



Legislation Details (With Text)

**File #:** Res 1341-2008      **Version:** \*      **Name:** LU 683 - ULURP, 685, 700, 708 First Realty Company, LLC, Manhattan (C070529ZMM)

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 3/26/2008

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**Title:** Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 070529 ZMM, a Zoning Map change (L.U. No. 683).

**Sponsors:** Melinda R. Katz, Tony Avella

**Indexes:**

**Attachments:** 1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 3/26/08

Date	Ver.	Action By	Action	Result
3/12/2008	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
3/26/2008	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1341

Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 070529 ZMM, a Zoning Map change (L.U. No. 683).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on January 28, 2008 its decision dated January 28, 2008 (the "Decision"), on the application submitted by 685, 700, 708 First Realty Company, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map (ULURP No. C 070529 ZMM) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070522 ZMM (L.U. No. 623), a zoning map amendment changing from M1-5 and M3-2 to C4-6; N 070530 (A) ZRM (L.U. No. 680), a zoning text amendment relating to the definition of General Large-Scale Development, the Inclusionary Housing Program and provisions for bulk modifications in General Large Scale Development; C 070523 (A) ZSM (L.U. No. 681), a special permit pursuant to Section 74-743(a)(2) and Section 74-743(a)(6)(ii) of the Zoning Resolution to modify height and setback regulations inclusionary housing requirements; C 070525 ZSM (L.U. No. 682), a special permit pursuant to Section 13-562 and 74-52 for a attended public parking garage; C 070531 (A) ZSM (L.U. No. 684), a special permit pursuant to Section 74-743 (a)(1), 74-743 (a)(2), 74-743 (a)(5)(i), "General Large Scale Development" and to Section 74-743 "Special Provisions for Bulk Modification,"; C 070533 ZSM (L.U. No. 685), a special permit pursuant to Section 13-561 for an attended accessory parking garage; and C 070534 ZSM (L.U. No. 686), a special permit pursuant to Sections 13-562 and 74-52 for an attended public parking garage;

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 the Decision and Application on February 25, 2008;

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

WHEREAS, the Council has considered the relevant environmental issues and the Final Supplemental Environmental Impact Statement (“FSEIS”) for which a Notice of Completion was issued on January 18, 2008, with respect to this application (CEQR No. 06DCP039M), together with the Technical Memorandum, dated January 28, 2008, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations, have been met.

RESOLVED:

Having considered the FSEIS, with respect to the Application, the Council finds that:

- (1) the FSEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FSEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to a Restrictive Declaration, dated [January 28, 2008] March 24, 2008, those mitigative measures that were identified as practicable.

The Decision, FSEIS and the Technical Memorandum dated January 28, 2008, constitutes 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. §617.11(d).

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.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 8d:

1. changing from a C1-9 District to a C5-2 District property bounded by East 40th Street, First Avenue, East 39th Street, and Entrance Street; and
2. changing from an M3-2 District to a C5-2 District property bounded East 41st Street and its easterly centerline prolongation, the U.S. Pierhead Line, East 38th Street and its easterly centerline prolongation, and First Avenue;

as shown on a diagram (for illustration purposes only) dated August 20, 2007, and subject to the conditions of CEQR Declaration E-196, Community District 6, Borough of Manhattan.

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 March 26, 2008, on file in this office.

City Clerk, Clerk of The Council