



## Legislation Details (With Text)

<b>File #:</b>	Res 2132-2001	<b>Version:</b>	*	<b>Name:</b>	LU 1215 - ULURP, Biltmore Theater, Manhattan (20010460ZSM)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Adopted:</b>	Adopted
		<b>In control:</b>		<b>Committee on Land Use:</b>	Committee on Land Use
<b>On agenda:</b>	11/20/2001				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on ULURP No. C 010460 ZSM (L.U. No. 1215), grant of a special permit pursuant to Section 81-745 of the Zoning Resolution to allow the rehabilitation and restoration of the Biltmore Theater.				
<b>Sponsors:</b>	June M. Eisland				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report				

Date	Ver.	Action By	Action	Result
11/19/2001	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
11/20/2001	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2132

Resolution approving the decision of the City Planning Commission on ULURP No. C 010460 ZSM (L.U. No. 1215), grant of a special permit pursuant to Section 81-745 of the Zoning Resolution to allow the rehabilitation and restoration of the Biltmore Theater.

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on October 12, 2001 its decision dated October 10, 2001 (the "Decision") on the application submitted by Biltmore 47 Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 81-745 of the Zoning Resolution to permit bonus floor area for the substantial rehabilitation and restoration of the Biltmore Theater, which is designated as a "listed theater" pursuant to Section 81-742, to apply to a new 55-story mixed building which is to be constructed at the northeast corner of West 47th Street, and Eighth Avenue (Block 1019/Lots, 1, 2, 3, 63 and 64), on a zoning lot generally bounded by West 47th Street, Eighth Avenue, and West 48th Street (Block 1019/Lots 1, 2, 3, 5, 8, 59, 61, 63, and 64), within the Special Midtown District, Theater Subdistrict Core (TC) and Theater Subdistrict Eighth Avenue Corridor (TE), in C6-4 and C6-5 Districts, Community District 5, Borough of Manhattan (ULURP No. C 010460 ZSM) (the "Application");

WHEREAS, the Application is related to Application Numbers N 010459 ZRM (L.U. No. 1214), an amendment to the text of the Zoning Resolution and C 010585 PPM (L.U. No. 1216), disposition of development rights from city-owned property;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 81-745 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 November 16, 2001 on the Decision and Application;

Reso. No. 2132 (L.U. No. 1215)

WHEREAS, the Council has considered the relevant environmental issues and the Conditional Negative Declaration, issued on April 23, 2001 (CEQR No. 01CDP035M); 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 with the following modification:

1) The Amended and Restated Declaration (the "Declaration") made as of the 16th day of November 2001 by Biltmore 47 Associates, LLC ("Developer Declarant"), a New York limited liability company, having an office at c/o Jack Parker Corp., 1700 Broadway, 34th Floor, New York, New York 10019.

2) The property that is the subject of this application (C 010480 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Shuman Lichtenstein, Claman Efron Architects and Polshek Partnership Architects, filed with this application and incorporated in this resolution.

Drawing No.	Title	Last Date Revised
Z-1	Site Plan & Zoning Computations	October 10, 2001-November 12, 2001
Z-2	Area Map & Floor Area Schedules	October 10, 2001-November 12, 2001
Z-3	Height & Setback Roof Plan	October 10, 2001-November 12, 2001
Z-4	Encroachment & Compensating Recesses	October 10, 2001-November 12, 2001
Z-5	Encroachment & Compensating recesses	October 10, 2001-November 12, 2001
A-1	Sub-Cellar Plan	October 10, 2001-November 12, 2001
A-2	Cellar Plan	October 10, 2001-November 12, 2001
A-3	First Floor Plan	October 10, 2001-November 12, 2001
A-4	2nd Thru 4th 3rd Floor Plan	October 10, 2001-November 12, 2001
A-5	4th 5th Floor Roof Plan	October 10, 2001-November 12, 2001
A-5a	5th 6th Floor Plan	October 10, 2001-November 8, 2001

Page 3 of 3

C 010460 ZSM

Reso. No. 2132 (L.U. No. 1215)

A-6	6th 7th thru 18th Floor Plan	October 10, 2001- November 12, 2001
A-7	19th thru 32nd Floor Plan	October 10, 2001- November 12, 2001
A-7a	33rd thru 37th Floor Plan	October 10, 2001- November 12, 2001
A-8	38th thru 55th Floor Plan	October 10, 2001- November 12, 2001
A-9	Main Roof Plan	October 10, 2001- November 12, 2001
A-10	47th Street Elevation	October 10, 2001- November 12, 2001
A-11	8th Avenue Elevation	October 10, 2001- November 12, 2001
A-12	48th Street Elevation	October 10, 2001- November 12, 2001
A-13	East Elevation	October 10, 2001- November 12, 2001

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 November 20, 2001, on file in this office.

.....

City Clerk, Clerk of Council