



Legislation Details (With Text)

**File #:** Res 0070-2010      **Version:** \*      **Name:** LU 29 - Zoning Map Amendment, Department of HPD Section No. 8c (C100051ZMM)

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

**In control:** Committee on Land Use

**On agenda:** 3/3/2010

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

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 100051 ZMM, a Zoning Map amendment (L.U. No. 29).

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

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3/3/10

Date	Ver.	Action By	Action	Result
2/25/2010	*	Committee on Land Use	Approved by Committee	
3/3/2010	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 70

Resolution approving the decision of the City Planning Commission on ULURP No. C 100051 ZMM, a Zoning Map amendment (L.U. No. 29).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on January 29, 2009 its decision dated January 27, 2009 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 100051 ZMM) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers N 100052 ZRM (L.U. No. 28), a Zoning Text Amendment relating to Article IX, Chapter 6 (Special Clinton District); C 100053 ZSM (L.U. No. 44), a special permit pursuant to Section 74-681 to permit development over railroad or transit air space; C 100054 ZSM (L.U. No. 31), a special permit pursuant to Section 74-743 to waive height and setback, distance between buildings and open space regulations; and C 100055 HAM (L.U. No. 32), an urban development action area project designation, project approval and disposition of city-owned property;

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 February 24, 2010;

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 Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on January 13, 2010 (CEQR No. 09HPD022M).

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable;
- (4) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 8c:

1. changing from an M1-5 District to an R8 District property bounded by West 45<sup>th</sup> Street, the easterly boundary line of a Railroad Right-Of-Way, West 44<sup>th</sup> Street, and a line 450 feet westerly of Tenth Avenue;
2. changing from an M1-5 District to an R10 District property bounded by West 45<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 44<sup>th</sup> Street, and Eleventh Avenue;
3. establishing within the proposed R8 District a C2-5 District bounded by West 45<sup>th</sup> Street, the easterly boundary line of a Railroad Right-Of-Way, West 44<sup>th</sup> Street, and a line 450 feet westerly of Tenth Avenue; and
4. establishing within the proposed R10 District a C2-5 District bounded by West 45<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 44<sup>th</sup> Street, and Eleventh Avenue;

as shown on a diagram (for illustrative purposes only) dated August 17, 2009, Community District 4, Borough of Manhattan.

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 March 3, 2010, on file in this office.

City Clerk, Clerk of The Council