



Legislation Text

File #: Res 1268-2020, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1268

Resolution approving the decision of the City Planning Commission on ULURP No. C 190265 ZSM, for the grant of a special permit (L.U. No. 609).

By Council Members Salamanca and Moya

WHEREAS, FSF Soho, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on portions of the cellar, ground floor, and second floor of an existing five-story building on property located at 503 Broadway (Block 484, Former Lot 17; Condo Lots 1201 & 1202), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2 (ULURP No. C 190265 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on January 22, 2020, its decision dated January 22, 2020 (the “Decision”) on the Application;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-922 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 30, 2020;

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 August 26th, 2019 (CEQR No. 19DCP182M) (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 190265

ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 190265 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 ARPAD BASKA ARCHITECT, P.C. filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
CPZ-1	Zoning Analysis	06 Jun 2019
CPZ-2	Zoning Lot Site Plan	13 Jan 2020
CP-02	Existing & Proposed Cellar Plan	19 Mar 2019
CP-03	Existing & Proposed Ground Floor Plan (1 st Floor)	19 Mar 2019
CP-04	Proposed Second Floor Plan	06 Jun 2019
CP-05	Proposed Building Section (East-West)	06 Jun 2019
CP-06	Proposed Building Section (North-South)	06 Jun 2019

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 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 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.

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 27, 2020, on file in this office.

City Clerk, Clerk of The Council