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COMMUNITY BOARD NO. 2, MANHATTAN

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June 27, 2016

Margery Perlmutter, Chair
NYC Board of Standards & Appeals
40 Rector Street, 9th Floor
New York, New York 10006-1705

Dear Chair Perlmutter:

At its Full Board Committee meeting on June 23, 2016, Community Board #2, Manhattan adopted the following resolution:

11 Bond Street (on the corner of Bond Street and Lafayette Street) BSA Cal No. 2016-4178-BZ: application for a variance to ZR 72-21 to allow Use group 6/10 retail below the second floor in an M1-5B zone.

Whereas:

1. This is an application to allow Use Group 6/10 retail below the floor level of the second floor in a three- to four-story building that has been used as a women's shelter.
2. Total floor area of proposed redevelopment is 13,014sf with main entrance on Lafayette and deliveries through Jones Alley.
3. The area adjacent to the property is heavily populated with arts, fashion, graphic and interior design, marketing, media, advertising/public relations, and technology establishments. For example:
 - a. Theaters within a few blocks of 11 Bond St include Lynn Redgrave Theater/SubCulture, Sheen Center, Bond Street Theater, Gene Frankel Theatre, Astor Place Theater/Blue Man Group, Public Theater and Joe's Pub.
 - b. Galleries and studios nearby include Dienst and Dotter, Zurcher Studio, The Hole, Aicon Gallery, Karma Gallery, Sylvia Wald + Po Kim Art Gallery, Uprise Art, CultureHub, and artists such as Chuck Close and Bruce Williams.
 - c. Showrooms for antiques and furniture include Alan Moss, Crate and Barrel, Dienst and Dotter, The Future Perfect, Clodagh, and Il Buco Vita.
4. The applicant claims that because of the small floorplates (1,150 to 1,500 sf below the second floor and 3,282 sf above), absence of a loading dock, and existing split level configuration, conversion of the building for conforming uses (such as manufacturing, or showroom and accessory) would not bring a reasonable return.

5. Applicant also claims that the developer requires flexibility to use the building for both Use Group 6 and 10 uses because the building exceeds 10,000 sf and it claims the building is only suitable for use by a single tenant.
6. The attorney representing the applicant, Michael Sillerman of Kramer Levin, wrote in his June 3, 2016 letter to the Board that there will be no below-grade selling space.
7. Concerns were raised at the meeting regarding excessive illumination.
8. NoHo Bowery Stakeholders supports this application but requests that the rooftop be landscaped and maintained by the owner; that no rooftop use other than maintenance be allowed; and that RFR (the applicant) continues to communicate with its neighbors during this conversion.

Therefore, CB2, Man. recommends approval of this application provided that:

1. BSA ascertains that building is truly only appropriate for a single tenant.
2. In the interest of contributing to this neighborhood's context, CB2 has a strong preference that, if Use Group 10 is approved, it be limited to arts and design establishments, such as those described in Whereas #3, and not banks, drugstores and apparel stores.
3. Applicant agrees to no eating and drinking establishments within the building or on the rooftop.
4. Applicant agrees to no below-grade selling space per Whereas #6.
5. Applicant agrees that it will landscape and maintain the rooftop; that there will be no event space on the roof and no public access of any kind to the roof except for essential maintenance of building and plantings; and that RFR will continue to communicate with its neighbors during this conversion.
6. Illumination, including in-window advertising/display signage and other lighting, must not cast light into residential windows and be reduced within one hour of closing or by 10pm, whichever is earlier.
7. If a single user store is allowed, the top floor be used for back of house activities and not as another selling floor.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (R. Sanz).

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



Anita Brandt, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TB/fa

c: Hon. Jerrold L. Nadler, Congressman
Hon. Deborah Glick, Assembly Member
Hon. Daniel L. Squadron, NY State Senator
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Margaret Chin, Council Member