

CITY COUNCIL  
LAND USE DIVISION

2015 MAR 18 A 10:10



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NYC COUNCIL

2015 MAR 18 A 9:53

SPEAKER'S OFFICE

March 16, 2015

City Council  
City Hall  
New York, NY 10007

Re: 498 Broome Street  
ULURP No. C 130066 ZSM  
Borough of Manhattan

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated March 12, 2015, from the City Council regarding the proposed modification to above-referenced application submitted by Goose Mountain NYC, LLC for a special permit pursuant to Section 74-711 of the Zoning Resolution of the City of New York.

In accordance with Section 197-d(d) of the New York City Charter, the Commission has determined that the City Council's proposed modification raises no land use or environmental issues requiring further review.

The report and recommendation was adopted by the Commission on March 16, 2015.

Best Regards,

A handwritten signature in blue ink, appearing to read "Carl Weisbrod".

Carl Weisbrod

c: E. Hsu-Chen  
A. Laremont

D. DeCerbo  
J. Harris

E. Marshall  
C. Rodman

Carl Weisbrod, Chairman  
City Planning Commission  
22 Reade Street – 2W, New York, N.Y. 10007-1216  
(212) 720-3200 FAX (212) 720-3219  
[www.nyc.gov/planning](http://www.nyc.gov/planning)



**THE COUNCIL  
THE CITY OF NEW YORK  
LAND USE DIVISION  
250 BROADWAY, ROOM 1602  
NEW YORK, NEW YORK 10007**

**RAJU MANN  
DIRECTOR**

**PHONE: 212-788-7335  
RMann@council.nyc.gov**

March 12, 2015

**BY HAND**

Honorable Carl Weisbrod, Chairman  
City Planning Commission  
22 Reade Street, 2nd Flr. - 2W  
New York, New York 10007-1216

**RE: Application No.: C 130066 ZSM  
(498 Broome Street)**

Dear Chairman Weisbrod:

On March 10, 2015, the Land Use Committee of the City Council, by a vote of 20-0-0 recommended modification of the City Planning Commission's decision in the above-referenced matter. Pursuant to Section 197-d(d) of the City Charter and Section 11.70 of the Rules of the Council, I hereby file the proposed modification with the Commission.

The proposed modification removes the second floor from the special permit granted by the Commission pursuant to Section 74-711 of the Zoning Resolution, such that only a portion of the ground floor and the third through sixth floors of the building may allow Use Group 2 (residential use). Specifically, the modification is as follows:

Matter in ~~double-strikeout~~ is old, deleted by the Council;  
Matter in bold double-underlined in new, added by the Council.

- The property that is the subject of this application (C 130066 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by Umberto Squarcia Designs, Inc., filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A-010.00	Site Plan	06/28/2014
A-101.00	Proposed First Floor Plan	06/28/2014
A-102.00	Proposed Second Floor Plan	<del>12/30/2014</del> <u>03/ /2015</u>

**Honorable Carl Weisbrod, Chairman**  
**C 130066 ZSM**  
**March 12, 2015**  
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<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
A-103.00	Proposed Third Floor Plan	12/30/2014
A-104.00	Proposed Fourth Floor Plan	12/30/2014
A-105.00	Proposed Fifth Floor Plan	12/30/2014
A-106.00	Proposed Penthouse Floor Plan	06/28/2014
A-200.00	Proposed Longitudinal Section	<del>06/28/2014</del> <u>03/ /2015</u>
Z-001.00	Floor Area and Zoning Calculations	<del>06/28/2014</del> <u>03/ /2015</u>
Z-002.00	Floor Area and Zoning Calculations	<del>12/30/2014</del> <u>03/ /2015</u>

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and the restrictive declaration described below and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Development pursuant to this resolution shall be allowed only after the restrictive declaration, attached as Exhibit A to the report of the CPC (C 130066 ZSM), with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the City Register, New York County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

**Honorable Carl Weisbrod, Chairman**

**C 130066 ZSM**

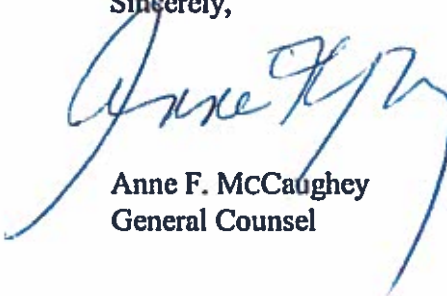
**March 12, 2015**

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7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the attached restrictive declaration.
  
8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

Please feel free to contact me at (212) 788-7312 if you or your staff has any questions in this regard.

Sincerely,



Anne F. McCaughey  
General Counsel

**Honorable Carl Weisbrod, Chairman**  
**C 130066 ZSM**  
**March 12, 2015**  
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RECEIVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

Encl.

c: **Members, City Planning Commission**  
**Raju Mann, Director, Land Use Division**  
**Peter Janosik, Senior Project Manager**  
**Anita Laremont, Esq., DCP**  
**Danielle J. DeCerbo, DCP**  
**File**