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The City Council approved a seven-story mixed-use project at 74 Wallabout Street in South Williamsburg, Brooklyn. Credit: Magnusson Architecture and Planning.

CITY COUNCIL

Rezoning

South Williamsburg, Brooklyn

City Council Approves Rezoning for Mixed-Use Project on Wallabout Street

Developer asked the City to rezone manufacturing-zoned block in order to develop a seven-story building and a five-story extension for an adjacent religious school. On September 12, 2012 the City Council approved 74 Wallabout LLC's proposal to demolish a low-rise warehouse building and build a seven-story mixed-use building at [74 Wallabout Street](#) in South Williamsburg, Brooklyn. The warehouse sits on the western half of a block bounded by Wallabout Street, and Flushing, Franklin, and Kent Avenues. The Pointe Plaza Hotel (a converted industrial building) and the K-12 Yeshiva Bnos Ahavas Israel occupy the block's western half. The new building will be 70 feet tall and include 120 rental units, 28,439 sq.ft. of ground floor retail

space, and 60 underground parking spaces. 74 Wallabout LLC plans to make the apartments affordable to moderate income households. 74 Wallabout LLC also plans to sell a 5,000-square-foot portion of its property to the yeshiva, and build the school a 17,640-square-foot, five-story rear extension. To develop the project, 74 Wallabout LLC requested that the block be rezoned from M1-2 to R7-1 with a C1-5 commercial overlay.

At the City Planning Commission's public hearing in June 2012, attorney [Raymond Levin](#), representing 74 Wallabout LLC, explained that even though the developer would not rely on any form of subsidy to build the project, it was committed to making the apartments affordable to families earning 125 percent of the area median income. According to Levin, 74 Wallabout LLC intended to sell the property to the yeshiva for one dollar. Levin also confirmed that 74 Wallabout LLC intended to build the project using sustainable materials, although he could not provide (cont'd on page 115)

The Center for New York City Law, the Center for Real Estate Studies,
and the New York City Law Department present:

**THE SIXTH ANNUAL CONFERENCE ON TRENDS IN NEW YORK CITY LAND
USE AND REAL ESTATE DEVELOPMENT**

Thursday, November 1, 2012 • 1:45 p.m. to 5:45 p.m.

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The Changing Face of Open Space: Legal Issues Associated with Open Space in New York City

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Parking Garages, Lots and Off-Street Parking: Proposed New Manhattan Core Parking Rules

Speakers: Stephen Johnson, *Transportation Division, NYC Department of City Planning*; David Karnovsky, *Counsel, NYC Department of City Planning*; Josiah Madar, *Research Fellow, Furman Center for Real Estate & Urban Policy*; Elise Wagner, *Partner, Kramer Levin Naftalis & Frankel*. Moderator: Ross Sandler, *Professor of Law, New York Law School, and Director, Center for New York City Law*.

Accommodating Expansion on Undeveloped or Underused Urban Land

Speakers: Fred Harris, *Executive Vice President for Development, NYC Housing Authority*; Alicia Hurley, *VP of Government Relations, New York University*; Seth W. Pinsky, *President, NYC Economic Development Corporation*. Moderator: James McSpirtt, *Chief, NYC Law Department, Economic Development Division*.

See page 126 for additional details.

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specific details at the time. No one testified in opposition.

The Planning Commission unanimously approved the proposal, noting that the proposed R7-1 district would be an extension of R7-1 districts directly to the north and east of the project block. Noting that there had been a substantial increase in population in the area over the last twenty years, the Planning Commission found that the project would help alleviate the demand for new housing.

At the Council's Zoning & Franchises Subcommittee public hearing on September 6, 2012, local Council Member Stephen Levin supported the proposal, noting that in addition to creating new housing opportunities, the proposed extension to the yeshiva would help address the school's overcrowding problem. Council Member Al Vann asked 74 Wallabout's representatives if the project would include a community preference for the new housing. Gail Benjamin, Council's land use director, interjected to explain that when housing is created using City, State or federal subsidies, the federal government can issue a waiver to the City permitting the developer to "positively" discriminate in favor of residents in the local community. Benjamin, however, noted that because there were no subsidies involved in the project, the developer would not be allowed to discriminate against people living outside the local community.

The Subcommittee unanimously approved the proposal, and the Land Use Committee and full Council followed suit.

ULURP Process
Lead Agency: DCP, Neg Dec.
Comm. Bd.: BK 1, App'd, 35-0-0
Boro. Pres.: App'd
CPC: App'd, 13-0-0
Council: App'd, 43-0-0

Council: Wallabout Street Rezoning (C 110390 ZMK – rezoning) (September 12, 2012) (Architect: [Magnusson Architecture and Planning PC](#)).

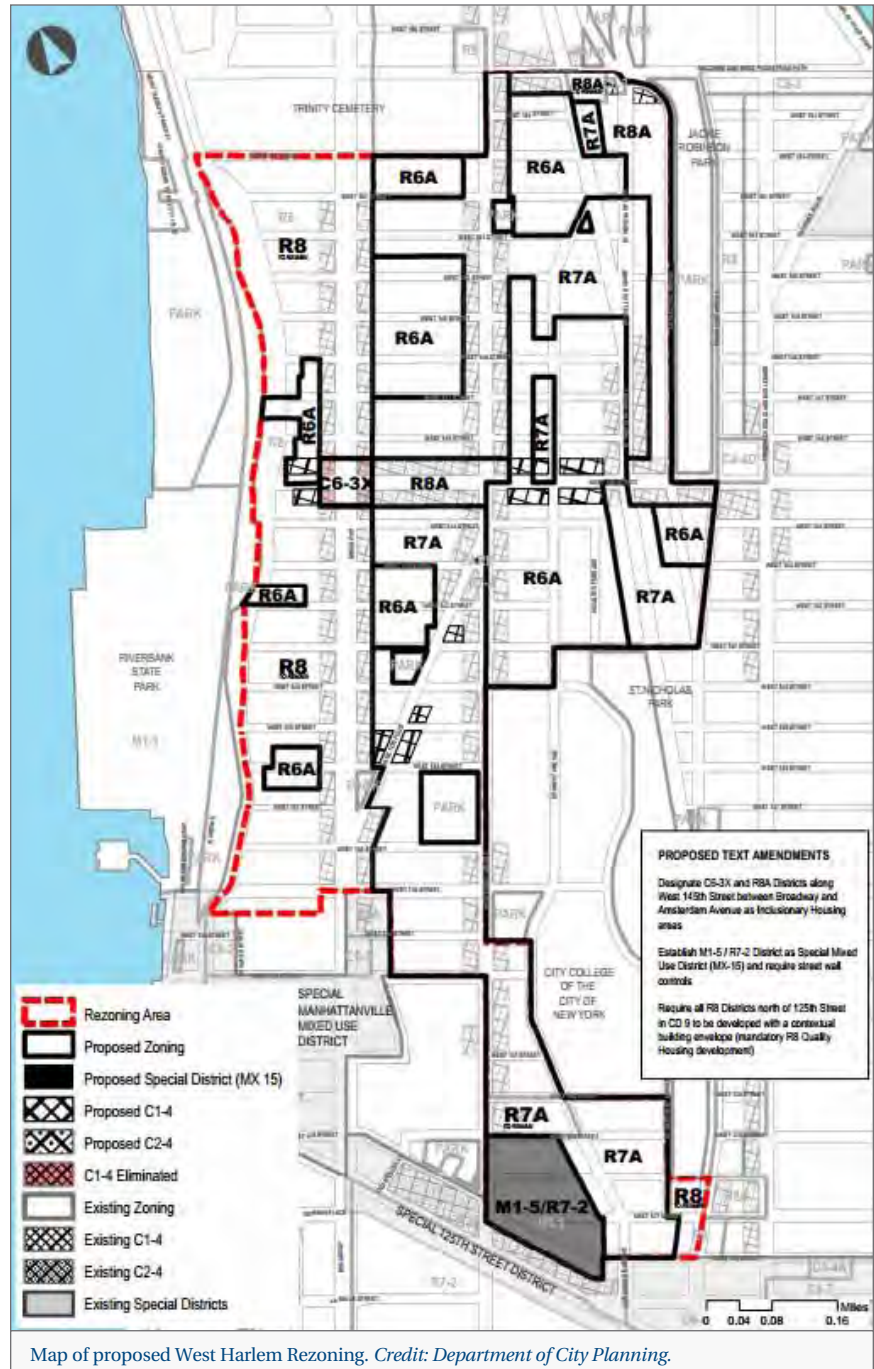
CITY COUNCIL

Rezoning/Text Amendment
 West Harlem, Manhattan

Rezoning in West Harlem Awaits Council Subcommittee Vote

Local community board generally supported 90-block rezoning, but requested that portion of West 145th Street be downzoned to protect ex-

isting HUD buildings: Subcommittee expected to vote on October 23, 2012. On October 3, 2012, the City Council's Zoning & Franchises Subcommittee heard testimony on the Department of City Planning's [proposal](#) to rezone 90 blocks in West Harlem. The rezoning would impact approximately 1,900 lots generally bounded by West 155th Street to the north, West 126th Street to the south, Bradhurst Avenue to the east, and Riverside Drive to the west. City



Planning's proposal seeks to protect the area's existing residential character, create incentives for affordable housing development, encourage appropriate growth along retail corridors, and create opportunities for mixed-use development in the area's manufacturing zone.

