

Group pushes to rezone Soho

By Aline Reynolds

It was standing room only at a June 7 Soho rezoning meeting, where some area residents advocated for changing the enclave's existing zoning to accommodate nonartist residents and retail storeowners, and others aired their concerns about such a change.

A steering committee, recently formed by Soho real estate attorney Margaret Baisley, to devise new zoning for the neighborhood, deems the current light-manufacturing zoning archaic and not reflective of current usage of the area's lofts and ground-floor spaces.

An artist-certification law, a zoning provision dating back to the 1970s, requires that all Soho apartments be occupied by at least one "creative" artist, as defined by the city's Department of Cultural Affairs. The law is posing an obstacle to many residents wishing to renovate, sell or refinance their lofts, and even to artists who don't meet D.C.A.'s criteria to become certified, according to Baisley and others. Current zoning also prevents retail stores from occupying building ground floors and cellars larger than 3,600 square feet.

"I don't think the city's resources are well used by having 'art police' enforce an arcane law that, in my opinion, serves no real purpose," Baisley said.

"If I were to attempt to get certification now, it would be virtually impossible," said painter Susan Meisel, a steering committee member and Prince St. resident who moved to Soho with her husband in 1973. "It amazes me that there is someone out there who can tell me that I am an artist or I am not."

Certified artists in attendance, however, declared that the artist-certification requirement has been their lifeline. Broadway resident and artist Robert Seidman, for example, was nearly thrown out of his loft when his landlord, Steve Schwartz, tried to reclaim the apartment for personal use. A judge denied Schwartz's request because the owner lacked artist certification.

Baisley assured the artists that the steering committee intends to incorporate a provision in the zoning proposal that would protect artists.

Greene St. resident Susan Fortgang feared a zoning change could lead to the “travesty” of more retail outlets filling ground-floor spaces and further flooding Soho with tourists.

Baisley said an option is to propose that the Department of City Planning solely eliminate the artist-certification requirement while preserving the joint live-work quarters provision. This, however, would be a band-aid solution, she said, since most retail owners would still be occupying ground floors illegally.

“If we keep this as a manufacturing zone, and we don’ t address the retail aspects of it, we encourage the same illegality downstairs that we’ re trying to get rid of upstairs,” she said.

The steering committee will present rezoning options in the fall.