

CITY PLANNING COMMISSION

May 10, 2017 / Calendar No. 25

C 170182 ZSM

IN THE MATTER OF an application submitted by 1170 Broadway Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height & setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the 8-story and penthouse enlargement of an existing 4-story commercial building, on property located at 1164-1170 Broadway a.k.a. 12 West 28th Street (Block 829, Lot 50), in an M1-6 District, within the Madison Square North Historic District, Borough of Manhattan, Community District 5.

This application for a special permit was filed by Broadway Associates LLC on December 7, 2016.

The special permit seeks to modify the maximum front wall height and required front setback regulations of Section 43-43 of the Zoning Resolution to facilitate the construction of a proposed eight-story hotel addition to the existing four-story mixed use building in the Madison Square Park neighborhood of Manhattan Community District 5.

BACKGROUND

The applicant, 1170 Broadway Associates, LLC, is seeking approval of a special permit pursuant to Zoning Resolution (ZR) Section 74-711 to modify the height and setback regulations of ZR Section 43-43, to facilitate the construction of a proposed eight-story addition to the existing four-story structure at 1164 Broadway (Block 829, Lot 50).

The site is located within an M1-6 zoning district within the Madison Square North Historic District. The M1-6 zoning district, with a maximum FAR of 10, is characterized by light industrial uses but also permits hotels, offices, and most retail uses. The historic district was designated by the Landmarks Preservation Commission (LPC) in 2001 and is generally bounded by 25th Street

to the south, 29th Street to the north, Madison Avenue to the east and 6th Avenue (Avenue of the Americas) to the west.

The project site consists of a single zoning lot developed with three structures comprising the NoMad Hotel and related uses: 1164 Broadway, a four-story structure that currently contains a ground floor restaurant use and hotel use above (accessory amenity and office and one guest suite); 1170 Broadway, a twelve-story (plus penthouse) structure that contains ground floor retail with hotel use above; and 12 West 28th Street, a four-story structure that contains ground floor retail use with hotel use above. The site has 132.06 feet of frontage on Broadway and 127.67 feet of frontage on West 28th Street for a lot area of 13,461 square feet. The zoning lot currently contains 111,338 square feet of zoning floor area for a floor area ratio (FAR) of 8.27.

The applicant is proposing to construct an 8-story structure over the existing four story building at 1164 Broadway. The proposed development would add 18,302 zoning square feet of hotel use and would result in a total of 129,640 zoning square feet (9.63 FAR) on the zoning lot. This would allow the construction of thirty-six new hotel rooms in the NoMad Hotel, for a total of 204 rooms. Four newly-constructed hotel rooms would be provided on the fifth through twelfth floors with one hotel room on the newly-constructed penthouse floor at 1164 Broadway.

There are no proposed changes to the hotel's existing entrance (currently located at 1170 Broadway), lobby or elevators except that a canopy would be added above the ground floor retail space at 1164 Broadway. Guests of the new hotel rooms within the proposed enlargement would use the existing entrance, lobby, elevator and corridor of 1170 Broadway for access. There would

be no change to the existing conditions for 1170 Broadway and 12 West 28th except for framing new internal openings on the fifth through twelfth floors of 1170 Broadway to provide internal access to the new floors at 1164 Broadway.

Pursuant to Section 43-43 of the Zoning resolution, in an M1-6 district, the maximum height of a front wall is 85 feet or six stories, whichever is less, at which a 15-foot initial setback is required from a wide street such as Broadway. Above a height of 85 feet, building height is governed by a sky exposure plane of 5.6 to 1 from a wide street. The proposed eight-story addition would extend 1164 Broadway's street wall to twelve stories or 148.5 feet (before setting back about 16 feet from the street line at the penthouse level) resulting in an encroachment into the 15-foot setback area and penetration of the sky exposure plane above Broadway. Therefore, the applicant seeks a waiver of the height and setback regulations of ZR Section 43-43 to facilitate the proposed eight-story addition, pursuant to ZR Section 74-711. Approval of the special permit would modify the height and setback regulations of ZR Section 43-43 to permit the proposed addition to encroach within the 15-foot required initial setback distance and penetrate the sky exposure plane, which would allow the proposed street wall to align with the existing street wall of 1170 Broadway and built form of other contributing buildings in the historic district.