West Harlem is predominantly characterized by medium-density residential development, including three- to four-story rowhouses and larger five- to six-story apartment buildings. Taller residential buildings can be found on the blocks between Broadway and Riverside Drive. A major retail corridor with active residential use spans West 145th Street, while commercial overlays also cover portions of Broadway and Amsterdam Avenue. A small manufacturing area located in the southernmost tip of the rezoning area includes the partially demolished former [Taystee Cake Factory complex](#), the Mink Building, and Metropolitan Transit Authority facilities.

The rezoning area is primarily zoned R8 and R7-2. The blocks west of Broadway are zoned R8, while the majority of the blocks east of Broadway are zoned R7-2. Portions of five blocks in the southern boundary of the rezoning area along Amsterdam Avenue are zoned M1-1 for light manufacturing uses. City Planning's proposal would rezone small pockets west of Broadway from R8 to R6A to better match existing development, and replace the R7-2 zoning with a mixture of R6A, R7A, R8, and R8A districts. The M1-1 district in the south would be replaced by the Special Mixed Use District 15 (MX 15), which would combine an M1-5 district with an R7-2 district and permit as-of-right residential, commercial, and light industrial uses.

The plan includes rezoning the intersection of Broadway and West 145th Street to a C6-3X district, permitting a range of future uses with building heights set at a maximum of 170 feet. The City's Inclusionary Housing Program would be appli-

cable to the C6-3X district and an R8A district on West 145th Street between Broadway and Amsterdam Avenue. (See *CityLand's* past coverage [here](#).)

Manhattan Borough President Scott M. Stringer [recommended approval](#) of the rezoning. Manhattan Community Board 9 supported the plan, but was concerned that the proposed R8A zoning and availability of the inclusionary housing bonus along West 145th Street would create development pressure and lead to the demolition of existing federally subsidized, rent-regulated housing. CB 9 recommended rezoning that portion of West 145th Street from R7-2 to R7A instead of R8A.

At the City Planning Commission's hearing in July 2012, several members of CB 9 testified in support, but reiterated the board's concerns about the proposed rezoning of the West 145th Street corridor. Patricia Jones, co-chair of CB 9's land use and zoning committee, expressed concern that the proposed R8A zoning would lead to the loss of 215 existing affordable housing units and urged the Planning Commission to modify the proposal.

Attorney Caroline Harris, representing the owner of 655 St. Nicholas Avenue, testified that the proposal would rezone a small portion of the owner's lot to R6A, while the rest of the lot would be rezoned to R7A. According to Harris, the resulting "split lot" condition would restrict the development potential of the site. She asked the Planning Commission to push the R6A district boundary back so that it ran down the lot line, rather than through the owner's lot. Harris also testified that rezoning the owner's block from R7-2 to R7A "really put a wrench" in discussions between the owner of [655 St. Nicholas Avenue](#) and its neighbor, the [Harlem School of the Arts](#), about possibly purchasing development rights from the school. Yvette Campbell, president of the Harlem School of the Arts, claimed that the rezoning would reduce the

school's transferable development rights by 75 percent, which provided the school with an important source of potential revenue.

The Planning Commission, responding to Harris's testimony, modified the rezoning by moving the boundary line of the R6A district to resolve the split lot condition at 655 St. Nicholas Avenue. In response to the Harlem School of the Arts' concerns, the Planning Commission noted that the school did not have concrete future plans for future development and encouraged the school to consult with City Planning as it prepared for the future. The Planning Commission acknowledged CB 9's concerns about West 145th Street, but contended that the plan appropriately promoted the development of affordable housing on a block well served by public transit. The Planning Commission noted that the plan's environmental review had not identified any danger of residential displacement as a result of the rezoning.

The Planning Commission [approved](#) the rezoning by a vote of 10-1-0. Commissioner Michelle R. De La Uz voted "No," citing the Planning Commission's failure to modify the proposal to protect the existing affordable housing on West 145th Street.

When the rezoning reached the Council's Zoning & Franchises Subcommittee on October 3, representatives of CB 9 and other residents reiterated their concerns about the West 145th Street corridor and asked the Council to modify the rezoning. Council Member Robert Jackson, whose district includes West Harlem, was supportive of the proposal, but concerned about whether the R8A zoning along the West 145th Street corridor would lead to the displacement of residents. In response to Jackson's concerns, City Planning's Melissa Cerezo explained that it would be "extremely arduous" to demolish the federal housing and would require a Department of Housing and Urban Development-

approved plan.

Chair Mark Weprin closed the hearing to allow further discussion about the proposal. The Subcommittee is expected to vote on the rezoning on October 23, 2012.

Council: [West Harlem Rezoning and Text Amendment](#) (C 120309 ZMM – rezoning); (N 120310 ZRM – text amendment) (October 3, 2012).

CITY COUNCIL

Rezoning/Text Amendment

South Williamsburg, Brooklyn

Rezoning for Housing Project Adjacent to Brooklyn's Broadway Triangle Gains Council Approval

Developer's two-building, 69-unit project will include 14 units of affordable housing. On September 12, 2012, the City Council approved Walton Realty Associate's proposal to rezone a three-block area in South Williamsburg, Brooklyn to permit residential uses. The rezoning impacted portions of three blocks located just outside the [Broadway Triangle Urban Renewal Area](#) and generally bounded by Middleton and Wallabout Streets and Union and Marcy Avenues. Walton Realty requested the rezoning in order to develop a two-building residen-

tial project at 59 Walton Street. The buildings will rise eight stories and provide a total of 69 rental units, and is expected to include 14 units of affordable housing built using the [Inclusionary Housing Program's](#) floor area bonus.

Brooklyn Community Board 1 and Borough President Marty Markowitz supported the proposal but asked that Walton Realty guarantee that it would provide the affordable housing component.

At the City Planning Commission's July 2012 hearing, Eldad Gothelf, representing Walton Realty, testified that if the project ultimately was not built pursuant to the Inclusionary Housing Program, Walton Realty nonetheless planned to set rents for available apartments at 130 percent of the area median income. Rabbi David Niederman of the United Jewish Organizations of Williamsburg Inc. testified in support, noting the community's need for housing. The Planning Commission unanimously approved the proposal. (see *CityLand's* coverage [here](#).)

When the proposal reached the Council's Zoning & Franchises Subcommittee, Eldad Gothelf testified that the rezoning was appropriate because it would bring several nearby residential uses built pursuant to BSA approvals into conformance with the zoning law. Gothelf

also testified that a proposed C2-4 commercial overlay would ensure the continued existence of a grocery and bakery, which he said provided approximately 12 jobs. Rabbi David Niederman reiterated his support, testifying that South Williamsburg needed family housing and was a better alternative to a high-end luxury development. Local Council Member Stephen Levin urged his colleagues to approve the proposal. Levin pointed out that the area was lacking in development sites, and said the rezoning would permit much needed housing for the community. No one testified in opposition.

The Subcommittee unanimously approved the proposal, and the Land Use Committee and full Council followed suit.

Review Process

Lead Agency: DCP, Neg. Dec.

Comm. Bd.: BK 1, App'd, 16-11-4

Boro. Pres.: App'd

CPC: App'd, 13-0-0

Council: App'd, 43-0-0

Council: 59 Walton Street Rezoning (September 12, 2012) (Architect: [Karl Fischer Architect](#)).

CITY COUNCIL

Rezoning/Text Amendment

Bedford-Stuyvesant, Brooklyn

City Council Approves Bedford-Stuyvesant North Rezoning

140-block rezoning included new commercial zoning district tailored for blocks with elevated rail lines. On October 11, 2012, the City Council [approved](#) the Department of City Planning's [Bedford-Stuyvesant North Rezoning Plan](#). The contextual rezoning plan impacts a 140-block area generally bounded by Flushing Avenue to the north, Quincy Street to the south, Broadway to the east, and Classon Avenue to the west. The proposal included new regulations regarding street-level transparency requirements for



Two building, eight-story project planned for 59 Walton Street in South Williamsburg, Brooklyn. Credit: Karl Fischer Architect.

HDC: Proposed Legislation Would Undermine the Landmarks Preservation Commission



Since its adoption in 1965, the New York City Landmarks Law has been amended several times. In 1973, the Landmarks Preservation Commission was allowed to designate landmarks as part of its regular schedule rather than having to wait three years between designation hearings, as had previously been the case, and also gained the ability to designate publicly owned parks and publicly accessible interiors as landmarks. In 1997, the agency gained the ability to enforce the law with civil fines, and in 2005, this ability was extended to cases of demolition by neglect. All these amendments extended the powers of the Landmarks Preservation Commission and strengthened the agency. The same cannot be said of the many reforms proposed by the City Council earlier this year.

On May 2, 2012, the City Council held a joint meeting of the Housing and Land Use Committees to deliberate on eleven previously introduced and brand new bills, ranging from the benign to the emasculating, all related to the workings of Landmarks. The hearing lasted almost five hours and over 50 people from neighborhoods across New York testified on the bills, almost unanimously in opposition. The only people testifying in favor of the bills were representatives of the Real Estate Board of New York, who had recently organized the “[Responsible Landmarks Coalition](#),” a gathering of real estate and development interests whose “[Proactive Policy Agenda](#)” closely mirrors the most damaging of the reform proposals. For the purposes of summation, I have divided the eleven bills into three sets.

The first set includes bills which were previously proposed and have been sitting in committee for a number of years. They are as follows:

[Intro 20](#) (Council Member Rosie Mendez, lead sponsor) empowers Landmarks to intercede in cases where unused permits from the Department of Buildings are still active on Landmark buildings. This bill has the potential to be a powerful tool for Landmarks to protect buildings after designation. While this seems like a once-in-a-blue-moon instance, at least three high-profile cases of this situation have arisen in the past 18 months, each one damaging the public’s faith in Landmarks being able to protect landmark buildings and setting a terrible precedent in newly-created historic districts.

[Intro 80](#) (Council Member G. Oliver Koppell, lead sponsor) requires better monitoring of con-

struction near landmark buildings. This is a minor amendment putting into law and extending what is already Department of Buildings operational policy regarding the monitoring of construction adjacent to landmark structures.

[Intro 220](#) (Council Member Jessica S. Lappin, lead sponsor) requires Landmarks to maintain a survey department. This bill is not necessary, as many of the departments within Landmarks are not mandated by law and there is no funding necessarily attached to it. CM Lappin admitted as much in her remarks at the May 2 hearing (during her tenure as Landmarks Subcommittee Chair, Lappin successfully campaigned to get more resources to the agency which allowed them to re-establish their survey department).

[Intro 357](#) (Public Advocate Bill de Blasio, lead sponsor) specifies that “green energy” devices be considered in the definition of “mechanical equipment” on landmark buildings. This bill is largely unnecessary since Landmarks would continue to judge the actual visibility of rooftop structures, regardless of purpose, based on their impact on the protected historic appearance of the landmark structure.

[Intro 533](#) (Council Daniel R. Garodnick, lead sponsor) requires that Landmarks make publicly available a list of energy-efficient windows. While well intentioned, it would seem that this bill would, in effect, require a City agency to create a “preferred vendor list”, which would be inappropriate and possibly illegal for an agency to do.

The second set includes four bills which taken together seek to impose a strict timeline on Landmarks’ deliberation of potential landmarks and historic districts.

[Intro 222A](#) (Council Member Lappin, lead sponsor) requires Landmarks to respond to Requests for Evaluation (RFEs) within a maximum of 180 days (six months).

[Intro 532A](#) (Council Member Garodnick, lead sponsor) mandates a publicly accessible online database of RFEs and dictates language for Landmarks’ responses to requests.

[Intro 849](#) (Council Member Brad S. Lander, lead sponsor) creates an appeals process for denied RFEs.

[Intro 850](#) (Council Member Lander, lead sponsor) creates a 21/33-month maximum timeline for individual landmark and historic district designations.

These bills would seem to answer longtime public complaints about lack of attention to community requests. In truth, if these bills are adopted in tandem as written, they would risk overwhelming Landmarks’

HDC: Proposed Legislation Would Undermine the Landmarks... (Cont.)

scant resources and could result in potentially deserving buildings being rejected for landmark status with at best a cursory review. Currently, there are literally thousands of buildings within the boundaries of dozens of proposed historic districts across the City. If Landmarks HAD to decide whether to designate all those districts in 33 months, it would probably result in thousands of buildings being rejected for landmark status based on scheduling rather than merit. Additionally, there is no guaranteed funding to actually provide for the staff necessary to enact this scheme, nor is it possible for the Council to provide such a guarantee. This plan is almost ensured to create terminal paralysis at the agency.

If this timeline were currently in place, one could easily imagine that historic districts and extensions of historic districts in Crown Heights North, Park Slope, the Grand Concourse, Douglaston Hill, Murray Hill, NoHo, and DUMBO would have never been designated since all of those designations took longer than 33 months to complete. This is clearly a case of an attempt to legislate around a concern where the cure is much more damaging than the problem.

Finally, there are two bills which seek to inhibit Landmarks' powers to designate or regulate properties.

[Intro 845](#) (Council Member Leroy Comrie, lead sponsor) curtails Landmarks' abilities to require the use of certain materials for replacements on landmarked buildings.

[Intro 846](#) (Council Member Comrie, lead sponsor) mandates that the City Planning Commission must analyze the economic impact of designation on the development potential of proposed landmarks and instructs the City Council to strongly regard this analysis in their deliberations. The bill also requires Landmarks to issue very detailed draft designation reports early in the public hearing process and promulgate rules for historic districts immediately after designation.

[Intro 845](#), the Replacement Materials Bill, undermines the basic benefit of Landmarks oversight in helping to gradually return areas to a more historically

appropriate condition. With the advent of new material technologies and the growth in skilled building artisans, it is easier and cheaper than ever before to replace deteriorating building materials with appropriate replacements of high quality. What this bill would result in would be the endless replacement of white vinyl windows in designated historic districts with more of the same. It would also lessen the jobs created in the building trades by the need to improve the conditions and materials of landmark buildings.

[Intro 846](#), the Economic Argument Bill, deliberately misconstrues the economic value of landmark designation by emphasizing the false value of "property strictly as development." By enabling the sole criteria of economic value to be the highest use of a site, the bill strives to denigrate the economic value of landmark designation to property value. The most highly valued and most desirable property in New York City falls within historic districts. There are a number of factors why these areas are so successful, and among them is their landmark protection. People want to live where there is certainty and protection. Under [Intro 846](#), the recent extension of the Park Slope Historic District could have been found to have a negative economic impact on the neighborhood simply because it could limit building expansion and the bulk of new development on some rowhouse blocks, whereas commonsense and actual real world data will show the opposite to be true.

[Intros 845 and 846](#) constitute deliberate attacks on the Landmarks Law, which was intended by its drafters to "stabilize and improve property value; protect and enhance the City's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided; and strengthen the economy of the city." These bills would fundamentally undermine how the landmark designation process has worked since 1965.

— Simeon Bankoff

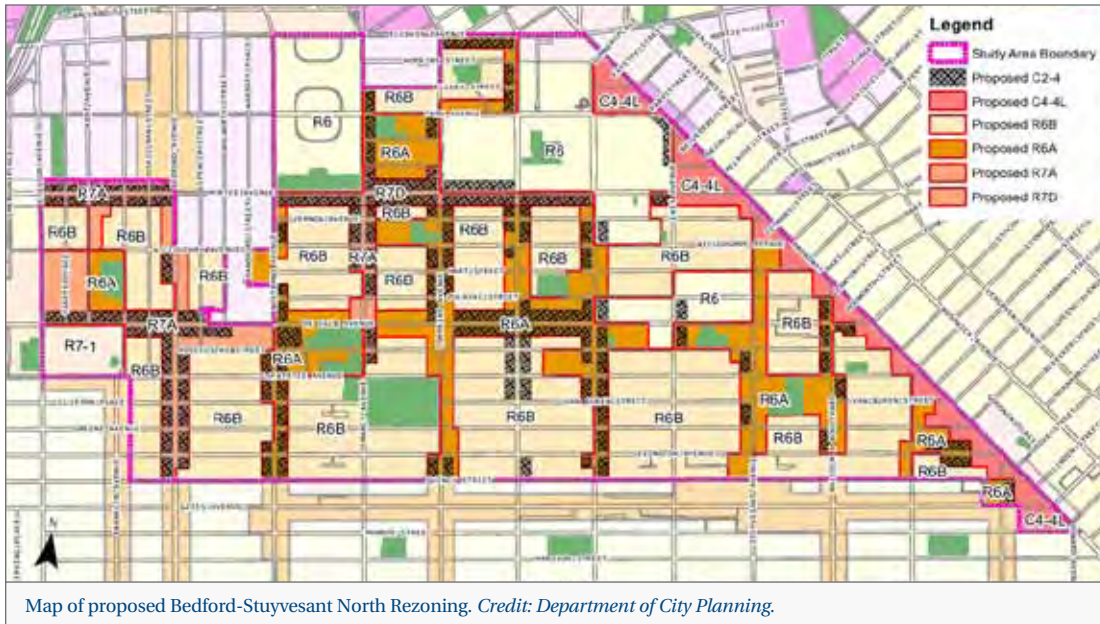
Simeon Bankoff is the executive director of the [Historic Districts Council](#).

some commercial buildings in the neighborhood, which also apply to Community District 7 in the Bronx. The rezoning follows City Planning's [2007-approved](#) rezoning of Bedford-Stuyvesant's southern half.

