



Legislation Details (With Text)

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**Title:** Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 020499 (A) ZSM (L.U. No. 162), modification to special permits pursuant to Sections 74-743 (a) (1) and 74-743(a)(2) to facilitate the development of two mixed-use buildings.

**Sponsors:** Melinda R. Katz

**Indexes:**

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

Date	Ver.	Action By	Action	Result
10/3/2002	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
10/23/2002	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 571

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 020499 (A) ZSM (L.U. No. 162), modification to special permits pursuant to Sections 74-743 (a) (1) and 74-743(a)(2) to facilitate the development of two mixed-use buildings.

By Council Members Katz and Martinez

WHEREAS, the City Planning Commission filed with the Council on September 3, 2002 its decision dated September 3, 2002 (the "Decision") on the application submitted by The Cooper Union for the Advancement of Science and Art, pursuant to Sections 197-c and 201 of the New York City Charter and Section 2-06(c)(1) of the Uniform Land Use Review procedure for the grant of special permits pursuant to the following sections of the Zoning Resolution:

- \* Section 74-743(a)(1): to permit the distribution of total allowable floor area without regard for zoning lot lines or district boundaries; and
  - \* Section 74-743(a)(2): to permit the location of buildings without regard for the applicable height and setback regulations of Section 33-432(a);
- to facilitate the development of the two buildings, one a mixed use building on a zoning lot bounded by Third Avenue, Astor Place, Fourth Avenue, and East 9th Street (Block 554, Lot 35) and the other mixed use building on a zoning lot bounded by Third Avenue, East 7th Street, Taras Shevchenko Place, and east 6th Street (Block 462, Lot 1) within a general large-scale development generally bounded by East 9th Street, Third Avenue, East 7th Street, Taras Shevchenko Place, East 6th Street, Third Avenue, East 7th Street, and Fourth Avenue, in C6-3 and C6-1 Districts, Community District 3, Borough of Manhattan (ULURP No. C 020499 (A) ZSM) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 020498 ZMM (L.U. No. 161), an amendment to the Zoning Map; C 020500 PPM (L.U. No. 163) and C 020501 PPM (L.U. No. 164), modification of previous dispositions to remove restriction;

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

Res. No. 571 (L.U. No. 162)

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 October 1, 2002 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 August 23, 2002 (CEQR No. 01DCP061M);

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;
- (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. §617.9(c)(3).

Page 3 of 3  
C 020499 (A) ZSM  
Res. No. 571 (L.U. No. 162)

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 modifications:

1. that Drawing Z-13, dated September 3, 2002 and incorporated into the Special Permit, be substituted with Drawing Z-13, dated October 1, 2002;
2. that Section 1.1(b) of the Restrictive Declaration be modified to state that:  
"Approved Drawings" shall mean the drawings attached to the Special Permit, entitled "Cooper Union- General Large Scale Development Plan" prepared by Erenkrantz Eckstut & Kuhn Architects, dated September 3, 2002, with the exception of drawing Z-13 dated 10/1/02, reduced copies of which are attached hereto as Exhibit F; and
3. that Section 2.4(c)(iii) of the Restrictive Declaration be renumbered Section 2.4(c)(iv) and a new Section 2.4(c)(iii) be added to read as follows:  
Simultaneously with the transmittal of the Preliminary Open Space Drawing to DCP, Declarant shall send the Preliminary Open Space Drawing to Manhattan Community Board No. 3. Manhattan Community Board No. 3 may comment on and make recommendations with respect to the design of the Open Space, and it shall send any such comments and recommendations to DCP no more than thirty (30) days after it has received the Preliminary Open Space Drawing.

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 October 23, 2002, on file in this office.

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City Clerk, Clerk of the Council