



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF THE**

LAND USE COMMITTEE

FOR THE WEEK OF DECEMBER 5, 2016 - DECEMBER 9, 2016

DAVID G. GREENFIELD, *Chair*, Land Use Committee

DONOVAN J. RICHARDS, *Chair*, Subcommittee on Zoning and Franchises

PETER KOO, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

INEZ DICKENS, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

<http://legistar.council.nyc.gov/Calendar.aspx>

SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a meeting on the following matters in the **Committee Room, City Hall**, New York City, New York 10007, commencing at **9:00 A.M., Monday, December 5, 2016:**

L.U. Nos. 506, 507, 508, 509, 510 AND 511 ARE RELATED

*The public hearing on these items was held and **closed** on November 1, 2016
These items were laid over by the Subcommittee on
Zoning and Franchises*

L.U. No. 506

550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT MANHATTAN - CB 2 N 160308 ZRM

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VIII, Chapter 9 (Special Hudson River Park District) to establish the Special Hudson River Park District within Community District 2, Borough of Manhattan.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article I: GENERAL PROVISIONS

Chapter 1 - Title, Establishment of Controls and Interpretation of Regulations

* * *

11-122

Districts established

* * *

Special Purpose Districts

* * *

Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

Establishment of the Special Hudson River Park District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 9, the #Special Hudson River Park District# is hereby established.

Establishment of the Special Hudson Square District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 8, the #Special Hudson Square District# is hereby established.

* * *

Chapter 2 – Construction of Language and Definitions

12-10

DEFINITIONS

* * *

Special Hillside Preservation District

The “Special Hillside Preservation District” is a Special Purpose District mapped in Staten Island designated by the letters “HS” in which special regulations set forth in Article XI, Chapter 9, apply.

Special Hudson River Park District

The “Special Hudson River Park District” is a Special Purpose District designated by the letters “HRP” in which special regulations set forth in Article VIII, Chapter 9, apply.

Special Hudson Square District

The “Special Hudson Square District” is a Special Purpose District designated by the letters “HSQ” in which special regulations set forth in Article VIII, Chapter 8, apply.

* * *

Article VIII: SPECIAL PURPOSE DISTRICTS

Chapter 9: Special Hudson River Park District

89-00

GENERAL PURPOSES

The “Special Hudson River Park District” established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) facilitate the repair and rehabilitation of piers, bulkheads and infrastructure within Hudson River Park, and to facilitate their maintenance and development, through the transfer of development rights within the Special Hudson River Park District;
- (b) promote an appropriate range of uses that complements Hudson River Park and, to the extent housing is included, to serve residents of varied income levels; and
- (c) promote the most desirable use of land and development in this area and thus to conserve the value of land and buildings and thereby protect the City’s tax revenues.

89-01

General Provisions

The provisions of this Chapter shall apply within the #Special Hudson River Park District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

89-02

Definitions

For the purposes of this Section, matter in italics is defined in Section 12-10 (DEFINITIONS) or within this Section.

Granting site

Within the #Special Hudson River Park District#, the “granting site” is a #zoning lot#, within the area identified as “A1” on the map in the Appendix to this Chapter, upon which development is regulated by contract, lease, covenant, declaration or otherwise to assure compliance with the purposes of this Special District and from which #floor area# may be transferred.

Receiving site

Within the #Special Hudson River Park District#, the “receiving site” is a #zoning lot#, within the area identified as “A2” on the map in the Appendix to this Chapter, to which #floor area# of the #granting site# may be transferred.

89-03

District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Hudson River Park District# Plan. The District Plan includes the map, “Special Hudson River Park

District” in the Appendix to this Chapter which is hereby incorporated and made part of this Resolution for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

89-10

USE AND BULK REGULATIONS

The #use# and #bulk# regulations applicable to the #receiving site# shall be modified as follows:

(a) C6-4 Districts

The #use# and #bulk# regulations of the C6-4 District shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M1-5 District shall apply.

(b) C6-3 and M1-5 Districts

The #use# and #bulk# regulations of the C6-3 and M1-5 Districts shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M2-4 District shall apply.

