Legislation Details (With Text)

File #:	Res 2000-2009	**Version:**	*	**Name:**	LU 1049 - Zoning, 536 W. 54th LLC A, 536 W. 54th LLC B and 536 W. 54th Street LLC C, Manhattan (C080010ZSM)
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Land Use
On agenda:	5/20/2009				
Enactment date:				**Enactment #:**	

Title: Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 080010 ZSM (L.U. No. 1049), for the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), in a C6-3X District, within the Special Clinton District (Excluded Area), in a general large-scale development, Borough of Manhattan.

Sponsors: Melinda R. Katz, Tony Avella

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 5/20/09

Date	Ver.	Action By	Action	Result
5/4/2009	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
5/20/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 2000

Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 080010 ZSM (L.U. No. 1049), for the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), in a C6-3X District, within the Special Clinton District (Excluded Area), in a general large-scale development, Borough of Manhattan.

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on March 23, 2009 its decision dated March 18, 2009 (the "Decision"), on the application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C, 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) of the Zoning Resolution to modify the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate the construction of a mixed use development on property located at 770 Eleventh Avenue (Block 1082, Lot 1), in a C6-3X District, within the Special Clinton District (Excluded Area), in a general large -scale development (ULURP No. C 080010 ZSM), Community District 4, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to ULURP Application Numbers C 080008 ZMM (L.U. No. 1047), a zoning map amendment from M1-5 to C6-3X; N 080009 ZRM (L.U. No. 1048), a zoning text amendment relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts)

powered by Legistar™

and relating to Article IX, Chapter 6 (Special Clinton District); and C 080011 ZSM (L.U. No. 1050), a special permit pursuant to Section 74-744 to permit a commercial use and residential use to occupy the same floor and to waive signage regulations;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on April 20, 2009;

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 Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on March 6, 2009 (CEQR No. 07DCP071M). In the Technical Memorandum, dated March 17, 2009, 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 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) 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 FEIS will be minimized or avoided to the maximum extent possible by incorporating as conditions to the approval, pursuant to a Restrictive Declaration, dated [March 18] <u>May 8</u>, 2009;

(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 the decision, 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 the following modification:

* * *

4. Development pursuant to this resolution shall be allowed only after restrictive declaration, dated [March 18] <u>May 8</u>, 2009, executed by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C, the terms of which are hereby incorporated in this resolution, shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

Adopted.

powered by Legistar™

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 May 20, 2009, on file in this office.

City Clerk, Clerk of The Council

powered by Legistar™