Legislation Details (With Text)

File #:	Res 1695-2013	**Version:**	*	**Name:**	LU 769 - Zoning, South Street Seaport, Manhattan (C 130054 ZSM)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Land Use
On agenda:	3/20/2013				
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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 130054 ZSM (L.U. No. 769), for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan.

Sponsors:

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. 1695

Resolution approving the decision of the City Planning Commission on ULURP No. C 130054 ZSM (L.U. No. 769), for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan.

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"), on the application submitted by South Street Seaport Limited Partnership, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale

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General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), (ULURP No. C 130054 ZSM), 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; N 130080 ZRM (L.U. No. 767), a Zoning Text Amendment relating to Section 91-60 (REGULATIONS FOR THE SOUTH STREET SEAPORT) to add a new section, 96-664, to change the allowable hours of operation for the proposed waterfront public access areas; 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 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 (GENEARL 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)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-744 of the Zoning Resolution of the City of New York;

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, C 130054 ZSM and the Technical Memorandum, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The property that is the subject of this application (C 130054 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by SHoP Architects, filed with this application and incorporated in this resolution, and in accordance with the provisions and procedures set forth in the Restrictive Declaration:

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Drawing Nos.	Title	Last Revised Date
Z-101	Zoning Calculations	02/05/2013
Z-110	Signage	02/05/2013
Z-110A	Signage Controls	02/05/2013

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. Development pursuant to this resolution shall be allowed only after the Restrictive Declaration attached as Exhibit A to the City Planning Commission Report No. C 130055 ZSM, as modified with any necessary administrative and technical changes acceptable to counsel to the Department, is executed by South Street Seaport Limited Partnership or its successor, and such declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

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. 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 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.

7. 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.

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.

City Clerk, Clerk of The Council