



# Christopher Marte

紐約市市議員馬泰 Council Member, District 1

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*Office location pending*

January 27, 2022

Anita Laremont  
Chair, City Planning Commission  
120 Broadway, 31st Floor  
New York, NY 10271

**Subject: 23-25 Cleveland Place (ULURP No. N140439ZRM)**

Dear Chair Laremont and Commissioners,

I write to you regarding the zoning text amendment application at 23-25 Cleveland Place (ULURP No. N140439ZRM), located within the Special Little Italy District (“SLID”). I share many of the concerns expressed by Manhattan Community Board 2 and the Manhattan Borough President, and ask that you reject this application.

Kenmare Square LLC (“the Applicant”), is requesting a text amendment to the Special Little Italy District (“SLID”), specifically to shift a subdistrict boundary in order to apply the requirements of Subdistrict C, rather than Subdistrict A, to both 23 and 25 Cleveland Place (“the Property”). Lot 11 of the Property is currently split by the subdistrict boundary, while Lot 13 is subject only to the requirements of Subdistrict A, also known as the Preservation Area. This text amendment would allow the Applicant to access less restrictive FAR, height, and lot coverage provisions, while allowing new uses including Use Groups 6D, 8C, 10, and 12D.

The original proposed development associated with the application described a single eight-story, 85-foot tall commercial building consisting of Use Group 6A retail on the ground floor and Use Group 6B office space on the upper floors, both of which are permitted in the underlying C6-2 zoning district as well as in both subdistricts of the SLID. However, the proposed FAR, height, and lot coverage all exceed limitations contained with Subdistrict A. Since the initial certification, the Applicant has described potential changes to the use and design of the proposed development. I also note that under the current configuration of the subdistricts, the Applicant could build a single seven-story building with similar uses.

Concerns have come from both Manhattan Community Board 2 and the Manhattan Borough President regarding the proposed development and the precedent this text amendment would set. In the Manhattan Community Board 2 resolution dated January 22, 2021, issues were raised regarding the original goal of the SLID for preservation of residential character and scale, the lack of public benefit considered in the application, a history of building violations on site, the

potential for large retail on site, and general community opposition. The Manhattan Borough President's recommendation dated January 11, 2021, echoed many of the concerns of the community board.

I am deeply concerned by the precedent this would set as what resembles a spot upzoning in the form of a special district text amendment. I believe there was significant intention in the establishment of the boundaries of the subdistricts within the SLID, and that an applicant's desire for a slightly larger building does not justify a change to these boundaries. Additionally, the Applicant's history of building violations and consistent changes to their proposal only further the distrust among the community, and fears that the text amendment will result in a development disruptive to the block and intended purposes of the SLID along Petrosino Square.

The Applicant has noted that the neighboring building at 225 Lafayette Street is 12 stories and therefore the proposed building would not be out of character with the block. However, the neighboring building was built before the establishment of the SLID and thus was grandfathered. Precedent for basing new zoning allowances on the characteristics of grandfathered buildings is dangerous and irresponsible, and in no way follows the intentions of the grandfathering rule.

It is for these reasons that I urge the Commission to reject this application, for the sake of the local community, the integrity of the SLID, and the dangerous precedent this could set in special districts across the city.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Marte". The signature is stylized with a large, sweeping initial "C" and "M".

Christopher Marte  
New York City Council Member