Legislation Details (With Text)

File #:	Res 0991-2016	**Version:** *	**Name:**	LU 331 - Zoning, 150 Wooster Street, Manhattan (C150418ZSM)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	2/5/2016			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 150418 ZSM (L.U. No. 331), for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution of the City of New York to modify the height and setback requirements of Section 43-43 and the permitted obstruction requirements of Section 43-23, to facilitate the development of an 8-story and penthouse mixed-use building on a zoning lot where not more than 40% of the lot area is occupied by existing buildings as of December 15, 2003, located at 150 Wooster Street (Block 514, Lots 7 and 9), in an M1-5A District, within the SoHo Cast-Iron Historic District, in Community District 2, Borough of Manhattan.

Sponsors:

Indexes:

Attachments: 1. February 5, 2016 - Stated Meeting Agenda with Links to Files, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 2-5-16, 4. Minutes of the Stated Meeting - February 5, 2016

Date	Ver.	Action By	Action	Result
1/28/2016	*	Committee on Land Use	Approved by Committee	
2/5/2016	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 991

Resolution approving the decision of the City Planning Commission on ULURP No. C 150418 ZSM (L.U. No. 331), for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution of the City of New York to modify the height and setback requirements of Section 43-43 and the permitted obstruction requirements of Section 43-23, to facilitate the development of an 8-story and penthouse mixed-use building on a zoning lot where not more than 40% of the lot area is occupied by existing buildings as of December 15, 2003, located at 150 Wooster Street (Block 514, Lots 7 and 9), in an M1-5A District, within the SoHo Cast-Iron Historic District, in Community District 2, Borough of Manhattan.

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on January 8, 2016 its decision dated January 6, 2016 (the "Decision"), on the application submitted by 150 Wooster LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution of the City of New York to modify the height and setback requirements of Section 43-43 and the permitted obstruction requirements of Section 43-23, which in conjunction with the other related actions, would facilitate the development of an 8-story and penthouse mixed-use building on a zoning lot where not more than 40% of the lot area is occupied by existing buildings as of December 15, 2003, located at 150 Wooster Street (Block 514, Lots 7 and 9), in an M1-5A District, within the SoHo Cast-Iron Historic District, (ULURP No. C 150417 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications N 150416 ZRM (L.U. No. 329), a zoning text amendment to modify lot coverage requirements in Section 74-712 for developments in M1-5A and M1-5B districts within historic districts; and C 150417 ZSM (L.U. No. 330), a special permit pursuant to Section 74-712(a) to modify use regulations to allow Use Group 6 uses below the floor level of the second story and Use Group 2 uses within the development;

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 74-712 (b) 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 January 26, 2016;

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

WHEREAS, the Council has considered the relevant environmental issues and the revised negative declaration (CEQR No. 15DCP163M) issued on October 5, 2015 (the "Negative Declaration");

RESOLVED:

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

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 150418 ZSM, 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 150418 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 HTO Architect, PLLC, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
Z-002.00	Zoning Analysis	09/09/15
Z-003.00	Zoning Lot Site Plan	09/09/15
Z-004.00	Cellar-Floor Plan	09/09/15
Z-005.00	Ground-Floor Plan	09/09/15
Z-006.00	Second-Floor Plan	09/09/15
Z-007.00	Third-Floor Plan	09/09/15

Z-008.00	4th - 6th Typical Floor Plan	09/09/15
Z-009.00	Seventh-Floor Plan	09/09/15
Z-010.00	Eighth-Floor Plan	09/09/15
Z-011.00	Roof-Floor Plan	09/09/15
Z-012.00	Site Plan-Waiver Diagram	09/09/15
Z-013.00	Waiver Diagrams	09/09/15
Z-014.00	Lightwell Sections	09/09/15

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, operating 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. 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 the provisions of which 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 or breach of any of the conditions referred to above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension 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 or agent's action or failure to act in accordance with the provisions of this special permit.

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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 February 5, 2016, on file in this office.

City Clerk, Clerk of The Council