The primarily residential neighborhood of Bedford-Stuyvesant consists of two- to four-story brown-

stones along the blocks running east and west, with medium-density apartment buildings found along the blocks running north and south. Larger apartment buildings, such as "tower-in-the-park" public housing developments, are scattered throughout the neighborhood. The majority of the area was zoned R6,

with two small areas zoned R5 and R7-1. The action rezoned portions of 83 blocks to R6A, portions of 94 blocks to R6B, portions of 38 blocks to R7A, and an R7D district was applied to portions of six blocks. The new zoning establishes maximum height limits and streetwall requirements to ensure that new develop-



ten testimony in support. No one testified in opposition.

The [Planning Commission unanimously approved](#) the rezoning on September 5, 2012. The Planning Commission acknowledged the borough president’s recommendations, but found that some would be

ments reinforce the neighborhood’s existing character and scale.

The proposal also created a new C4-4L zoning district, which City Planning tailored for blocks featuring elevated subway lines. The C4-4L regulations now apply to the west side of an 18-block section of Broadway on which runs the elevated J, M, and Z subway lines. The C4-4L district’s regulations permit a wide range of uses and impose different bulk regulations depending on whether a development site fronts an elevated rail line. City Planning proposed the new district to ensure that adequate light and air would reach the sidewalk below the elevated rail line and to establish an appropriate distance between a building’s upper floors and the tracks. In addition, an accompanying zoning text amendment applied the City’s Inclusionary Housing Program to portions of Broadway, Myrtle, Bedford, and Marcy Avenues. (See *CityLand*’s past coverage [here](#).)

Brooklyn Community Board 3 recommended approval of the proposal. Brooklyn Borough President Marty Markowitz [generally supported](#) the rezoning, but recommended several modifications, such as limiting building heights on other sections of Myrtle Avenue and Broadway unless developed under

the Inclusionary Housing Program. Markowitz was also concerned that upzoning Myrtle Avenue would lead to the elimination of existing supermarkets, and asked the Planning Commission to take steps to ensure existing supermarket space is retained if a site is redeveloped. The borough president recognized that many of his recommendations were beyond the Planning Commission’s scope of review, and requested that City Planning address his concerns through a follow-up corrective action.

At the Planning Commission’s August 8 hearing, L. Joy Williams, co-chair of CB 3’s land use committee, testified that the proposal met the community’s three most important goals: ensure that new developments fit within the neighborhood’s scale, create additional incentives for affordable housing development, and promote economic development through enhancement of the neighborhood’s commercial corridors. The majority of the rezoning area is within Council Member Al Vann’s district, with small portions impacting the districts of Council Members Diana Reyna, Letitia James, and Darlene Mealy. Representatives of Vann and Reyna testified in support of the rezoning, while James submitted writ-

inappropriate or outside the scope of the proposal.

At the Council’s Zoning & Franchises Subcommittee hearing on October 3, 2012, several residents testified in opposition, claiming that the rezoning would prevent the expansion of synagogues and other community facilities in the neighborhood. They also claimed that the Department of City Planning had not properly notified the community about the rezoning, and one resident complained that the Subcommittee hearing had been held on the Jewish holiday of Sukkot. Richard Bearak, land use director at the Brooklyn Borough President’s Office, reiterated Markowitz’s recommendations.

The Subcommittee unanimously approved the rezoning, and the Land Use Committee followed suit. The full Council approved the plan at its stated meeting on October 11, 2012.

Review Process

- Lead Agency:** DCP, Neg. Dec.
- Comm. Bd.:** BK 3, App’d, 33-1-1
- Boro. Pres.:** App’d
- CPC:** App’d, 12-0-0
- Council:** App’d, 48-0-0

Council: Bedford-Stuyvesant North Rezoning & Text Amendment (C 120294 ZMK – rezoning); (N 120295 ZRK – text amendment); (N 120296 ZRY

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness
Harlem, Manhattan

Landmarks Approved Revised Plan for Harlem’s Corn Exchange Building

Artimus Construction plans to restore the deteriorated remains of the original six-story Harlem landmark. On September 11, 2012, Landmarks approved Artimus Construction’s redevelopment proposal for the severely dilapidated Mount Morris Bank, also known as the Corn Exchange building, at [81 East 125th Street](#) in Harlem. Landmarks designated the 1884 six-story building as an [individual City landmark in 1993](#). The red-brick building once featured a combination of Queen Anne and Romanesque Revival-style architecture and terra cotta and iron ornament, but has rapidly deteriorated since its designation.

The building was abandoned in the 1970s, and lost its mansard roof to a fire in the late 1990s. In 2000, the City’s Economic Development Corporation selected Ethel Bates to rehabilitate the building and turn it into a culinary school. Bates failed to maintain the property, and EDC sued to reclaim title. Landmarks later filed a demolition-by-neglect lawsuit against Bates, citing the building’s missing windows and collapsed floors. In 2009, Buildings partially demolished the building’s remaining top two floors citing dangerous conditions above the second floor. Two years later, EDC [issued an RFEI](#) seeking a developer to rehabilitate the building.

On April 24, 2012, Artimus Construction presented its initial plan to Landmarks. Artimus’ Barry Gurvitch described the proposal as an attempt to “recreate the grandeur and ambiance” of the original Corn Exchange, while also creat-



Proposed redevelopment of the Corn Exchange Building in Harlem (rendering does not reflect final revisions). Credit: Danois Architects PC.

ing “a viable commercial building.” The proposal, designed by [Danois Architects](#), would restore the building’s two remaining floors, rebuild the upper four floors, and create a set-back clerestory along the roof. The new building would include a mansard roof, prominent flues, and three levels of squared bay windows. Gurvitch conceded that the proposal would not be an exact replica of the original building, but it would preserve the “essence” of what was once there. The brick in the rebuilt upper floors would match the brick used in the existing lower floors, and patinated copper would highlight the bay windows. Some decorative elements would be made using fiberglass.

The Historic Districts Council’s Nadezhda Williams testified in opposition, criticizing the proposal for being neither a faithful reconstruction, nor a contemporary interpretation of the Corn Exchange. Williams said the design felt “very flat,” and argued that fiberglass would be an inappropriate material.

The commissioners largely agreed with the criticism. Vice Chair Pablo Vengoechea said he was

pleased to see a proposal to revitalize the site, but found that the proposal lacked a “real commitment” to an architectural approach. Vengoechea suggested that a “faithful reconstruction” might be the “safest” approach to the site. Commissioner Diana Chapin suggested that Artimus could take the design in a more modern direction, but found that as proposed, the design only served as a reminder of “what we’re losing.” Commissioners Libby Ryan and Michael Devonshire expressed concern about the proposed materials, and particularly objected to the use of fiberglass.

Artimus returned to Landmarks in September with a [revised plan](#). The squared bay windows would now more accurately represent the curved bay windows in the original building, while the depth of the other window frames would be increased to give the facade additional texture. The cornice above the first floor would be made of stone, rather than fiberglass, but cornice details on the upper floors would still rely on fiberglass. The mansard roof would be covered in synthetic slate. The mansard would be rede-

signed and increased in size to two stories, and the chimneys would be extended.

The commissioners responded favorably to the revisions. Commissioner Michael Goldblum stated that the difference between the plans was “night and day,” and he only recommended small alterations, including that the mansard should have a steeper angle, and that fiberglass on the upper cornice be eliminated. Commissioner Joan Gerner agreed with Goldblum on tweaking the angle of the mansard, and commended Artimus for “breathing such wonderful life” into the building. Commissioner Christopher Moore found the project generally approvable, but objected to the use of synthetic slate.

Commissioner Fred Bland disagreed with his colleagues and was “philosophically opposed” to the direction of the proposal. Bland argued that the level of craftsmanship on the original building could not accurately be recreated, and that an application to rebuild the site should see the Corn Exchange “interpreted in a completely different way.” He stated that rather than a “pastiche,” Artimus should have proposed a contemporary and “highly abstracted” design.

Landmarks approved the proposal, with modifications, by a vote of 8-1-0, with Bland casting the lone vote in dissent.

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LPC: Mount Morris Bank, 81 East 125th Street, Manhattan (12-5776) ([September 11, 2012](#)) (Architect: Danois Architects).

