

CARTER LEDYARD & MILBURN LLP
Counselors at Law

Christopher Rizzo
Counsel

Direct Dial: 212-238-8677
E-mail: rizzo@clm.com

2 Wall Street
New York, NY 10005-2072

Tel (212) 732-3200
Fax (212) 732-3232

570 Lexington Avenue
New York, NY 10022-6856
(212) 371-2720

August 20, 2015

Martin Rebholz, Borough Commissioner
New York City Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

Re: 110 University Place, BIN 1009386

Dear Commissioner Rebholz:

This firm represents the Greenwich Village Society for Historic Preservation. I am writing to submit a zoning challenge to the above-referenced application for which a zoning diagram was filed on or about July 20, 2015. The zoning challenge form and the zoning diagram are attached. The Society's objections relate to the lack of a required rear yard and exceedances of lot coverage maximums.

First, the development appears to exceed lot coverage limits and lack a required rear yard. The site is located in a C1-7 zoning district (with a small rear portion in C6-1 zoning district).

- The Zoning Resolution allows a maximum lot coverage of 80% for corner lots like this. In this case, the developer is proposing lot coverage of near 100%.
- The Zoning Resolution also waives the requirement for a 30-foot rear yard only on portions of zoning lots within 100 feet of a corner. The developer is not providing a rear yard in the portions of the zoning lot that are further than 100 feet from a corner.¹

The basis for this configuration is not clear, but it appears to be related to the 1,050 feet of community facility space proposed for the project.² Even if there were a genuine plan to provide this community facility space, it is virtually certain it will not be placed in a narrow 10 by 100-foot sliver of the rear yard. This is obviously a misuse of the Zoning Resolution's narrow exception to lot coverage and rear yard requirements for community facilities. Moreover, the DOB must establish a process by which the future use for community facility purposes is verified.³

Second, the tower portion of the development is located less than 30 feet from the rear, western-most lot line. This means that none of the apartments in the 23 floors of this building will have west-facing windows providing required light and air. This sort of apartment configuration is suspect at best (especially given the magnificent views looking west). The DOB

¹ A token rear yard of about 18 by 30 feet is provided in the northwest corner of the development site.


² Zoning Resolution §§ 24-12, 24-33 permit community facilities to exceed limits on lot coverage and rear yards.

³ The DOB took a similar approach with dormitories, requiring verification that a developer genuinely intended to use space for dormitory purposes.

must verify that the design indeed calls for no west-facing windows (or only secondary windows that meet fire code requirements).

The Society appreciates the DOB's prompt attention to this matter.

Sincerely,


Christopher G. Rizzo

cc:

Manhattan Borough President Gale Brewer
State Assemblywoman Deborah Glick
State Senator Brad Hoylman
Congresswoman Carolyn Maloney
New York City Councilwoman Rosie Mendez



Zoning Challenge and Appeal Form

(for approved applications)

Must be typewritten

1	Property Information <i>Required for all challenges.</i>
----------	---

BIS Job Number 12118724

BIS Document Number 3

Borough Mahattan

House No(s) 110

Street Name University Place

2	Challenger Information <i>Optional.</i>
----------	--

Note to all challengers: *This form will be scanned and posted to the Department's website.*

Last Name Rizzo

First Name Christopher

Middle Initial

Affiliated Organization CLM LLP on behalf of Greenwich Village Society for Historic Preservation

E-Mail rizzo@clm.com

Contact Number 212-238-8677

3	Description of Challenge <i>Required for all challenges.</i>
----------	---

Note: *Use this form only for challenges related to the Zoning Resolution*

Select one: Initial challenge Appeal to a previously denied challenge (denied challenge must be attached)

Indicate total number of pages submitted with challenge, including attachments: **(attachment may not be larger than 11" x 17")**

Indicate relevant Zoning Resolution section(s) below. *Improper citation of the Zoning Resolution may affect the processing and review of this challenge*

Zoning Resolution §§ 24-12, 24-33 (among others)

Describe the challenge in detail below: (continue on page 2 if additional space is required)

The Society's objections relate to the lack of a required rear yard and exceedances of lot coverage maximums. First, the development appears to exceed lot coverage limits and lack a required rear yard. The site is located in a C1-7 zoning district (with a small rear portion in C6-1 zoning district).

