



## **CITY PLANNING COMMISSION**

January 23, 2012 / Calendar No. 5

C 120033 ZMM

**IN THE MATTER OF** an application submitted by RSV, LLC and Saint Vincents Catholic Medical Centers of New York pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 12a and 12c:

1. changing from an R6 District to an R8 District property bounded by West 12th Street, a line 475 feet easterly of Seventh Avenue, a line midway between West 12th Street and West 11th Street, a line 425 feet easterly of Seventh Avenue, West 11th Street, a line 100 feet northeasterly of Greenwich Avenue, and a line 100 feet easterly of Seventh Avenue;
2. changing from a C1-6 District to an R8 District property bounded by a line 100 feet northeasterly of Greenwich Avenue, West 11th Street, and a line 100 feet easterly of Seventh Avenue; and
3. changing from a C2-6 District to a C6-2 District property bounded by West 12th Street, a line 100 feet easterly of Seventh Avenue, West 11th Street, and Seventh Avenue;

as shown on a diagram (for illustrative purposes only) dated August 22, 2011, Community District 2, Borough of Manhattan.

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This application for a zoning map amendment was filed by the applicants on August 10, 2011. The zoning map amendment, along with its related actions, would facilitate the development of a proposed, mixed-use development on a 92,925 square foot lot located on 7th Avenue between West 12th Street and West 11th Street (Block 607, Lot 1; Block 617, Lots 1 and 55). The proposed buildings will contain approximately 450 market-rate residential units, as well as a small amount of retail space and doctor's offices. The project also includes a 16,677 square foot publicly accessible open space on the triangular parcel of land located immediately west of the East Site.

### **RELATED ACTIONS**

In addition to the zoning map amendment (C 120033 ZMM) which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following which is being considered concurrently with this application:

C 120029 ZSM	Special Permit pursuant to Section 74-743 to allow the distribution of open space, to modify height and setback and rear yard requirements, to modify inner court requirements, and to allow for the maximum floor area
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permitted within a Large-Scale General Development.

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| C 120030 ZSM | Special Permit pursuant to Section 74-744(b) to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) within a Large-Scale General Development. |
| C 120031 ZSM | Special Permit pursuant to Section 13-561 of the Zoning Resolution to allow an accessory parking garage with a maximum capacity of 152 spaces within a Large-Scale General Development.           |
| N 120032 ZRM | Zoning Text Amendment relating to Section 74-743 (Special Provisions for bulk modifications).                                                                                                     |

## **BACKGROUND**

A full background discussion and description of this application appears in the report for a special permit application (C 120029ZMM).

## **ENVIRONMENTAL REVIEW**

The application (C 120033 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 10DCP003M. The lead is the City Planning Commission.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for a special permit amendment (C 120029 ZSM).

## **UNIFORM LAND USE REVIEW**

This application (C 120033 ZMM), in conjunction with the application for the related actions, (C 120029ZSM, C 120030ZSM, C 120031ZSM) was certified as complete by the Department of City Planning on August 22, 2011, and was duly referred to Community Board 2 and the 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 application (N 120032 ZRM), which was referred for review and comment.

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application October 20, 2011, and on that date, by a vote of 40 to 1 with no abstentions, adopted a resolution recommending disapproval, with conditions, of the application.

A summary of the recommendations of Community Board 2 appears on the related application for a special permit (C 120029 ZSM).

### **Borough President Recommendation**

This application (C 120031 ZSM), 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 November 25, 2011.

A summary of the recommendations of the Borough President appears on the related application for a special permit (C 120029 ZSM).

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

On November 16, 2011 (Calendar No. 8), the City Planning Commission scheduled November 30, 2011, for a public hearing on this application (C 120033 ZSM). The hearing was duly held on November 30, 2011 (Calendar No. 12) in conjunction with the public hearing on the applications for related actions.

There were a number of appearances as described in the related application for a special permit (C 120029 ZSM), and the hearing was closed.

### **CONSIDERATION**

The Commission believes that this application for a zoning map amendment (C 12033 ZMM), in conjunction with the related applications for a text amendment (N 12032 ZRM) and special permits (C 12029 ZSM) (C 12030 ZSM), (C 12031 ZSM) is appropriate.

A full consideration and analysis of the issues, and the reasons for approving this application appear in the related report for a special permit application (C 120029 ZSM).

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on January 12, 2012, with respect to this application (CEQR No. 10DCP003M), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act & regulations, have been met and that:

1. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to a Restrictive Declaration, dated January 23, 2012, those project components related to the environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; 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 the consideration and findings 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 by changing the Zoning Map, Section Nos. 12a and 12c:

1. changing from an R6 District to an R8 District property bounded by West 12th Street, a line 475 feet easterly of Seventh Avenue, a line midway between West 12th Street and West 11th Street, a line 425 feet easterly of Seventh Avenue, West

11th Street, a line 100 feet northeasterly of Greenwich Avenue, and a line 100 feet easterly of Seventh Avenue;

2. changing from a C1-6 District to an R8 District property bounded by a line 100 feet northeasterly of Greenwich Avenue, West 11th Street, and a line 100 feet easterly of Seventh Avenue; and
3. changing from a C2-6 District to a C6-2 District property bounded by West 12th Street, a line 100 feet easterly of Seventh Avenue, West 11th Street, and Seventh Avenue;

as shown on a diagram (for illustrative purposes only) dated August 22, 2011, Borough of Manhattan, Community District 2, is approved.

The above resolution (C 120033 ZMM), duly adopted by the City Planning Commission on January 23, 2012 (Calendar No. 5), 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, RAYANN BESSER, IRWIN G. CANTOR, P.E.**  
**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, ANNA HAYES LEVIN, ORLANDO MARÍN,**  
**SHIRLEY A. MCRAE**, Commissioners