



Legislation Text

File #: Res 0759-2019, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 759

Resolution approving the decision of the City Planning Commission on ULURP No. C 180439 ZSM, for the grant of a special permit (L.U. No. 322).

By Council Members Salamanca and Moya

WHEREAS, the City Planning Commission filed with the Council on December 28, 2018 its decision dated December 19, 2018 (the "Decision"), on the application submitted by 51 White Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum height of buildings and setback regulations) and Section 23-692 (Height limitations for narrow buildings or enlargements), the inner court requirements of Section 23-85 (Inner Court Regulations) and the minimum distance between legally required windows and walls or lot lines requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines), to facilitate the vertical enlargement of an existing 5 story building, on property located at 51 White Street (Block 175, Lot 24), in a C6-2A District, within the Tribeca East Historic District, (ULURP No. C 180439 ZSM) Community District 1, Borough of Manhattan (the "Application");

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 74-711 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 10, 2019;

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 issued on August 6, 2018 (CEQR No. 18DCP092M) (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 the report, C 180439 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 180439 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 Roman Sorokko Versatile Engineering, P.C., filed with this application and incorporated in this resolution:

| <u>Dwg. No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|-----------------|--|--------------------------|
| G-000.00 | Cover Sheet | 05/04/2018 |
| G-002.00 | Zoning Lot Site Plan | 06/26/2018 |
| G-003.00 | Waiver Plan | 06/26/2018 |
| G-004.00 | Proposed Building Section A-A and Waiver Diagram | 06/26/2018 |
| G-005.00 | Proposed Building Section B-B and Waiver Diagram | 06/26/2018 |
| Z-001.00 | Zoning Analysis | 06/26/2018 |

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 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, sublessee 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 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 or breach of any of the conditions as stated 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 or of the attached restrictive declaration.

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 February 13, 2019, on file in this office.

City Clerk, Clerk of The Council