

(South Street Seaport Subdistrict), Community District 1, Borough of Manhattan (Non-ULURP No. N 130056 ZAM) (the "Application");

WHEREAS, the Application is related to Application 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 130054 ZSM (L.U. No. 769), a Special Permit pursuant to Section 74-744(c) to modify the surface area and the height of signs requirements of Sections 32-64 and 32-65 within 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); 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 62-822 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 City Planning Commission has made the findings required pursuant to Section 62-822 (a)(1) of the Zoning Resolution of the City of New York;

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");

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

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 Section 62-822(a)(1)(i) and (ii) of the Zoning Resolution of the City of New York and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 130056 ZAM and the Technical Memorandum, incorporated by reference herein, the Council approves the Decision, subject to the following conditions:

1. The properties that are the subject of this application (N 130056 ZAM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans and filed with this application and incorporated in this resolution:

Drawings by SHoP Architects:

| <u>Drawing No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|--------------------|---------------------------------|--------------------------|
| G-002.00 | Survey | 09/04/2012 |
| Z-102 | Seaward and Upland Area Diagram | 08/29/2012 |

Drawings by SHoP Architects:

| <u>Drawing No.</u> | <u>Title</u> | <u>Last Date Revised</u> |
|--------------------|---|--------------------------|
| Z-103 | Platform and Pier Diagram | 09/04/2012 |
| Z-104A | Site Plan - Option A | 02/05/2013 |
| Z-104B | Site Plan - Option B | 02/05/2013 |
| L-100 | Shore Public Walkway + Visual Corridor Diagrams | 02/05/2013 |
| L-101 | Upland Connection Diagram | 08/29/2012 |
| L-102 | WPAA on Pier - Seaward Edge Diagram | 09/04/2012 |
| L-103 | WPAA on Pier - Landward Portion Diagram | 09/04/2012 |
| L-104 | WPAA on Pier - Other Edges Diagram | 09/04/2012 |
| L-300 | Waterfront Public Access Area | 02/05/2013 |
| L-303 | Zoning Chart | 09/04/2012 |
| L-304 | Zoning Chart | 09/04/2012 |
| L-400 | Seating Plan | 02/05/2013 |
| L-401 | Furnishing Plan | 02/05/2013 |
| L-402 | Hardscape Material Plan | 02/05/2013 |
| L-403 | Landscape Lighting Layout | 02/05/2013 |
| L-404 | Planting Plan | 02/05/2013 |
| L-500 | Site Sections | 02/04/2013 |
| L-600 | Seating Details | 09/04/2012 |
| L-601 | Seating Details | 09/04/2012 |
| L-602 | Seating Details - Gliders | 09/04/2012 |
| L-603 | Guardrail Details | 09/04/2012 |
| L-603A | Marine Details | 02/05/2012 |
| L-604 | Railing + Furnishing Details | 09/04/2012 |
| L-605 | Paving Details | 09/04/2012 |
| L-606 | Planting Details | 09/04/2012 |
| L-607 | Signage Details | 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 and maintenance.
4. 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 restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any 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 to disapprove any application for modification, cancellation or amendment of the authorization.

5. 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 authorization.

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.

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City Clerk, Clerk of The Council