



## Legislation Details (With Text)

|                        |   |                     |   |                    |   |
|------------------------|---|---------------------|---|--------------------|---|
| <b>File #:</b>         | Res 1378-2008   | <b>Version:</b>     | * | <b>Name:</b>       | LU 721 - Zoning Reso., Real Estate Industrial, Inc., Manhattan (C070290ZSM) |
| <b>Type:</b>           | Resolution  | <b>Status:</b>      |   | <b>In control:</b> | Adopted<br>Committee on Land Use  |
| <b>On agenda:</b>      | 4/16/2008   |                     |   |                    |   |
| <b>Enactment date:</b> |   | <b>Enactment #:</b> |   |                    |   |
| <b>Title:</b>          | Resolution approving the decision of the City Planning Commission on ULURP No. C 070290 ZSM (L.U. No. 721), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 88 spaces including 31 accessory spaces on portions of the ground floor and cellar level and to permit floor space on the ground floor up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (Definitions) of the Zoning Resolution, of a proposed mixed use development on property located at 535 -551 West 48th Street a.k.a. 514-544 West 49th Street (Block 1077, Lots 8, 9, 10, 18, 19, 20, 43, 55 and 56) in R8 and R8/C2-5 Districts, within the Special Clinton District, Borough of Manhattan. |                     |   |                    |   |
| <b>Sponsors:</b>       | Melinda R. Katz, Tony Avella  |                     |   |                    |   |
| <b>Indexes:</b>        |   |                     |   |                    |   |
| <b>Attachments:</b>    | 1. Committee Report, 2. Hearing Transcript - Stated Meeting 4/16/08   |                     |   |                    |   |

| Date      | Ver. | Action By             | Action                | Result |
|-----------|------|-----------------------|-----------------------|--------|
| 4/16/2008 | *    | Committee on Land Use | Approved by Committee |        |
| 4/16/2008 | *    | City Council          | Approved, by Council  | Pass   |

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1378

Resolution approving the decision of the City Planning Commission on ULURP No. C 070290 ZSM (L.U. No. 721), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 88 spaces including 31 accessory spaces on portions of the ground floor and cellar level and to permit floor space on the ground floor up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (Definitions) of the Zoning Resolution, of a proposed mixed use development on property located at 535 -551 West 48th Street a.k.a. 514-544 West 49th Street (Block 1077, Lots 8, 9, 10, 18, 19, 20, 43, 55 and 56) in R8 and R8/C2-5 Districts, within the Special Clinton District, Borough of Manhattan.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on March 10, 2008 its decision dated March 10, 2008 (the "Decision") on the application submitted by Real Estate Industrials, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 88 spaces on portions of the ground floor and cellar level and to permit floor space on the ground floor up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (Definitions) of the Zoning Resolution in a proposed residential building on property located at 535 -551 West 48th Street a.k.a. 514-544 West 49th Street (Block 1077, Lots 8, 9, 10, 18, 19, 20, 43, 55 and 56) in R8 and R8/C2-5 Districts, within the Special Clinton District (ULURP No. C 070290 ZSM), Community District 4, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070289 ZMM (L.U. No. 698), an amendment to

the Zoning Map, changing an existing M1-5 District to R8/C2-5 Districts; and N 070539 ZRM (L.U. No. 718), an amendment to the Zoning Resolution to create Section 96-31 (Special regulations in R8 districts) in the Special Clinton District;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-52 of the Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on April 15, 2008 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Conditional Negative Declaration, issued on March 10, 2008 (CEQR No. 07DCP043M),

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 subject to the following condition:

The applicant agrees via restrictive declarations to prepare hazardous materials sampling protocols, including health and safety plans, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocols and, if any such impact is found, submit hazardous material remediation plans including health and safety plans to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plans; 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 April 16, 2008, on file in this office.

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City Clerk, Clerk of The Council