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***CHIN, BREWER, OTHER ELECTEDS JOIN
SOHO COMMUNITY TO RALLY AGAINST
DECISION TO ALLOW GIANT NIKE RETAIL
SPACE TO OPEN IN HISTORIC DISTRICT***

Residents, community leaders and elected officials blast ‘broken policies’ of NYC Dept. of Buildings that cleared way for opening of five-story, 55,000-square-foot superstore

NEW YORK, NY – Council Member Margaret S. Chin, Manhattan Borough President Gale Brewer, and other elected officials joined dozens of outraged members of the SoHo community gathered today at the headquarters of the NYC Department of Buildings to protest the broken policies and faulty decision making that led to the opening of a five-story, 55,000-square-foot Niketown in the heart of one of the most congested shopping districts in the City.

“We live New York City, not Niketown. That is why I am proud to join members of the SoHo community to demand that the Department of Buildings prioritize the concerns of residents and small business owners over the interests of developers and corporate tenants,” said **Council Member Chin**. “For too long, builders have been allowed to skirt, or completely ignore, zoning laws established to protect our communities from development that is out of character and out of scale for our historic neighborhoods. I thank Borough President Brewer, my fellow elected officials, CB2, and the Broadway Residents Coalition for joining me to demand that the DOB put our communities first.”

“Laws and zoning only work if they’re enforced,” said **Manhattan Borough President Brewer**. “SoHo’s residents, artists, and businesses all deserve robust, fair enforcement from the Department of Buildings so that stores like this one don’t illegally gobble up space, burden the community, and change its character.”

The Niketown store, located at 529 Broadway at the corner of Spring Street, is scheduled to open this week inside a new six-story retail complex at the site of a completely demolished building. Despite leaving only a portion of a party wall adjoining a historic property on Spring Street, DOB treated the Niketown site as an “alteration” of an existing property rather than a new building – a decision that allowed a big-box store to open along a shopping corridor already oversaturated with retail space.

DOB's decision – made over the opposition of Council Member Chin, Borough President Brewer and the local community board – puts the interests of a global corporation over the safety of pedestrians forced to navigate congested sidewalks and those looking to protect the historic character of one of the City's most iconic neighborhoods.

The store, which experienced a “soft” opening this week, boasts a basketball court with an adjustable hoop and 23-foot ceilings.

In February 2015, Borough President Brewer, Council Member Chin and CB2 Chair Bergman wrote a letter to DOB expressing their concern about unchecked retail development – not just at 529 Broadway, but at numerous other sites throughout the neighborhood. At that time, research conducted by the three offices found not existing zoning, but interpretation by DOB examiners of existing, applicable zoning rules to be the cause of the explosion of big box retail in SoHo.

"It's important that big box retail not box out the small businesses and innovative spirit that has made SoHo such a special part of the city," said **State Senator Daniel Squadron**. "Retail zoning protections exist for a reason, and it's important they be enforced. I'm proud to stand with Councilmember Chin, Borough President Brewer, my colleagues, CB2, the SoHo Alliance, and the Broadway Residents Coalition."

“The lack of enforcement and uniform decision from the Department of Buildings in the case of 529-533 Broadway is problematic for the SoHo neighborhood. The further development of flagship retail stores in this neighborhood only adds to the already stressed infrastructure and negatively affects the quality of life for local residents. It is deeply troubling that these non-conforming retail establishments are allowed to far exceed their allowable square footage and still receive a Certificate of Occupancy when they are in clear violation of the zoning code. Flagship stores, like the Nike Store, should not be approved,” said **Assembly Member Deborah Glick**.

“For 2 years, DOB has refused to respond to objections from elected officials and CB2 regarding the construction of a new building at 529 Broadway. DOB incorrectly decided to allow the development to retain the non-conforming use of the ground floor, creating a situation where the Nike use of this building is contrary to SoHo zoning. Every year, DOB announces broad reforms, but it always remains a Cover Your Backside outfit. They permanent level of agency management is addicted to secrecy and non-responsiveness and in SoHo they have allowed property owners to work around zoning requirements in a way that undermines the special mixed use character of SoHo. This same lack impenetrable bureaucracy is also why so many small projects are senselessly delayed at great cost to New Yorkers who can't afford to hire the ‘expeditors’ who have the inside access needed to get approvals, whether warranted or not. Everyone goes along to get along but the harm to our City is evident here in SoHo,” said **Tobi Bergman, chair of Manhattan Community Board 2**.

“The Broadway Residents Coalition, an ad hoc group of long-time SoHo residents who make our homes in our historic mixed-use neighborhood, stands with our elected representatives in calling for more transparency and responsiveness from the NYC Department of Buildings. We call on Mayor de Blasio to compel the DOB, which is under his control, to act as NYC zoning laws require. DOB has ignored our calls for proper action along Broadway, at one of the most congested intersections in SoHo. DOB has turned a blind eye to false, and possibly worse, filings submitted for this massive retail development at 529 Broadway,” said **Pete Davies of the**

Broadway Residents Coalition. “DOB’s failure has allowed the 529 Broadway Holdings LLC development team, in an effort to maximize profits gained from its new retail tenant Nike, to skirt the required Special Permit process. That process of community review is our right under NYC law, set up ‘in order to minimize adverse effects on the character of the surrounding community.’ We call on Mayor de Blasio, DOB, Nike and the 529 Broadway property owners to do what is right: show civic responsibility, end the back room dealing and act now to correct problems that are negatively impacting our SoHo neighborhood.”

“SoHo residents and tourists alike are packed like sardines, particularly along Broadway, with many forced to walk in the street. This new Nike building will bring hundreds of more people an hours onto a dangerously overcrowded sidewalk. Has the Buildings Department no concern for the safety and well-being of this city’s tourists and residents?” said **Sean Sweeney, Director, SoHo Alliance.**

PHOTO CAPTION [Photo Caption: Leigh Behnke]: Crowds line up outside the new Niketown at the corner of Broadway and Spring streets in SoHo in a photo taken on Nov. 10, 2016.

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