There are no recent or pending land use actions that affect the site. On March 24, 2015, the Board of Standards and Appeals (BSA) granted a variance (No. 175-14-BZ), in connection with the construction of a new fourteen-story hotel at 1162 Broadway, immediately south of the project site, waiving setback, height and side yard requirements to enable the construction of the hotel pursuant to an LPC-approved design with a street wall that rises without setback at the street line

to the height of the building. Land uses in the surrounding area are characterized by a mix of commercial office and retail uses as well as wholesale and distribution uses and eating and drinking establishments. Buildings in the surrounding area range from one to twenty-four stories in height with the majority of structures being between four and twelve stories in height.

On June 26, 2008, the LPC approved the Applicant's proposal to complete interior and exterior work on 1170 Broadway, 1164 Broadway and 12 West 28th Street which are also located on the zoning lot (Certificate of Appropriateness No. 08-8612), in connection with the Applicant's proposal to renovate these structures and operate the NoMad Hotel.

In order to grant the special permit, the Commission must find that the proposed bulk modifications have minimal effects on the nearby structures or open space, in terms of scale, location and access to light and air.

ENVIRONMENTAL REVIEW

The application (C 170182 ZSM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules Procedure of 1991 and Executive Order No. 91 of 1997. The lead is the City Planning Commission. The designated CEQR number is 17DCP063M.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on January 17, 2017.

UNIFORM LAND USE REVIEW

This application (C 170182 ZSM) was certified as complete by the Department of City Planning on January 17, 2017, and was duly referred to Community Board 5 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Manhattan Community Board 5 held a public hearing on this application at its Land Use meeting on February 9, 2017, and on that date, issued a letter recommending approval by a vote of 30 in favor, none opposed, and one abstaining.

Borough President Recommendation

The application was considered by the Manhattan Borough President, who issued a recommendation on March 29, 2017, to approve the application.

City Planning Commission Public Hearing

On March 22, 2017 (Calendar No. 7), the City Planning Commission scheduled April 5, 2017 for a public hearing on this application. The hearing was duly held on April 5, 2017 (Calendar No. 24). There were two speakers in favor and none opposed.

The applicant's representative provided an overview of the project and described the proposed action. A representative from the Office of the Manhattan Borough President also spoke in favor of the application.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the grant of this special permit is appropriate.

The requested action would permit the modification of the bulk regulations pursuant to Section 74-711 of the Zoning Resolution on a zoning lot that contains a landmark or is within a Historic District. The applicant is seeking a special permit to modify the requirements of the maximum front wall height and required front setback regulations of Section 43-43 in order to facilitate the construction of a proposed eight-story hotel addition to the existing four-story mixed use building.

In a letter to the Commission dated October 31, 2016, the LPC stated its support for the application. The letter also detailed the restorative façade work that will be completed as part of the project and outlined the established maintenance program that will reinforce the architectural and historic character of the building, streetscape and the Madison Square North Historic District.

The Commission believes that the modifications to the height and setback regulations are appropriate and consistent with the scale of the neighboring buildings of comparable or taller heights. The Commission further notes that the proposed street wall height at 1164 Broadway will match the existing street wall height at 1170 Broadway, creating a continuous height that will contribute to a harmonious relationship between the two buildings and with the surrounding

buildings in the Madison Square North Historic District. The Commission also observes that the buildings front Broadway which is a wide street that provides access to light and air.

The Commission also agrees with the LPC that the restorative work completed at 1170 Broadway and 12 West 28th Street has returned the building closer to its original appearance, and reinforces the architectural and historic character of the building, streetscape, and the Madison Square North Historic District; and that this completed work and additional planned restorative work, including additional limestone and marble patching and recreating missing sections of the metal railing around the base of the cupola lantern, will aid in its long term preservation. The Commission also believes that the requirement to preserve and maintain the building in sound first-class condition by undertaking maintenance and repairs established under the Restrictive Declaration is appropriate.

