



CITY PLANNING COMMISSION

February 6, 2013 / Calendar No. 13

CORRECTED C 130059 PPM

IN THE MATTER OF an application submitted by the the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property to the South Street Seaport Limited Partnership, located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), restricted to the modification of the use restrictions in the lease, Borough of Manhattan, Community District 1.

This application (C 130059 PPM) for the disposition of city-owned property was filed by the Department of Small Business Services (DSBS) on August 22, 2012. The requested approval for disposition, 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 application (C 130059 PPM) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are 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 (GENEAL 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.
- 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.
- C 130052 ZMM:** An amendment to the Zoning Map changing from a C2-8 District to a C4-6 District.

BACKGROUND

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

ENVIRONMENTAL REVIEW

This application (C 130059 PPM), 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.

UNIFORM LAND USE REVIEW

This application (C 130059 PPM), in conjunction with the application for the related actions (C 130055 ZSM, C 130053 ZSM, C 130054 ZSM, C 130052 ZMM), 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 130059 PPM) 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 recommendations of Community Board 3 appears in the related report for a special permit application (C 130055 ZSM).

Borough President Recommendation

This application (C 130059 PPM), 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 130059 PPM) in conjunction the public hearing on the applications for related actions. The hearing was duly held on December 19, 2012 (Calendar No. 14), in conjunction with the public hearing on the applications for related actions (Calendar Nos. 10-13, 15).

There were a number of appearances, as described in the related report for a special permit application (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 disposition of city-owned property (C 130059 PPM), in conjunction with the related applications, as modified, 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

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 Section 197-c of the New York City Charter, that the disposition of one city-owned property to the South Street Seaport Limited Partnership, located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), Borough of Manhattan, Community District 1, as modified, is approved with the following restriction: The disposition is restricted to commercial and community facility uses permitted pursuant to zoning.

The above resolution (C 130059 PPM), duly adopted by the City Planning Commission on February 6, 2013 (Calendar No. 13), 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