

## ***Preservation Alert***

*from the* **Greenwich Village Society for Historic Preservation**

June 15, 2007

[www.gvshp.org](http://www.gvshp.org)

### Far West Village Development -- Schnabel and 303 W. 10th

Far West Village Development: Julian Schnabel's development on West 11th Street, which was vehemently opposed by GVSHP and the community, is finally emerging from its construction shroud. Sad to say, the design for the 167 ft. tall development of three triplex luxury condos, done by the artist himself, is even more horrible than we imagined ([CLICK HERE](#) for *Villager* article).

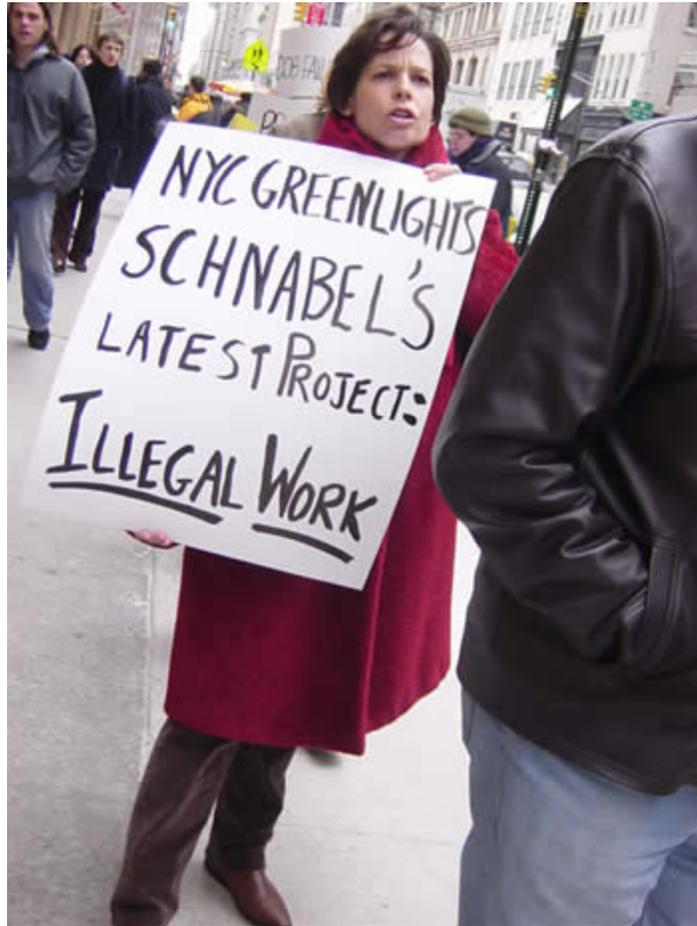
Another Far West Village development will soon be emerging at 303 W. 10th/150-160 Charles Street, the Whitehall Storage site. Last night Community Board #2's Zoning Committee [voted to approve a zoning text amendment and authorization](#) which would allow the development of a [15-story, 176 ft. tall building on the site, preserving parts of the existing warehouse](#), instead of a 300+ ft. tall tower, which is what the current zoning allows and encourages. GVSHP and many in the community had [fought hard to have this site downzoned](#) and included in an expanded landmark district, which would have prevented development of this scale; however, the City adamantly refused, [carving this site out of the downzoning which covered the rest of the Far West Village](#). While GVSHP continues to maintain that this site should have been downzoned along with the rest of the Far West Village, we agreed with the Community Board Zoning Committee's conclusion that the 175 ft. tall development was preferable to the 300 ft. tall tower we would have otherwise gotten under the current zoning.

*To join GVSHP or support our preservation efforts, [CLICK HERE](#).*

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[CLICK HERE](#) for Villager article re: Schnabel Development 11/21/06

CLICK to view coverage: [NY 1](#), [New York Observer](#), [The Villager](#), [Soho Journal](#)



## PRESS RELEASE

January 17, 2006

For Immediate Release

Contact: GVSHP Executive Director Andrew Berman

917-533-1767 or  
212-475-9585 x38

VILLAGERS PROTEST DEPARTMENT of BUILDINGS  
GREEN LIGHT of CONTROVERSIAL JULIAN  
SCHNABEL HI-RISE,  
CLAIMING 311 FAILED THEM  
and ILLEGAL WORK WAS IGNORED by CITY

