



NYC Department of Buildings
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February 7, 2007

Mr. Andrew Berman
Greenwich Village Society for Historic Preservation
232 East 11th Street
New York, NY 10003

Re: 352 West 13th St., Hotel Gansevoort (the "Premises")

Dear Mr. Berman:

I write in response to your letter of January 18, 2007 regarding two signs (the "Signs") permitted for construction at the above-referenced location. Upon receipt of your letter the Sign Enforcement Unit acted promptly to review this matter in conjunction with our architect, plan examiner and Deputy Borough Commissioner. While we intend to request additional information not previously provided by the applicant, our review to date indicates that the Signs do conform to applicable regulations.

Permits have been issued for two signs and a single support pole at the Premises. Both signs are designated for advertising use. The upper sign is permitted for 1200 square feet of surface area and is non-illuminated, with a height of 75 feet. The second sign, situated below the first, is permitted for 672 square feet of surface area and is indirectly illuminated, with a height of 52 feet. The face of each sign is oriented roughly north. Regarding the applicability of regulations relating to the proximity of the signs to an arterial highway, public park, residential district and commercial district, please see below:

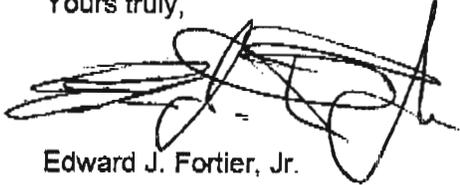
- Per ZR §42-55, advertising signage is prohibited within 200 feet and within view of a public park of ½ acre or more. Here, Corporal Seravalli Park is located 110 feet southeast of the Signs and is over ½ acre in size. However, as the sign copy does not face the park, the sign is not "within view."
- The Premises adjoins a C1-6 district 50 feet to the east and an R6 Residential District 220 feet southwest. ZR§42-562 requires that illuminated signs located within 500 feet of the boundary of a Residential or Commercial District other than a C7 or C8 District shall face at an angle of more than 90 degree away from such boundary line. Further, the maximum height for an illuminated sign in such adjoining district is 58 feet above curb level. The Signs appear to be constructed at an angle of more than 90 degrees away from both the Commercial and Residential District boundaries and the illuminated sign has an actual height of 52 feet. As such, the Signs do not contradict this provision.
- As discussed above, the Premises adjoin a public park of more than ½ acre. Pursuant to §42-561, advertising signs that face at an angle of less than 165 degrees away from such park shall not be permitted. Here, the signs appear to face away from the park at an angle of more than 165 degrees. While the adjoining Residential District is not within the requisite 100 foot distance to be included in this provision, the Signs appear to satisfy the angle requirement regardless.

- As described above, the illuminated sign has an actual height of 52 feet and the non-illuminated a height of 75 feet. Pursuant to §42-543, the Signs fall within the permissible heights of 58 feet and 75 feet, respectively.
- Advertising signs are prohibited within 200 feet and within view of an Arterial Highway per §42-55. Here, neither sign is "within view" of Miller Highway, an Arterial Highway situated 1020' feet to the west of the Premises. As such, the provision does not apply.

Again, our audit review of these applications is not complete. Be assured the Department will apply all zoning and building code regulations in doing so. Also, as previously discussed, the Department has reviewed a number of other signs as requested in your letter of January 12, 2007. While signs in proximity to arterial highways are currently exempt from enforcement due to a litigation-related stay, we expect to act against any illegal non-arterial signs in the very near future.

Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me at (212) 566-3230.

Yours truly,

A handwritten signature in black ink, appearing to read 'Edward J. Fortier, Jr.', written over a horizontal line.

Edward J. Fortier, Jr.