However, on a #receiving site#, for any #development#, #enlargement# or #conversion# that is the subject of a special permit granted by the City Planning Commission pursuant to Section 89-21 (Transfer of Floor Area from Hudson River Park), the #use# and #bulk# regulations of the underlying C6-3, C6-4 or M1-5 District shall only apply to such approved #development#, #enlargement# or #conversion#.

89-20

SPECIAL PERMITS

89-21

Transfer of Floor Area from Hudson River Park

The City Planning Commission may permit a transfer of #floor area# from a #granting site# to a #receiving site#, may permit distribution of total allowable #floor area# of a #receiving site# without regard for zoning district boundaries, may permit that such #receiving site# be treated as a single #zoning lot# for all purposes of this Resolution,

and may modify #bulk# regulations for a #development#, #enlargement# or #conversion# located on such #receiving site#.

(a) Application requirements

All applications for a special permit pursuant to this Section shall include the following:

- (1) a survey of the #granting site# illustrating existing #buildings# to remain on the #granting site# and zoning calculations indicating the #floor area# on the #granting site# and within such #buildings#;
- (2) a survey of the #receiving site# and a site plan illustrating the proposed #development#, #enlargement# or #conversion# on such lot, and associated zoning calculations demonstrating compliance with the conditions and limitations set forth in this special permit;
- (3) drawings that illustrate any proposed #bulk# modifications for the proposed #development#, #enlargement# or #conversion# on the #receiving site#; and
- (4) a statement from the Hudson River Park Trust identifying improvements to be made to Hudson River Park, and indicating that the transfer of #floor area# pursuant to this Section, in combination with any other available funding, would be sufficient, according to the Trust's estimate, to complete such identified improvements.

(b) Conditions and limitations

All applications for a special permit pursuant to this Section shall comply with the following conditions:

- (1) the maximum #floor area# that may be transferred from the #granting site# shall be the maximum #floor area# permitted for the #granting site# under the applicable district regulations if it were undeveloped, less the #floor

area# of all #buildings# on such #granting site#;

- (2) the increase in #floor area# on the #receiving site# allowed by the transfer of #floor area# to such #receiving site# shall in no event exceed 20 percent of the maximum #floor area# permitted on such #receiving site# by the underlying district;
- (3) the transfer, once completed, shall irrevocably reduce the amount of #floor area# that can be utilized by the #granting site# by the amount of #floor area# transferred;
- (4) the #granting site# and location of identified improvements to be made to the Hudson River Park in connection with the proposed transfer of #floor area# are located in the same Community District as the #receiving site#, or within one-half mile of the #receiving site#;
- (5) if the proposed #development#, #enlargement# or #conversion# on the #receiving site# includes #residential floor area#, it shall provide #affordable housing# in accordance with Section 23-90 (Inclusionary Housing);
- (6) the portion of the #receiving site# located over West Houston Street shall not generate #floor area#, and no #floor area# shall be located directly above West Houston Street; and
- (7) the height and setback requirements of the applicable district shall apply to the portions of the #receiving site# located on each side of the mapped #street lines# of West Houston Street.

(c) Findings

The Commission may grant the transfer of #floor area# and any associated #bulk# modifications, provided that:

- (1) such transfer of #floor area# will facilitate the repair, rehabilitation, maintenance and development of Hudson River Park, including its piers, bulkheads and infrastructure; and
- (2) the transfer of #floor area# will support the completion of improvements to Hudson River Park as identified in the statement submitted to the Commission by the Trust as part of this application; and
- (3) for the #receiving site#:
 - (i) the proposed configuration and design of #buildings#, including any associated structures and open areas, will result in a superior site plan, and such #buildings# and open areas will relate harmoniously with one another and with adjacent #buildings# and open areas;
 - (ii) the location and quantity of the proposed mix of #uses# will complement the site plan;
 - (iii) the proposed transfer of #floor area# and any modification to #bulk# regulations will not unduly increase the #bulk# of any #building# on the #receiving site# or unduly obstruct access of adequate light and air to the detriment of the occupants or users of #buildings# on the #block# or nearby #blocks#, or of people using the public #streets# and other public spaces;
 - (iv) such transferred #floor area# and any proposed modifications to #bulk# are appropriate in relation to the identified improvements to Hudson River Park; and
 - (v) any #affordable housing#, as defined in Section 23-90

(Inclusionary Housing), that is provided as part of the project will support the objectives of the Inclusionary Housing Program.

