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Gale A. Brewer, Borough President

January 22, 2020

Recommendation on ULURP Application C 200149 ZMM – 364 Avenue of the Americas By Washington Place Associates LLC.

PROPOSED ACTION

Washington Place Associates LLC (“the applicant”) seeks a special permit pursuant to Section 74-781 of the Zoning Resolution (“ZR”) to allow pursuant to Sections 197-c and 201 of the New York City Charter for the rezoning of 364 Avenue of the Americas (a/k/a 126 Waverly Place the “Project Area”), 124 Waverly Place, and 85 West Washington Place (Block 552, Lot 7501, and portions of Lots 46 and 71) from an existing R7-2/C1-5 District to R7-2/ C2-5 District for the purpose of legalizing a Physical Culture Establishment (“PCE”) located within 364 Avenue of the Americas (Block 552, Lot 7501, the “Project Site”) which is located in the Greenwich Village neighborhood in Community District 2, Manhattan.

In evaluating this land use action, the office of the Manhattan Borough President must consider the proposed zoning map changes for consistency and accuracy, and given the broader land use implications, weigh their appropriateness of these proposed changes for the growth, improvement and development of the neighborhood and borough.

BACKGROUND

Area Context

The Project Site is bounded by Waverly Place to the south and West Washington Place to the north. The Project Site is located within the Greenwich Village Historic District, designated in 1969 and expanded in 2006 and 2010. The Project Site is well served by public transit. The A/B/C/D/E/F/M lines stop at the West 4th Street Station, 200 feet from the Project Site. There is also PATH train service nearby at 9th Street and Avenue of the Americas, 0.1 miles from the Project Site. The M55 bus, which runs north along Avenue of the Americas, has stops near the Project Site.

Project Area and Site Description

The proposed Project Area encompasses three existing sites: 364 Avenue of the Americas, (a/k/a 126 Waverly Place), 124 Waverly Place, and 85 West Washington Place.

According to the Applicant, the Project Site, 364 Avenue of the Americas (Lot 7501), is owned by the Applicant. It is located on a corner lot with approximately 194.91 feet of frontage on Avenue of the Americas (a wide street), approximately 80 feet of frontage on

West Washington Place (a narrow street), and approximately 93.48 feet of frontage on Waverly Place (a narrow street). It is currently improved with a five-story, approximately 66,186 square foot (3.44 FAR) mixed-use building, with approximately 43,736 square feet of residential floor area (28 dwelling units) and approximately 22,450 square feet of commercial floor area. The commercial spaces are located on the ground and cellar floors with a total gross floor area of 22,450 square feet, 15,573 gross square feet on the ground floor, and 6,877 gross square feet in the cellar. 124 Waverly Place, Lot 46 is improved with a 4,804 GSF (2.25 FAR), four-story structure with four dwelling units and a first-floor dry cleaner. 85 West Washington Place, Lot 71 is improved with a 5,225 GSF (2.44 FAR), four-story structure with six dwelling units and a bar on the ground floor.

According to the Applicant, the PCE seeking legalization, Vada Spa (the “tenant”), opened on October 23, 2019. The spa is classified Use Group 6 – Beauty Salon, which is permitted as-of-right under the existing zoning. However, as the spa also offers massages, the space is classified as a PCE, which requires a special permit from the Board of Standards and Appeals (“BSA”). The Applicant is unable to obtain this special permit under the current zoning. The PCE occupies approximately 1,817 square feet of floor area on the ground floor and 2,915 square feet in the cellar.

To facilitate the proposed development at the Project Site, the applicant proposes a zoning map amendment to eliminate the existing C1-5 commercial overlay of the Project Area and establish a C2-5 commercial overlay covering 364 Avenue of the Americas, 124 Waverly Place, and 85 West Washington Place.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on December 20, 2019, Manhattan Community Board 2 (“CB2”) voted unanimously with 38 board members in favor to approve the application without conditions.

BOROUGH PRESIDENT’S COMMENTS

When we met with the Applicant, they claimed they were not aware that their tenant, Vada Spa, currently offers massages at the Project Site. The tenant’s website and social media indicates they are offering massage services on the premises. Our staff called the tenant to inquire about massage services, and they confirmed that massage services are being offered at the Project Site address. We understand that the length of time to obtain the necessary approvals can be onerous to a business, but we do not support the tenant ignoring the existing zoning.

We find the proposed rezoning consistent with the surrounding zoning. It will permit a wider range of uses that could benefit the community, and because we understand that the Applicant will seek a permit from the BSA to operate as Physical Culture Establishment, we support approval of this application.

Our office has reviewed several ULURP applications requesting re-zonings to accommodate Physical Culture Establishments and we are aware Community Boards also spend resources reviewing BSA applications requesting these special permits for PCEs. It may be time for these processes to be reviewed to allow more flexibility in where these types of uses can be located.

BOROUGH PRESIDENT’S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application NO. C 200149 ZMM.

A handwritten signature in black ink that reads "Gale A. Brewer". The signature is written in a cursive style with a large, looped initial "G".

Gale A. Brewer
Manhattan Borough President