



Legislation Details (With Text)

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In control: Committee on Land Use

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Title: Resolution approving the decision of the City Planning Commission on ULURP No. C 060105 ZSM (L.U. No. 370), for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the following Sections: 23-47 (to allow the modification of the rear yard depth regulations), 23-533 (to allow the modification of the rear yard equivalent depth regulations), 23-841 (to allow the modification of the narrow outer court width regulations), 23-852 (to allow the modification of the inner court recess width regulations), 23-711 (to allow the modification of the minimum distance between buildings regulations), 23-632 (to allow the modification of the height and setback regulations), and 23-663 (to allow the modification of the rear setback for tall building regulations); and Section 74-743(a)(4) of the Zoning Resolution to allow the maximum floor area ratio permitted pursuant to Section 23-142 for the applicable district without regard for the height factor or open space ratio requirements.

Sponsors: Melinda R. Katz, Tony Avella

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 2/28/07

Date	Ver.	Action By	Action	Result
2/16/2007	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
2/28/2007	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 735

Resolution approving the decision of the City Planning Commission on ULURP No. C 060105 ZSM (L.U. No. 370), for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the following Sections: 23-47 (to allow the modification of the rear yard depth regulations), 23-533 (to allow the modification of the rear yard equivalent depth regulations), 23-841 (to allow the modification of the narrow outer court width regulations), 23-852 (to allow the modification of the inner court recess width regulations), 23-711 (to allow the modification of the minimum distance between buildings regulations), 23-632 (to allow the modification of the height and setback regulations), and 23-663 (to allow the modification of the rear setback for tall building regulations); and Section 74-743(a)(4) of the Zoning Resolution to allow the maximum floor area ratio permitted pursuant to Section 23-142 for the applicable district without regard for the height factor or open space ratio requirements.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on January 16, 2007 its decision dated January 10, 2007 (the "Decision") on the application submitted by West 60th Street Associates, LLC and West End Properties, LLC, pursuant to Sections 197-c and 201 of the New York City Charter and Section 5-430

et seq. of the New York City Administrative Code, for the grant of a special permit pursuant to:

1. Section 74-743(a)(2) of the Zoning Resolution to modify the following Sections of the Zoning Resolution:
 - a. Section 23-47 to allow the modification of the rear yard depth regulations;
 - b. Section 23-533 to allow the modification of the rear yard equivalent depth regulations;
 - c. Section 23-841 to allow the modification of the narrow outer court width regulations;
 - d. Section 23-852 to allow the modification of the inner court recess width regulations;
 - e. Section 23-711 to allow the modification of the minimum distance between buildings regulations;
 - f. Section 23-632 to allow the modification of the height and setback regulations; and
 - g. Section 23-663 to allow the modification of the rear setback for tall building regulations; and
2. Section 74-743(a)(4) of the Zoning Resolution to allow the maximum floor area ratio permitted pursuant to Section 23-142 for the applicable district without regard for the height factor or open space ratio requirements;

in connection with a proposed mixed use development on property generally east of West End Avenue, between West 60th and West 61st Streets (Block 1152/Lots 5, 8, 10, 11, 12, 13, 43, 52, 53, 55, 56 and 57), in C6-2 and R8 Districts, within a general large scale development (ULURP No. C 060105 ZSM), Community District 7, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications Numbers N 060103 ZRY (L.U. No. 368), a zoning text amendment concerning Section 74-74 of the Zoning Resolution (General Large-Scale Development; C 060104 ZMM (L.U. No. 369), an amendment of the Zoning Map, changing an existing M1-6 District to C4-7/C6-2 Districts; and C 060106 ZSM (L.U. No. 371), a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to permit a public parking garage with a maximum of 200 spaces;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743 (Special Provisions for Bulk Modification) 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 February 13, 2007 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 December 29, 2006 which identifies significant impacts and proposed mitigation measures (CEQR No. 05DCP063Y);

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
- (2) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable;
- (2) 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 the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 28, 2007, on file in this office.

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City Clerk, Clerk of The Council