LANDMARKS PRESERVATION COMMISSION

Designation Hearing
Midtown, Manhattan

Landmarks Holds Public Hearing on Rainbow Room

Rockefeller Center-owner Tishman Speyer endorsed designation, but said it would continue with plans



The Rainbow Room interior at 30 Rockefeller Plaza. Credit: LPC.

to “revitalize” the currently unused nightclub and restaurant space. On September 11, 2012 Landmarks held a public hearing on the potential designation of the Rainbow Room on the 65th Floor of [30 Rockefeller Plaza](#) as an interior landmark. The Rainbow Room was designed by Associated Architects and opened in 1934. The iconic nightclub and restaurant space features 24 double-height windows, tiered seating around a dance floor, crystal chandeliers and sconces, and can accommodate 300 people. In 1987, architect Hugh Hardy oversaw the room’s renovation and restoration. The Rainbow Room has been closed to the public since 2009, when Tishman Speyer Properties evicted Cipriani Restaurants from the space. Landmarks calendared the space on August 14, 2012. (See *CityLand’s* coverage [here](#).)

At the public hearing, Keith Douglas, managing director of Rockefeller Center, testified that Tishman Speyer was “honored” by Landmarks’ consideration and supported designation. Douglas stated that while the Rainbow Room had been modified and altered over the years, its cultural significance remained. He looked forward to working with Landmarks as Tishman

Speyer developed plans “to revitalize and renew the celebrated New York icon.”

The New York Landmarks Conservancy’s Andrea Goldwyn also testified in support, calling the Rainbow Room an “icon of New York’s architectural and social history.” Nadezhda Williams, of the Historic Districts Council, testified that the Rainbow Room was “synonymous with New York City glamour,” and was already a landmark “in the hearts and minds of many throughout the world.” Historic preservation consultant Mary Dierickx testified that during her research while preparing a 2008 [request for evaluation](#) for the Rainbow Room, she found a “significant amount of original design and fabric.” Dierickx said this included the 32-foot circular dance floor, tiered terraces with crystal railings, and many of the crystal sconces. She said the Rainbow Room was an integral part of popular American history and deserved protection.

Landmarks Chair Robert B. Tierney closed the hearing without commissioner comments. Tierney did not set a date for a vote on designation.

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LPC: The Rainbow Room, 30 Rockefeller Plaza, Manhattan (LP-2505) (September 11, 2012).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

Cobble Hill, Brooklyn

Commissioners Seek Revisions to Rowhouse Renovation and Construction Proposal in Cobble Hill

Developer wants to restore and enlarge four mid-19th century rowhouses and replace a low-rise garage with five rowhouses. On September 11, 2012, Landmarks considered Congress Street Development LLC's proposal to restore four circa 1850 rowhouses, demolish a 1983 two-story garage and replace the garage with five, single-family rowhouses at [110 through 128 Congress Street](#) in the [Cobble Hill Historic District](#). The four rowhouses, which had been used as hospital buildings, and garage extend from mid-block of Congress Street to the corner at Hicks Street.

At the hearing, [Ward Dennis](#) of Higgins Quasebarth & Partners LLC testified on behalf of the developer. According to Dennis, St. Peter's Hospital had used the four existing rowhouses beginning in the 1870s. The hospital converted the four buildings into a single unit by the 1880s. The existing garage had been built in 1983 with Landmarks' approval. The developer plans to convert the existing rowhouses to single-family homes.

Architect [Morris Adjmi](#) described the proposal, which called for zinc-clad, one-story additions to the four existing red-brick, three-story buildings. The zinc would be etched in a brick pattern, and the set-back additions would be visible from several vantages. The facades of the rowhouses would be restored, as would the cornices, lintels, and brownstone bases. New painted steel stoops would be built to replace the original stoops that were removed long ago. Adjmi proposed using a lateral, "side-stair" configu-

ration, rather than the more typical front-facing stoops, because of the block's narrow sidewalk.

The five new four-story rowhouses would be clad in red brick. The first two buildings would include garages, which would take advantage of an existing curb cut. The last rowhouse, at the corner of Congress and Hicks Streets, would feature a contemporary projecting bay, inspired by other bays seen elsewhere in the district. The windows of all the new rowhouses would feature projecting black metal frames. The three rowhouses nearest Hicks Street would also feature laterally oriented stoops.

The Historic Districts Council's

Nadezhda Williams was the only member of the public to testify. Williams [stated](#) that many of the design features, particularly the steel stoops and metal entrance doors, had little or no precedent in the neighborhood and were too industrial for the district's residential character.

The commissioners responded positively to the proposal, but asked for several revisions before voting on whether to issue a certificate of appropriateness. Commissioner Fred Bland recommended altering the materials of the stoops to differentiate between the new and historic buildings, and questioned the "highly visible nature" of the zinc additions to the existing rowhouses.



Rowhouse renovation and construction project proposed on Congress Street in Cobble Hill, Brooklyn (mid-block view). Credit: Morris Adjmi Architects.



View of Congress Street rowhouse project from Hicks Street. Credit: Morris Adjmi Architects.

Commissioner Michael Goldblum praised the “very cool project,” and said he did not have a problem with the zinc additions. However, Goldblum recommended that there be stronger differentiation between the new and old buildings, and suggested that the cornice, windows, and bays be given more detail. Commissioner Joan Gerner stated that the project would be a “great addition to this historic district,” but agreed that the new and old buildings needed to be better differentiated and the stoops needed to be refined. Vice Chair Pablo Vengoechea found that the project did not adequately take into account the slope of Congress Street, and suggested reducing the rooftop additions. Commissioner Margery Perlmutter stated that the addition to the first rowhouse had an excessive visual impact, and suggested setting it back from the edge, or otherwise treating it in a different way from the others.

Chair Robert B. Tierney agreed with the other commissioners, stating that the project would be “an important contribution to the district,” but finding there were modifications “on the margins” that needed to be addressed before Landmarks could approve the proposal.

LPC: 110-128 Congress Street, Brooklyn (13-3663) (September 11, 2012) (Architect: [Morris Adjmi Architects](#)).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness

East Village, Manhattan

Landmarks Considers Nine-Story Project Adjacent to Merchant’s House Museum

Opposition feared construction would adversely impact individually landmarked building. On September 11, 2012, Landmarks held a hearing on Gary Spindler’s plan to demolish a one-story garage and develop a new nine-story building at [27 East 4th Street](#) in the [NoHo His-](#)



Proposed nine-story building adjacent to the Merchant’s House Museum in Manhattan.
Credit: SRA Architecture and Engineering.

[toric District Extension](#). The property is located at the northern edge of the historic district and is adjacent to the individually landmarked Merchant’s House at 29 East 4th Street, which is not part of the historic district. The Merchant’s House was [designated as a landmark](#) in 1965 (a portion of its interior was [designated](#) in 1981), and the building currently functions as the Merchant’s House Museum.

Adrian Figueroa and Edward Carroll of SRA Architecture and Engineering presented Spindler’s proposal. According to Carroll, the nine-story building would not be out of context with the block’s “eclectic environment,” and would match the height of the neighboring building to the west at 25 East 4th Street. The building would feature a tripartite glass and steel facade framed by limestone with red masonry on the visible eastern sidewall. Structural engineer [Phil Murray](#), also representing Spindler, testified that they would brace the Merchant’s House’s western wall and excavate the lot in segments, using seismographs to monitor any

potential impacts.

The Parks Department owns the Merchant’s House, and Parks’ Diane Jackier testified that the agency was concerned about, among other things, potential damage to the building’s historic interior. Jackier said the house’s masonry and decorative plaster interior require vigilant maintenance, and Parks wanted to ensure that adequate measures were in place prior to construction in order to protect the property from damage. According to Jackier, Parks had been in communication with Spindler, who had “been receptive” to the idea of signing a memorandum of understanding that would provide protections for the Merchant’s House.

Margaret Halsey Gardiner, executive director of the Merchant’s House Museum, argued that an adjacent nine-story building would “tower over” the Museum and “irrevocably damage [the Museum’s] educational value,” and asked Landmarks to deny the proposal. [Robert Silman](#), a structural engineer retained by the Museum, testified that the historic plaster was “not in great shape,” and that there needed to be a “real study” before allowing demolition and excavation to go forward.

Local elected officials also expressed concerns about the proposal. Council Member Rosie Mendez testified that she was “greatly concerned” that the proposed development would be “detrimental to [the Merchant’s House’s] infrastructure and the precious and world-renowned collections housed therein.” Mendez recommended that any development on the site be limited to three-and-a-half stories and that the developer formally accept fiduciary responsibility for any damages to the Merchant’s House resulting from construction. A representative of State Senator Thomas K. Duane argued that no approval should be issued until the developers assessed all potential damage and undertook appropriate preventive measures.

Manhattan Community Board 2's Doris Diether stated that the board found the building's design "innocuous," but found that its scale was too large for the street. Diether said the Museum should be allowed to approve any plan before Landmarks issues a certificate of appropriateness, and she also argued that the developer should provide financial guarantees for any damage to the museum. Other residents, preservationists, and associates of the Museum testified in opposition, largely focusing their criticisms on the project's potential negative impact on the Merchant's House.