The Commission believes that the proposed modifications to the maximum height of front wall and required front setback regulations of Section 43-43 will have minimal adverse effects on structures or open space in the vicinity in terms of scale, location and access to light and air and therefore believes that the grant of a special permit is appropriate.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-711 (Landmarks preservation in all districts) of the Zoning Resolution:

- (1) such bulk 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) [This finding is not applicable; no use modification is being requested]

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant adverse impact on the environment; and

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by 1170 Broadway Associates, LLC for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height & setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the 8-story and penthouse enlargement of an existing 4-story commercial building, on property located at 1164-1170 Broadway a.k.a. 12 West 28th Street (Block 829, Lot 50), in an M1-6 District, within the Madison Square North Historic District, Borough of Manhattan, Community District 5, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 170182 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Stonehill & Taylor Architects, P.C., filed with this application and incorporated in this resolution:

<u>Drawing Number</u>	<u>Title</u>
ZCP-01	Zoning Charts

<u>Last Date Revised</u>
December 05, 2016

ZCP-02	Zoning Site Plan	December 05, 2016
ZCP-03	Zoning Waiver Plan	December 05, 2016
ZCP-04	Proposed Building Sections – East-West	December 05, 2016
ZCP-05	Proposed Building Sections – North-South	December 05, 2016

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution the provisions of which shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's action or failure to act in accordance with the provisions of this special permit.

The above resolution (C 170182 ZSM), duly adopted by the City Planning Commission on May 10, 2017 (Calendar No. 25), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,

CHERYL COHEN EFFRON, MICHELLE DE LA UZ, JOSEPH DOUEK,

RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,

ORLANDO MARIN, LARISA ORTIZ, *Commissioners*

MANHATTAN COMMUNITY BOARD FIVE

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109
New York, NY 10123-2199
212.465.0907 f-212.465.1628

Wally Rubin, District Manager

February 10, 2017

Hon. Carl Weisbrod
Chair of the City Planning Commission
22 Reade Street
New York, NY 10007

Re: 1164 Broadway, Application by 1170 Broadway Associates for a special permit to construct an eight story addition, plus a penthouse, to an existing four-story structure.

Dear Chair Weisbrod:

At the regularly scheduled monthly Community Board Five meeting on Thursday, February 09, 2017, the following resolution passed with a vote of 30 in favor; 0 opposed; 1 abstaining:

WHEREAS, 1164 Broadway is in the Madison Square Park North Historic District and is subject to LPC discretionary review to ensure any development contributes to the character of the historic district;

WHEREAS, The applicant, 1170 Broadway Associates, LLC , is applying for a special permit pursuant to Section 74-711 of the Zoning Resolution of the City of New York (the “Zoning Resolution” or “ZR”) to modify the height and setback regulations of ZR §43-43, to facilitate the construction of an eight-story addition (plus penthouse) to the existing four-story structure at 1164 Broadway (the “Proposed Enlargement”); and

WHEREAS, The zoning lot lies within Manhattan Community District 5 and an M1-6 zoning district. The zoning lot is also within the Madison Square North Historic District (the “Historic District”).

WHEREAS, CB5 recommended that LPC approve the design of this 12-story plus rooftop hotel building as contributing to the Madison Square Park North Historic District and LPC believes this development would result in a contributing building; and

WHEREAS, The only means by which the LPC-approved design can be built is through the requested relief from the base heights and setback requirements of ZR Section 43-43 and the side yard requirement of ZR Section 43-25; and

WHEREAS, The requested relief from zoning can be granted through a Special Permit pursuant to ZR Section 74-711



OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
431 West 125th Street, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

March 29, 2017

**Recommendation on
ULURP Application No. C 170182 ZSM – 1164 Broadway
by 1170 Broadway Associates, LLC**

PROPOSED ACTIONS

1170 Broadway Associates, LLC (the “applicant”) seeks approval of a **special permit** pursuant to Section 74-711 of the New York City Zoning Resolution (“ZR”) to modify the height and setback regulations of ZR § 43-43 in order to facilitate the construction of an eight-story addition to the existing four-story structure at 1164 Broadway (Block 829, Lot 50) in an M1-6 zoning district in Manhattan Community District Five. This project site also lies within the Madison Square North Historic District.

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;¹
- 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;²
- 3) The maximum number of permitted dwelling units is as set forth in ZR § 15-111.³

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.

¹ The LPC issued a report, MOU 19-4603 dated October 31, 2016.

² The LPC issued a Certificate of No Effect (CNE 19-4604) on October 31, 2016. The Certificate of Appropriateness (COFA #19-4602) was also issued on October 31, 2016.

³ This condition is not applicable as the proposal does not contain any dwelling units.

