



## Legislation Details (With Text)

**File #:** Res 1693-2013      **Version:** \*      **Name:** LU 767 - Zoning, South Street Seaport, Manhattan (N 130080 ZRM)  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Land Use

**On agenda:** 3/20/2013

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on Application No. N 130080 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter I, Special Lower Manhattan District, Section 91-664 related to the allowable hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, generally located at 95 South Street (L.U. No. 767).

**Sponsors:** Leroy G. Comrie, Jr., Mark S. Weprin

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3-20-13

Date	Ver.	Action By	Action	Result
3/20/2013	*	Committee on Land Use	Approved by Committee	
3/20/2013	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1693

Resolution approving the decision of the City Planning Commission on Application No. N 130080 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter I, Special Lower Manhattan District, Section 91-664 related to the allowable hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, generally located at 95 South Street (L.U. No. 767).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on February 8, 2013 its decision dated February 6, 2013 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the NYC Department of Small Business Services (SBS), for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article IX, Chapter I, Special Lower Manhattan District, Section 91-664 related to the allowable hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, generally located at 95 South Street (Application No. N 130080 ZRM), Community District 1, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications C 130052 ZMM (L.U. No. 766), an amendment to the Zoning Map changing from a C2-8 District to a C4-6 District; C 130053 ZSM (L.U. No. 768), a Special permit pursuant to Section 74-743(a)(2) to modify the yard requirements of Section 62-322 (Rear yards and waterfront yards) within a Large-Scale General Development; C 130054 ZSM (L.U. No. 769), a Special Permit pursuant to Section 74-744(c) to modify the surface area and the height of signs requirements of Sections 32-64 and 32-65 within Large-Scale General Development; C 130055 ZSM (L.U. No. 770), a Special Permit pursuant

to Section 62-834 to modify the use regulations of Section 62-241 (Uses on existing piers and platforms) and the height and setback and building length requirements of Section 62-342 (Developments on piers); N 130056 ZAM (L.U. No. 771), Authorization by the City Planning Commission, pursuant to Section 62-822 (a), to modify the minimum dimension requirements of 62-50 (GENEAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS); C 130059 PPM (L.U. No. 772), a Disposition of one City-owned property (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf of Place);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 14, 2013;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, the negative declaration (CEQR No. 12DME007M) issued on August 28, 2012 (the “Negative Declaration”) and the CEQR Technical Memorandum dated March 19, 2013 (the “Technical Memorandum”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration and the Technical Memorandum.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 130080 ZRM and the Technical Memorandum, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

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 IX: SPECIAL PURPOSE DISTRICTS

### Chapter 1: Special Lower Manhattan District

\* \* \*

#### 91-60

#### REGULATIONS FOR THE SOUTH STREET SEAPORT

\* \* \*

91-66

**Modification of Use and Bulk Regulations**

\* \* \*

91-664

**Modification of hours of operation for waterfront public access areas**

For any #zoning lot # which was the subject of application N 130058 ZCM, the hours of operation set forth in paragraph (a) of Section 62-71 (Operational Requirements) may be extended to allow public access up to 24 hours per day, and the provisions of paragraph (a)(3) of Section 62-654 (Signage) shall be modified to require any such extended hours of public access, as may change over time, to be included on the required signage. The provisions of paragraph (a)(4) of Section 62-654 shall not apply where 24 hour access is allowed. The provisions of paragraph (b) of Section 62-71 requiring rules of conduct for the #waterfront public access area# to be established with the Department of Parks and Recreation, and other provisions of this Chapter requiring a maintenance and operation agreement pursuant to Section 62-74 (Requirements for Recordation), shall not apply so long as a legal instrument acceptable to the Chairperson, in all other respects consistent with the provisions of Section 62-74, has been executed and recorded, setting forth rules of conduct and maintenance and operations requirements.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on March 20, 2013, on file in this office.

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City Clerk, Clerk of The Council