



## Legislation Details (With Text)

<b>File #:</b>	Res 0755-2004	<b>Version:</b>	*	<b>Name:</b>	LU 361- ULURP, Zoning Map Changes, Le Gans Restaurant, Manhattan (C840260ZMM)
<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>	12/15/2004				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving with modification the decision of the City Planning Commission on ULURP No. M 840260 (C) ZMM, the modification of Restrictive Declaration D-94, to allow Use Groups 6 and 9 uses in addition to the list of permitted uses for property located at 52-74 Gansevoort Street (Block 643/Lots 43 and 49), and to allow Use Group 9 uses in addition to the list of permitted uses for property located at 46-50 Gansevoort Street (Block 643/Lot 54) in an M1-5 District, Manhattan (L.U. No. 361).				
<b>Sponsors:</b>	Melinda R. Katz, Tony Avella				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 12/15/04				

Date	Ver.	Action By	Action	Result
11/18/2003	*	City Council	Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.	
12/15/2004	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 755

Resolution approving with modification the decision of the City Planning Commission on ULURP No. M 840260 (C) ZMM, the modification of Restrictive Declaration D-94, to allow Use Groups 6 and 9 uses in addition to the list of permitted uses for property located at 52-74 Gansevoort Street (Block 643/Lots 43 and 49), and to allow Use Group 9 uses in addition to the list of permitted uses for property located at 46-50 Gansevoort Street (Block 643/Lot 54) in an M1-5 District, Manhattan (L.U. No. 361).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on October 14, 2003 its decision dated September 24, 2003 (the "Decision"), on the application submitted by Gansevoort Street LLC, for the modification of Restrictive Declaration D-94, which was previously approved in connection with an application for a Zoning Map amendment (M 840260 ZMM), to allow Use Groups 6 and 9 uses in addition to the list of permitted uses for property located at 52-74 Gansevoort Street (Block 643/Lots 43 and 49), and to allow Use Group 9 uses in addition to the list of permitted uses for property located at 46-50 Gansevoort Street (Block 643/Lot 54) in an M1-5 District, Community District 2, Borough of Manhattan (ULURP No. M 840260 (C) ZMM) (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the subject application is a request by Gansevoort Street LLC to modify Restrictive Declaration D-94 as it relates to the subject properties so as to permit Use Groups 6 and 9 uses in addition to the list of permitted uses;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 17, 2003; and

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

RESOLVED:

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 with modification:

Matter underlined is to be added by the Council:

**ARTICLE 1 - DEVELOPMENT AND USE OF SUBJECT PREMISES**

A. Section 2.01(a) of the Declaration (as previously amended by the Amended Declaration) is hereby further amended by modifying Section 2.01 as follows:

- (a) Lots 43 and 49 of the Subject Property may be used for a Permitted Use as well as for Use Group 6 and Use Group 9 uses (subject to the limitation in section (c) below)
- (b) Lot 54 of the Subject Property may be used for a Permitted Use (which includes Use Group 6 as per the 1998 Amendment) as well as for Use Group 9 uses (subject to the limitation in section (c) below)
- (c) The following uses shall not be permitted on the above referenced Lots: eating and/or drinking establishments with entertainment uses; eating and/or drinking establishments of any type in rear yards or on the roof; and Use Group 6B as set forth in Section 32-15 of the Zoning Resolution.

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 December 15, 2004, on file in this office.

City Clerk, Clerk of The Council