(d) Additional requirements

The City Planning Commission shall receive a copy of a transfer instrument legally sufficient in both form and content to effect such a transfer of #floor area#. Notices of the restriction upon further #development#, #enlargement# or #conversion# of the #granting site# and the #receiving site# shall be filed by the owners of the respective #zoning lots# in the Office of the Register of the City of New York (County of New York). Proof of recordation of the notices shall be submitted to the Chairperson of the City Planning Commission, in a form acceptable to the Chairperson.

Both the transfer instrument and the notices of restriction shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the #granting site# and the #receiving site# that are a party to such transfer.

On a #receiving site#, for any #development#, #enlargement# or #conversion# that is the subject of a special permit granted by the Commission pursuant to Section 89-21 (Transfer of Floor Area from Hudson River Park), the Department of Buildings shall not:

- (1) issue a building permit until the Chairperson of the Commission has certified that the owner of the #receiving site# and the Hudson River Park Trust have jointly executed documents sufficient to facilitate a payment schedule associated with the transfer of #floor area#; or
- (2) issue a temporary certificate of occupancy until the Chairperson of the Commission has certified that the Hudson River Park Trust has submitted a letter to the Chairperson confirming that payment of all required funds has been made by the owner of such #receiving site# to the Hudson River Park Trust, and that all required funding tools and/or payments are in satisfactory compliance with the executed payment schedule.

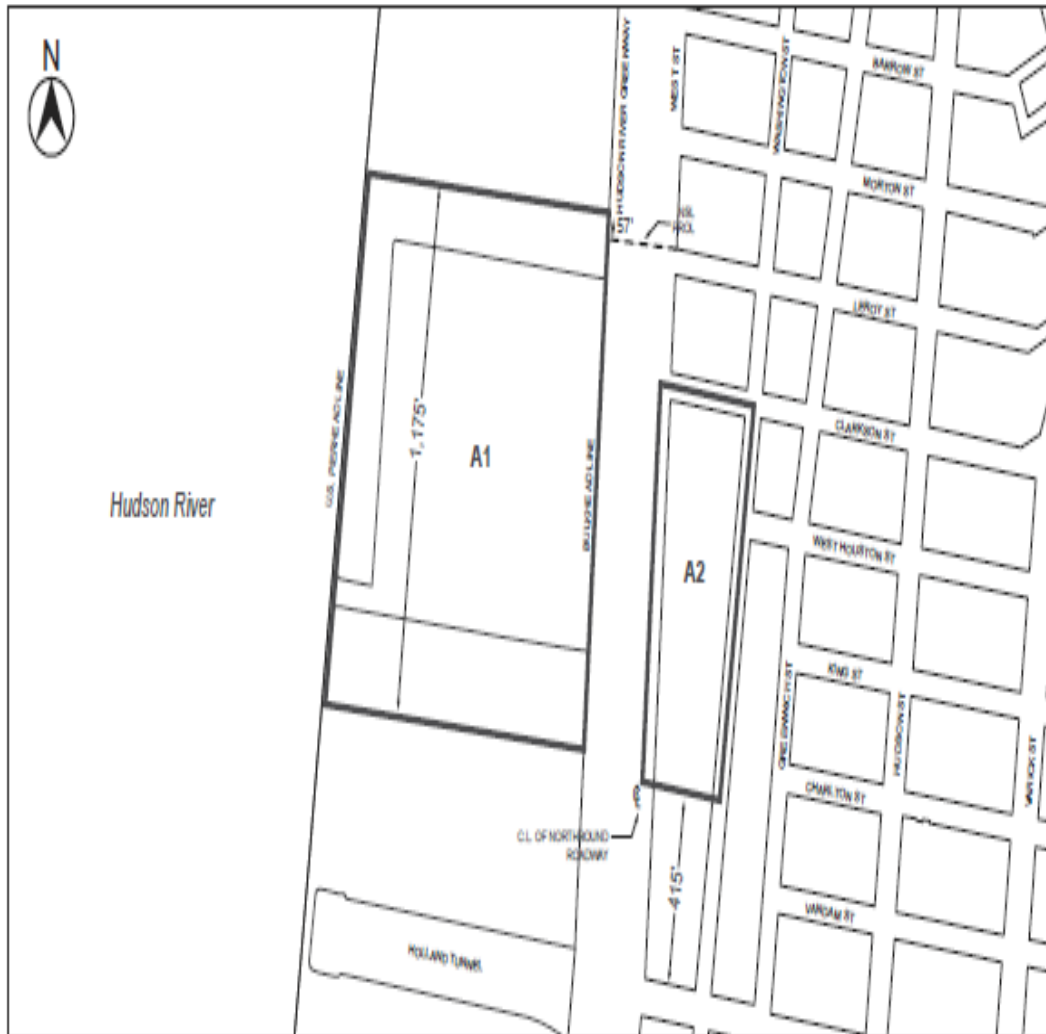
The Commission may prescribe additional, appropriate conditions and safeguards to

