Legislation Details (With Text)

File #:	Res 0303-2018	**Version:** *	**Name:**	LU 43 - Planning, CUCS West 127th Street Supportive Housing, Manhattan (C 180116 ZSM)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	4/11/2018			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 180116 ZSM (L.U. No. 43), for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution of the City of New York to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 12-story building on property located at 302 -314 West 127th St. (Block 1953, Lots 36, 37, 38, 39, 40 and 41), in R7-2, R7-2/C1-4 and R8 Districts, Community District 10, Borough of Manhattan.

Sponsors:

Indexes:

Attachments: 1. Res. No. 303, 2. March 7, 2018 - Stated Meeting Agenda, 3. Land Use Calendar - Week of March 12, 2018 - March 16, 2018, 4. Hearing Testimony - Planning 3-12-18, 5. Land Use Calendar - Week of March 26, 2018 - March 30, 2018, 6. Land Use Calendar - March 28, 2018, 7. April 11, 2018 - Stated Meeting Agenda, 8. Hearing Transcript - Stated Meeting 4-11-18, 9. Minutes of the Stated Meeting - April 11, 2018, 10. Committee Report

Date	Ver.	Action By	Action	Result
3/28/2018	*	Committee on Land Use	Approved by Committee	
4/11/2018	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 303

Resolution approving the decision of the City Planning Commission on ULURP No. C 180116 ZSM (L.U. No. 43), for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution of the City of New York to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 12-story building on property located at 302-314 West 127th St. (Block 1953, Lots 36, 37, 38, 39, 40 and 41), in R7-2, R7-2/C1-4 and R8 Districts, Community District 10, Borough of Manhattan.

By Council Members Salamanca and Kallos

WHEREAS, the City Planning Commission filed with the Council on March 2, 2018 its decision dated February 28, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to 74-903 of the Zoning Resolution of the City of New York to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the

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allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed 12-story building on property located at 302-314 West 127th St. (Block 1953, Lots 36, 37, 38, 39, 40 and 41), in R7-2, R7-2/C1-4 and R8 Districts in the Central Harlem neighborhood of Manhattan Community District 10, (ULURP No. C 180116 ZSM), Community District 10, Borough of Manhattan, (the "Application");

WHEREAS, the Application is related to application C 180115 HAM (L.U. No. 42), an urban development action area project designation, project approval, and disposition of city-owned property;

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 74-903 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 12, 2018;

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, including the negative declaration (CEQR No. 17HPD111M) issued on October 13, 2017 (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 180116 ZSM, incorporated by reference herein, the Council approves the Decision of the City Planning Commission subject to the following terms and conditions:

1. The property that is the subject of this application (C 180116 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 Harden + Van Arnam Architects, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Date Revised
Z-01	Zoning Analysis	10/12/2017
Z-02	Zoning Lot Site Plan	10/12/2017
Z-05	Cross Section	10/12/2017

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. 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, sublessee or occupant.

5. 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.

6. 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 April 11, 2018, on file in this office.

City Clerk, Clerk of The Council

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