Manhattan -- Neighbors of a planned high-rise condo tower being built by artist/filmmaker Julian Schnabel joined the Greenwich Village Society for Historic Preservation and representatives of City Council Speaker Christine Quinn, Manhattan Borough President Scott Stringer, State Senator Tom Duane, and Assemblymember Deborah Glick today for a demonstration in front of the Department of Buildings (DOB). They protested the agency's recent decision to greenlight Schnabel's controversial 167-ft. tall condo high-rise that violates new zoning for the area limiting new development to 75 feet. [GVSHP and protestors called upon DOB to reverse their decision and revoke the permits for the project.](#)

[GVSHP and protestors also called upon the Mayor to intervene,](#) claiming the decision was the result of failures by 311 and DOB to respond in time to complaints of illegal work by Schnabel, which allowed him to "beat the clock" and finish foundations on his project before new zoning rules went into effect (developers must prove "substantially completed" foundations to finish a development when it is allowed under old zoning but prohibited by new zoning). Protestors contended that the 311 and DOB failures are endemic to the system, which allows law-breakers to sidestep new zoning by employing illegal after-hours work to rush to complete foundations; such complaints are considered low-priority by DOB and are generally not inspected for days or weeks, at which point work is completed and it is too late to catch it. The City has recently rezoned dozens of neighborhoods and plans to rezone several more, all of which are affected by this flawed system.

Directly following the rezoning of the Far West Village on October 11, the Department of Buildings inspected the Schnabel site at the request of the Greenwich Village Society for Historic Preservation. DOB ruled that Schnabel had the requisite completed foundations to be allowed to complete the project under the old zoning. However, GVSHP, neighbors, City Councilmember Quinn, State Senator Duane, and Assemblymember Glick brought to DOB's attention that neighbors witnessed regular illegal after-hours work on the site, which they claimed allowed Schnabel to complete his foundations in, and on that basis the permits should be revoked and the project not allowed to be completed under the old zoning. In early November, DOB issued a stop-work order for the project on the basis of these allegations. However, DOB recently lifted the stop work order, ruling that Schnabel could complete the project under the old

zoning, claiming that none of the neighbors' allegations could be proven because none were verified by DOB inspectors, and therefore there was no basis for blocking the project.

**But a review of [Department of Buildings records](#) shows that of the 311 calls logged regarding complaints of illegal after hours or weekend work, none were inspected the same day or even the next day.** In fact, all but one were either never inspected or inspected between 19 and 33 days later, with only one complaint inspected within 5 days. Unsurprisingly, with inspections so long after the time of the complaints, none found the late night or early morning work that neighbors called 311 to report as it was happening. DOB has since stated that after-hours work complaints are considered low -priority, therefore generally do not get inspections until days or weeks later, when protestors contend they are almost certain *not* to catch the alleged work. They asserted that by not fixing this flaw in the DOB inspection and 311 response system, not only is DOB allowing this development to move ahead in violation of a legal rezoning, but potentially opening up all neighborhoods with recent or future rezonings to illegal work by developers to beat the clock and to get around these rezonings.

“We are outraged that the Department of Buildings has rewarded Mr. Schnabel’s illegal work by allowing his high-rise to move ahead, in spite of the new restrictive zoning for the area,” stated Andrew Berman, Executive Director of the Greenwich Village Society for Historic Preservation. “By greenlighting this project, the City sends a terrible message to unscrupulous developers all across the City: ‘Flout the law and do illegal, after-hours work to rush your foundations in place in time to beat a rezoning, and we’ll wave you in.’ Neighbors did their civic duty and reported illegal after-hours work by Mr. Schnabel to 311. Little did any of us realize that standard practice by the City is not to send inspectors to investigate these complaints until several days or weeks later, when it is too late to catch them. Some complaints have still not been inspected to this day! The City claims that they can’t stop the project because we have provided no proof of illegal work, but any lack of proof is the fault of DOB for neglecting to respond to multiple 311 calls in a timely fashion. DOB and 311 failed us. The City has to reform this system that rewards law-breakers and fails to protect the public and the integrity of zoning meant to protect our neighborhoods. And the first step should be to revoke this permit,” added Berman.



*GVSHP staff member distributes flyers calling for DOB to reverse its decision to passerby outside of DOB's Lower Manhattan office.*

Protestors handed out flyers to those entering the Department of Buildings' offices, urging them to contact the Commissioner and the Mayor about the decision to allow

Schnabel to complete his development in spite of it violating new zoning for the area prohibiting new high-rises, and despite illegal work neighbors allege was done to get the approval. GVSHP is also urging people to [write to the Mayor and the DOB Commissioner](#) urging them to overturn the decision and ensure that illegal work done to sidestep zoning changes are not rewarded.

