



Legislation Details (With Text)

**File #:** Res 1893-2001      **Version:** \*      **Name:** LU 1059 - ULURP, Zoning Resolution, Special Permit, Manhattan (010151ZSM)

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

**In control:** Committee on Land Use

**On agenda:** 4/25/2001

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

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 010151 ZSM (L.U. No. 1059), a special permit pursuant to Section 74-743(a)(3) of the Zoning Resolution to permit the modification of the height and setback regulations.

**Sponsors:**

**Indexes:**

**Attachments:** 1. Committee Report

Date	Ver.	Action By	Action	Result
4/19/2001	*	Committee on Land Use	Approved by Committee	
4/25/2001	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1893

Resolution approving the decision of the City Planning Commission on ULURP No. C 010151 ZSM (L.U. No. 1059), a special permit pursuant to Section 74-743(a)(3) of the Zoning Resolution to permit the modification of the height and setback regulations.

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on April 4, 2001, its decision dated March 28, 2001 (the "Decision") on the application submitted by The Durst Organization pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(3) of the Zoning Resolution to permit modification of the following height and setback regulations:

1. Sections 33-432(a) and 43-43: to allow the front walls and other portions of a building within the initial setback distance to exceed a maximum height of 85 feet above curb level to a height of 112' on Eleventh Avenue (a wide street), within 100 feet of Eleventh Avenue on West 57th Street (a wide street), and within 125 feet of Eleventh Avenue on West 58th Street (a narrow street), and to penetrate the sky exposure planes within the initial setback distance; and

2. Sections 33-451 and 43-45: to allow two towers (at Eleventh Avenue and Twelfth Avenue, respectively) which in the aggregate occupy not more than 40 percent of the lot area of a zoning lot:

a) to exceed 1,875 square feet of aggregate area in the portions located not less than 15 feet nor more than 50 feet from the street line of West 58th Street (a narrow street); and

b) to exceed 1,600 square feet of aggregate area in the portions located not less than 10 feet nor more than 40 feet from the street lines of West 57th Street, Eleventh Avenue, and Twelfth Avenue (all wide streets);

to facilitate the construction of a mixed-use building with two towers, one at Eleventh Avenue (approximately 382 feet high) and the other at Twelfth Avenue (approximately 295 feet high), on property bounded by West 57th Street, Eleventh Avenue, West 58th Street, and Twelfth Avenue (Block 1105/Lots 1, 5, 14, 19, 23, 29, 36, and 43), within a general large-scale development, in proposed C4-7 and M1-5 Districts, in the Special Clinton District (Area C (Other Area)), Borough of Manhattan (ULURP No. C 010151 ZSM) (the "Application");

WHEREAS, the Application is related to ULURP Applications No. C 010148 ZMM (L.U. No. 1056), an amendment to the Zoning Map, C 010149 ZSM (L.U. No. 1057), a special permit pursuant to Sections 13-562 and 74-52, C 010150 ZSM (L.U. No. 1058), a special permit pursuant to Section 13-562 and 74-52, and C 010152 (L.U. No. 1060), a special permit pursuant to Section 74-744(b);

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution;

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 April 18, 2001 on the Decision and Application;

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 March 16, 2001 (CEQR No. 01DCP041M); and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

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) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent possible by incorporating as conditions to the approval those mitigative measures that were identified as practicable;

---

Page 3 of 3  
C 010151 ZSM  
Reso. No. 1893 (L.U. No. 1059)

- (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 this determination, pursuant to 6 N.Y.C.R.R. §617.

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 April 25, 2001, on file in this office.

.....  
City Clerk, Clerk of Council