Chair Robert B. Tierney closed the public hearing without comments from the Commissioners.

LPC: 27 East 4th Street, Manhattan (13-0884) ([September 11, 2012](#)) (Architect: SRA Architecture and Engineering).

LANDMARKS PRESERVATION COMMISSION

Certificate of Appropriateness
SoHo, Manhattan

Landmarks Finds Proposed SoHo Rooftop Addition Too Tall

Owner of five-story West Broadway building proposed adding set-back two-story rooftop addition. On September 4, 2012, Landmarks considered a proposal by Green 333 Corp. to build a two-story rooftop addition on a five-story building at [422 West Broadway](#) in the [SoHo-Cast Iron Historic District Extension](#). The building's 1870s Italianate-style facade was restored in 2005.

At Landmarks' public hearing, Stephanie Francis from John Furth Peachy Architect, presented the proposal. According to Francis, the design of the set-back addition had been based on other additions within the district. The proposed sixth floor would be set back eleven-feet-six-inches, and the seventh floor would be set back 19 feet. Bulkheads for an elevator and stairs on top of



Proposed two-story rooftop addition at 422 West Broadway in the SoHo-Cast Iron Historic District Extension. Credit: John Furth Peachy Architect.

the seventh floor would be set back further. Francis explained that the roof of the seventh floor would be sloped in order to reduce its visual impact. The entire addition would be built 20 feet from the rear facade. While the addition would be minimally visible from directly across the street, the entire north side of the addition would be visible from over the neighboring three-story building. The visible north side wall would be clad in brick.

Doris Diether, speaking on behalf of Manhattan Community Board 2, supported the project, but recommended that Green 333 Corp. replace the proposed extension of the building's front fire escape with a more simple fire ladder. The Historic Districts Council's Nadezhda Williams said the addition was "too visible to be appropriate." Williams noted that many of the neighborhood's rooftop additions pre-dated the historic district's [2010 landmark designation](#), and represented "the kind of thing landmarking is supposed to prevent."

The Commissioners gener-

ally found that the proposal was too large and visible for the five-story building. Vice Chair Pablo Vengoechea pointed out that the proposal was nearly one third the size of the existing building. Commissioner Michael Goldblum criticized the stucco-like material chosen for the addition, and also suggested eliminating the seventh floor. Commissioner Fred Bland stated that it was unfortunate for the owner that it had "a short neighbor," and agreed that the highly visible proposal overwhelmed the existing building. Commissioner Libby Ryan stated that she was more concerned about the addition's overall bulk than about how visible certain portions of it would be.

Chair Robert B. Tierney agreed with the other commissioners, and asked Green 333 Corp. to return with a redesigned proposal.

LPC: 422 West Broadway, Manhattan (13-0754) (Sept. 4, 2012) (Architect: John Furth Peachy Architect).



Mock-up of rooftop addition at 422 West Broadway. Credit: CityLand.

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UPCOMING EVENTS

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CITY PLANNING PIPELINE

New Applications Filed with DCP - September 1 to September 30, 2012

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	ULURP NO.	REPRESENTATIVE
ZONING TEXT AND MAP AMENDMENTS				
NR Property 2 LLC	580 Gerard Ave., BX	Rezone M1-2 to R7A/CE-2 to build 7-story resid. bldg. with ground floor retail; text amend. to add BX CD4 to Inclusionary Housing Program	130064ZMX; 130065ZRX	Richard Bass
DCP	Downtown BK Parking Txt. Amend.	Text amend. to mod. off-street parking regs. of Special Downtown BK District	120384AZRK	DCP
Halletts A Development Co.	Halletts Point, QN	City map amend. to facilitate mixed-use dev. with waterfront public access	130068MMQ	Wachtel & Masyr
Michael A. Biagioli	708 Rockaway St., SI	Cert. to create 2 zoning lots in Special South Richmond District	130067RCR	Michael A. Biagioli
SPECIAL PERMITS/OTHER ACTIONS				
Goose Mountain NYC LLC	498 Broome St., MN	Special permit to add 6th floor PH and allow residential use on floors 2 thru PH	130066ZSM	Fredrick A. Becker
Melanie Myers	1 Main St., MN	Related to establishing improved roadway system on Roosevelt Island for Cornell University project	130076ZMM; 130077ZRM; 130078PPM	Fried Frank
LPC	Ridley & Sons Department Store, MN	Landmark designation	130075HKM	LPC
Maria Labrianides	19-06 Ditmars Blvd., QN	New 30-seat sidewalk cafe (Agnanti)	130069ECQ	Ms. Restaurant Corp.
John Buday	2205 Richmond Rd., SI	Proposed const. of one-story mausoleum in Moravian Cemetery	130073ZCR	Buday & Schuster
Antonio S. Valenziano	153 Highland Ave., SI	Renewal of auth. for 1 family dwelling in special district	130074CMR	Lo Bue & Valenziano
Antonio S. Valenziano	10 Wandel Ave., SI	Auth. to mod. topography to constr. 2 fam. dwelling in special district	130072ZAR	Lo Bue & Valenziano
Antonio S. Valenziano	14 Wandel Ave., SI	Auth. to mod. topography to constr. 2 fam. dwelling in special district	130070ZAR	Lo Bue & Valenziano
Antonio S. Valenziano	16 Wandel Ave., SI	Auth. to mod. topography to constr. 2 fam. dwelling in special district	130071ZAR	Lo Bue & Valenziano

ULURP PIPELINE

New Applications Certified into ULURP

PROJECT	DESCRIPTION	COMM. BD.	ULURP NO.	CERTIFIED
South Street Seaport Redevelopment-Pier 17	Rezoning; special permits; authorizations; certification and disposition of City-owned property	MN 1	130052ZMM; 130055ZSM; 130053ZSM; 130054ZSM; N130056ZAM; N130057ZAM; N130058ZCM; 130059PPM	9/4/2012
Maple Lane Views	Rezoning	BK 12	090154ZMK	9/4/2012
CISA Zerega Havemeyer	Disposition of City-owned property	BX 9	130001PPX	9/18/2012

Non-ULURP Referrals

PROJECT	DESCRIPTION	COMM. BD.	APP. NO.	REFERRED
363-365 Bond Street	Renew, modify special permit	BK 6	N130044CMK; M090048(A)ZSK	9/4/2012

BSA PIPELINE

New Applications Filed with BSA — September 1 to September 28, 2012

APPLICANT	PROJECT/ADDRESS	DESCRIPTION	APP. NO.	REPRESENTATIVE
VARIANCES				
440 Broadway Realty	440 Broadway, MN	Permit retail use on cellar and 1st floors	283-12-BZ	Sheldon Lobel PC
Luke Company LLC	232 City Island Ave., BX	Allow senior housing in new development	263-12-BZ	Sheldon Lobel PC
Izhak Lati	1995 E. 14th St., BK	Enlarge existing 2-story and attic building	281-12-BZ	Eric Palatnik PC
Canyon & Cie LLC	132-10 149th Ave., QN	Hotel use in M2-1 district	262-12-BZ	Patrick W. Jones PC
Bacele Realty	27-22 College Pt. Blvd., QN	Permit bank use in R4 district	279-12-BZ	Akerman Senterfitt
SPECIAL PERMITS/OTHER ACTION				
1776 Eastchester Realty	1776 Eastchester Rd., BX	Permit rooftop parking	277-12-BZ	Rothkrug Rothkrug
Fayge & Abraham Hirsch	2122 Avenue N, BK	Enlarge 1-family dwelling	275-12-BZ	Fredrick A. Becker
833 Flatbush LLC	833 Flatbush Ave., BK	Allow phys. cult. est. in commercial bldg. in C2-4 district	276-12-BZ	Rothkrug Rothkrug
Robert J. Panzarella	3143 Atlantic Ave., BK	Construct McDonald's with drive-through in C8-2/R5 district	278-12-BZ	John M. Marmora
Sheila & Jacob Weiss	1249 E. 28th St., BK	Enlarge 1-family dwelling	280-12-BZ	Fredrick A. Becker
Izhak Lati	1995 E. 14th St., BK	Enlarge existing 2-story and attic building	282-12-BZ	Eric Palatnik PC
Jack Cayre	2047 E. 3rd St., BK	Enlarge 1-family dwelling	284-12-BZ	Sheldon Lobel PC
APPEALS				
Lukeco LLC	222 City Island Ave., BX	Permit assisted living facility in flood hazard area	264-12-A	Sheldon Lobel PC
Ciminello Property	980 Brush Ave., BX	Appeal DOB rejection of advertising sign registration	265-12-A; 266-12-A	Wachtel Masyr
CSX	Major Deegan Expwy. at 167th St., BX	Confirm railroad signs exempt from City sign regs.	273-12-A	Stroock Stroock
CSX	Major Deegan Expwy. at 167th St., BX	Confirm railroad signs exempt from City sign regs.	274-12-A	Stroock Stroock
Aaron Minkowicz	1276 Carroll St., BK	Appeal DOB interpretation of zoning text for mixed-use bldg.	272-12-A	Aaron Minkowicz
Robert McGivney	691 E. 133rd St., BX	Appeal DOB determination that sign not a non-conforming use	267-12-A	Davidoff Hutcher
Frank Naso	8 Pavilion Hill Terrace, SI	1-family dwelling not fronting mapped street bed	268-12-A- 271-12-A	Eric Palatnik PC