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## ***Preservation Alert***

*from the* **Greenwich Village Society for Historic Preservation**

January 10, 2006

[www.gvshp.org](http://www.gvshp.org)

### **\*CITY REVERSES ITSELF and GIVES GREEN LIGHT to SCHNABEL DEVELOPMENT; but GVSHP VOWS TO CONTINUE FIGHT**

**SCHNABEL REVERSAL:** In a stunning and disturbing turnaround, the Department of Buildings (DOB) recently decided to lift the Stop-Work Order imposed upon Julian Schnabel for the planned 110 ft. tall condo tower addition atop his historic stable at 360 West 11th Street which would violate the new zoning restrictions for the Far West Village. DOB originally imposed the Stop-Work Order in response to allegations by neighbors of illegal, after-hours work performed to try to "beat the clock" and complete foundations (the requirement for finishing the project under the old zoning rules), as well as in response to objections raised by GVSHP, City Councilmember Quinn, State Senator Duane, and Assemblymember Glick.

However, DOB has now lifted the Stop-Work Order, claiming that the allegations of illegal work were not proven because no violations were issued. But the violations were not issued because DOB did not respond to many of the complaints of illegal after-hours work until days or weeks **AFTER** the complaints were filed, when neighbors contend the work was already finished. GVSHP has blasted DOB for its negligence in these cases, and urged them to reinstate the Stop-Work Order immediately ([CLICK HERE](#) for GVSHP letter), and Speaker Quinn has already joined us in raising strong objections to DOB about this reversal

as well. GVSHP will be consulting with neighbors and our elected officials about further actions in response to DOB's surprise about face in the coming days.

## **HOW TO HELP:**

- [CLICK HERE www.gvshp.org/WestStLancaster.htm](http://www.gvshp.org/WestStLancaster.htm) for sample letters to the Department of Buildings urging that they reinstate the Stop-Work Order to stop Schnabel's planned high-rise development.

To join GVSHP or support our preservation efforts, go to [www.gvshp.org/membership.htm](http://www.gvshp.org/membership.htm)

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### ***Preservation Alert***

*from the* **Greenwich Village Society for Historic Preservation**

November 18, 2005

[www.gvshp.org](http://www.gvshp.org)

## **\*Julian Schnabel and other Projects that Violate the New Far West Village Zoning**

Julian Schnabel etc.: Following our November 6th demonstration calling upon the City to stop Julian Schnabel from erecting a 110-ft tall condo tower atop his 3-story stable in violation of the new Far West Village zoning ([CLICK HERE](#) for press release), on November 10th, the City issued a stop-work order against Schnabel, preventing him from doing any further work on his project ([CLICK HERE](#) for Villager article). This is an enormously positive development for us, and a strong sign that our arguments are carrying weight with the Department of Buildings (DOB). We have argued that Schnabel should not be allowed to complete work under the old zoning even if he did complete his foundations before the rezoning took effect (the usual criteria for "grandfathering" a development), due to the illegal work he performed there as reported and documented by neighbors.

However, DOB has not said they have yet made a final decision, and the case will probably be appealed to the Board of Standards and Appeals

(BSA). Stop-work orders remain in place for 163 Charles Street and 166 Perry Street, though those too seem likely to head to the BSA. In this week's editorial, the Villager has joined us in calling upon DOB to insist that developers such as these who did not legally meet the cut-off point for "grandfathering" under the old zoning must conform to the new zoning ([CLICK HERE](#) for article).

## **HOW TO HELP:**

- **WRITE TO THE DEPARTMENT OF BUILDINGS THANKING THEM FOR THE STOP-WORK ORDERS FOR THESE SITES, BUT URGING THEM TO REVOKE THE PERMITS ENTIRELY.** Please write even if you have written before, as we expect the DOB to complete its evaluation of the case soon. [CLICK HERE](#) for sample letters.

To join GVSHP or support our preservation efforts, [CLICK HERE](#).

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[CLICK HERE](#) for information on the November 6th demonstration against Julian Schnabel

### ***Preservation Alert***

*from the* **Greenwich Village Society for Historic Preservation**  
November 1, 2005  
[www.gvshp.org](http://www.gvshp.org)

## **\*TWO DEVELOPMENTS THAT VIOLATED FAR WEST VILLAGE REZONING STOPPED, BUT SCHNABEL CASE STILL UNDECIDED**

### **\*FAR WEST VILLAGE REZONING**

**BATTLE:** GVSHP scored a pair of tentative victories in late October when the City stopped work on two developments which violate

the new zoning for the Far West Village. GVSHP requested inspections of all developments in the newly-rezoned area to stop any construction not in conformance with the new zoning (the law requires all work not complying with the new zoning to halt unless the new development's foundations have been substantially completed). But the battle to stop Julian Schnabel's planned 110-ft. tall tower, which would also violate the newly enacted rezoning, continues.