PROJECT DESCRIPTION

The applicant is seeking a special permit pursuant to ZR § 74-711 to facilitate the construction of an eight-story addition, plus a penthouse, to the four-story structure at 1164 Broadway. The project site occupies the same Tax Lot as 1170 Broadway and 12 West 28th Street, and together the three buildings currently house the NoMad Hotel and related uses. The project site is located at Lot 50 of Block 829, and bounded by Broadway to the west, West 28th Street to the north, Fifth Avenue to the east, and West 27th Street to the south.

On October 31, 2016, the LPC issued a Certificate of Appropriateness (COFA 19-4602) approving the current proposed enlargement for the structure at 1164 Broadway and the restoration plan for the existing structures at 1170 Broadway and 12 West 28th Street, both of which are contributing buildings in the Madison Square North Historic District. The exterior work to the contributing buildings include restorative work approved under two Certificates of No Effect (11-8453 and 19-4604), approved on April 8, 2011 and October 31, 2016, respectively. The scope of work will cover patching of deteriorated limestone, repair of the sheet metal cornice, replacement in kind of copper for the corner cupola tower, the repair and replacement in kind of deteriorated steel lintels and spandrels and associated masonry, and refinishing of storefront infill to match existing material.

The special permit pursuant to ZR § 74-711 requires the applicant enter into a Restrictive Declaration with the LPC and establish a continuing maintenance program for the preservation of the existing buildings at 1170 Broadway and 12 West 28th Street.

Proposed Development

The applicant proposes an enlargement to the four-story structure at 1164 Broadway by demolishing the existing façade and constructing an eight-story addition with penthouse that connects internally to 1170 Broadway, pursuant to the Certificate of No Effects issued by the LPC (CNE 19-4604). The building would be subject to a continuing maintenance plan as described in the modification of use agreement (MOU 17-6957).

The proposed enlargement would add 18,302 zoning square feet of Use Group 5 hotel use, which would allow for the construction of 36 new hotel rooms. The zoning lot would have 120,640 zoning square feet for an FAR of 9.63 and a total of 204 hotel rooms. There are no proposed changes to the hotel's entrance, lobby, or elevators except a canopy addition above the ground floor retail at 1164 Broadway, and guests of the new rooms would use the existing entrance, lobby, and elevator of 1170 Broadway for access.

The proposed enlargement would add four hotel rooms on each of floors five through twelve, and one hotel room on the penthouse floor. The existing four stories would be reclad and modified to allow for two hotel rooms on the second floor and two hotel rooms on the fourth floor. Thus, the proposed enlargement would result in a total of 37 hotel rooms at 1164 Broadway, or an increase of 36 from existing conditions, to go from 168 existing hotel rooms to a total of 204. Portions of the second and fourth floor would continue as accessory hotel uses

such as storage and guest amenity space, while the third floor would be used for accessory hotel offices and administration. The ground floor and cellar would continue to contain Use Group 6 eating and drinking establishment uses.

The street wall of the proposed enlargement at 1164 Broadway would match the street wall height of 1170 Broadway by having a 148 feet 6 inch street wall that would rise straight up before setting back at the penthouse level approximately 12 feet and 8 inches. Including the penthouse, the proposed enlargement would rise to a total height of 160 feet and 6 inches, slightly below the total height of 1170 Broadway.

Area Context

The project site is located on a single zoning lot in an M1-6 zoning district within the Madison Square North Historic District in Manhattan Community District 5. The area is characterized primarily by commercial office and retail uses, and buildings of various sizes occupied by wholesale, office and related commercial uses, ground floor retail space, and public parking.

Buildings in the surrounding area range for one to 24 stories in height, with the majority of structures between four and twelve stories. The buildings are primarily commercial structures with wholesale businesses and office space, and ground floor retail space including eating and drinking establishments. Madison Square Park is located nearby to the south east of the project site.

In 2001, the Landmarks Preservation Commission (LPC) designated the Madison Square North Historic District, generally bounded by 25th Street to the south, 29th Street to the north, Madison Avenue to the east, and Sixth Avenue to the west. The Madison Square North Historic District consists of approximately 96 buildings representing the period of New York City's commercial history from the 1870s to the 1930s, when the area developed as a major entertainment district, and then as a mercantile district of high-rise offices and lofts. The buildings typically rise without setback from the street line, including buildings taller than the maximum base height permitted in the M1-6 zoning district.