- The Zoning Resolution allows a maximum lot coverage of 80% for corner lots like this. In this case, the developer is proposing lot coverage of near 100%.
- The Zoning Resolution also waives the requirement for a 30-foot rear yard only on portions of zoning lots within 100 feet of a corner. The developer is not providing a rear yard in the portions of the zoning lot that are further than 100 feet from a corner.

The basis for this configuration is not clear, but it appears to be related to the 1,050 feet of community facility space proposed for the project. Even if there were a genuine plan to provide this community facility space, it is virtually certain it will not be placed in a narrow 10 by 100-foot sliver of the rear yard. This is obviously a misuse of the Zoning Resolution's narrow exception to lot coverage and rear yard requirements for community facilities.

Moreover, the DOB must establish a process by which the future use for community facility purposes is verified. Second, the tower portion of the development is located less than 30 feet from the rear, western-most lot line. This means that none of the apartments in the 23 floors of this building will have west-facing windows providing required light and air. This sort of apartment configuration is suspect at best (especially given the magnificent views looking west). The DOB must verify that the design indeed calls for no west-facing windows (or only secondary windows that meet fire code requirements).

The Society appreciates the DOB's prompt attention to this matter.

Note to challengers: *An official decision to the challenge will be made available no earlier than 75 days after the Development Challenge process begins. For more information on the status of the Development Challenge process see the Challenge Period Status link on the Application Details page on the Department's website.*

ADMINISTRATIVE USE ONLY			
Reviewer's Signature:	Date:	Time:	WO#:

4	Description of Challenge <i>(continued from page 1)</i>
---	---

Note to challengers: An official decision to the challenge will be made available no earlier than 75 days after the Development Challenge process begins. For more information on the status of the Development Challenge process see the Challenge Period Status link on the Application Details page on the Department's website.

ADMINISTRATIVE USE ONLY		
Reviewer's Signature:	Date:	Time:

ES-2023-03620 Scan Code



ZD1 Zoning Diagram
Must be typewritten

121-187-241

Submitted to resolve objections stated in a notice of intent to revoke issued pursuant to rule 10-1-15.

Yes No

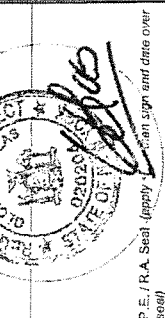
Location Information

House No(s) 110
Street Name University Place
Borough Manhattan
Block 570
Lot 32
BIN 1009386

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or as a gratuity for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correctness of a violation required under the provisions of this code or a rule of any agency, I may be barred from filing further applications or documents with the Department.

Name (please print) Gloria Glas
Date 08.01.15

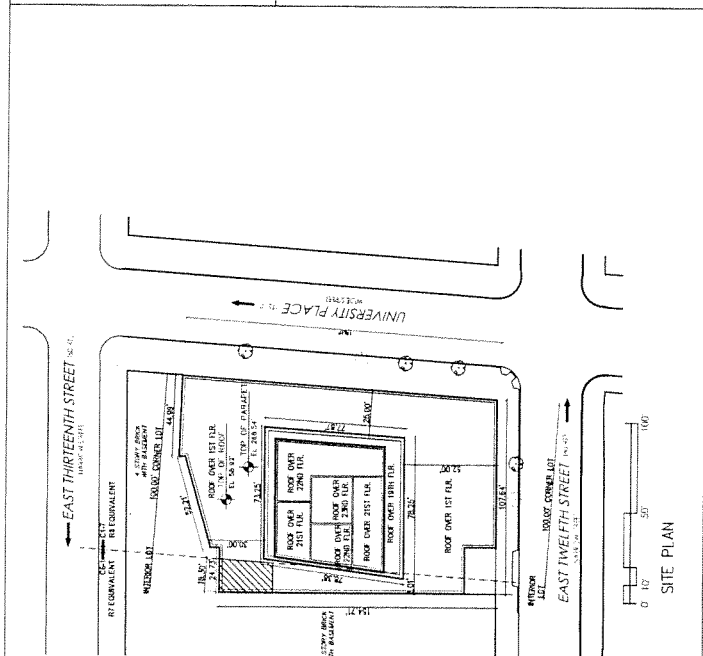
Signature
P.E./R.A. Seal (apply stamp sign and date over seal)



