhattan and one in Brooklyn that were part of the City’s 2006 Solid Waste Management Plan. The “historic” plan, according to Lander, would have required Manhattan to “shoulder some of the burden,” but the delay in funding would ensure that low-income communities continued to bear the brunt of the City’s solid waste management burden.

Several Council Members ex-
pressed concern that some private facilities providing essential City services were exempt from the fair share rules. Bronx Council Member Maria del Carmen Arroyo stated that her district was overwhelmed by these private facilities, noting that there were sixteen private waste transfer stations in Bronx Community District 1 alone.

Frederick A.O. Schwarz Jr., chair of the 1989 Charter Revision Commission, explained that the Commission proposed the process to force government officials to pay attention to the siting of City facilities and give the public "ammunition" when arguing against siting undesirable facilities in certain neighborhoods. Responding to the concerns of Council Members, Schwarz suggested that the Council could legislate stricter rules and apply the fair share process to all private facilities.

A host of environmental justice organizations and community groups attended the hearing. The Natural Resources Defense Council’s Eric Goldstein criticized the City’s use of private waste transfer stations, claiming that the siting process did not apply to the siting of 59 privately operated facilities currently in the City. Goldstein also stressed the importance of the stalled marine transfer stations, and urged the Council to push the mayor to restore funding for these facilities.

Brooklyn Community Board 6’s Craig Hammerman stated that there was no enforcement mechanism to ensure that a City agency adhered to the fair share criteria when siting a facility. Hammerman claimed that the only recourse to challenge an approved siting would be filing an article 78 petition. Hammerman, however, pointed out that a successful challenge would not reverse the decision, but only require the agency to provide additional written justification for the siting.


CITY COUNCIL

Rezonings
Columbia Street, Brooklyn

Limited rezonings along Carroll Street approved

Separate public and private proposals impacted eight lots left out of the Carroll Gardens/Columbia Street rezoning. On April 28, 2011, the City Council approved independent proposals by the Department of City Planning and a private developer, Marshall Sohne, to rezone portions of Carroll Street between Columbia and Van Brunt Streets in Brooklyn’s Columbia Street Waterfront District. The two proposals impacted portions of the north and south side of Carroll Street that were not included in the Carroll Gardens/Columbia Street Rezoning plan approved by the City in 2009.

Due to a technical omission, however, Planning requested that the City Council remove the lots from the plan. The current rezoning extended an adjacent R6B district to the six lots to reflect the neighborhood’s residential character.

Sohne’s proposal covered two lots on the north side of Carroll Street, including a partially vacant warehouse at 33 Carroll Street and an adjacent five-story building at 25 Carroll Street. The rezoning replaced both lots’ M1-1 zoning with an R6B district. Sohne intends to replace the warehouse with an eight-unit residential building designed to environmentally-sensitive "passive house" standards. The building at 25 Carroll Street was once occupied by manufacturing uses, but the owner in 2007 received a variance from BSA to convert the top four floors to residences. The rezoning will permit the owner to convert the ground-floor space to residential use.

Brooklyn Community Board 6 and Borough President Marty Markowitz supported both rezonings. No one opposed either proposal at the City Planning Commission’s hearing, and the Commission unanimously approved the plans.

The Council’s Zoning & Franchises Subcommittee held hearings on both rezonings on April 4, 2011. Local Council Member Brad Lander supported Planning’s application and agreed that it was appropriate to bring the residential rowhouses into compliance with the zoning resolution. No one testified in opposition.

At the Subcommittee’s hearing on Sohne’s rezoning, Lander expressed regret about the decline of manufacturing uses in the...
neighborhood, but supported the “thoughtful” application. Lander acknowledged that Sohne had agreed to increase the affordability component in a nearby residential project being developed under the Department of Housing Preservation and Development’s New Foundations Program. The owner of 25 Carroll Street also agreed to donate $20,000 to the nearby Urban Meadow community garden for landscaping and other improvements.

The Subcommittee, Land Use Committee, and full Council unanimously approved both proposals.

Council: 20/30 Carroll Street Rezoning (C 110118 ZMK – rezoning); Carroll Street Rezoning (C 090225 ZMK – rezoning) (April 28, 2011).

CITY COUNCIL

Business Improvement District
Cobble Hill/Boerum Hill, Brooklyn

New Atlantic Avenue BID awaits Council approval

Council Member Recchia warned BID about working with the Downtown Brooklyn Partnership. On April 28, 2011, the City Council’s Finance Committee held a hearing on the Department of Small Business Services’ plan to create the Atlantic Avenue Business Improvement District for more than 400 commercial businesses in Brooklyn’s Cobble Hill and Boerum Hill neighborhoods. The BID would extend along Atlantic Avenue between Fourth Avenue to the east, the Brooklyn-Queens Expressway to the west, and would be located south of the MetroTech and Court-Livingston-Schermerhorn BIDs. The BID’s projected first-year budget is $240,000.

At a City Planning Commission hearing on the plan, a representative of the BID’s steering committee testified that more than 90 percent of property owners supported the proposal. There were no speakers in opposition and the Commission unanimously approved the plan.

8 CityLand9 (Feb. 15, 2011).

Two speakers opposed the BID at the Finance Committee’s hearing. Nat Hendricks, who lives outside of the proposed district, stated that the lack of transparency in developing the BID was “outrageous,” and that the district plan did not reflect community objections. Ora Coleman, representing Atlantis Medical Center, noted that commercial property owners on Atlantic Avenue recently had their property taxes increased and argued that the BID would do work that the City was already obligated to perform.

Chair Domenic M. Recchia Jr. pointed out that there were “serious problems” regarding the MetroTech and Court-Livingston-Schermerhorn BIDs, which are both managed by the Downtown Brooklyn Partnership. Recchia stated that the Council would not approve the proposal if any Atlantic Avenue BID funds were given to the Downtown Brooklyn Partnership. He noted that the BID’s budget should be for the betterment of Atlantic Avenue and not to buy services from that organization. Paul Nelson, an assistant commissioner at DSBS, explained that the Atlantic Avenue BID had no plans to engage with the Downtown Brooklyn Partnership and would hire an independent executive director to manage the BID.

The hearing triggered a 30-day period for property owners to file objections to the BID with the City Clerk. The Atlantic Avenue BID would be the City’s 65th if approved by the Council and the mayor.


CITY COUNCIL

Text Amendment
Lower Manhattan

Public cafes OK’d in Water Street corridor arcades

Planning seeks to enliven privately owned public spaces along the Water Street by allowing tables and seating.
On May 4, 2011, the City Council’s Land Use Committee approved the Department of City Planning’s proposal to permit public and cafe seating within arcades along the Water Street corridor in Lower Manhattan. Arcades are privately owned, publicly accessible covered areas along the perimeter of commercial buildings that were developed in exchange for a floor area bonus. The arcades were intended to provide pedestrian shelter from inclement weather and relief from congested sidewalks. The Special Lower Manhattan District currently requires that the arcades remain free of obstructions.