improve the quality of the #development#, #enlargement# or #conversion# and minimize adverse effects on the character of the surrounding area.

APPENDIX

Special Hudson River Park District Plan

Transfer of Floor Area - Granting and Receiving Sites



- Special Hudson River Park District
- A1 Granting Site
- A2 Receiving Site

L.U. No. 507

Application submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a:

1. changing from an M1-5 District to a C6-4 District property bounded by Clarkson Street, Washington Street, West Houston Street, and West Street;
2. changing from an M2-4 District to a C6-3 District property bounded by West Houston Street, Washington Street, a line 596 feet northerly of Spring Street, and West Street;
3. changing from an M2-4 District to an M1-5 District property bounded by a line 596 feet northerly of Spring Street, Washington Street, a line 415 feet northerly of Spring Street, and West Street; and
4. establishing a Special Hudson River Park District (HRP) bounded by:
 - a. Clarkson Street, Washington Street, a line 415 feet northerly of Spring Street, and West Street; and
 - b. a line 57 feet northerly of the westerly prolongation of the northerly street line of Leroy Street, the U.S. Pierhead Line, a line 1118 feet southerly of the westerly prolongation of the northerly street line of Leroy Street, and the U.S. Bulkhead Line.

L.U. No. 508**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT
MANHATTAN - CB 2****C 160310 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 89-21 of the Zoning Resolution to allow the distribution of 200,000 square feet of floor area from a granting site (A1, Block 656, Lot 1) to a receiving site (A2, Block 596, Lot 1), and to modify the height and setback requirements of Sections 23-60 (Height and Setback Regulations) and Section 43-40 (Height and Setback Regulations), the height

factor requirements of 23-151 (Basic regulations for R6 through R9 Districts) and the rear yard requirements of Section 43-20₁₁ (Rear Yard Regulations), in connection

with a proposed mixed use development, on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

L.U. No. 509

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT
MANHATTAN - CB 2 C 160311 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 236 spaces on portions of the ground floor and cellar of a proposed mixed use development (North Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

L.U. No. 510

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT
MANHATTAN - CB 2 C 160312 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 372 spaces on portions of the ground floor and cellar of a proposed mixed use development (Center Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

L.U. No. 511

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT
MANHATTAN - CB 2 C 160313 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 164 spaces on portions of the ground floor and cellar of a proposed mixed use development (South Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.



LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the **Committee Room, City Hall, New York City, New York 10007**, commencing at **11:00 A.M. on Monday, December 5, 2016**, to consider all items reported out of the Subcommittee at the meetings held on Monday, December 5, 2016, and conduct such other business as may be necessary.