LANDMARKS PIPELINE

Proposed Designations — September 2012

NAME	ADDRESS	ACTION	DATE
Ridley & Sons Department Store Bldgs.	315 Grand Street, MN	Designated In Part	9/11/2012
The Rainbow Room	30 Rockefeller Center, MN	Heard	9/11/2012

Actions Taken — September 2012

FINAL PERMITS TO BE ISSUED AFTER LANDMARKS RECEIVES CONFORMING PLANS

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	DOCKET NO.	APP'D
September 4, 2012				
1 W. 29th St., MN	Marble Collegiate Church	Demo. portico, inst. stair, demo. add., const. glass enclosure	13-3030	Yes
160 Lexington Ave., MN	N.Y. Phoenix School of Design	Alter entrance, install access lift, signage	13-3253	Yes
551 Fifth Ave., MN	Fred F. French Building	Create doorway, install canopy	13-3200	Yes
235 W. 46th St., MN	Paramount Hotel	Install marquees, flagpoles, infill	13-4966	Yes
175 Broadway, BK	Williamsburg Savings Bank	Modify windows, install stoop, access lift	13-4914	Yes
334 Canal St., MN	Tribeca East HD	Construct rooftop bulkhead	13-1187	W/Mod
33 Carmine St., MN	Greenwich Village HD Ext. II	Install infill, awning, lighting	13-5156	W/Mod
460 W. 22nd St., MN	Chelsea HD	Install deck, mech. equipment, rear garden wall	13-4993	W/Mod
15 E. 26th St., MN	Madison Square North HD	Install awning	13-4897	W/Mod
1989 Morris Ave., BX	Morris Avenue HD	Legalize stoop, walls, gate, fence	13-2287	No
54 Greene Ave., BK	Fort Greene HD	Demo. garage, install balconies, fencing, resurface facades	12-9625	W/Mod
80 Orange St., BK	Brooklyn Heights HD	Install storefront infill	13-2852	Yes
285 Clinton St., BK	Cobble Hill HD	Legalize rear yard addition	12-2897	No
107 Prospect Park W., BK	Park Slope HD	Install terrace railing	13-4819	Yes
September 11, 2012				
81 E. 125th St., MN	Mount Morris Bank (Corn Exchange)	Reconstruct partially demolished building	12-5776	W/Mod
305 Canal St., MN	SoHo-Cast Iron HD	Establish master plan (painted wall sign)	13-3908	W/Mod
60 Grand St., MN	SoHo-Cast Iron HD	Establish master plan (painted wall signs)	13-4395	W/Mod
320 E. 42nd St., MN	Tudor City HD	Establish master plan (installation of windows, a/c units)	12-4293	Yes
12 E. 67th St., MN	Upper East Side HD	Alter facade, create areaway	13-5104	W/Mod
170 E. 75th St., MN	Upper East Side HD Ext.	Construct additions, modify facade, dormer	12-9093	W/Mod
308 Cumberland St., BK	Fort Greene HD	Construct rear yard addition	13-1964	Yes
357 Arleigh Rd., QN	Douglaston HD	Replace roof	12-8594	Yes

New Decisions Added to CITYADMIN www.CityAdmin.org September 2012

CITY COUNCIL

RES. NOS.	PROJECT	DESCRIPTION	DATE
1477	Metropolitan Hospital Ctr. Campus, MN	Approval of land parcel lease	8/22/2012
1478	11 Carmine St., MN	Revocable consent (unenclosed sidewalk cafe)	8/22/2012
1479	320 Court St., MN	Denial of revocable consent (unenclosed sidewalk cafe)	8/22/2012
1480	42-02 Broadway, QN	Revocable consent (unenclosed sidewalk cafe)	8/22/2012
1481	Sears Roebuck & Co. Store, BK	Landmark designation	8/22/2012
1482	Van Tassell & Kearney Auction Mart, MN	Landmark designation	8/22/2012
1483	120 E. 125th St. Firehouse, MN	UDAAP by HPD (rehabilitate vacant building)	8/22/2012
1484	Midtown West EMS Station, MN	Site selection, acquisition of property (ambulance station)	8/22/2012
1485	125 MacDougal St., MN	Revocable consent (unenclosed sidewalk cafe)	8/22/2012
1486	57 Greenwich Ave., MN	Revocable consent (unenclosed sidewalk cafe)	8/22/2012
1487	57-02 39th St., QN	Approval of site plan (472-seat primary school)	8/22/2012
1488	199-02 112th Ave., QN	Approval of site plan (379-seat primary school)	8/22/2012
1489	W. 61st St. & West End Ave., MN	Approval of site plan (692-seat intermediate/primary school)	8/22/2012
1498	165 W. 80th St., MN	Withdrawal of UDAAP by HPD	9/12/2012
1499	Firehouse Engine Co. 83, BX	Landmark designation	9/12/2012
1500	Firehouse Engine Co. 41, BX	Landmark designation	9/12/2012
1501	Hotel Mansfield, MN	Landmark designation	9/12/2012
1502	Martha Washington Hotel, MN	Landmark designation	9/12/2012
1503	Firehouse Engine Co. 305, QN	Landmark designation	9/12/2012
1504; 1505	Veterans Plaza, SI	Rezoning (facilitate food store development); special permit (modify rear yard reqs.)	9/12/2012
1506; 1507	59 Walton Street Rezoning & Text Amendment, BK	Rezoning (M1-2 to R6A, M3-1 to R7A, C2-4 within R7A); zoning text amendment (inclusionary housing)	9/12/2012
1508	Wallabout Street Rezoning, BK	Rezoning (M1-2 to R7-1/C1-5)	9/12/2012
1509; 1510; 1511	Wolfe's Pond Park, SI	City map amendment (eliminate park portion, streets); rezoning (establish R3X district); UDAAP by HPD (1 lot)	9/12/2012
1512	2875 Flatbush Ave., BK	Approval of lease amendment for marina use	9/12/2012
1513	Mount Hayden Property, NY	Dispose of real property	9/12/2012

CITY PLANNING COMMISSION

PROJECT NAME	DESCRIPTION	LOCATION	ULURP NO.	DATE
Riverside/West End HD Ext. I	Landmark district designation	MN 7	N130002HKM	9/4/2012
Park Place HD	Landmark district designation	BK 8	N130003HKK	9/4/2012
Chelsea Market	Zoning text amendment (designate as High Line bonus site); rezoning (establish Special West Chelsea District)	MN 4	N120142ZRM; C120143ZMM	9/5/2012
West Harlem Rezoning & Text Amendment	Rezoning (eliminate C1-4 from R8, change R7-2 to R6A, R8 to R6A, R7-2 to R7A, R7-2 to R8A, C8-3 to R8A, est. C1-4 in R6A, C1-4 in R7A, C1-4 in R8, C2-4 in R8A); txt. amend. (est. MX15 dist.)	MN 9	C120309ZMM; N120310ZRM	9/5/2012
Marconi St. Grade Changes	City map amendment (establish legal grades)	BX 11	C110401MMX	9/5/2012
Bedford-Stuyvesant North Rezoning	Rezoning (eliminate C1-3 from R5, C1-3 from R6, C2-3 from R5, C2-3 from R6, change R5 to R6A, R6 to R6A, C4-3 to R6A, C8-2 to R6A, R5 to R6B, R6 to R6B, C4-3 to R6B, C8-2 to R6B, R6 to R7A, R6 to R7D, R6 to C4-4L, C4-3 to C4-4L, C8-2 to C4-4L, est. C2-4 in R6, C2-4 in R6A, C2-4 in R6B, C2-4 in R7A, C2-4 in R7D, EC-4 district); zoning text amendment (est. district for commercial corridors near elevated trains, apply incl. housing); zoning text amendment (transparency requirements)	BK 3	C120294ZMK; C120295ZRK; C120296ZRY	9/5/2012
11-20 131st St. Rezoning	Rezoning (change R4A to M1-1)	QN 7	C120138ZMQ	9/5/2012
Brookhaven Rehabilitation & Health Care Facility	Special permit (298-bed nursing home); special permit (modify floor area requirements)	QN 8	C110163ZSQ; C110164ZSQ	9/5/2012
Todt Hill Road	City map amendment (realign road)	SI 2	C120003MMR	9/5/2012
Civic Center Plan	Disposition of two City-owned properties	MN 1	C120267PPM	9/19/2012
Rivers Learning Center	Acquisition of property (child care center)	BX 5	C120139PQX	9/19/2012
Travers Park Addition	Site selection, acquisition of property (for use as parkland)	QN 3	C120378PCQ	9/19/2012
J. Haderman Sr. Child Care Ctr.	Acquisition of property (child care center)	QN 3	C120260PQQ	9/19/2012
142nd Street Realignment	Mod. of streetlines and grades; dispo./acquisition of prop.	QN 12	C110388MMQ	9/19/2012

New Decisions Added to CITYADMIN www.CityAdmin.org September 2012

BOARD OF STANDARDS & APPEALS

ADDRESS	DESCRIPTION	ACTION	CASE NO.	REPRESENTATIVE
331, 333, 335, 329 East 9th St., MN	Vary Multiple Dwelling Law (permit rooftop adds. to 4 buildings)	App'd	80-11-A ; 84-11-A ; 85-11-A ; 103-11-A	Marvin B. Mitzner
336 W. 37th St., MN	Legalize office use in 14-story building in Spec. Garment Center Dist.	App'd	48-12-BZ	Marvin B. Mitzner
511 Ninth Ave., MN	Extend time to complete construction of minor development	App'd	155-12-BZ	Kramer Levin
600 Third Ave., MN	Permit physical culture establishment (Blink Fitness)	App'd	107-12-BZ	Rothkrug Rothkrug
6 W. 48th St., MN	Permit physical culture establishment (Silver Star Spa)	App'd	53-01-BZ	Sheldon Lobel PC
49 W. 62nd St., MN	Extension of term (New York Sports Club)	App'd	69-91-BZ	Fredrick A. Becker
1456 First Ave., MN	Permit physical culture establishment (House of Jai)	App'd	79-12-BZ	Jeri Fogel
1477 Third Ave., MN	Permit physical culture establishment (Exceed Fitness)	App'd	116-12-BZ	Francis R. Angelino
820 Concourse Village W., BX	Permit physical culture establishment (Blink Fitness)	App'd	160-12-BZ	Rothkrug Rothkrug
2100 Bartow Ave., BX	Extend time to obtain C of O (Bally's Total Fitness)	App'd	68-94-BZ	Troutman Sanders
450 Castle Hill Ave., BX	Install elevator in existing school (yard, lot coverage regs)	App'd	105-12-BZ	Zaskorski & Notaro
2411 86th St., BK	Extend time to obtain C of O (McDonald's)	App'd	406-82-BZ	Eric Palatnik PC
1140 E. 28th St., BK	Enlarge 1-family dwelling (yards, floor area, open space)	App'd	65-12-BZ	Lewis E. Garfinkel
1561 50th St., BK	Enlarge house of worship	App'd	165-11-BZ	Sheldon Lobel PC
312 Flatbush Ave., BK	Permit physical culture establishment (Crunch Fitness)	App'd	336-98-BZ ; 337-98-BZ	Rothkrug Rothkrug
480 Stratford Rd., BK	Vested right to continue development under prior R6 zoning (now R3X)	App'd	155-11-A	Sheldon Lobel PC
164 Reid Ave., QN	Legalize reconstruction of 1-fam. dwelling not fronting mapped street	App'd	207-12-A	Zygmunt Staszewski
89-15 Rockaway Blvd., QN	Reinstate variance (auto service station)	App'd	68-12-BZ	Vassalotti Assocs.
119-43 197th St., QN	Vested right to continue development under prior R3-2 zoning (now R3A)	App'd	172-11-A	Rothkrug Rothkrug
147-58 77th Rd., QN	Amend variance to allow increased synagogue height	App'd	128-10-BZ	Eric Palatnik PC
153-01 Bayside Ave., QN	Amend variance to allow 243 sq. ft. addition to house	App'd	71-93-BZ	Paul F. Bonfilio
112 Alberta Ave., SI	Construct 1-family dwelling not fronting mapped street	App'd	201-12-A	Rothkrug Rothkrug
22 Lewiston St., SI	Appeal DOB determination (rear yard reduction)	Denied	47-12-A	Rothkrug Rothkrug
280 Marsh Ave., SI	Amend special permit to enlarge use (Massage Envy)	App'd	164-07-BZ	Rothkrug Rothkrug
741 Forest Ave., SI	Extension of term for service station	App'd	718-56-BZ	Walter T. Gorman

LANDMARKS PRESERVATION COMMISSION - APPROVALS & CERTIFICATES

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	CASE NO.	APP'D	ISSUED
2 E. 91st St., MN	Andrew Carnegie Mansion	Install sidewalk vault	13-5996	Yes	9/12/2012
5816 Clarendon Rd., BK	Pieter Claesen Wyckoff House	Construct visitor's center, create pathways	13-5521	Yes	8/28/2012
89 South St., MN	South Street Seaport HD	Demolish pier structure, const. new building	13-5388	Yes	8/22/2012
15 Leonard St., MN	Tribeca West HD	Demo. building, construct 7-story building	13-6131	Yes	9/14/2012
42 Greene St., MN	SoHo-Cast Iron HD	Establish master plan (install storefront)	13-5273	Yes	9/17/2012
50 Bond St., MN	NoHo HD Extension	Alter roof deck	13-6094	Yes	9/14/2012
406 Sixth Ave., MN	Greenwich Village HD	Install signage and lighting	13-5033	Yes	9/11/2012
705 Greenwich St., MN	Greenwich Village HD	Legalize ground floor alterations	13-6038	Yes	9/14/2012
58 Bank St., MN	Greenwich Village HD	Alter rear facade	13-5534	Yes	8/27/2012
53 Jane St., MN	Greenwich Village HD	Construct bulkhead, install pergola, railing	13-5871	Yes	9/6/2012
134 W. 12th St., MN	Greenwich Village HD	Const. rooftop add., demo. & reconstruct rear	13-5422	Yes	8/22/2012
18 E. 16th St., MN	Ladies' Mile HD	Replace infill	13-5732	Yes	8/31/2012
407 W. 14th St., MN	Gansevoort Market HD	Remove, install infill	13-5839	Yes	9/6/2012
400 W. 20th St., MN	Chelsea HD	Replace storefront infill, install signage	13-5740	Yes	8/31/2012
100 W. 23rd St., MN	Ladies' Mile HD	Replace infill, signage	13-5461	Yes	8/24/2012
834 Fifth Ave., MN	Upper East Side HD	Replace wrought-iron railings	13-5697	Yes	8/30/2012
12 W. 68th St., MN	Upper West Side/CPW HD	Demo. rooftop addition, const. rooftop addition	13-5878	Yes	9/7/2012
117 E. 72nd St., MN	Upper East Side HD	Construct pergola, install railings	13-6053	Yes	9/13/2012
162 W. 72nd St., MN	Upper West Side/CPW HD	Remove door, install ramp	13-6230	Yes	9/18/2012
136 W. 73rd St., MN	Upper West Side/CPW HD	Remove rear ell, const. rear addition	13-5726	Yes	9/12/2012
Columbus Ave., MN	Upper West Side/CPW HD	Streetscape improvements	13-5518	Yes	8/28/2012
50 E. 77th St., MN	Upper East Side HD	Establish master plan (install windows)	13-5977	Yes	9/11/2012
4686 Waldo Ave., BX	Fieldston HD	Construct rear addition	13-5528	Yes	8/27/2012
37 Cheever Pl., BK	Cobble Hill HD	Remove deck, rear wall, const. rear addition	13-5362	Yes	8/21/2012

Chart continues on next page

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LANDMARKS PRESERVATION COMMISSION - APPROVALS & CERTIFICATES (CONT.)

ADDRESS	LANDMARK/HISTORIC DISTRICT	DESCRIPTION	CASE NO.	APP'D	ISSUED
232 Court St., BK	Cobble Hill HD	Replace storefront infill	13-5484	Yes	8/24/2012
2 Strong Pl., BK	Cobble Hill HD	Construct 3 rowhouses	13-5540	Yes	8/27/2012
285 Clinton St., BK	Cobble Hill HD	Legalize rear yard addition	13-5807	No	9/4/2012
12 S. Portland Ave., BK	Fort Greene HD	Demo. dormer, raise roofline, parapet, inst. skylight	13-5959	Yes	9/11/2012
237 Carlton Ave., BK	Fort Greene HD	Legalize porch removal, construct deck	13-5600	Yes	8/29/2012
185 Plymouth St., BK	DUMBO HD	Construct additions, replace infill	13-6262	Yes	9/18/2012
107 Prospect Park W., BK	Park Slope HD	Install terrace railing	13-6098	Yes	9/14/2012
12 Middagh St., BK	Brooklyn Heights HD	Replace garage door	13-5100	Yes	9/11/2012