At 163 Charles Street, a stop work order was issued for construction of a 100-ft. tall 'sliver' apartment tower being built under the old zoning. The tower would replace an 1832 rowhouse demolished in January over GVSHP's protests [Click Here](#) for more information. At 166 Perry Street, a stop work order was also issued for construction of two additional stories atop a 100-year old former stable/garage allowed under the old zoning; the building is being converted to luxury apartments by the developer of the first two Richard Meier towers. These developers may still appeal these decisions at the Department of Buildings or at the Board of Standards and Appeals, and thus the final outcomes remains to be seen. But GVSHP will continue to push hard to prevent developments on these sites which the new zoning does not allow. Should the current decisions stand, **ONLY A 3-STORY BUILDING** would be allowed at 163 Charles Street, and **NO ROOFTOP ADDITION** would be allowed at 166 Perry Street under the new zoning.

At 360 West 11th Street, Julian Schnabel began work on a 110-ft. tall addition to this three-story building shortly before the rezoning took effect (for further background, [CLICK HERE](#)). According to neighbors, Schnabel frequently worked night and early morning hours in violation of the law, allowing him to substantially complete his foundations, and thus the City initially ruled he could complete his development under the old zoning. However, GVSHP, State Senator Duane, Councilmember Quinn, and Assemblymember Glick all urged the City to reconsider, and the City is now holding off on a final decision, pending our submission of evidence to substantiate the claims of illegal work. While Schnabel's planned 110-ft. tall addition is allowed under the old zoning, under the new zoning **ONLY ABOUT TWO STORIES, SET BACK FROM THE STREET, COULD BE ADDED TO THE BUILDING.**

[CLICK HERE](#) for information on the November 6th demonstration against Julian Schnabel

## **HOW TO HELP:**

- [CLICK HERE](#) for sample letters to the Department of Buildings thanking them for their rulings on 163 Charles Street and 166 Perry Street, but urging them to **REVOKE THE PERMITS FOR THE SCHNABEL DEVELOPMENT** at 360 West 11th Street. Please write as soon as possible, as we expect a decision from the City soon.

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[CLICK HERE](#) FOR NY1 COVERAGE

[CLICK HERE](#) for Daily News Coverage

[CLICK HERE](#) for Villager coverage

[CLICK HERE](#) for Villager Editorial



GVSHP Exec. Dir. Andrew Berman was joined by more than 40 demonstrators in the freezing temperatures to protest another planned high-rise that would threaten the historic buildings and character of the Far West Village.





## **PRESS RELEASE**

For Immediate Release

Contact: Andrew Berman, Exec. Dir.,  
GVSHP

January 25, 2005

212/475-9585 x38 or 917/533-1767

**VILLAGERS DEMONSTRATE OUTSIDE HOME/STUDIO OF  
ARTIST AND FILMMAKER JULIAN SCHNABEL  
PROTESTING PLAN TO BUILD HIGH-RISE TOWER  
ATOP HISTORIC BUILDING IN HISTORIC NEIGHBORHOOD;  
Protestors Call Upon Schnabel to Drop Plan and City to Enact Long-  
Awaited  
Landmark and Zoning Protections for Neighborhood**

Manhattan -- Village residents and preservationists joined the Greenwich Village Society for Historic Preservation (GVSHP), The Preservation League of New York State, the Greenwich Village Community Task Force, and the Federation to Preserve the Greenwich Village Waterfront and Great Port for a demonstration today outside the home/studio of artist and filmmaker Julian Schnabel. Protestors called upon Schnabel to drop plan his plans, recently

discovered by GVSHP, to erect a 9-story, 110-ft. tall tower above his 3-story home. Protestors also called upon the City to move ahead with plans to landmark and rezone the area to protect its historic character and scale ([CLICK HERE](#) for map of proposed landmark district).

At a total height of 167 ft. tall, the new building would be by far the tallest on the block, and one of the tallest in the Village waterfront area. Schnabel's current building is a historic turn-of-the-century former stable, which community leaders and preservationists had proposed be preserved as part of a landmark district – a proposal which the City is currently considering ([CLICK HERE](#) for picture of and info on building). Today's demonstration comes on the heels of a demonstration in December, when residents protested in front of the home of another art world figure, gallery owner Kenny Schachter, who was demolishing his 1830's home and studio to make way for a new glass and steel apartment tower to be erected on the site ([CLICK HERE](#) for more info).