According to Planning, the arcades have not functioned as originally intended and have negatively impacted the corridor. Planning proposed the zoning text amendment to enliven the underutilized arcades by permitting publicly accessible tables and chairs in these areas. The proposal would apply to 23 blocks along and nearby Water Street between Fulton and Whitehall Streets. Seventeen buildings in the area feature arcades.

The amendment would require that at least 40 percent of available tables included within an arcade plan be publicly accessible, while the remaining tables could be used for private cafe seating. In order to activate the corridor, a minimum of 50 percent of the public seating would be required to be within 25 feet of Water Street. The proposal specifies requirements for circulation paths, furniture, and hours of operation.

At the City Planning Commission’s hearing, representatives from Manhattan Community Board 1, Borough President Scott M. Stringer, and the Downtown Alliance BID spoke in favor of the amendment. Jennifer Hong, deputy director of the Department of Housing Preservation and Development’s proposal to allow BFC Partners and the Urban Homesteading Assistance Board to redevelop three lots at the corner of Second Avenue and East 1st Street in the East Village. The development team will build a twelve-story, 79-unit affordable housing project with ground floor commercial space. The project will replace two existing mixed-use buildings at 9 and 11-17 Second Avenue between East 1st and East Houston Streets.

Sixteen of the project’s apartments will be permanently affordable for households earning up to 80 percent of the area median income. The proposal amended the City’s Inclusionary Housing Program to permit nine tenants currently residing in the existing buildings to purchase or rent affordable units in the new development. The four affordable units not reserved for the existing tenants will be sold to income-eligible individuals for $180,000 each.

Manhattan Community Board 3 and Borough President Scott M. Stringer supported the proposal. The City Planning Commission unanimously approved the project.

At the Council’s Planning, Dispositions & Concessions Subcommittee hearing no one spoke in opposition. The Subcommittee unanimously approved the project, and the Land Use Committee and full Council followed suit.

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**Review Process**

**Lead Agency:** CPC, Neg. Dec.

**Comm. Bd.:** MN 1, App’d, 34-0-0

**Boro. Pres.:** App’d

**CPC:** App’d, 12-0-0

**Council:** Pending

CPC: App’d, 12-0-0

Council: Lower Manhattan Arcades Text Amendment (N 110193 ZRM – text amend.) (May 4, 2011).

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**CITY COUNCIL**

**UDAAP/Text Amendment**

East Village, Manhattan

**Second Avenue mixed-income housing approved**

Tenants displaced by project can purchase or rent affordable apartments in new building. On April 6, 2011, the City Council approved the Department of Housing Preservation and Development’s proposal to allow BFC Partners and the Urban Homesteading Assistance Board to redevelop three lots at the corner of Second Avenue and East 1st Street in the East Village. The development team will build a twelve-story, 79-unit affordable housing project with ground floor commercial space. The project will replace two existing mixed-use buildings at 9 and 11-17 Second Avenue between East 1st and East Houston Streets.

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Manhattan Community Board 3 and Borough President Scott M. Stringer supported the proposal. The City Planning Commission unanimously approved the project.

At the Council’s Planning, Dispositions & Concessions Subcommittee hearing no one spoke in opposition. The Subcommittee unanimously approved the project, and the Land Use Committee and full Council followed suit.

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**Review Process**

**Lead Agency:** HPD, Neg. Dec.

**Comm. Bd.:** MN 3, App’d, 36-0-0

**Boro. Pres.:** App’d

**CPC:** App’d, 12-0-0

**Council:** App’d, 47-0-0


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**CITY PLANNING COMMISSION**

**City Map Amendment**

Harlem, Manhattan

**West 129th Street cul-de-sac eliminated for charter school**

NYCHA proposal would restore West 129th Street in the St. Nicholas Houses as part of Harlem Children’s Zone’s charter school plan. On March 30, 2011, the City Planning Commission approved the New York City Housing Authority’s proposal to re-connect West 129th Street and Frederick Douglass Boulevard in Harlem. The City in the 1950s closed a portion of West 129th...
Street by creating a cul-de-sac between Frederick Douglas Boulevard and Adam Clayton Powell Jr. Boulevard to facilitate the development of NYCHA’s fourteen-acre St. Nicholas Houses apartment complex. The cul-de-sac intersects with Adam Clayton Powell Jr. Boulevard and provides access to the tower-in-the-park housing development.

NYCHA requested that the City eliminate the cul-de-sac and re-establish West 129th Street as a through street as part of Harlem Children’s Zone’s plan to build a 1,300-seat charter school. Harlem Children’s Zone has already broken ground on the five-story school, known as Promise Academy, on land northwest of the cul-de-sac. The school is scheduled to be completed by the 2012 school year.

Rather than following the City’s land use review process, NYCHA, as a state authority, was required by federal law to follow the U.S. Department of Housing and Urban Development’s public review requirements in order to transfer its land to Harlem Children’s Zone.

Manhattan Community Board 10 supported the school, but opposed re-establishing the through street. CB 10 expressed concerns about the proposal’s impacts on the residents of St. Nicholas Houses, and claimed that the community had been denied an opportunity to provide meaningful input before NYCHA transferred the property under HUD’s review process.

Borough President Scott M. Stringer supported the proposal, but conditioned his approval on NYCHA and Harlem Children’s Zone making several commitments. Among them, Stringer requested that NYCHA relocate three community gardens and the parking spaces that would be displaced by the project, and that Harlem Children’s Zone offer free after-school and summer programs for residents of St. Nicholas Houses.

Stringer acknowledged that the land transfer and the school’s development were outside the City’s purview, but argued that HUD’s public review process was inadequate and needed to be changed. Stringer suggested that NYCHA develop a new process to dispose of publicly owned land that required increased consultation with affected tenants and public officials.

At the Planning Commission’s public hearing, Harlem Children’s Zone’s Geoffrey Canada testified that the area had been “carved up” by gangs, and that re-opening West 129th Street and building the school would increase pedestrian traffic and create “neutral territory” that would be safe for children. Canada stated that every three-year-old child in the St. Nicholas Houses would be guaranteed a spot in the school, which would also open nights and weekends for community uses.

Paimaan Lodhi, CB 10’s district manager, reiterated the community board’s support for the school, but testified that CB 10 was not convinced that the through street was necessary. According to Lodhi, CB 10 asked the Department of Transportation to present evidence as to why it would be necessary, but it did not respond to the request. Other opponents argued that the through street would increase vehicle traffic and be unsafe for pedestrians.

The Commission approved the proposal, finding that re-establishing West 129th Street as a through street would improve safety and provide the type of fluid street system the school required. The Commission was satisfied with NYCHA’s outreach efforts, noting that NYCHA claimed to have held twelve outreach events prior to submitting its current application to Planning.

CPC: West 129th St. Demapping (C 110068 MMM – map amend.) (March 30, 2011).

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Community group argued that proposed homeless shelter did not qualify as a hotel under the zoning resolution. Buildings in 2010 issued...
the Bowery Residents’ Committee a permit to convert a twelve-story factory building at 127 West 25th Street in Chelsea to a homeless shelter and offices. BRC planned to create a 32-bed chemical dependency crisis center, a 96-bed reception center for the homeless, a 200-bed homeless shelter, and two outpatient counseling programs serving up to 100 individuals. The site is zoned for manufacturing and, prior to applying for the permit, BRC received confirmation from Buildings that the homeless shelter would be considered an as-of-right transient hotel use.

