



## Legislation Text

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File #: Res 1253-2016, Version: \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1253

**Resolution approving the decision of the City Planning Commission on Application No. N 160147 ZRM, for an amendment of the Zoning Resolution of the City of New York, establishing Section 42-486 relating to streetscape provisions in M1-6D districts, Community District 5, Borough of Manhattan (L.U. No. 478).**

**By Council Members Greenfield and Richards**

WHEREAS, the City Planning Commission filed with the Council on September 9, 2016 its decision dated September 7, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 221 W29 Residential, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, establishing Section 42-486 relating to streetscape provisions in M1-6D districts, which in conjunction with the other related action would facilitate the provision of 45 accessory residential parking spaces within a mixed-use development at 217-221 West 29<sup>th</sup> Street in the Chelsea neighborhood of Manhattan (Application No. N 160147 ZRM), Community District 5, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to application C 160148 ZSM (L.U. No. 477), a special permit pursuant to Sections 13-45 and 13-451(a) to allow an attended accessory off-street parking garage with a maximum capacity of 45 spaces on portions of the ground floor and sub-cellar of a proposed mixed-use building at 217-221 West 29<sup>th</sup> Street;

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 the Decision and Application on October 5, 2016;

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 revised negative declaration (CEQR No. 16DCP091M) issued on September 6, 2016, which reflects the changes of the proposed CPC action and supersedes the previously issued negative declaration issued on April 11, 2016 ("Revised Negative Declaration");

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

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 the report, N 160250 ZRX, incorporated by reference herein, the Council approves the Decision with the following modifications as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

## ARTICLE IV MANUFACTURING DISTRICT REGULATIONS

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### Chapter 2 Use Regulations

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#### 42-40 SUPPLEMENTARY USE REGULATIONS AND SPECIAL PROVISION APPLYING ALONG DISTRICT BOUNDARIES

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#### 42-48 Supplemental Use Regulations in M1-6D Districts

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#### 42-486 Authorization for modification of streetscape provisions

For #zoning lots# that have a #street# frontage of less than 75 feet, where entrances to off-street parking or loading facilities are located along such #street# frontage, the City Planning Commission may modify the dimensions of the frontage and depth requirements for ground floor #commercial uses# set forth in Section 42-485 (Streetscape provisions), provided that the Commission finds that such modifications:

- (a) are the minimum necessary to provide sufficient space for access to off-street parking or loading facilities;
- (b) will not adversely affect the streetscape experiences or impact the viability of such #uses#, and the resulting ground floor frontages will effectively contribute to a vibrant mixed-use district; and
- (c) to the greatest extent feasible will result in a ground floor that meets the height requirements for #qualifying ground floors#.

\* \* \*

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 October 13, 2016, on file in this office.

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City Clerk, Clerk of The Council