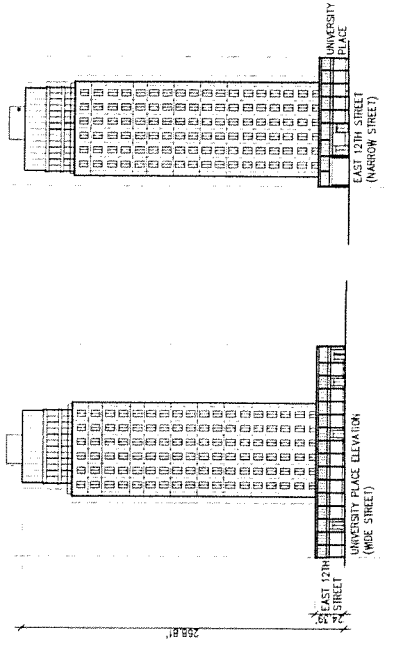
Internal Use Only
BIS Doc #

DELETED 121-187-241 Job Number

- PROPOSED BUILDING
- DEPARTMENT BOUNDARY
- TREE
- REAR YARD



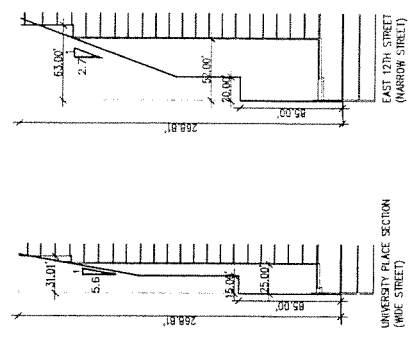
SITE PLAN



UNIVERSITY PLACE SECTION (WIDE STREET)

ZONING DISTRICTS (ZONING MAP 121)
C1-1B (B)
C2-1B (B)

1. LOT AREA 17,085.97
2. FLOOR AREA RATIOED
3. FLOOR AREA
4. FLOOR AREA
5. FLOOR AREA
6. FLOOR AREA
7. FLOOR AREA
8. FLOOR AREA
9. FLOOR AREA
10. FLOOR AREA
11. FLOOR AREA
12. FLOOR AREA
13. FLOOR AREA
14. FLOOR AREA
15. FLOOR AREA
16. FLOOR AREA
17. FLOOR AREA
18. FLOOR AREA
19. FLOOR AREA
20. FLOOR AREA
21. FLOOR AREA
22. FLOOR AREA
23. FLOOR AREA
24. FLOOR AREA
25. FLOOR AREA
26. FLOOR AREA
27. FLOOR AREA
28. FLOOR AREA
29. FLOOR AREA
30. FLOOR AREA
31. FLOOR AREA
32. FLOOR AREA
33. FLOOR AREA
34. FLOOR AREA
35. FLOOR AREA
36. FLOOR AREA
37. FLOOR AREA
38. FLOOR AREA
39. FLOOR AREA
40. FLOOR AREA
41. FLOOR AREA
42. FLOOR AREA
43. FLOOR AREA
44. FLOOR AREA
45. FLOOR AREA
46. FLOOR AREA
47. FLOOR AREA
48. FLOOR AREA
49. FLOOR AREA
50. FLOOR AREA
51. FLOOR AREA
52. FLOOR AREA
53. FLOOR AREA
54. FLOOR AREA
55. FLOOR AREA
56. FLOOR AREA
57. FLOOR AREA
58. FLOOR AREA
59. FLOOR AREA
60. FLOOR AREA
61. FLOOR AREA
62. FLOOR AREA
63. FLOOR AREA
64. FLOOR AREA
65. FLOOR AREA
66. FLOOR AREA
67. FLOOR AREA
68. FLOOR AREA
69. FLOOR AREA
70. FLOOR AREA
71. FLOOR AREA
72. FLOOR AREA
73. FLOOR AREA
74. FLOOR AREA
75. FLOOR AREA
76. FLOOR AREA
77. FLOOR AREA
78. FLOOR AREA
79. FLOOR AREA
80. FLOOR AREA
81. FLOOR AREA
82. FLOOR AREA
83. FLOOR AREA
84. FLOOR AREA
85. FLOOR AREA
86. FLOOR AREA
87. FLOOR AREA
88. FLOOR AREA
89. FLOOR AREA
90. FLOOR AREA
91. FLOOR AREA
92. FLOOR AREA
93. FLOOR AREA
94. FLOOR AREA
95. FLOOR AREA
96. FLOOR AREA
97. FLOOR AREA
98. FLOOR AREA
99. FLOOR AREA
100. FLOOR AREA



