



Legislation Text

File #: Res 0071-2010, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 71

Resolution approving the decision of the City Planning Commission on ULURP No. C 100053 ZSM (L.U. No. 30), for the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area in connection with a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44th Street a.k.a. 508-558 West 45th Street (Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5 and R10/C2-5 Districts, within the Special Clinton District (Excluded Area), Borough of Manhattan.

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 the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area in connection with a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44th Street a.k.a. 508-558 West 45th Street (Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5 and R10/C2-5 Districts, within the Special Clinton District (Excluded Area), (ULURP No. C 100053 ZSM), Community District 4, Borough of Manhattan (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 100051 ZMM (L.U. No. 29), an amendment to the Zoning Map changing from M1-5 to R8/C2-5 and R10/C2-5; 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)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 of the Zoning Resolution of the City of New York;

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.

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