



Legislation Details (With Text)

File #: Res 0809-2005 **Version:** * **Name:** LU 292 - ULURP, Clinton Green, Manhattan (C050053ZSM)
Type: Resolution **Status:** Adopted
In control: Committee on Land Use

On agenda: 2/2/2005

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 050053 ZSM (L.U. No. 292), grant with conditions of a special permit pursuant to Sections 74-743, 74-743(a)(1), 74-743(a)(2), and 96-40, to allow for distribution of floor area across zoning lot lines and modification of height, setback, minimum distance between buildings, open space, and yard regulations in a proposed general large-scale development.

Sponsors: Melinda R. Katz, Miguel Martinez

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 2/2/05

Date	Ver.	Action By	Action	Result
1/27/2005	*	Committee on Land Use	Approved by Committee	
2/2/2005	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 809

Resolution approving the decision of the City Planning Commission on ULURP No. C 050053 ZSM (L.U. No. 292), grant with conditions of a special permit pursuant to Sections 74-743, 74-743(a)(1), 74-743(a)(2), and 96-40, to allow for distribution of floor area across zoning lot lines and modification of height, setback, minimum distance between buildings, open space, and yard regulations in a proposed general large-scale development.

By Council Members Katz and Martinez

WHEREAS, the City Planning Commission filed with the Council on January 4, 2005 its decision dated December 22, 2004 (the "Decision") on the application submitted by the Department of Housing Preservation and Development and the Dermot Company, 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)(1), to allow the distribution of floor area and dwelling units without regard for zoning lot lines; Section 74-743(a)(2), to allow the location of buildings without regard for the applicable yard, distance between buildings and height and setback regulations; and Section 96-40 and Section 74-743, to allow the modification of open space requirements of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio); to facilitate the development of two mixed buildings (Block 1080/part of Lot 25, Block 1081/Lot 39 and part of Lot 29), within a general large-scale development, generally bounded by West 53rd Street, Tenth Avenue, West 51st Street and a line 275 feet westerly of Tenth Avenue, in a C6-3 District, within the Special Clinton District, in the Clinton Urban Renewal Area, Community District 4, Borough of Manhattan (ULURP No. C 050053 ZSM) (the "Application");

WHEREAS, the Application is related to Applications Numbers C 050050 ZMM (L.U. No. 289), an amendment to the Zoning Map to rezone M1-5 and R8 portions of the project site to C6-3 to facilitate the construction of a mixed-use development; N 050051 ZRM (L.U. No. 290), an amendment to the text of the Zoning Resolution to allow for modification of open space requirements within general large-scale developments; C 050052 ZSM (L.U. No. 291), a special permit pursuant to Section 74-681 for development within or over a railroad right-of-way or yard; C 050054 ZSM (L.U. No. 293), a special permit pursuant to Section

74-744(b) to allow for location of residential and commercial uses without regard to the requirements of Section 32-42; and C 050055 HAM (L.U. No. 294), an urban development action area project designation, project approval and disposition of city-owned property;

WHEREAS, the City Planning Commission has made the findings required pursuant to Sections 74-743 and 96-40 of the Zoning Resolution;

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

WHEREAS, upon due notice, the Council held a public hearing on January 25, 2005 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on August 4, 2004 (CEQR No. 04HPD011M); 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.

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 February 2, 2005, on file in this office.

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City Clerk, Clerk of The Council