THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1798

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210291 ZSR, for the grant of a special permit (L.U. No. 844).

By Council Members Salamanca and Moya

WHEREAS, Richmond SI Owner, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 128-62 of the Zoning Resolution to modify the rear yard requirements of Section 23-47 (Minimum Required Rear Yard); the permitted obstruction requirements of Section 128-31 (Rooftop Regulations) and Section 33-42 (Permitted Obstructions); the height and setback requirements of Section 128-33* (Maximum Base Height) and Section 128-34* (Maximum Building Height); and the planting requirements of Section 128-42 (Planting Areas), in connection with a proposed mixed-use development, on property located at 24 Stuyvesant Place (Block 13, Lots 82, 92, 100 and p/o Lot 8), in an R7-3/C2-4 District, which in conjunction with the related actions would facilitate the development of a 592,014-square-foot mixed-use development with three mixed-use buildings, comprised of approximately 750 housing units, including 225 permanently affordable units, and 18,800 square feet of non-residential uses located on the ground floor and cellar in the St. George neighborhood of Staten Island, Community District 1 (ULURP No. C 210291 ZSR) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 10, 2021, its decision dated September 1, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210289 ZMR (L.U. No. 842), a zoning map amendment to (a) rezoning a R6 zoning district with a C2-2 overlay at a depth 100 feet within the SHPD to an R7-3 zoning district with a C2-4 commercial overlay at a depth of 185 feet and to be located within the SSGD; and (b) rezoning a R6 zoning district with a C2-2 overlay to a R6 zoning district with a C2-4 overlay and to be located within the SSGD; and N 210290 ZRR (L.U. No. 843), a zoning text amendment to the Special St. George District (SSGD) to establish bulk regulations for R7 zoning districts, a new special permit to modify bulk and other requirements, and establish a Mandatory Inclusionary Housing Area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 128-62 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 24, 2021;

WHEREAS, the Council has considered the land use and environmental implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration, issued on October 16th, 2020 (CEQR No. 20DCP140R) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 20, 2021, which identified significant adverse impacts related to hazardous materials, noise, and air quality would be avoided through the placement of (E) designations (E-614) on the project sites. The proposed project, as analyzed in the FEIS, also identified significant adverse impacts with respect to open space (active), transportation (vehicular traffic), and construction (vehicular traffic, noise) and mitigation measures are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

(1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

(2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and

(3) 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 the restrictive declaration attached as Exhibit A to City Planning Commission report for C 210291 ZSR, those project components related to environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 201 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210291 ZSR, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council.

1. The property that is the subject of this application (C 210291 ZSR) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by FXCollaborative Architects LLP, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
~~Z-002~~	~~ZONING ANALYSIS~~	~~04/01/2021~~
~~Z-003~~	~~ZONING ANALYSIS~~	~~04/01/2021~~
~~Z-004~~	~~ZONING SITE PLAN~~	~~08/27/2021~~
~~Z-110~~	~~WAIVER PLAN~~	~~08/27/2021~~
~~Z-200~~	~~WAIVER SECTIONS~~	~~08/27/2021~~
~~Z-201~~	~~WAIVER SECTIONS~~	~~04/01/2021~~
~~Z-202~~	~~WAIVER SECTIONS~~	~~04/01/2021~~
~~Z-203~~	~~WAIVER SECTIONS~~	~~04/01/2021~~
~~Z-500~~	~~PUBLIC OPEN SPACE PLAN~~	~~04/01/2021~~
~~Z-501~~	~~MATERIAL PLAN, SEATING AND LIGHTING~~	~~04/01/2021~~
~~Z-502~~	~~PLANTING AND GRADING PLAN~~	~~04/01/2021~~
~~Z-503~~	~~PLAZA DETAILS~~	~~08/27/2021~~
~~Z-504~~	~~PUBLIC OPEN SPACE SECTIONS~~	~~04/01/2021~~
~~Z-505~~	~~PUBLIC OPEN SPACE SECTIONS~~	~~04/01/2021~~
~~Z-506~~	~~PUBLIC OPEN SPACE SECTIONS~~	~~04/01/2021~~
~~Z-507[3]~~	~~ACTIVE PUBLIC OPEN SPACE PLAN~~	~~08/27/2021~~
~~Z-508~~	~~ACTIVE PUBLIC OPEN SPACE MATERIAL, SEATING AND LIGHTING PLAN~~	~~08/27/2021~~
~~Z-509~~	~~ACTIVE PUBLIC OPEN SPACE PLANTING AND GRADING PLAN~~	~~08/27/2021~~
~~Z-510~~	~~ACTIVE PUBLIC OPEN SPACE DETAILS~~	~~08/27/2021~~

~~Z-511~~	~~ACTIVE PUBLIC OPEN SPACE SECTIONS~~	~~08/27/2021~~

~~[2] Drawing Z-503 has been updated to reflect the correct date of revision.~~

~~[3] Drawings Z-507, Z-508, Z-509, Z-510 and Z-511 have been updated to reflect the correct titles.~~

Z-002	ZONING ANALYSIS	__/__/2021
Z-003	ZONING ANALYSIS	__/__/2021
Z-004	ZONING SITE PLAN	__/__/2021
Z-110	WAIVER PLAN	__/__/2021
Z-200	WAIVER SECTIONS	__/__/2021
Z-201	WAIVER SECTIONS	__/__/2021
Z-202	WAIVER SECTIONS	__/__/2021
Z-203	WAIVER SECTIONS	__/__/2021
Z-500	PUBLIC OPEN SPACE PLAN	__/__/2021
Z-501	MATERIAL PLAN, SEATING AND LIGHTING	__/__/2021
Z-502	PLANTING AND GRADING PLAN	__/__/2021
Z-503	PLAZA DETAILS	__/__/2021
Z-504	PUBLIC OPEN SPACE SECTIONS	__/__/2021
Z-505	PUBLIC OPEN SPACE SECTIONS	__/__/2021
Z-506	PUBLIC OPEN SPACE SECTIONS	__/__/2021
Z-507	ACTIVE PUBLIC OPEN SPACE PLAN	__/__/2021
Z-508	ACTIVE PUBLIC OPEN SPACE MATERIAL, SEATING AND LIGHTING PLAN	__/__/2021
Z-509	ACTIVE PUBLIC OPEN SPACE PLANTING AND GRADING PLAN	__/__/2021
Z-510	ACTIVE PUBLIC OPEN SPACE DETAILS	__/__/2021
Z-511	ACTIVE PUBLIC OPEN SPACE SECTIONS	__/__/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register, Richmond County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

5. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and any subsequent modifications to either document shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

6. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the attached restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.

8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on November 10, 2021, on file in this office.

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City Clerk, Clerk of The Council