



Legislation Text

File #: Res 1884-2021, Version: *

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1884**

Resolution approving the decision of the City Planning Commission on Application No. C 210417 PPM, for the disposition of city-owned property, pursuant to zoning (L.U. No. 904).

By Council Members Salamanca and Moya

WHEREAS, the Department of Citywide Administrative Services (DCAS), filed an application pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), pursuant to zoning, which in conjunction with the related actions to facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5 (ULURP No. C 210417 PPM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; and N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 9, 2021;

WHEREAS, the Council has considered the land use 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 November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with

respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021 .

RESOLVED:

Having considered the FEIS and Technical Memorandum 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) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) 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 dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum 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 Section 197-d and 200 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 210417 PPM, incorporated by reference herein, and the record before the Council, the Council approves the Decision for the disposition of the City-owned non-residential property located at Block 1280, Lot 30, pursuant to zoning.

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 _____, 2021, on file in this office.

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City Clerk, Clerk of The Council