A group of local residents and business owners, known as the Chelsea Flatiron Coalition, opposed the shelter. The Coalition sued to stop the project, but a lower court stayed the litigation until the Coalition had exhausted its administrative remedies by challenging Buildings’ permit approval at BSA.

At BSA, the Coalition claimed that Buildings erred in determining that the shelter could be considered a transient hotel. The Coalition argued, among other things, that the facility was not a hotel according to the plain meaning of the word. According to the Coalition, the shelter and offices should have been considered a non-profit institution with sleeping accommodations and a health-related facility, which are prohibited uses in a manufacturing district.

BSA disagreed and denied the appeal. BSA found that it was inappropriate to consult “common experience” or outside sources to define a hotel because the zoning resolution’s definition was clear and unambiguous. For zoning purposes the proposed shelter qualified as a hotel because it would include transient sleeping accommodations with separate entrances, 24-hour desk service, linen laundering, and a telephone. BSA recognized that there might be some ambiguity as to the “concept of what a hotel is,” but pointed out that the zoning resolution was the best resource for the meaning of a term when resolving a zoning matter.

BSA: 127-131 West 25th Street, Manhattan (189-10-A) (April 5, 2011) (Bracewell & Giuliani LLP, for Coalition).

**LANDMARKS PRESERVATION COMMISSION**

**Binding Report**

**Washington Heights, Manhattan**

**High Bridge renovations pave way for reopening**

Community groups opposed fence on the City’s oldest bridge. On April 5, 2011, Landmarks approved the City’s proposal to build an eight-foot fence and undertake other alterations to the High Bridge footpath spanning the Harlem River between Washington Heights in Manhattan and the Highbridge section of the Bronx. The High Bridge was built in 1848 as part of the Old Croton Aqueduct to bring fresh water into Manhattan. It is the City’s oldest bridge.

The City in 1917 ceased using the bridge as an aqueduct. In 1927, the City replaced five of the bridge’s original fifteen masonry arches with a central steel span to allow large ships to pass underneath. The bridge gained notoriety in the late 1950s after children threw rocks at a passing Circle Line tour boat. After the High Bridge was closed to the public in 1970, Landmarks designated the bridge as an individual City landmark. The City in 2009 announced plans to restore and reopen the High Bridge to pedestrian and bicycle traffic.

At the hearing, Li/Saltzman Architects’ Michelle Hunter introduced the restoration plan. The bridge’s masonry arches and steel span will be restored, and the original aqueduct pipe and railings will be preserved. Additions to the bridge will include new lighting, fencing, and signage. According to Hunter, the alterations were necessary for safety and security reasons. The plan includes providing handicapped-accessible viewing platforms and new gates to close the bridge securely at night. The bridge’s original cast-iron railing will be slightly raised, and a new eight-foot tall steel mesh fence will be added to meet State Department of Transportation requirements. Li/Saltzman’s Jonathan Favazzo explained that
there was a history of people throwing things from the High Bridge and that the mesh fence would prevent vandalism. The plan will also include the installation of 24 new light fixtures in order to comply with state DOT guidelines.

Residents and community groups supported reopening the bridge, but objected to aspects of the plan. Manhattan Community Board 12’s Ebenezer Smith opposed the fencing, calling it “insulting” and claiming that it would prevent people from enjoying views of the river. Croton Aqueduct historian Robert Kornfeld objected to the proposed fencing and the lighting, testifying that it would create a “sense of constriction” and a “prison-like” atmosphere. Kornfeld said that it was “hard to imagine that a landmark of this age, quality, and significance would be desecrated like this if it were in the Upper East Side or Central Park.” The Society for the Architecture of the City’s Christabel Gough also opposed the lighting and fencing, and questioned why the bridge needed all the lighting if it were to be closed at night.

Chair Robert B. Tierney found the proposal appropriate, noting that he gave “great deference” to the City. Tierney said that the plan returned the bridge to public use and resolved public safety issues. Commissioner Diana Chapin concurred, pointing out the importance of getting people to use the bridge, and suggesting that the fence might not be needed in the future. Commissioner Libby Ryan characterized the fencing as “clumsy,” and also expressed some concerns about lighting. Commissioner Roberta Washington thought the fence was “a terrible solution,” and she was the only Commissioner to oppose the plan. Commissioners Margery Perlmutter and Libby Ryan abstained.


**Landmarks Actions Taken in April 2011**

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>LANDMARK/HISTORIC DISTRICT</th>
<th>DESCRIPTION</th>
<th>CASE NO.</th>
<th>APP'D</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 5, 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 Bleeker St., MN</td>
<td>University Village</td>
<td>Mod. landscape, inst.playground</td>
<td>11-7194</td>
<td>W/Mod</td>
</tr>
<tr>
<td>200 Cent. Pl., W., MN</td>
<td>Amer. Museum of Nat. History</td>
<td>Inst. lights, alt. entrance</td>
<td>11-6714</td>
<td>W/Mod</td>
</tr>
<tr>
<td>High Bridge, MN/BX</td>
<td>High Bridge, Aqueduct &amp; Ped. Walk</td>
<td>Inst. platforms, fences, lights</td>
<td>11-7067</td>
<td>Yes</td>
</tr>
<tr>
<td>1201 Lafayette Ave., BX</td>
<td>American Bank Note Co.</td>
<td>Inst. canopy, signs, flagpole</td>
<td>11-6506</td>
<td>Yes</td>
</tr>
<tr>
<td>228 W. Broadway, MN</td>
<td>Tribeca West HD</td>
<td>Const. elevator bulkhead</td>
<td>11-6340</td>
<td>Yes</td>
</tr>
<tr>
<td>151 Hudson St., MN</td>
<td>Tribeca North HD</td>
<td>Replace sidewalk</td>
<td>11-6415</td>
<td>Yes</td>
</tr>
<tr>
<td>84 Wooster St., MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Replace sidewalk plate</td>
<td>11-6798</td>
<td>No</td>
</tr>
<tr>
<td>306 Bowery, MN</td>
<td>NoHo East HD</td>
<td>Legalize dormer replacement</td>
<td>11-2769</td>
<td>W/Mod</td>
</tr>
<tr>
<td>1 Little W. 12th St., MN</td>
<td>Gansevoort Market HD</td>
<td>Mod. parapets, inst. infill</td>
<td>11-5102</td>
<td>W/Mod</td>
</tr>
<tr>
<td>149 W. 13th St., MN</td>
<td>Greenwich Village HD</td>
<td>Const. rooftop add., entrance</td>
<td>11-4942</td>
<td>Yes</td>
</tr>
<tr>
<td>357 Waverly Ave., BK</td>
<td>Clinton Hill HD</td>
<td>Mod. illegal security grilles</td>
<td>11-1398</td>
<td>W/D</td>
</tr>
<tr>
<td>April 12, 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>86-15 Letters Blvd., QN</td>
<td>Richmond Hill Republican Club</td>
<td>Amend C of A (rooftop add.)</td>
<td>11-7984</td>
<td>Yes</td>
</tr>
<tr>
<td>87 Chambers St., MN</td>
<td>Tribeca South HD</td>
<td>Construct new building</td>
<td>11-5830</td>
<td>Yes</td>
</tr>
<tr>
<td>28 Seventh Ave. S., MN</td>
<td>Greenwich Village HD</td>
<td>Install infill, alter roof</td>
<td>11-5377</td>
<td>W/Mod</td>
</tr>
<tr>
<td>75 Christopher St., MN</td>
<td>Greenwich Village HD</td>
<td>Install storefront infill</td>
<td>11-5320</td>
<td>Yes</td>
</tr>
<tr>
<td>4 E. 10th St., MN</td>
<td>Greenwich Village HD</td>
<td>Alt. facades, const. bulkhead</td>
<td>11-6259</td>
<td>Yes</td>
</tr>
<tr>
<td>765 Greenwich St., MN</td>
<td>Greenwich Village HD</td>
<td>Install roof deck, railings</td>
<td>11-6623</td>
<td>Yes</td>
</tr>
<tr>
<td>413 W. 14th St., MN</td>
<td>Gansevoort Market HD</td>
<td>Install storefront infill</td>
<td>10-9388</td>
<td>Yes</td>
</tr>
<tr>
<td>21 E. 66th St., MN</td>
<td>Upper East Side HD</td>
<td>Construct rooftop addition</td>
<td>10-3999</td>
<td>Yes</td>
</tr>
<tr>
<td>154 W. 70th St., MN</td>
<td>Upper West Side/CW HD</td>
<td>Amend C of A (ground fl.)</td>
<td>11-6324</td>
<td>Yes</td>
</tr>
<tr>
<td>262 Alexander Ave., MN</td>
<td>Mott Haven HD</td>
<td>Inst. storefronts, egress door</td>
<td>11-7983</td>
<td>Yes</td>
</tr>
<tr>
<td>April 19, 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36 W. 17 St., MN</td>
<td>Manhattan Company Bldg.</td>
<td>Install signage</td>
<td>11-7706</td>
<td>Yes</td>
</tr>
<tr>
<td>City Hall, MN</td>
<td>City Hall</td>
<td>Amend binding report (excavation)</td>
<td>11-8476</td>
<td>Yes</td>
</tr>
<tr>
<td>141 E. 39th St., MN</td>
<td>Allerton 39th St. House</td>
<td>Install rooftop mech. equip.</td>
<td>11-4311</td>
<td>Yes</td>
</tr>
<tr>
<td>Bryant Park, MN</td>
<td>Bryant Park</td>
<td>Install pergola</td>
<td>11-6874</td>
<td>Yes</td>
</tr>
<tr>
<td>510 Fifth Ave., MN</td>
<td>Manufactures Trust Bldg.</td>
<td>Alt. facades, reconfig, interior</td>
<td>11-5333</td>
<td>Yes</td>
</tr>
<tr>
<td>Grand Army Plaza, BK</td>
<td>Prospect Park</td>
<td>Alt. sidewalks, roadway; relocate statues, enl. sidewalk</td>
<td>11-6820; 11-6144; Yes; 11-6144; Yes;</td>
<td></td>
</tr>
<tr>
<td>187 Franklin St., MN</td>
<td>Tribeca West HD</td>
<td>Const. add., new facade</td>
<td>11-0965</td>
<td>W/Mod</td>
</tr>
<tr>
<td>560 Broadway, MN</td>
<td>SoHo-Cast Iron HD</td>
<td>Remove fire escapes</td>
<td>11-6983</td>
<td>Yes</td>
</tr>
<tr>
<td>240 Mercer St., MN</td>
<td>NoHo HD</td>
<td>Install flagpole</td>
<td>11-5609</td>
<td>Yes</td>
</tr>
<tr>
<td>W. 4th at Jane St., MN</td>
<td>Greenwich Village HD</td>
<td>Ext. curb, inst. planting, seats</td>
<td>11-7583</td>
<td>Yes</td>
</tr>
<tr>
<td>69 Washington Pl., MN</td>
<td>Greenwich Village HD</td>
<td>Const. rear add., repl. window</td>
<td>09-2330</td>
<td>Yes</td>
</tr>
<tr>
<td>16 Jane St., MN</td>
<td>Greenwich Village HD</td>
<td>Repl. fence, inst. planters</td>
<td>11-6742</td>
<td>W/D</td>
</tr>
<tr>
<td>525 W. 26th St., MN</td>
<td>West Chelsea HD</td>
<td>Alter facade, inst. ramp</td>
<td>11-5458</td>
<td>W/Mod</td>
</tr>
<tr>
<td>26 E. 64th St., MN</td>
<td>Upper East Side HD</td>
<td>Reconst. stoop, alt. areaway</td>
<td>11-4502</td>
<td>Yes</td>
</tr>
<tr>
<td>1080 Fifth Ave., MN</td>
<td>Carnegie Hill HD</td>
<td>Construct ramp</td>
<td>11-6530</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Landmarks Preservation Commission**

Certificate of Appropriateness

Tribeca, Manhattan

Two stories and new facade added to Tribeca building

*Landmarks found that contemporary, sculptural facade recalled district’s historical character.* On April 19, 2011, Landmarks unanimously approved Douglas and Michelle Monticciolo’s proposal to add two floors on top of a three-story building at 187 Franklin Street in the Tribeca West Historic District. The proposal, opposed by the community board, called for a new, sculptural-brick facade above the first floor. The existing building replaced a 1923 one-story garage that was demolished in 1992.

Historic preservation consultant Bill Higgins, representing the Monticciolos, argued that the project’s “adventurous and sculptural design” took its cues from the his-
On April 12, 2011, Landmarks considered Taconic Investment Partners’ revised proposal to build an addition on top of a low-rise building at 837 Washington Street across the street from the High Line in the Gansevoort Market Historic District. Taconic first proposed adding a seven-story masonry column wrapped in a torqued glass and steel tower. Landmarks praised the design, but took issue with project’s scale, which would have added six stories of height to the existing building. 7 CityLand 170 (Dec. 2010).

Taconic returned to Landmarks with a scaled-down proposal that reduced the height of the addition from seven to five stories and added more windows to the rear masonry tower. The revised design only added four stories of height to the original building and reduced the masonry tower’s footprint.

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Historic preservation consultant Bill Higgins, speaking on behalf of Taconic, described the project’s materials and design as “an industrial vernacular” that paid homage to the surrounding area and nearby High Line. Architect Morris Adjmi testified that the reduced structure was appropriate for the district. Adjmi argued that the addition’s torqued steel “exoskeleton” related to the High Line, and pointed out that the floor plates became smaller as the building rose and receded.

According to architect Jeremy Edmiston, of SYSTEMarchitects, the design featured wavy, interwoven brick corbels projecting out eight inches from the facade. The building would align to the slightly different heights of the adjacent buildings’ cornices. The bulkhead would span the building’s width and match the height of an adjacent building’s bulkhead. The building would feature angled windows to block views from the commercial building across the street. Four steel balconies projecting 22 inches would surround some of the windows and “activate” the facade. The building’s existing cast-iron base would remain, while the rest of the structure would be faced in 14,538 bricks of varying shades of red. Additional depth would be achieved by pushing into the building. The building’s bulkhead would be clad in a lighter shade of brick to match the building directly behind it.

Chair Robert B. Tierney noted that Manhattan Community Board 1 found the proposal “too extreme” for the district. The Historic Districts Council’s Nadezhda Williams testified that the proposal took a building that respected its neighbors and turned it into a building “screaming out for attention.”

The Commissioners responded positively to the proposal. Commissioner Fred Bland called the proposal “robust and inventive,” although he suggested that the bulkhead be set back further or made using a darker colored brick. Commissioner Libby Ryan called the design “exciting,” noting that it looked like “a building in flames.” Commissioner Diana Chapin praised the building’s “bold, sinuous, dramatic forms.” Commissioner Christopher Moore stated that he was initially unsure if the design was “lunacy,” but concluded that it had the potential to be “a phenomenal contribution” to the historic district.

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness
Meatpacking District, Manhattan
Commissioners delay vote on addition near High Line

Reduction in height of glass-and-steel addition insufficient to gain approval. On April 12, 2011, Landmarks considered Taconic Investment Partners’ revised proposal to build an addition on top of a low-rise building at 837 Washington Street across the street from the High Line in the Gansevoort Market Historic District. Taconic first proposed adding a seven-story masonry column wrapped in a torqued glass and steel tower. Landmarks praised the design, but took issue with project’s scale, which would have added six stories of height to the existing building. 7 CityLand 170 (Dec. 2010).

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LANDMARKS PIPELINE

Proposed Designations – April 2011

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>ACTION</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Paul’s Lutheran Church</td>
<td>334 S. 5th St., BK</td>
<td>Designated</td>
<td>4/12/2011</td>
</tr>
</tbody>
</table>

Vornado Realty Trust’s revised proposal to renovate portions of the Manufacturers Trust Company Building at 510 Fifth Avenue in Manhattan. Landmarks in 1997 designated the modernist, glass-walled building as an individual City landmark. In February 2011 Landmarks designated the building’s first two floors as an interior landmark. 8 CityLand 28 (March 15, 2011).

Shortly after the interior designation, Vornado presented a plan to convert and renovate the building’s interior to accommodate two commercial tenants. Landmarks objected to Vornado’s plans to reconfigure the building’s escalators, create new entrances along Fifth Avenue, and demolish portions of the iconic bank vault. 8 CityLand 47 (April 15, 2011).

Skidmore, Owings & Merrill architect Frank Mahan presented a revised plan on April 12. Mahan explained that the escalators would still be moved from their original central location, but would retain their original parallel configuration. Two of the bank vault’s walls would still be demolished, but a black granite strip along the floor would demarcate the vault’s original footprint. The proposed entrances along Fifth Avenue were altered to increase their transparency.

Chair Robert B. Tierney supported the proposal, noting that it had “come far enough along” to be acceptable. Commissioner Libby Ryan disagreed with aspects of the plan, but believed it “restored and/or respected” the building’s key architectural elements. Ryan noted that adaptive reuse was an “important method of preservation.” Commissioner Fred Bland stated that he “had come around” and now believed that having two retail tenants justified two entrances along Fifth Avenue.


LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness
Tribeca, Manhattan

New Chambers Street residential building approved
Owner altered window and facade details to gain Landmarks approval. On April 12, 2011, Landmarks approved Fishman Holdings’ revised

from the existing building.

Commissioner Libby Ryan and Vice Chair Pablo Vengoechea still found the addition’s scale excessive for the district. Commissioner Margery Perlmutter thought that the design related to the High Line and other buildings outside the district, but not to buildings within the district. Commissioner Christopher Moore expressed his affection for the project, and said that it served as an effective “bridge building” between the waterfront and the historic district. Commissioner Michael Devonshire found the project’s scale “completely acceptable,” and said that the addition’s softened verticality enhanced the existing building. Commissioner Michael Goldblum stated that the project told the story of a district changing from an industrial market to a “very high-end, gentrified, upscale place.” Goldblum also found that the existing building functioned effectively as a base and remained “completely legible.”

Chair Robert B. Tierney suggested that Landmarks was close to finding a consensus and recommended that Taconic work with Landmarks’ staff to reduce the addition’s scale and return at a later date.


LANDMARKS PRESERVATION

Certificate of Appropriateness
Midtown, Manhattan

Retail conversion of prominent Fifth Avenue bank OK’d

Landmarks accepted Vornado’s plans after multiple revisions. On April 19, 2011, Landmarks approved

Commissioner Christopher Moore stated that the proposal was not ideal, but thoughtful and acceptable. Finding no consensus, Tierney asked the applicant to return with further revisions.

Vornado returned one week later with a revised plan. The proposal retained the two Fifth Avenue entrances, but added a black aluminum bottom rail to the doors that would align with the building’s black granite base and maintain the “seamlessness of the facade.” Vornado’s attorney, Meredith Kane, testified that the site could not be successfully reused as retail space with entrances along 43rd Street only. Frank Mahan also said that Vornado would restore exterior spandrel panels on the building’s upper floors and inlaid zinc strips in the building’s terrazzo floor.

Tierney supported the proposal, noting that it had “come far enough along” to be acceptable. Commissioner Libby Ryan disagreed with aspects of the plan, but believed it “restored and/or respected” the building’s key architectural elements. Ryan noted that adaptive reuse was an “important method of preservation.” Commissioner Fred Bland stated that he “had come around” and now believed that having two retail tenants justified two entrances along Fifth Avenue.

Howard Goldman reflects on his legal career and land use issues in the City

Howard Goldman’s 35-year career as a land use attorney has ranged from helping native Alaskan communities create coastline regulations to assisting developers navigate New York City’s complex land use process.

Aspiring to work for the Natural Resources Defense Council or the Sierra Club, Goldman in 1972 received an ad hoc degree in environmental and pre-law studies from SUNY at Buffalo. Goldman stayed on to earn a law degree, and after graduation he joined Neighborhood Legal Services in Buffalo representing indigent clients in civil matters. While perusing the organization’s magazine, Goldman noticed a job posting under the “Alaska” section. Thinking it would present an opportunity to practice environmental law, he made a telephone call and soon after was on a plane to work for Neighborhood Legal Services in Juneau, Alaska.

One year later, Goldman joined the Alaska Office of Coastal Management where he drafted regulations to help the state secure federal Coastal Zone Management Act funds. After the regulations were approved Goldman entered private practice, where he made his first foray into land use and zoning law assisting cities, towns, and indigenous communities, including the North Slope Borough, to adopt land use controls to manage local coastline activities.

