



Legislation Text

File #: Res 1886-2021, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1886**

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210439 ZM, for an amendment of the text of the Zoning Resolution (L.U. No. 907).

By Council Members Salamanca and Moya

WHEREAS, 250 Seaport District, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan District), which in conjunction with the related action would facilitate the development of a mixed-use building with 547,000 square feet of zoning floor area located at 250 Water Street (Block 98, Lot 1) in the South Street Seaport area of Lower Manhattan, Community District 1 (ULURP No. N 210439 ZRM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 210438(A) ZSM (L.U. No. 906), a zoning special permit to allow the distribution of total allowable floor area without regard to zoning lot lines; and to modify height, setback and street wall requirements, also subject to review and action by the Council; and other related applications not subject to review and action by the Council: N 210441 ZAM, a zoning authorization to provide a curb cut on a wide street; N 210445 ZAM, a zoning authorization to provide for modifications within a Waterfront Public Access Area related to permitted obstructions and bollards; N 210446 ZCM, zoning certification pursuant to ZR Section 62-12(c) related to proposed design changes to a Waterfront Public Access Area and the level of compliance; M 130053(B) ZSM, modifications to the previously approved South Street Seaport / Pier 17 LS GD;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 25, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued November 16, 2020 (CEQR No. 21DCP084M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 8, 2021. The FEIS and the Notice of Completion were revised on October 10, 2021, in which the significant adverse impacts related to hazardous

materials, air quality and noise would be avoided through the placement of (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the City owned Museum Site at Block 74, Lot 1. The FEIS identified significant adverse impacts with respect to shadows, open space (due to shadows), historic and cultural resources (architectural resources), transportation (traffic and pedestrians), and construction activities related to traffic and noise. The FEIS also analyzed the amended application (C 210438 (A) ZSM), which identified the same impacts as the original application except that it would not result in significant adverse impacts with respect to historic and cultural resources or open space, and the shadows impact on one open space resource would be reduced but the impact would remain. Other commitments made related to the environmental review will be codified in a Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration dated October 20, 2021, attached as an Exhibit, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successors, and such Restrictive Declaration shall have been recorded and filed on the Office of Register of the City of New York, County of New York, those project components related to the environment and mitigation measures that were identified as practicable; and by the placement of (E) Designations (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the city owned Museum Site (Block 74, Lot 1).
- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as an Exhibit, as same may be modified with any necessary administrative or technical changes, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successor, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 201 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, N 210439 ZRM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within ## is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

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

* * *

ARTICLE IX SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Lower Manhattan District

91-60 REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT

* * *

91-62 Definitions

For purposes of this Section, matter in italics is defined in Section 12-10 (DEFINITIONS) or within this Section.

* * *

Receiving lot

Within the South Street Seaport Subdistrict, a “receiving lot” is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such “receiving lots” are identified on the map as Parcels 1, 2, 8, 15, 16, 20, 21 and 22.

* * *

91-68 Designated Pedestrian Ways

Within the South Street Seaport Subdistrict, the volume situated above the subsurface #streets# shown on the City Map, and listed in this Section are designated pedestrian ways and are governed by paragraph (b) of the definition of #street# as set forth in Section 91-62 (Definitions):

- (a) Fulton Street, between Water and South Streets
- (b) Water Street, between Fulton and Beekman Streets
- (c) Front Street, between Fulton and Beekman Streets, and between John and Fulton Streets
- (d) South Street (the 18-foot-wide strip located on the northwesterly side), between Beekman and John Streets.

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10 (Definitions).

