



## Legislation Details (With Text)

**File #:** Res 1047-2011      **Version:** \*      **Name:** LU 477 - Zoning, 249 W. 28th Street Properties, LLC (C100064ZMM)  
**Type:** Resolution      **Status:** Adopted  
**In control:** Committee on Land Use

**On agenda:** 9/21/2011

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 100064 ZSM (L.U. No. 477), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow for an attended public parking garage with a maximum capacity of 325 spaces on portions of the ground floor, cellar level and sub-cellar level of a proposed mixed-use development on property located at 241-251 West 28th Street a.k.a. 240-250 West 29th Street (Block 778, Lots 13, 16, 18 and 66), in an M1-6D District, Borough of Manhattan.

**Sponsors:** Leroy G. Comrie, Jr., Mark S. Weprin

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 9-21-11

Date	Ver.	Action By	Action	Result
9/19/2011	*	Committee on Land Use	Approved by Committee	
9/21/2011	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1047

Resolution approving the decision of the City Planning Commission on ULURP No. C 100064 ZSM (L.U. No. 477), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow for an attended public parking garage with a maximum capacity of 325 spaces on portions of the ground floor, cellar level and sub-cellar level of a proposed mixed-use development on property located at 241-251 West 28<sup>th</sup> Street a.k.a. 240-250 West 29<sup>th</sup> Street (Block 778, Lots 13, 16, 18 and 66), in an M1-6D District, Borough of Manhattan.

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on August 26, 2011 its decision dated August 24, 2011 (the "Decision"), on the application submitted by 249 W 28<sup>th</sup> Street Properties, LLC, 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 of the City of New York to allow for an attended public parking garage with a maximum capacity of 325 spaces on portions of the ground floor, cellar level and sub-cellar level of a proposed mixed-use development on property located at 241-251 West 28th Street a.k.a. 240-250 West 29th Street (Block 778, Lots 13, 16, 18 and 66), in an M1-6D District, (ULURP No. C 100064 ZSM) Community District 5, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications Numbers N 110285 ZRY (L.U. No. 475), Zoning text amendment by the Department of City Planning to create a new zoning district (M1-6D) that would preserve existing concentrations of Class B and C office and light industrial space, allow infill contextual

residential development, including affordable housing, and generally support the development of mixed-use areas; and C 100063 ZMM (L.U. No. 476), Zoning map amendment by 249 W 28th Street Properties, LLC, to rezone the midblock portion of two blocks bounded by West 28th Street, West 30th Street, Seventh Avenue and Eighth Avenue from M1-5 to M1-6D;

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

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 15, 2011;

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 and the Negative Declaration issued on April 25, 2011 (CEQR No. 10DCP004M);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 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 this report, C 100064 ZSM, incorporated by reference herein, 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 September 21, 2011, on file in this office.

City Clerk, Clerk of The Council