Only in the Eighties. Goldman returned to New York City, and in 1980 he was appointed deputy counsel to the City Planning Commission as it was preparing to unveil the Special Midtown District. After years of planning analysis, however, the agency had neglected to commence the proposal’s environmental review. With a budget of only $8,000 to hire an air-quality consultant, Goldman enlisted the staff of various City agencies to contribute to the environmental analysis. Then, with the guidance of attorney Albert K. Butzel, he drafted the 50-page environmental impact statement over two weeks. The City Council approved the Special Midtown District in 1982, and the EIS was upheld in litigation.

Goldman left the public sector in 1983 to become a partner at Patterson Belknap Webb & Tyler and then Winthrop, Stimson, Putnam & Roberts. Goldman negotiated subway bonus with the Transit Authority to increase the density of Zeckendorf Towers and Worldwide Plaza, and he was involved with other notable projects, including the redevelopment of Times Square.

Leaving the nest. Goldman in 1999 founded his own practice. In 2010 he partnered with Caroline Harris—his wife and an established land use attorney—to form GoldmanHarris LLC. Goldman notes that both he and Harris draw heavily on their prior public sector experience to best serve clients. Goldman explains that an effective land use attorney must be able to mediate between the public and the private sector, which requires the ability to understand each side’s objectives and limitations.

Current events. The firm is currently working on a proposal to generate affordable housing within expired urban renewal projects. In the 1960s, the State urban renewal law allowed the City to condemn property and transfer it to developers to build affordable housing. Most urban renewal plans included 40-year expiration dates and have since expired. However, when the plans were adopted the Commission also adopted large-scale residential development regulations that remain in effect and, in many cases, limit sites from utilizing the maximum floor area permitted by the underlying zoning. Goldman and Harris are working with the City, private entities, and lenders to create a mechanism to modify large-scale development plans to permit developers of affordable housing to access the unused development rights. In one project in the Bronx, this would facilitate the construction of 150-200 new affordable units.

A moving target. Goldman believes that the 1961 zoning resolution has become more complex in the 50 years since it was enacted. According to Goldman, Planning recently made a decision to amend the zoning resolution as necessary rather than overhaul it completely. He believes that it would be politically infeasible to adopt a new zoning resolution due to the divergent views among interested parties and the potential for litigation. Goldman, however, applauds Planning’s recent efforts to make zoning more accessible to the public.

Thoughts on ULURP. Goldman believes that the City’s uniform land use review process is appropriate. The review period is limited to seven months, gives the public an opportunity to be heard, and ensures that the City Planning Commission and the City Council remain accountable. Goldman points out, however, that the pre-certification period before a project enters ULURP has grown longer. He explains that this is due to State and City environmental review laws. Anti-development groups initially used environmental issues as a tool to derail projects. In response, the private and public sectors have defended themselves by producing exhaustive environmental impact statements for projects, sometimes spending millions on consultants. This reduces the chance that an environmental review would be deemed inadequate if challenged.

Outside of the office, Goldman can be found in the boxing ring where he trains three times a week for exercise and recreation.

— Eugene Travers

Thoughts on ULURP.

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In April, Greenberg Traurig attorney Jay Segal informed landmarks that Fishman changed the building’s proposed use from a hotel to residences. Even though the new proposal reflected a slightly larger courtyard, Segal explained that Fishman would apply to BSA for a variance to the zoning resolution’s minimum courtyard requirements for residential buildings.

David West, from Goldstein Hill & West Architects, presented the revised proposal. The new plans included double-hung windows, reduced window ornamentation, and a more pronounced cornice. West described the Chambers Street facade as more formal than the “utilitarian” Reade Street facade. The Chambers Street facade would feature French balconies with railings intended to recall the fire escapes common to the district.

The Commissioners praised the revisions. Commissioner Fred Bland commended the architects for preserving the area’s vernacular context. Vice Chair Pablo Vengoechea echoed this opinion and said the project appropriately responded to the district’s existing typology.

Landmarks unanimously approved the revised proposal.


**COURT DECISIONS**

Dep’t of City Planning
Citywide
First Department sends adult zoning law back for trial

Adult businesses challenged constitutionality of 2001 amendments to City’s zoning resolution. A Department of City Planning study concluded in 1994 that the City’s adult entertainment businesses caused certain negative secondary effects, such as increased crime and decreased property values. In response to this study, the City amended the zoning resolution in 1995 to bar “adult establishments” from all residential zones and most commercial and manufacturing districts. Adult establishments were defined as commercial businesses whereby a substantial portion (40 percent or more of accessible floor area) included adult uses. Thereafter, adult businesses altered their character to ensure they would not qualify as adult establishments. Believing the altered businesses were in sham compliance with the amendment, the City amended the zoning resolution again in 2001 to clarify “non-adult” material for purposes of the 40 percent calculation.

Various adult businesses challenged the First Amendment constitutionality of the 2001 amendments, and the case eventually reached the Court of Appeals. The Court ruled that the City was not required to produce empirical studies connecting altered 60/40 businesses to negative secondary effects. The Court, however, ordered a trial to determine whether the 60/40 businesses had changed so much in character that their main, ongoing focus was no longer sexually explicit material. If their focus had not changed, the City would be constitutionally justified in strengthening the 1995 ordinance with the 2001 amendments.

At the trial, Justice Louis B. York ruled that the 2001 amendments were constitutional as applied to adult bookstores and video stores, as well as to topless night clubs and bars; however, the amendments were ruled unconstitutional as applied to adult movie theaters. 7 CityLand 48 (April 15, 2010). The adult businesses appealed Justice York’s decision to the First Department.

The First Department reversed and sent the case back to the lower court, characterizing Justice York’s decision as “manifestly inadequate” and in violation of State procedural law. The First Department scolded the lower court for merely detailing the City’s evidence with respect to 60/40 “sham” establishments, and for stating unexplained legal conclusions. The lower court failed to set out the ultimate or essential facts underlying its decision and provided no direction for review, analysis, or understanding of its ruling. The lower court also erred by refusing to give any weight to the adult businesses’ evidence offered to support that the character of their businesses had significantly changed. On remand, the First Department advised the lower court to use the proper, more heightened standard of review to assess the City’s evidence.

For the People Theatres of NY, Inc. v. City, Index No. 121080/02 (1st Dep’t April 7, 2011) (Attorneys: Herald Price Fahringer, Edward S. Rudofsky, for adult businesses; Michael A. Cardozo, Elizabeth S. Natrela, for NYC).