“We are here to say to Julian Schnabel ‘Don’t Sell Out Your Neighborhood’,” stated GVSHP Executive Director Andrew Berman. “Mr. Schnabel has thus far profited from -- and contributed to -- the historic character of this special neighborhood; we hope he will not ruin that with a single, gigantic act of greed. As an artist, we hope he can appreciate the value of preserving this special neighborhood, which so many of his neighbors worked to do. If not, we say shame on you.”

In light of this latest threat, GVSHP has called upon the City to take action as soon as possible before plans such as these undo what the proposed landmarking and rezoning plans would accomplish ([CLICK HERE](#) for letter to Mayor Bloomberg, Landmarks Commission Chair Tierney, and City Planning Chair Burden).

“This again speaks to the need for the City, and especially the Landmarks Preservation Commission, to follow words with deeds and take action to preserve this neighborhood,” said Berman. “The Mayor has said he supports our proposal for landmarking and rezoning the area; City Planning says they will downzone the area as we have urged; and the Landmarks Preservation Commission has given us encouraging signals about landmarking. But we need action, and we need it now. An 1832 rowhouse was demolished last month due to the city’s inaction; now a historic turn-of-the-century stable will have an enormous tower erected atop it. And six other buildings are known to currently be in danger of demolition for high-rise construction. If the City really

cares about protecting this neighborhood, it needs to act now, or it will be too late.”

Berman also warned the City that leaving landmarking and rezoning plans in limbo is encouraging a development rush along the Greenwich Village waterfront. “For the City to publicly state that they are considering landmarking and zoning changes to this area and then wait months before taking action is like waving red meat in front of developers,” stated Berman.

When GVSHP first discovered plans by Mr. Schnabel to erect this enormous tower over his existing building, it reached out to Mr. Schanbel to ask him to meet with them, reconsider his plans, and instead join with many of his neighbors who are fighting to preserve the neighborhood through landmarking ([CLICK HERE](#) for letter to Mr. Schnabel). Mr. Schnabel has not responded to the letter.

Instead, during that time period, Mr. Schnabel raced ahead in pursuit of expedited approval for his plans. Rather than applying for a new permit for this project, which would have taken weeks, Schanbel applied for -- and just days prior to the demonstration received -- a much simpler and quicker approval by getting an amendment to a 1995 permit. However, that 9-year old permit, issued to a different owner, was for a small two-story addition to the building, as opposed to the 9-story, 110-ft. tall addition Schnabel plans, and demonstrators questioned the appropriateness of the City issuing such a permit in this case.

"It seems questionable at best for the City to give permission for a new project by a new owner that is five times the size of the original based on a 9 year old permit," said Berman. "It doesn't look good for either Mr. Schnabel or the City when Schnabel races ahead to get short cut approval for this project and the City grants it, at the same that we are fighting for landmark status and trying to reach Mr. Schnabel to discuss his plans before they are finalized," he added.

The six other buildings within the area proposed for landmarking which GVSHP has identified as threatened with demolition and inappropriate development are:

- 178 Christopher Street, an 1885 multiple-dwelling (for pictures and info, [CLICK HERE](#)).
- 303 West 10th Street, a modernist 1930's warehouse covering nearly a full city block; purchased by Lehman Brothers ([CLICK HERE](#)).
- 70 Bethune Street, a 1919 factory with twin 100+ ft. tall smokestacks built as a Nabisco cracker bakery; purchased by Related Co. ([CLICK HERE](#)).

- 393 West 12th Street, an 1897 lead foundry ([CLICK HERE](#)).
- 389 and 383 West 12th Street, an 1856 former factory and New York City Police Department stable; currently headquarters and showroom for designer Diane von Furstenberg, sold to Russian heiress Anna Anisimova and real estate company, Coalco New York ([CLICK HERE](#)).

The Far West Village has seen an enormous amount of development in the last several years. Close to twenty high-rises have been built in the 15-block area since 1985, with almost half in the last five years. Seven more high-rises are now planned. Though much of the Village enjoys the protection of being in a designated historic district, which prevents demolition of historic buildings and requires Landmarks Preservation Commission approval for alterations or new development, the Far West Village/Greenwich Village Waterfront has been excluded from that district since its designation over 35 years ago. However, the Greenwich Village Society for Historic Preservation, working with community groups and elected officials, has proposed a landmark district which would include all of the historic buildings of this area.