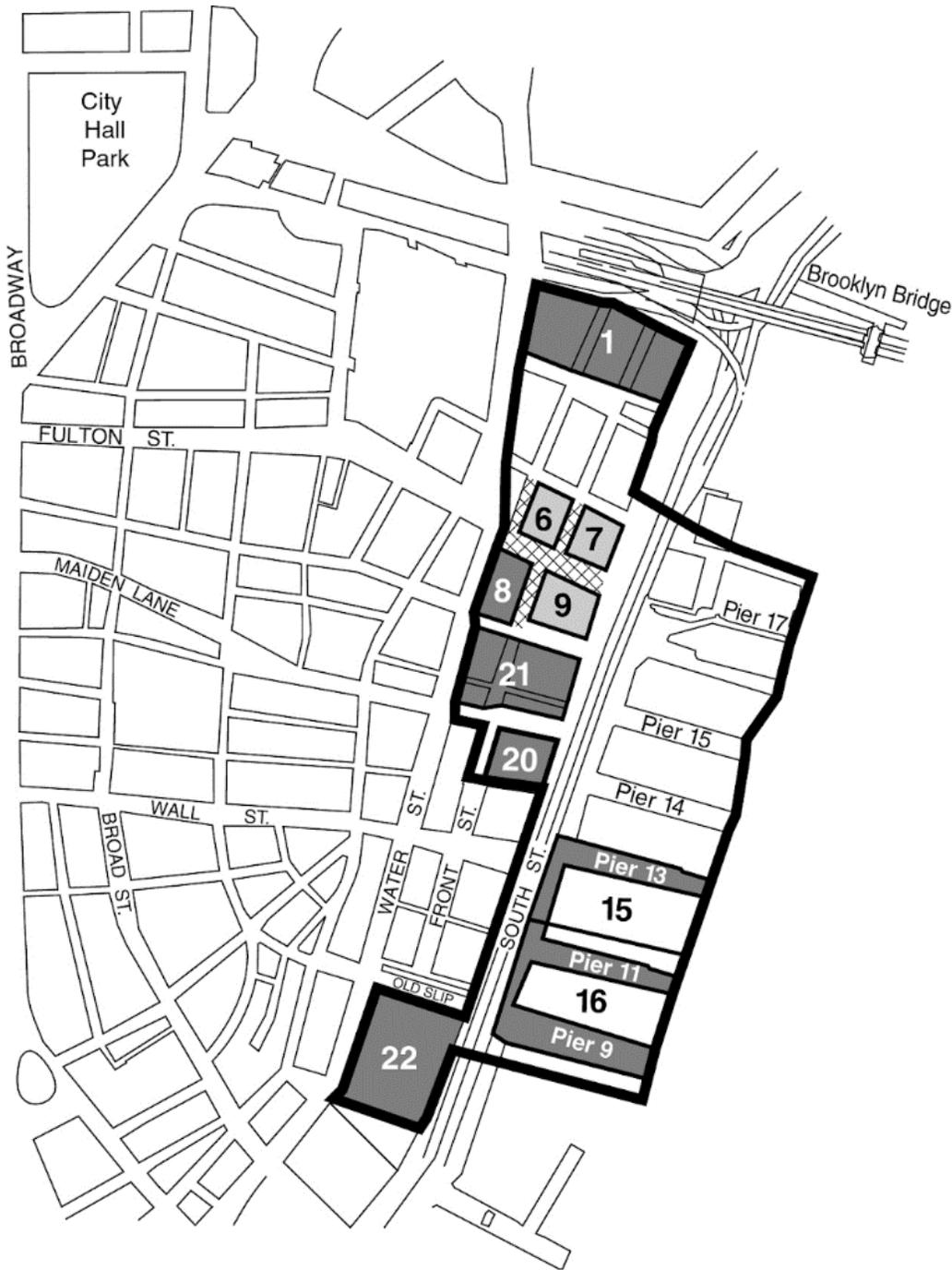
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Appendix A
Lower Manhattan District Plan Maps

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(12/11/01) [date of adoption]
Map 6 - South Street Seaport Subdistrict (91-A6)

[EXISTING MAP TO BE DELETED]



