Legislation Details (With Text)

File #:	Res 1309-2020	**Version:** *	**Name:**	LU 626 - Zoning, 46-74 Gansevoort Street, Manhattan (M 840260(F) LDM)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee of the Whole
On agenda:	4/22/2020			
Enactment date:			**Enactment #:**	

Title: Resolution approving the decision of the City Planning Commission on Application No. M 840260 (F) LDM for the modification of Restrictive Declaration D-94, as amended, to allow Use Groups 3, 4 and 6B uses in accordance with the underlying zoning regulations on three existing zoning lots located at 60-74 Gansevoort Street (Block 643, Lot 43), 52-58 Gansevoort Street (Block 643, Lot 49), and 46-50 Gansevoort Street (Block 643, Lot 54), in an M1-5 District, Borough of Manhattan, Community District 2 (the "Project Site") (L.U. No. 626).

Sponsors: Rafael Salamanca, Jr., Francisco P. Moya

Indexes:

Attachments: 1. Resolution, 2. February 11, 2020 - Stated Meeting Agenda with Links to Files, 3. Land Use Calendar - Week of February 10, 2020 - February 14, 2020, 4. Hearing Transcript - Stated Meeting 2-11-20, 5. Land Use Calendar - Week of February 24, 2020 - February 28, 2020, 6. REVISED - Land Use Calendar - Week of February 24, 2020 - February 28, 2020, 7. Hearing Transcript - Zoning 2-12-20, 8. Hearing Testimony - Zoning 2-12-20, 9. Land Use Calendar - Week of March 9, 2020 - March 13, 2020, 10. REVISED - Land Use Calendar - Week of March 9, 2020 - March 13, 2020, 11. Hearing Transcript - Zoning 3-11-20, 12. April 22, 2020 - Stated Meeting Agenda with Links to Files, 13. Hearing Transcript - Stated Meeting 4-22-20, 14. Minutes of the Stated Meeting - April 22, 2020, 15. Third Amended Restrictive Declaration, 16. Committee Report

Date	Ver.	Action By	Action	Result
4/22/2020	*	Committee of the Whole	Approved by Committee	
4/22/2020	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1309

Resolution approving the decision of the City Planning Commission on Application No. M 840260 (F) LDM for the modification of Restrictive Declaration D-94, as amended, to allow Use Groups 3, 4 and 6B uses in accordance with the underlying zoning regulations on three existing zoning lots located at 60-74 Gansevoort Street (Block 643, Lot 43), 52-58 Gansevoort Street (Block 643, Lot 49), and 46-50 Gansevoort Street (Block 643, Lot 54), in an M1-5 District, Borough of Manhattan, Community District 2 (the "Project Site") (L.U. No. 626).

By Council Members Salamanca and Moya

WHEREAS, Restrictive Declaration D-94 dates from April 13, 1984, and was enacted in connection with an approval for a Zoning Map amendment (M 840260 ZMM), sponsored by the Rockrose Development Corporation and affecting a nearby two-block area bounded by Gansevoort, Washington, W. 12th and West streets. This action generally changed the zoning designation on these two blocks from M1-5 and C8-4 districts to a C6-2A District;

powered by Legistar™

WHEREAS, as mitigation of potentially significant adverse impacts resulting from the Zoning Map amendment, a Restrictive Declaration (D-94) (the "Original Declaration") was imposed on the Project Site, providing that the use of the Project Site be limited to certain commercial and light manufacturing uses as were defined in then-Section 15-58 of the New York City Zoning Resolution. The Original Declaration, obligates the owner of these properties to maintain space for meat-related uses contained in Use Groups 17A and 17B and, in the event of a vacancy, to use best efforts to rent to such uses;

WHEREAS, the Original Declaration was modified in 1998 (the "First Amended Declaration"), pursuant to an application to modify the project (M 840260B ZMM), to allow Use Group 6 uses, as allowed within an M1-5 District, for property located at 46-50 Gansevoort Street (Block 643, Lot 54), while Lots 43 and 49 would continue to be limited to those permitted uses listed in Exhibit D of the Original Declaration;

WHEREAS, the Original Declaration, as amended, was further modified in 2003 (the "Second Amended Declaration"), pursuant to an application to modify the project (M 840260C ZMM), expanding the permitted uses to allow Use Groups 6 and 9 on Lots 43 and 49 and Use Group 9 on Lot 54 (as Use Group 6 uses were already permitted on Lot 54 pursuant to the 1998 Declaration). This modification did not affect the prohibition on office uses (Use Group 6B), eating and drinking establishments with entertainment uses, and eating and drinking establishments of any type located in the rear yards or on the roof on lots 43, 49, and 54; and

WHEREAS, the City Planning Commission filed with the Council on January 24, 2020 its decision dated January 22, 2020 (the "Decision"), on the application submitted by 60-74 Gansevoort Street LLC, 52-58 Gansevoort Street LLC, and 46-50 Gansevoort Street LLC, for modification to Restrictive Declaration D-94, as amended, to allow Use Group 3, 4, and 6B uses, as permitted by the underlying M1-5 zoning, in an existing building located at 46-74 Gansevoort Street (Block 643, Lots 43, 49, and 54) (the proposed "Third Amended Declaration"). The prohibition on eating and drinking establishments with entertainment uses, and eating and drinking establishments of any type located in the rear yards or on the roof on lots 43, 49, and 54 will remain unaffected by this change, for the Project Site (ULURP No. M 840260 (F) LDM) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council, as the successor in jurisdiction to the New York City Board of Estimate, pursuant to the terms of the Original Declaration;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 12, 2020;

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

WHEREAS, the Council has considered the relevant environmental issues, including Technical Memorandum #5, dated October 25, 2019; and the Revised Technical Memorandum which was issued January 17, 2020 (CEQR No. 82-270M), which concluded that the proposed actions would not result in any significant adverse environmental impacts (the "Revised Technical Memorandum").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Technical Memorandum.

Pursuant to the Original Declaration and on the basis of the Decision and Application, and based on the

powered by Legistar™

environmental determination and consideration described in the report M 840260 (F) LDM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, subject to the condition that development pursuant to this resolution shall only be permitted after the Third Amended Declaration, a copy of which is annexed hereto, subject to administrative and technical changes approved by counsel to the City Planning Commission, is executed and has been recorded in the Office of the Register of the City of New York, County of New York.

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 22, 2020, on file in this office.

City Clerk, Clerk of The Council

powered by Legistar™