



## CITY PLANNING COMMISSION

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November 19, 2008 / Calendar No. 10

N 090113 HKM

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**IN THE MATTER OF** a communication dated September 25<sup>th</sup>, 2008, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Wheatsworth Bakery Building, 444 East 10<sup>th</sup> Street (Block 379, Lot 27), by the Landmarks Preservation Commission on September 16, 2008 (List No. 405/LP-2262), Borough of Manhattan, Community District 3.

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Pursuant to Section 3020.8(b) of the City Charter, the City Planning Commission shall submit to the City Council a report with respect to the relation of any designation by the Landmarks Preservation Commission of the subject property, whether a historic district or a landmark, to the Zoning Resolution, projected public improvements and any plans for the development, growth, improvement or renewal of the area involved.

The landmark site at 444 East 10<sup>th</sup> Street is located on the south side of East 10<sup>th</sup> Street between Avenue C and Avenue D, in the East Village neighborhood in Manhattan. The original building was constructed circa 1927-1928, to the designs of J. Edwin Hopkins, architect.

The Wheatsworth Bakery Building is a rare example of an Art Deco/Viennese Secessionist-style factory building in New York City and a rare surviving industrial building in the far East Village.

Hopkins, a specialist in the design of industrial bakeries, was commissioned by Wheatsworth, Inc., the successful manufacturer of whole wheat biscuits and inventor of the Milk-Bone dog biscuit, which was later acquired by the National Biscuit Company (today Nabisco). The building was continuously used for baking until the mid-1950s. While the building's brick facade and large, multi-pane steel windows are typical of factory buildings of its era, it is distinguished

by its decorative terra cotta ornamentation. The linear terra cotta friezes and geometric design features are representative of the building's architectural style.

The landmark site is located in an R7-2 zoning district, with a C1-5 overlay district mapped to a depth of 100 feet from Avenue D. At the allowable floor area ratio of 3.44, the 13,210-square-foot zoning lot could be developed with approximately 45,442 square feet of floor area. The Wheatsworth Bakery Building site contains approximately 92,470 square feet of floor area. Therefore, pursuant Section 74-79 of the Zoning Resolution, there are no unused development rights available for transfer under the existing zoning.

The landmark site is within the boundaries of the Department of City Planning's proposed East Village/Lower East Side rezoning (C 080397 (A) ZMM), which is currently pending action by the City Council. Should the proposed rezoning become effective, the site would be split between an R8B zoning district and an R8A/C1-5 zoning district.

At the allowable floor area ratio under the proposed zoning, the R8B portion of the 13,210-square-foot zoning lot could be developed with approximately 42,272 square feet of floor area, and the R8A portion of the site could be developed with approximately 19,022 square feet of floor area, for a combined total on the landmark site of approximately 61,294 square feet of floor area. As noted, the landmark site contains approximately 92,470 square feet of floor area. Therefore, pursuant Section 74-79 of the Zoning Resolution, there would be no unused development rights available for transfer under the proposed zoning.

Pursuant to Section 74-79 of the Zoning Resolution, a landmark building may transfer its unused development rights to a lot contiguous to the zoning lot occupied by the landmark, or

one which is across the street and opposite to the lot occupied by the landmark building, or in the case of a corner lot, one which fronts on the same street intersection as the lot occupied by the landmark building.

Since the landmark site is currently built above the allowable floor area ratio under both the existing and proposed zoning, there are no development rights which may be available for transfer pursuant to Section 74-79 of the Zoning Resolution.

All landmark buildings or buildings within Historic Districts are eligible to apply for use and bulk waivers pursuant to Section 74-711 of the Zoning Resolution.

There are no projected public improvements or plans for development, growth, improvement, or renewal in the vicinity of the landmark building.

The subject landmark designation does not conflict with the Zoning Resolution, projected public improvements or any plans for development, growth, improvement or renewal in the vicinity of the landmark.

**AMANDA M. BURDEN, FAICP, Chair**  
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