Correction: The April issue of CityLand included an incorrect case citation for 29 Flatbush Associates LLC v. NYSDEC. The correct citation is 2011 N.Y. Slip Op. 50407(U). We regret the error.
### CITY COUNCIL

**RES. NOS.** | **PROJECT** | **DESCRIPTION** | **DATE**
--- | --- | --- | ---
734 | 2311 Tiebout Ave., BX | UDAAP by HPD (1 lot) | 3/23/2011
† | 735-37 | Courtlandt Crescent/ Melrose Commons, BX | Designate Urban Renewal Area; rezoning (R7-2 to R7A, R8, R8/C1-4); UDAAP by HPD (10 lots) | 3/23/2011
738 | 42-21 Broadway, QN | Revocable consent (sidewalk cafe) | 3/23/2011
739 | 3738 Riverside Ave., BX | Revocable consent (sidewalk cafe) | 3/23/2011
† | 740-41 | Webster Ave./Bedford Park/ Norwood Rezoning, BX | Rezoning; zoning text amendment | 3/23/2011
742 | 133 Seventh Ave. S., MN | Revocable consent (sidewalk cafe) | 3/23/2011
743 | 16 King St., MN | Revocable consent (sidewalk cafe) | 3/23/2011
744 | 1022 Lexington Ave., MN | Revocable consent (sidewalk cafe) | 3/23/2011
745 | 212 Lafayette St., MN | Withdraw revocable consent (sidewalk cafe) | 3/23/2011
† | 746-47 | Wythe Rezoning, BK | Rezoning (M3-1 to MX8: M1-4/R6A); zoning text amendment | 3/23/2011
748 | 500 Fifth Ave., MN | Landmark designation | 3/23/2011
749 | Coney Island Theatre, BK | Landmark designation | 3/23/2011
751 | 88-08 164th St., QN | Site plan (757-seat school) | 3/23/2011
752 | 510 Coney Island Ave., BK | Site plan (757-seat school) | 3/23/2011
753 | 35 MacDonough St., BK | Convey property | 3/23/2011
771 | Maujer/Ten Eyck/Bedford, BK | UDAAP by HPD (8 lots) | 4/6/2011
772-73 | Harlem River Point/ 1945 Park Ave., MN | UDAAP by HPD (1 lot); Rezoning (R7-2 to R8/C2-4) | 4/6/2011
† | 774-76 | East Tremont Apts., BX | UDAAP by HPD (1 lot); build in railroad right-of-way | 4/6/2011
777-78 | 162nd Street, QN | City map amend. (elim. street); UDAAP by HPD (2 lots) | 4/6/2011
779-80 | 9 Second Ave., MN | UDAAP by HPD (3 lots); acquisition of property | 4/6/2011
781 | 12 E. Clarke Pl., BX | UDAAP by HPD (2 lots) | 4/6/2011
782 | 20 W. 102nd St., MN | Terminate partial tax exemption | 4/6/2011
783 | Boathouse Marsh | Mod. visual corridor, waterfront access reqs. | 4/6/2011
784 | Aldenbrook House, BX | Landmark designation | 4/6/2011
785 | 9 Second Ave., MN | Zoning text amend. (incl. housing) | 4/6/2011
† | 786-87 | Clinton Commons, MN | Rezoning (M1-5 to R6A); UDAAP by HPD (1 lot) | 4/6/2011
788 | 11 Kingston Ave., BK | Delete development parcel | 4/6/2011
789 | 510 80th St., BK | Revocable consent (sidewalk cafe) | 4/6/2011
790-91 | Sea Breeze Estates, BX | Modify restrictive declaration; zoning text amend. (height) | 4/6/2011
792 | Kingswood Office Ctr., BK | Rezoning (R5B to C4-A) | 4/6/2011
793 | 683 Ninth Ave., MN | Revocable consent (sidewalk cafe) | 4/6/2011
794 | 542 Howard Ave. Rez., BK | Rezoning (C6-2 to R6A/C2-4) | 4/6/2011
795 | C6-3A Text Amend., CW | Zoning text amend. (bulk provisions) | 4/6/2011
796 | Childs Restaurant, BK | Landmark designation | 4/6/2011
797 | Haskin & Sells Bldg., BK | Landmark designation | 4/6/2011
806 | Carroll St. Rezoning, BK | Rezoning (M1-1 to R6B) | 4/28/2011
807 | 20/30 Carroll St. Rezoning, BK | Rezoning (M1-1 to R6B) | 4/28/2011

### CITY PLANNING COMMISSION

**PROJECT NAME** | **DESCRIPTION** | **LOCATION** | **ULURP NO.** | **DATE**
--- | --- | --- | --- | ---
Manufacturers Trust Co. Bldg. | Interior landmark designation | MN 5 | N110232HKM | 3/30/2011
W. 129th St. Demapping | City map amend. (elim. cul-de-sac) | MN 10 | C110068MMM | 3/30/2011
Horace Mann School | City map amend. (street closing) | BX 8 | N010284AJMXX | 3/30/2011
Aidisleigh Park HD | Landmark district designation | QN 12 | N110213HQQ | 3/30/2011
South Jamaica Rezoning | Rezoning; zoning text amend. (FRESH food store regs.) | QN 12 | N110145ZMQ; N110146ZQR | 3/30/2011
Union Ave. Rezoning | Rezoning (M1-1 to R3A) | SI 1 | N100118ZMR | 3/30/2011

*Bold indicates the decision is covered in this issue. The symbol † indicates that the decision was covered in a previous issue. City Council decisions available in hard-copy format at the Center for New York City Law.
New Decisions Added to CITYADMIN www.citylaw.org – April 2011*

### CITY PLANNING COMMISSION (CONT.)

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<tbody>
<tr>
<td>Rossville A.M.E. Zion Church</td>
<td>Landmark designation</td>
<td>SI 3</td>
<td>N110211HKK</td>
<td>3/30/2011</td>
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<tr>
<td>Coleman House</td>
<td>Landmark designation</td>
<td>SI 3</td>
<td>N110210HKK</td>
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<tr>
<td>Bloomingdale Rd. Carriages</td>
<td>Landmark designation</td>
<td>SI 3</td>
<td>N110212HKK</td>
<td>3/30/2011</td>
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<tr>
<td>Lower Manhattan Arcades</td>
<td>Zoning text amend. (arcades)</td>
<td>MN 1</td>
<td>N110193ZRM</td>
<td>4/13/2011</td>
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<tr>
<td>101 Spring Street</td>
<td>Spec. permit (non-profit in existing bldg.)</td>
<td>MN 2</td>
<td>C100267ZSM</td>
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#### BOARD OF STANDARDS & APPEALS

