



June 25, 2018/Calendar No. 13

N 170381 ZRM

IN THE MATTER OF an application submitted by 33rd Street Acquisition, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 6.

This application for an amendment to the Zoning Resolution was filed by 33rd Street Acquisition LLC on April 26, 2017. The applicant proposes to designate a Mandatory Inclusionary Housing (MIH) area to facilitate, along with the related action, the development of a mixed-use building at 339-345 East 33rd Street in the Kips Bay neighborhood of Community District 6 in Manhattan.

RELATED ACTIONS

In addition to the zoning text amendment (N 170381 ZRM) that is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 170380 ZMM Zoning map amendment to change from an existing R8A district to a C1-9A district.

BACKGROUND

A full background discussion and description of this application appears in the report for the related action of a zoning map amendment (C 170380 ZMM).

ENVIRONMENTAL REVIEW

This application (N 170381 ZRM), in conjunction with the application for the related action (C 170380 ZMM) 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 17DCP203M. The lead is the City Planning Commission.

A summary of the environmental review appears in the report for the related zoning map amendment (C 170380 ZMM).

PUBLIC REVIEW

This application (N 170381 ZRM) was duly referred to Manhattan Community Board 6 and the Manhattan Borough President on January 16, 2018 in accordance with the procedures for non-ULURP matters, along with the application for the related action (C 170380 ZMM), which was certified as complete by the Department of City Planning on January 16, 2018, and was duly referred in accordance with Title 62 of the rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Manhattan Community Board 6 held a public hearing on this application (N 170381 ZRM) on February 26, 2018, and on March 14, 2018, by a vote of one in favor, 36 opposed, and one abstention, adopted a resolution recommending disapproval of the application with a condition. A summary of the vote and recommendation of the Community Board appears in the report for the related zoning map amendment action (C 170380 ZMM).

Borough President Recommendation

This application (N 170381 ZRM) was considered by the Manhattan Borough President, who issued a recommendation on April 26, 2018 to disapprove the application with conditions. A summary of the recommendation of Manhattan Borough President appears in the report for the related zoning map amendment action (C 170380 ZMM).

City Planning Commission Public Hearing

On May 9, 2018 (Calendar No. 4), the City Planning Commission scheduled May 23, 2018, for a public hearing on this application (N 170381 ZRM). The hearing was duly held on May 23, 2018 (Calendar No. 26) in conjunction with the public hearing on the application for another related

action. There were five speakers in favor of the application and two speakers in opposition, as described in the report for the related application for a zoning map amendment (C 170380 ZMM), and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (N 170381 ZRM) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.) The designated WRP number is 17-099.

This action was determined to be consistent with the policies of the WRP.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 170381 ZRM), in conjunction with the related application for a zoning map amendment (C 170380 ZMM), is appropriate.

A full consideration and analysis of issues and the reasons for approving this application appear in the related report for the zoning map amendment (C 170380 ZMM).

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 Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the 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 further amended as follows:

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.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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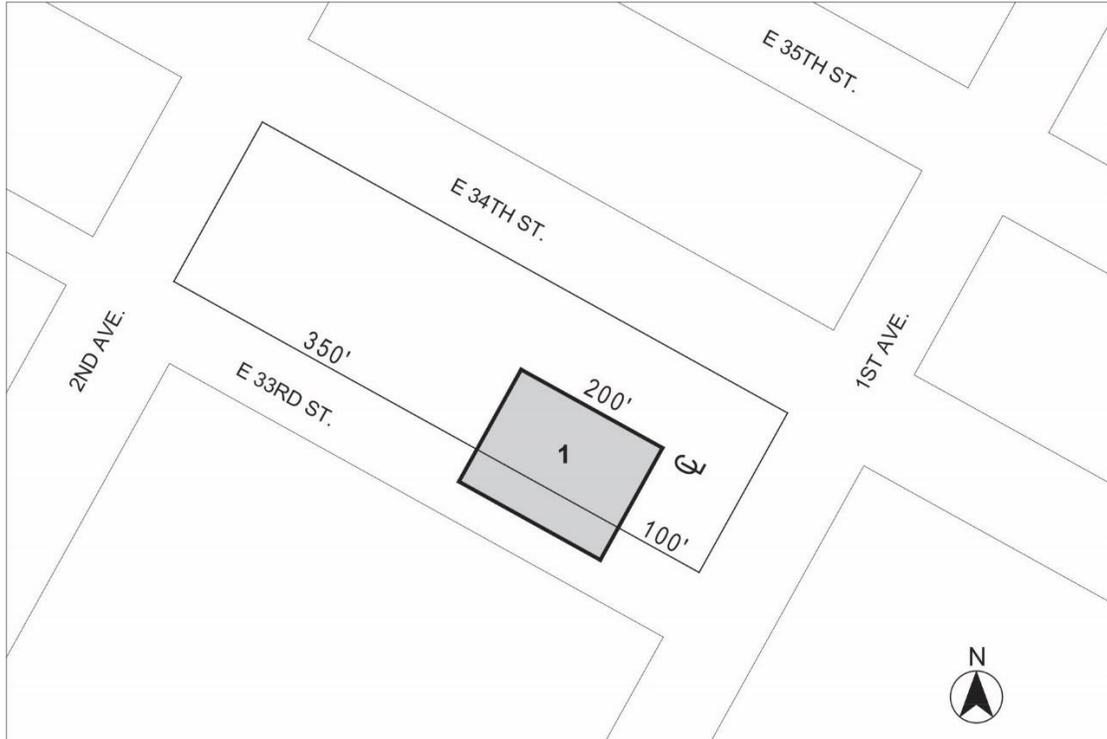
MANHATTAN

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Manhattan Community District 6

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Map 2 – [date of adoption]



 Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 1 — [date of adoption] MIH Program Option 1

Portion of Community District 6, Manhattan

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The above resolution (N 170381 ZRM), duly adopted by the City Planning Commission on June 25, 2018 (Calendar No. 13), is filed with the Office of the Speaker, City Council, and the Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*
KENNETH J. KNUCKLES, ESQ., *Vice Chair*
ALLEN P. CAPPELLI, ALFRED CERULLO, III,
JOSEPH DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON,
HOPE KNIGHT, ANNA HAYES LEVIN, ORLANDO MARIN, *Commissioners*

MICHELLE DE LA UZ, *Commissioner Abstaining*