UNIVERSITY PLACE SECTION (NARROW STREET)



ZD1 Zoning Diagram
Must be typewritten.
 Sheet 1 of 2

1 Applicant Information Required for all applications. One Use Group per line.

Last Name: Glas First Name: Gloria Middle Initial: B
 Business Name: SLCE Architects Business Telephone: (212) 979-8400
 Business Address: 1359 Broadway Business Fax: _____
 City: New York State: NY Zip: 10035 Mobile Telephone: _____
 E-Mail: gglas@slcearch.com License Number: 020204
 Dwelling Units: 52 Parking area: 3900 sq. ft. Parking Spaces: Total 13 Enclosed _____

2 Additional Zoning Characteristics Required as applicable.
 Dwelling Units: _____

3 BSA and/or CPC Approval for Subject Application Required as applicable.
 Board of Standards & Appeals (BSA)
 Variance Cal. No. _____ Authorizing Zoning Section: 72-21
 Special Permit Cal. No. _____ Authorizing Zoning Section: _____
 General City Law Waiver Cal. No. _____ General City Law Section: _____
 Other Cal. No. _____
 City Planning Commission (CPC)
 Special Permit ULURP No. _____ Authorizing Zoning Section: _____
 Authorization App. No. _____ Authorizing Zoning Section: _____
 Certification App. No. _____ Authorizing Zoning Section: _____
 Other App. No. _____

4 Proposed Floor Area Required for all applications. One Use Group per line.

Floor Number	Building Code Gross Floor Area (sq. ft.)	Use Group	Zoning Floor Area (sq. ft.)			FAR
			Residential	Community Facility	Commercial	
SC	19085	2	0			0
Cel	12673	2	0			0
Cel	6412	6		0		0
1st	19037	2, 6, 4	2613.13	1050	13075	.877
1Mezz	925	2	844.11			.044
2nd	5883	2	5488.86			.288
3rd	5883	2	4658.32			.244
4th	5883	2	5410.86			.283
5th	5883	2	5410.86			.283
6th	5883	2	5410.86			.283
7th	5883	2	5410.86			.283
8th	5883	2	5409.11			.283
9th	5883	2	5409.11			.283
Totals	176860		106147.35	1050	13075	6.40
			Total Zoning Floor Area			122272.35

4 Proposed Floor Area Required for all applications. One Use Group per line.

Floor Number	Building Code Gross Floor Area (sq. ft.)	Use Group	Zoning Floor Area (sq. ft.)			FAR
			Residential	Community Facility	Commercial	
10th	5883	2	5409.11			.283
11th	5883	2	5409.11			.283
12th	5883	2	5409.11			.283
13th	5883	2	5409.11			.283
14th	5883	2	5409.11			.283
15th	5883	2	5409.11			.283
16th	5883	2	5445.94			.285
17th	5883	2	5445.94			.285
18th	5883	2	5445.94			.285
19th	5883	2	5445.94			.285
20th	4098	2	3939.18			.206
21st	4098	2	3903.67			.205
22nd	3300	2	0			0
Roof	654	2	0			0
Bulkhead	654	2	0			0
Totals	176860		106147.35	1050	13075	6.40
			Total Zoning Floor Area			122272.35