



## **CITY PLANNING COMMISSION**

January 23, 2012 / Calendar No. 4

N 120032 ZRM

**IN THE MATTER OF** an application submitted by the RSV, LLC and Saint Vincent's Catholic Medical Centers of New York pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Section 74-743 (Special Provisions for bulk modifications) on the zoning lots bounded by Greenwich Avenue, West 11th Street, West 12th Street, and midblock between 7th and 6th Avenues, Community District 2, Borough of Manhattan.

This application for the zoning text amendment relating to Section 74-743 (Special Provisions for bulk modifications) was filed by the applicant on August 10, 2011. The text amendment, along with the related actions, would facilitate the development of a proposed, mixed-use, primarily residential 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 development site.

### **RELATED ACTIONS**

In addition to the zoning text amendment (N 120032 ZRM) 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 permitted within a Large-Scale General Development. |
| 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.   |

C 120033 ZMM        Zoning Map Amendment to change existing R6 and C1-6 Districts to an R8 District; and to change a C2-6 District to a C6-2 District.

## **BACKGROUND**

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

## **ENVIRONMENTAL REVIEW**

The application (N 120032 ZRM), in conjunction with the applications (C 120033 ZMM, C 120029ZSM, C 120030, and C 120031 ZSM) 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 (C 120029 ZMM).

## **PUBLIC REVIEW**

This application (N 120032 ZRM), in conjunction with the application for the related actions, was duly referred to Community Board 2 and the Borough President on August 22, 2011, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application and the related actions on October 20, 2011, and on that date, by a vote of 40 in favor and one opposed, 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 (N 120032 ZRM), in conjunction with the related actions, was considered by the Borough President, who issued a letter recommending 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. 7), the City Planning Commission scheduled November 30, 2011, for a public hearing on this application (N 120032 ZRM). The hearing was duly held on November 30, 2011 (Calendar No. 11) in conjunction with the public hearings on the applications for the related actions (C 120029 ZSM, C 120030 ZSM, C 120031 ZSM, and C 120033 ZMM).

There were fifty-eight speakers, as described in the related application for a special permit (C 120029 ZSM).

### **CONSIDERATION**

The Commission believes that this application for a zoning text amendment (N 120032 ZRM), in conjunction with the application for related actions, is appropriate.

A full consideration and analysis of the issues, and reason 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 be 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 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 December 15, 1961, and as amended subsequently, is further amended as follows:

Matter Underlined is new, to be added;  
Matter in ~~Strikeout~~ is old, to be deleted;  
Matter within # # is defined in Section 12-10;

#### Article 7 – Administration

\* \* \*

#### Chapter 4

#### Special Permits by the City Planning Commission

\* \* \*

74-743

Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

(1) \* \* \*

(2) \* \* \*

(3) \* \* \*

- (4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements, provided that the #large-scale general development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community Districts 2 or 7 in Manhattan or located within a C4-4 District within the boundaries of Queens Community District 7 and that a minimum of 50 percent of the required #open space# is provided within the #large-scale general development#. Required #open space# for the purposes of this paragraph, (a)(4), shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district;

\* \* \* \* \*

The above resolution (N 120032 ZRM), duly adopted by the City Planning Commission on January 23, 2012 (Calendar No. 4), 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.

**AMANDA M. BURDEN, FAICP, Chair**

**RICHARD W. EADDY, Vice Chairman**

**ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,**

**ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,**

**KENNETH KNUCKLES, ANNA HAYES LEVIN, ORLANDO MARIN,**

**SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners**