



## CITY PLANNING COMMISSION

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February 6, 2013 / Calendar No. 7

C 130052 ZMM

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**IN THE MATTER OF** an application submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C2-8 District to a C4-6 District property bounded by South Street, Brooklyn Bridge, the U.S. Pierhead Line, and a line 1250 feet easterly of the southerly prolongation of the westerly street line of Old Slip (westerly portion), Borough of Manhattan, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 4, 2012.

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This application for a zoning map amendment was filed by South Street Seaport Limited Partnership and the New York City Department of Small Business Services (DSBS) on August 22, 2012. The zoning map amendment, along with its related actions, would facilitate the redevelopment of the existing Pier 17 building, a three-story retail structure on a 181,200 square-foot zoning lot on Pier 17. The project is generally located at 95 South Street (Block 73, parts of Lot 8 and Lot 10, and part of Marginal Street, Wharf or Place) in the Borough of Manhattan, Community District 1.

### **RELATED ACTIONS**

In addition to the proposed zoning map amendment (C 130052 ZMM), which is the subject of this report, implementation of the proposed project also requires action by the City Planning Commission on the following applications, which are being considered concurrently with this application:

- C 130055 ZSM:** 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 130053 ZSM:** 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:** 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.

- N 130056 ZAM:** Authorization by the City Planning Commission, pursuant to Section 62-822 (a), to modify the minimum dimension requirements of 62-50 (GENEARL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS).
- N 130057 ZAM:** Authorization by the City Planning Commission, pursuant to Section 62-822 (b), to modify the requirements of Section 62-513 (Permitted obstructions in visual corridors) and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS).
- N 130058 ZAM:** Certification by the Chairperson of the City Planning Commission, pursuant to Section 62-811 for compliance with waterfront public access and visual corridor requirements.
- C 130059 PPM:** Disposition of one City-owned property (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf of Place).
- N 130080 ZRM:** 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.

## **BACKGROUND**

A full background discussion and description of this application appears in the report for a special permit application (C 130055 ZSM).

## **ENVIRONMENTAL REVIEW**

This application (C 130052 ZMM), in conjunction with the application for the related actions, was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 12DME007M. The lead agency is the Office of the Deputy Mayor for Economic Development.

After a study of the potential environmental impact of the proposed action, a Negative

Declaration was issued on August 28, 2012.

### **UNIFORM LAND USE REVIEW**

This application (C 130052 ZMM), in conjunction with the applications for the related actions (C 130055 ZSM, C 130053 ZSM, C 130054 ZSM, C 130059 PPM), was certified as complete by the Department of City Planning on September 4, 2012, and was duly referred to Community Board 1 and the Manhattan Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b) along with the related non-ULURP applications (N 130056 ZAM, N 130057 ZAM, N 130058 ZCM and N 130080ZRM), which were referred for review and comment.

### **Community Board Public Hearing**

Community Board 1 held a public hearing on this application (C 130052 ZMM), on October 4, 2012 and on November 27, by a vote of 35 in favor to 0 opposed, adopted a resolution recommending approval of the application, with conditions.

A summary of the Community Board's conditions and recommendations appears in the report on the related application for a special permit (C 130055 ZSM).

### **Borough President Recommendation**

This application (C 130052 ZMM), in conjunction with the related actions, was considered by the President of the Borough of Manhattan, who recommended approval, with conditions, of the application on December 13, 2012.

A summary of the recommendations of the Borough President appears in the report on the related application for a special permit (C 130055 ZSM).

### **City Planning Commission Public Hearing**

On November 28, 2012 (Calendar No. 23), the City Planning Commission scheduled December 19, 2012, for a public hearing on this application (C 130055 ZMM) application. The hearing

was duly held on December 19, 2012 (Calendar No. 10), in conjunction with the public hearing on the applications for related actions (Calendar Nos. 11-15).

There were a number of appearances as described in the report on the related application for a special permit (C 130055 ZSM), and the hearing was closed.

### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY**

A discussion of the WRP Consistency Review appears in the report on the related application for a special permit (C 130055 ZSM).

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 130052 ZMM), in conjunction with the application for related actions, is appropriate. A full consideration and analysis of the issues, and the reasons for approving this application appear in the report on the related application for a special permit (C 130055 ZSM).

