

CITY COUNCIL  
LAND USE DIVISION

2018 APR 10 A 9:30



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIR

NYC COUNCIL

2018 APR 10 | A 9:08

SPEAKER'S OFFICE

April 9, 2018

City Council  
City Hall  
New York, NY 10007

Re: 21 East 12<sup>th</sup> Street Parking Garage  
ULURP No. C 180069 ZSM  
Borough of Manhattan

Honorable Members of the Council:

The City Planning Commission (the "Commission") has received the attached correspondence, dated March 28, 2018, from the City Council regarding the proposed modification to the above-referenced application submitted by 12 East 12<sup>th</sup> Street LLC for a special permit for a parking garage pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth).

In accordance with Section 197-d(d) of the New York City Charter, the Commission, on April 9, 2018, has determined that the City Council's proposed modification raises no land use or environmental issues requiring further review.

Very truly yours,

A handwritten signature in blue ink that reads "Marisa Lago".

Marisa Lago

c: E. Hsu-Chen      D. DeCerbo      S. Li      A. Fabre  
A. Laremont      R. Singer      D. Answini

Marisa Lago, Chair  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Fl. - New York, N.Y. 10271  
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THE COUNCIL  
THE CITY OF NEW YORK  
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March 28, 2018

Honorable Marisa Lago, Chair  
City Planning Commission  
120 Broadway, 31st Floor  
New York, NY 10271

**Re: Application No.: C 180069 ZSM (L.U. No. 36)**

**21 East 12<sup>th</sup> Street Parking Garage**

Dear Chair Lago:

On March 28, 2018, the Land Use Committee of the City Council, by a vote 18-0-0 for Application C 180069 ZSM, recommended modifications of the City Planning Commission's decision in the above-referenced matter.

Pursuant to Section 197-d(d) of the City Charter and Section 11.70 of the Rules of the Council, I hereby file the proposed modifications with the Commission:

Matter ~~double struck out~~ is old, deleted by the City Council;  
Matter double underlined is new, added by the City Council.

The ~~the~~ application submitted by 21E12 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an ~~automated-accessory~~ attended parking garage with a maximum capacity of ~~187~~ 150 spaces on portions of the ground floor, cellar and subcellar of a proposed mixed use building on property located at 21 East 12th Street (Block 570, Lots 1101 & 1102), in C1-7/C6-1 Districts, Borough of Manhattan, Community District 2, is approved, subject to the following terms and conditions:

1. The property that is the subject of this application (C 180069 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 Philip E. Habib, LPE, filed with this application and incorporated in this resolution:

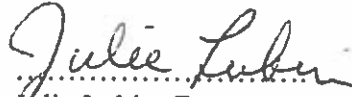
<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
1 of 2	Ground Floor/Site Plan	4/ /18 <del>9/29/17</del>
2 of 2	Cellar & Subcellar Parking Plan	4/ /18 <del>9/29/17</del>

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 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.

Please feel free to contact me at (212) 482-5185 if you or your staff have any questions in the regard.

Honorable Marisa Lago, Chair  
Application No.: C 180069 ZSM (L.U. No. 36)  
March 28, 2018  
Page 3 of 3

Sincerely,

  
Julie Lubin, Esq.  
General Counsel

JL:mg

RECEIVED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

C: Members, City Planning Commission  
Raju Mann, Director, Land Use Division  
Amy Levitan, Deputy Director  
Liz Lee, Project Manager  
Anita Laremont, Esq., DCP  
Danielle J. DeCerbo, DCP  
File