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<td>160 Water St., MN</td>
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<td>289-00-BZ</td>
<td>Fredrick A. Becker</td>
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<tr>
<td>15 Vandam St., MN</td>
<td>Ext. of term (SoHo Playhouse)</td>
<td>Appl'd</td>
<td>881-59-BZ</td>
<td>Dorothy Ames</td>
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<td>405 Hudson St., MN</td>
<td>Permit phys. cult. est. (Equinox Fitness)</td>
<td>Appl'd</td>
<td>226-10-BZ; 606-75-BZ</td>
<td>Rothkrug Rothkrug</td>
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<td>127 W. 25th St., MN</td>
<td>Appeal DOB det. of use (transient hotel)</td>
<td>Denied</td>
<td>189-10-A</td>
<td>Bracewell &amp; Giuliani</td>
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<tr>
<td>420 Lexington Ave., MN</td>
<td>Ext. of term (Equinox Fitness)</td>
<td>Appl'd</td>
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<td>Rothkrug Rothkrug</td>
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<td>15 W. 72nd St., MN</td>
<td>Ext. of term (transient parking)</td>
<td>Appl'd</td>
<td>433-65-BZ</td>
<td>Andrea Claire</td>
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<tr>
<td>805 Zerega Ave., BX</td>
<td>Allow manuf. use in res. district</td>
<td>Appl'd</td>
<td>47-10-BZ</td>
<td>Eric Palatnik PC</td>
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<tr>
<td>3400 Baychester Ave., BX</td>
<td>Spec. perm., ext. of term (service station)</td>
<td>Appl'd</td>
<td>175-10-BZ</td>
<td>Sheldon Lobel PC</td>
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<tr>
<td>1415 E. 29th St., BK</td>
<td>Enlarge 1-family dwelling</td>
<td>Appl'd</td>
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<td>2671 86th St., BK</td>
<td>Ext. time to compl. const. (med. office)</td>
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<td>123 E. 98th St., BK</td>
<td>Special permit (charter school)</td>
<td>Appl'd</td>
<td>218-10-BZ</td>
<td>Simons &amp; Wright</td>
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<td>1153 85th St., BK</td>
<td>Enlarge 1-family dwelling</td>
<td>Appl'd</td>
<td>130-10-BZ</td>
<td>Sheldon Lobel PC</td>
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<td>2113 Ulica Ave., BK</td>
<td>Const. 4-story mixed-use bldg.</td>
<td>Appl'd</td>
<td>194-09-BZ</td>
<td>Sheldon Lobel PC</td>
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<tr>
<td>5 Hope St., BK</td>
<td>Amend spec. perm. (no. of units, parking)</td>
<td>Appl'd</td>
<td>236-07-BZ</td>
<td>Greenberg Traurig</td>
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<td>5820 Bay Pkwy., BK</td>
<td>Ext. of term (auto repair)</td>
<td>Appl'd</td>
<td>230-98-BZ</td>
<td>Mitchell S. Ross</td>
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<td>Ext. of term (phys. cult. est.)</td>
<td>Appl'd</td>
<td>197-02-BZ</td>
<td>Gary Silver</td>
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<td>873 Belmont Ave., BK</td>
<td>Const. 2-family dwelling</td>
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<td>540 Bedford Ave., BK</td>
<td>Appeal DOB permit revocation</td>
<td>Denied</td>
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<td>Isaac Rosenberg</td>
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<td>165-35 N. Conduit Ave., QN</td>
<td>Develop service station, store</td>
<td>Appl'd</td>
<td>277-07-BZ</td>
<td>Miele Assocs.</td>
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<tr>
<td>35-27 Prince St., QN</td>
<td>Waive height restrictions</td>
<td>Appl'd</td>
<td>193-10-BZ</td>
<td>Vincent L. Pessaro</td>
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<tr>
<td>39-16 College Pl, Blvd., QN</td>
<td>Waive height restrictions</td>
<td>Appl'd</td>
<td>192-10-BZ</td>
<td>Vincent L. Pessaro</td>
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<tr>
<td>166-18 73rd Ave., QN</td>
<td>Ext. of term (medical office)</td>
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<td>837-85-A</td>
<td>Angelo F. Liankos</td>
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<td>92-16 95th Ave., QN</td>
<td>Ext. time to obtain C of O</td>
<td>Appl'd</td>
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<td>Fredrick A. Becker</td>
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<td>202-06 Hillside Ave., QN</td>
<td>Ext. of term (Gulf station)</td>
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<td>215-06-BZ</td>
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<tr>
<td>44 Beach 221st St., QN</td>
<td>Enlg. dwelling not fronting mapped st.</td>
<td>Appl'd</td>
<td>12-11-A</td>
<td>Gary D. Lenhart</td>
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<tr>
<td>4641 Hylan Blvd., SI</td>
<td>Ext. of term (medical offices)</td>
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<td>C. Anthony LoPresti</td>
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#### LANDMARKS PRESERVATION COMMISSION

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<td>130 W. 56th St., MN</td>
<td>Mecca Temple</td>
<td>Rem. flagpoles, canopies, inst. marquee</td>
<td>11-8589</td>
<td>Yes</td>
<td>4/14/2011</td>
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<tr>
<td>Prospect Park, BK</td>
<td>Grand Army Plaza &amp; the Concert Grove</td>
<td>Relocate, restore 2 monuments; mod. sidewalk, traffic islands, lights</td>
<td>11-8764; 11-8765</td>
<td>Yes</td>
<td>4/19/2011</td>
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<tr>
<td>5 White St., MN</td>
<td>Tribeca East HD</td>
<td>Repl. infill, signs, lights, conduits</td>
<td>11-8406</td>
<td>Yes</td>
<td>4/6/2011</td>
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<tr>
<td>151 Hudson St., MN</td>
<td>Tribeca North HD</td>
<td>Repl. infill, signs, lights, conduits</td>
<td>11-8406</td>
<td>Yes</td>
<td>4/6/2011</td>
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<tr>
<td>300 Canal St., MN</td>
<td>Tribeca East HD</td>
<td>Rem. gate, inst. storefront, signs</td>
<td>11-8537</td>
<td>Yes</td>
<td>4/12/2011</td>
</tr>
<tr>
<td>84 Wooster St., MN</td>
<td>SoHo-East Iron HD Ext.</td>
<td>Remove diamond plate</td>
<td>11-8406</td>
<td>No</td>
<td>4/8/2011</td>
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<tr>
<td>28 Seventh Ave. S., MN</td>
<td>Greenwich Village HD</td>
<td>Replace infill, enlg. masonry openings</td>
<td>11-8637</td>
<td>Yes</td>
<td>4/19/2011</td>
</tr>
<tr>
<td>23 Cornelia St., MN</td>
<td>Greenwich Village HD Ext. II</td>
<td>Const. ramp, shed, rear facade</td>
<td>11-8532</td>
<td>Yes</td>
<td>4/12/2011</td>
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<tr>
<td>1080 Fifth Ave., MN</td>
<td>Carnegie Hill HD</td>
<td>Inst. ramp in service courtyard</td>
<td>11-8763</td>
<td>Yes</td>
<td>4/19/2011</td>
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<tr>
<td>123 E. 94th St., MN</td>
<td>Carnegie Hill HD</td>
<td>Const. 3-story rear addition</td>
<td>11-8469</td>
<td>Yes</td>
<td>4/8/2011</td>
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<tr>
<td>195 Plymouth St., BK</td>
<td>DUMBO HD</td>
<td>Instalt. repl. windows, repl. infill</td>
<td>11-8717</td>
<td>Yes</td>
<td>4/18/2011</td>
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<tr>
<td>181 Atlantic Ave., BK</td>
<td>Brooklyn Heights HD</td>
<td>Construct rear yard addition</td>
<td>11-8286</td>
<td>Yes</td>
<td>4/11/2011</td>
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<tr>
<td>14 Arleigh Rd., QN</td>
<td>Douglaston HD</td>
<td>Replace rear addition, deck</td>
<td>11-8573</td>
<td>Yes</td>
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May 15, 2011 Volume 8 CITYLAND 67
The Landmarks Preservation Commission approved the City’s restoration plan for the Harlem River High Bridge (seen here circa 1900). See story on page 60.


Upcoming Events

CITY LAW BREAKFAST SERIES 2011

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Dennis M. Walcott, Chancellor of the New York City Department of Education

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