File #:	Res 0385-2006	**Version:**	*	Name:	LU 170 - Zoning Reso., 1765 1st Ave., Manhattan (C060255ZSM)
Type:	Resolution			Status:	Adopted
				In control:	Committee on Land Use

On agenda:	6/13/2006		
Enactment date:		Enactment #:	

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 060255 ZSM (L.U. No. 170), grant of a special permit pursuant to Section 74-75 of the Zoning Resolution to permit utilization of air rights over a school, to modify the requirements of Section 23-60 (Height and Setback Regulations), Section 24-55 (Required Side and Rear Setbacks), and Section 24-382 (Required rear yard equivalents), and to allow the distribution of floor area without regard for district boundaries, Manhattan.

Sponsors: Melinda R. Katz, Tony Avella

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 6/13/06

Date	Ver.	Action By	Action	Result
6/5/2006	*	Committee on Land Use	Approved by Committee	
6/13/2006	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 385

Resolution approving the decision of the City Planning Commission on ULURP No. C 060255 ZSM (L.U. No. 170), grant of a special permit pursuant to Section 74-75 of the Zoning Resolution to permit utilization of air rights over a school, to modify the requirements of Section 23-60 (Height and Setback Regulations), Section 24-55 (Required Side and Rear Setbacks), and Section 24-382 (Required rear yard equivalents), and to allow the distribution of floor area without regard for district boundaries, Manhattan.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 12, 2006 its decision dated May 10, 2006 (the "Decision") on the application submitted by the New York City Educational Construction Fund (ECF) and 1765 First Associates LLP, pursuant to Sections 197-c and 201 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for the grant of a special permit pursuant to Section 74-75 of the Zoning Resolution to permit utilization of air rights over a school, to modify the requirements of Section 23-60 (Height and Setback Regulations), Section 24-55 (Required Side and Rear Setbacks), and Section 24-382 (Required rear yard equivalents), and to allow the distribution of floor area without regard for district boundaries to facilitate the development of a mixed use building on property located at 1765 First Avenue (Block 1554, Lots 23, 28, 29, 30, 32, and 130) in R8B and C2-8 Districts, (ULURP No. C 060255 ZSM), Community District 8, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Application Number N 060254 ZRY (L.U. No. 169), an

amendment to the text of the Zoning Resolution pursuant to Section 74-75;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-75 of the Zoning Resolution;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on June 1, 2006 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on December 15, 2005 (CEQR No. 06ECF001M); and

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

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment; and

Pursuant to Sections 197-d and 200 of the New York City Charter and on the basis of the Decision and Application, the Council approves the Decision.

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 June 13, 2006, on file in this office.

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City Clerk, Clerk of The Council