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**Gale A. Brewer, Borough President**

November 20, 2018

**Recommendation on ULURP Application No. C 190070 ZSM 59 Greenwich Avenue  
by 59 Greenwich LLC**

**PROPOSED ACTIONS**

59 Greenwich LLC (“the applicant”) seeks a special permit pursuant to Section 74-711 of the Zoning Resolution (“ZR”) to modify the use regulations of Section 32-421 and the window and lot line regulations of Section 23-861. This special permit would allow for the restoration and renovation of this building for purposes of a single hair salon establishment on the first and second stories, with existing dwelling units on the third and fourth floors.

Pursuant to ZR § 74-711, applicants may request a special permit to modify the use regulations of zoning lots that contain landmarks or are within Historic Districts as designated by the Landmarks Preservation Commission (“LPC”). In order for the City Planning Commission (“CPC”) to grant use modifications, the applicant must first meet the following conditions:

- 1) LPC has issued a report stating that the applicant will establish a continuing maintenance program for the preservation of the building and that such modification or restorative work will contribute to a preservation purpose;<sup>1</sup>
- 2) The application shall include a Certificate of Appropriateness, other permit, or report from LPC stating that such bulk modifications relate harmoniously to the subject landmark building in the Historic District;<sup>2</sup>

Further, in order to grant a special permit, the CPC must find that:

- 1) The modifications shall have minimal adverse effects on the structures or open space in the vicinity in terms of scale, location and access to light and air;
- 2) Such modifications shall have minimal adverse effects on the conforming uses within the building and in the surrounding area.

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<sup>1</sup> The LPC issued a report, MOU (#19-11468) dated December 22, 2017.

<sup>2</sup> The LPC issued the Certificate of Appropriateness (#19-11467) on December 29, 2017.

## **PROJECT DESCRIPTION**

The development site consists of a single parcel located at 59 Greenwich Avenue (Block 613, Lot 60). The block is triangular and is bounded by Greenwich Avenue, Perry Street and 7<sup>th</sup> Avenue South. The property has 23 feet of frontage along the southwest side of Greenwich Avenue and a depth of approximately 65 feet. The site is an interior lot, approximately 60 feet from the intersection of Perry Street and Greenwich Avenue. The site is mapped within a C2-6 zoning district and the site is also located within the Greenwich Village Historic District. The site has a 4-story building (45.5 feet tall) with ground floor retail and dwelling units on the upper floors. The building is currently vacant and undergoing renovation.

## **Background and Area Context**

In 1969, the Landmarks Preservation Commission designated the Greenwich Village Historic District, encompassing approximately 26.1 acres. The site is located within a C2-6 zoning district which permits various uses, including UG6. The surrounding area of the development site is included in the Greenwich Village Historic District with many of the blocks zoned C1-6 and C2-6 (R7-2 equivalent) to allow for mixed uses, typically ground floor retail with dwelling units on the upper floors. The surrounding area is well served by public transportation. The site is approximately 1,000 feet from the local 1 train at Christopher Street and the express 2 & 3 trains at 14<sup>th</sup> Street. The West 4<sup>th</sup> Street station (A/B/C/D/E/F/M trains) is approximately 0.3 miles away from the development site.

## **Proposed Development**

The applicant is proposing to create a single retail establishment on the ground floor and second floor of the site. The ground floor would contain retail sales of hair products and the second floor would have a three-chair hair salon. The third and fourth floors would remain dwelling units, to be occupied by the owner of the site. The site owner is also the proprietor of the retail space and salon.

In order for the applicant to realize this enlargement as planned, waivers are required of the requirements of several sections of the Zoning Resolution.

1. ZR § 32-421, to allow Use Group 6 retail use on the second floor. The site is located within a C2-6 zoning district which permits various uses, including UG6, which the applicant is requesting on the second floor. As this building contains residential dwelling units on the upper floors, commercial use above the ground floor is not permitted as of right.
2. ZR § 23-861, requiring a minimum distance of 30' to the lot line for legal windows. The existing development site does not conform to this requirement. The windows are currently 20' from the lot line.

**COMMUNITY BOARD RECOMMENDATION**

Representatives for 59 Greenwich LLC presented their formal ULURP presentation of the proposed project at the Manhattan Community Board 2 Land Use Committee meeting held on October 10, 2018.

At the full board meeting on October 18, 2018, 42 members of the board present voted to approve the application on the condition that eating and drinking be excluded in perpetuity and this is stated in the City Planning Commission report and likewise specifically incorporated and described as such in a restrictive declaration.

**BOROUGH PRESIDENT'S COMMENTS**

New York City's landmarks and historic districts are important in maintaining our unique identity and culture. However, preservation that can also incorporate uses that advance and continue the creative and economic development of this City is most ideal. This must be done carefully and thoughtfully within the context of the surrounding areas.

The proposed development at 59 Greenwich Avenue appears to be within context for the area. The proposed commercial uses will fit within the area, as there already are many buildings in the vicinity with commercial space on two floors. The intended use for the space as a hair salon will also cause no disruption to the pedestrian experience or to the neighboring properties as there will be no lighted signage or amplified music or significant traffic in and out of the site as the salon space only accommodates three clients at a time. The applicant will renovate and restore the building to emulate its original appearance, including brick and window color, and the addition of a replica Juliette balcony. The windows that currently do not conform to the zoning existed prior to the 1961 Zoning Resolution and should be allowed to remain as they do not impact the neighboring properties. The applicant, and all subsequent owners, will be required to maintain these improvements in perpetuity, as part of a restrictive declaration to be filed on the property. This will ensure that the architectural history of the area will be preserved for future generations.

The community has concerns about the potential for future restaurant use at the location. The development site is adjacent to another building (57 Greenwich Avenue) where the ground floor space presently contains a restaurant. There is also a two-story eating and drinking establishment on the same block as the development site (175 Seventh Avenue South). Furthermore, there are also several restaurants within 500 feet of the development site along Greenwich Avenue. I echo the community's concerns as there are more than enough retail spaces in the area that can accommodate new eating and drinking establishments, and the potential of another two-story restaurant on that small triangular block could negatively affect the pedestrian experience and balance of uses along that strip of Greenwich Avenue, Perry Street, and Seventh Avenue South.

**BOROUGH PRESIDENT'S RECOMMENDATION**

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 190070 ZSM as long the following condition is met:

UG 6 should be permitted on the second floor as requested, but eating and drinking establishments on this floor should be excluded in perpetuity. This exclusion should be stated within the City Planning Commission report and likewise specifically incorporated and described in a restrictive declaration to be recorded against the property.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive, slightly slanted style.

Gale A. Brewer

Manhattan Borough President