South Street Seaport Subdistrict

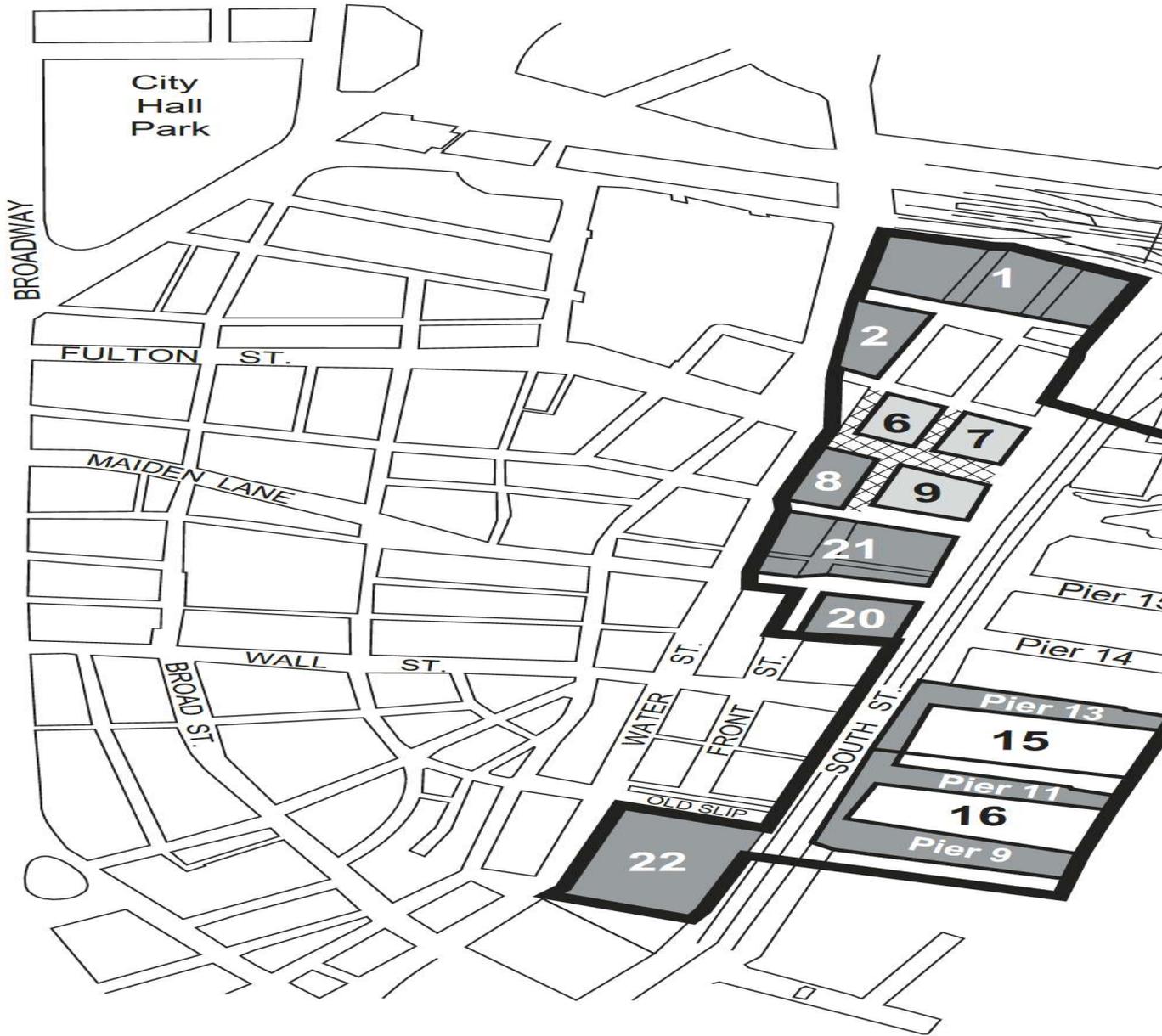
Receiving Lot

Granting Lot

Designated Pedestrian Ways

Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

[PROPOSED MAP TO BE ADDED]



-  South Street Seaport Subdistrict
-  Receiving Lot
-  Granting Lot
-  Designated Pedestrian Ways

Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan

* * *

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 _____, 2021, on file in this office.

City Clerk, Clerk of The Council