



Legislation Details (With Text)

**File #:** Res 0743-2004      **Version:** \*      **Name:** LU 354 - UDAAP, 400 Park Ave S, Manhattan (C040495ZSK)

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 12/15/2004

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

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 040495 ZSM (L.U. No. 354), grant of a special permit pursuant to Section 74-721(a) of the Zoning Resolution to modify the height and setback regulations of Sections 23-60, 23-70 and 23-80.

**Sponsors:**

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 12/15/04

Date	Ver.	Action By	Action	Result
12/14/2004	*	Committee on Land Use	Approved by Committee	
12/15/2004	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 743

Resolution approving the decision of the City Planning Commission on ULURP No. C 040495 ZSM (L.U. No. 354), grant of a special permit pursuant to Section 74-721(a) of the Zoning Resolution to modify the height and setback regulations of Sections 23-60, 23-70 and 23-80.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on November 19, 2004 its decision dated November 17, 2004 (the "Decision") on the application submitted by 400 Park Avenue South, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-721(a) of the Zoning Resolution to modify the height and setback regulations of Section 23-60, the distance between buildings regulations of Section 23-70, and the court and minimum distance between required windows and walls or lot line regulations of Section 23-80 to facilitate the development of a 475.53 foot-high, 40-story mixed use building on property located at 400 Park Avenue (Block 857, Lots 24, 40 and 46), in a C5-3 District, Community District 5, Borough of Manhattan (ULURP No. C 040495 ZSM) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 040496 ZMM (L.U. No. 355), an amendment to the Zoning Map; and N 040497 ZRY (L.U. No. 356), an amendment to the text of the Zoning Resolution;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-721(a) 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 December 13, 2004 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on August 9, 2004 (CEQR No. 04DCP058M); 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 December 15, 2004, on file in this office.

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City Clerk, Clerk of The Council