### **RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendment to the Zoning Map to be appropriate, adopts the following resolution:

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

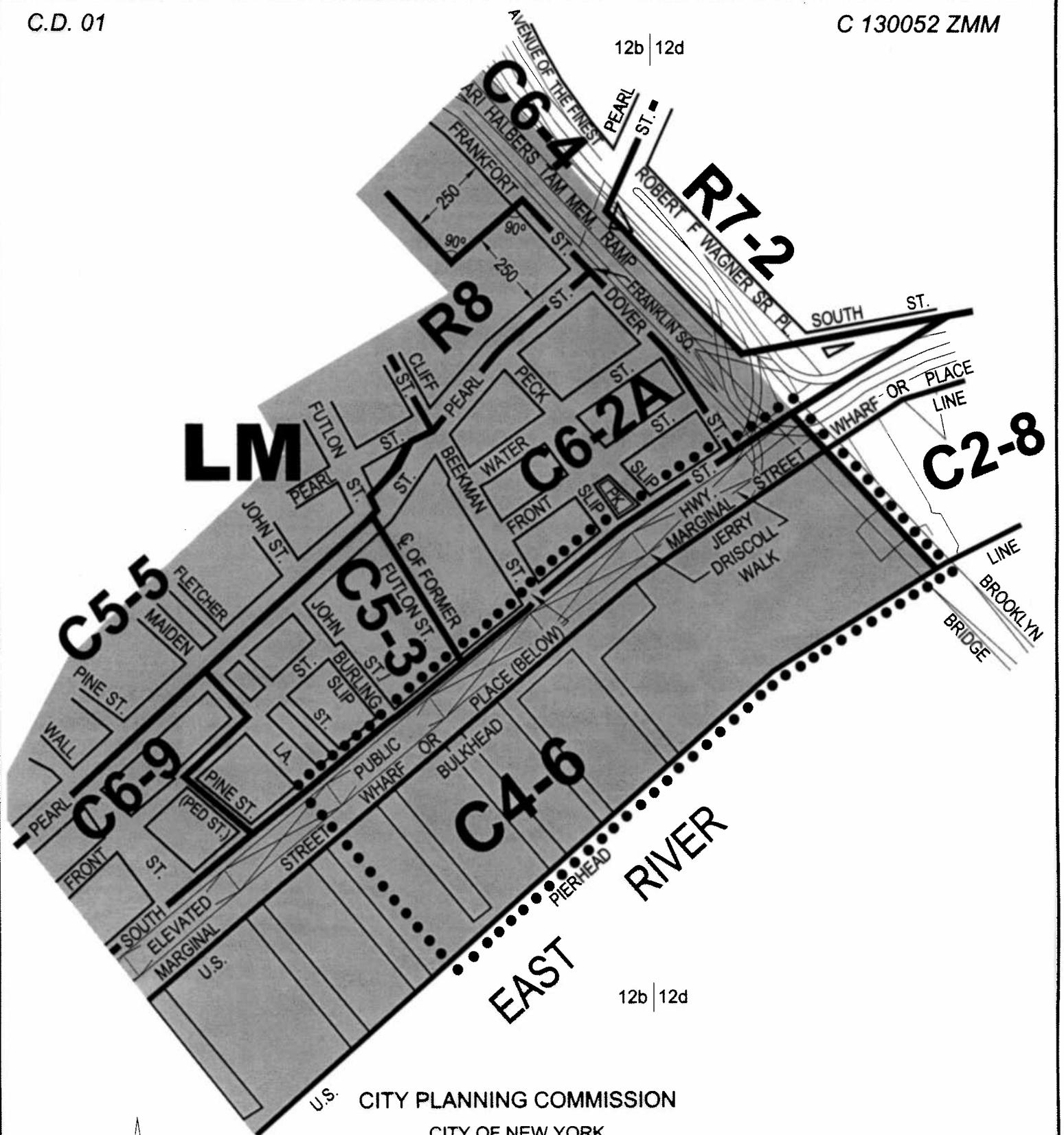
**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961,

and as subsequently amended, is hereby amended by changing the Zoning Map, Section Nos. 12b and 12d, changing from a C2-8 District to a C4-6 District property bounded by South Street, Brooklyn Bridge, the U.S. Pierhead Line, and a line 1250 feet easterly of the southerly prolongation of the westerly street line of Old Slip (westerly portion), Borough of Manhattan, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 4, 2012, is approved.

The above resolution (C 130052 ZMM), duly adopted by the City Planning Commission February 6, 2013 (Calendar No. 7), is filed with the Office of the Speaker, City Council, and the Borough President together with a copy of the plans of the development, in accordance with the requirements of Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, *FAICP*, Chair**  
**KENNETH J. KNUCKLES, *Esq.*, Vice Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, *P.E.*,**  
**ALFRED C. CERULLO, *III*, BETTY Y. CHEN, MICHELLE DE LA UZ,**  
**JOSEPH DOUEK, ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners**

12b | 12d



12b | 12d



CITY PLANNING COMMISSION  
 CITY OF NEW YORK  
 DIAGRAM SHOWING PROPOSED

**ZONING CHANGE**

ON SECTIONAL MAP

**12b & 12d**

BOROUGH OF

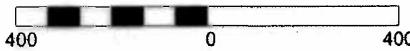
**MANHATTAN**

*J. Miraglia*

J. Miraglia, Director  
 Technical Review Division

New York, Certification Date  
 SEPTEMBER 04, 2012

SCALE IN FEET



NOTE:

- Indicates Zoning District Boundary.
- The area enclosed by the dotted line is proposed to be rezoned by changing a C2-8 District to a C4-6 District.
- Indicates a Special Lower Manhattan District.