The area is served by the N and R subway lines at West 28th Street and Broadway, and the 6 line at East 28th Street and Park Avenue. It is also served by multiple bus routes: the M1, M2, M3, and M5 routes run south along Fifth Avenue; the M5 and M7 run north on Sixth Avenue; and the M4 and Q32 run east on 32nd Street from Seventh Avenue to Madison Avenue.

Site Description

The project site (Block 829, Lot 50) is improved with three buildings that currently house the NoMad Hotel: 1164 Broadway is a four-story structure with ground floor restaurant use and hotel use above; 1170 Broadway is a twelve-story structure that contains ground floor retail with hotel use above; and 12 West 28th Street is a four-story structure with ground floor retail and hotel use above. Located in a M1-6 zoning district in the Madison Square North Historic District, the district permits a maximum floor area ratio (FAR) of 10.0 and permits as of right community

facility, hotels, local and destination retail, wholesale and manufacturing uses (Use Groups 4-14, 16 and 17).

The Designation Report of the Madison Square North Historic District describes the structure at 1164 Broadway as originally a mid-nineteenth-century dwelling with new facades installed in 1919 and 1985. The structure has also housed storage, display, sales, and light manufacturing uses, and in the mid-1980s was converted to stores and a bank. In 2008, the LPC approved the applicant's proposal to complete interior and exterior work on the structures at 1164 Broadway, 1170 Broadway, and 12 West 28th Street (Certificate of Appropriateness No. 08-8612), in connection with the applicant's proposal to renovate these structures and operate as the NoMad Hotel.

Proposed Actions

The applicant seeks a special permit pursuant to ZR § 74-711 to modify the height and setback regulations of ZR § 43-43. In a M1-6 district, the regulations provide that the maximum height of a front wall is 85 feet or six stories, whichever is less, at which height a setback of 15 feet is required from a wide street. Above a height of 85 feet, building height is governed by a sky exposure plane of 5.6 to 1 from a wide street. The proposed design of the enlargement at 1164 Broadway would extend the street wall to twelve stories or 148 feet and 6 inches, resulting in an encroachment into the 15 feet setback area and penetrating the sky exposure plane above Broadway, thus creating a building that is non-compliant with the height and setback regulations.

COMMUNITY BOARD RECOMMENDATION

At its Full Board meeting on February 9, 2017, Manhattan Community Board 5 (CB5) approved a resolution recommending approval of the special permit application. CB5 recognized that the LPC-approved design would require the requested relief from the base heights and setback requirements of ZR Section § 43-43, and voted to approve the special permit to facilitate the construction of the 12-story plus penthouse building at 1164 Broadway.

BOROUGH PRESIDENT'S COMMENTS

The applicant proposes an attractive project that fits in with the visual character of the Madison Square North Historic District.

The project was subject to discretionary review by the LPC to ensure that any development would contribute to the character of the historic district. In their review, the LPC noted that the original structure at the site was not one for which the historic district was designated, and the demolition of its façade would not result in the elimination of significant architectural or historic fabric.

The proposed building at 1164 Broadway would have a straight front wall of approximately 150 feet, which matches the streetscape of the block. This height and massing complements the

building at 1170 Broadway, to which it will be internally connected, and their matching floor-to-ceiling heights will contribute to the complementary relationship between the new building and its neighbors. Furthermore, the proportions of the proposed façade are typical of many commercial buildings in the historic district, and its material and composition – dark painted steel, clear glass window assemblies, light-colored limestone, and horizontal limestone banding – are consistent with those of historic store-and-loft and commercial buildings in the area. Based on these findings, the LPC determined the proposed work to be appropriate to the historic district, and voted to approve the application.

The Borough President's office concurs with CB5 and the LPC that the proposed project respects the built fabric and visual character of the Madison Square North Historic District, and that it would result in a contributing building. The applicant also meets the individual findings for a special permit pursuant to ZR § 74-711. The requested modifications to base height and setback requirements would have minimal adverse effects on other structures or on open space in the vicinity in terms of scale, location and access to light and air. The applicant is not seeking any use change for the proposed building. This project also serves a preservation purpose for the applicability of ZR § 74-711 with the restoration plan for the contributing buildings on the zoning lot which will bring those buildings into a sound first-class condition.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends approval of ULURP Application No. C 170182 ZSM.

A handwritten signature in black ink, reading "Gale A. Brewer". The signature is fluid and cursive, with the first name "Gale" and last name "Brewer" clearly legible.

Gale A. Brewer
Manhattan Borough President