



Legislation Details (With Text)

File #:	Res 1999-2009	Version:	*	Name:	LU 1048 - Zoning, 536 W. 54th LLC A, 536 W. 54th LLC B and 536 W. 54th Street LLC C, Manhattan (N 080009ZRM)
Type:	Resolution	Status:		In control:	Adopted Committee on Land Use
On agenda:	5/20/2009				
Enactment date:		Enactment #:			
Title:	Resolution approving with modifications the decision of the City Planning Commission on Application No. N 080009 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and relating to Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan (L.U. No. 1048).				
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. 1999

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 080009 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and relating to Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan (L.U. No. 1048).

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"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 536 W 54th LLC A, 536 W 54th LLC B and 536 W 54th Street LLC C, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) and relating to Article IX, Chapter 6 (Special Clinton District), Application No. N 080009 ZRM, 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; C 080010 ZSM (L.U. No. 1049), a special permit pursuant to Section 74-743 to waive height and setback regulations; 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, 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] May 8, 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 modifications.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~strike-out~~ is old, to be deleted;

Matter within # # is defined in Section 12-10 (DEFINITIONS);

*** indicates where unchanged text appears in the Resolution;

Matter in double underline is new, to be added by the Council.

* * *

96-80

EXCLUDED AREAS

Except as provided in this Section, the regulations set forth in this chapter shall not apply to the following areas:

- (a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue known as the Clinton Community Urban Renewal Development Area, provided that in this area the provisions of Sections 96-40 (MODIFICATIONS OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS), 96-51 (Mandatory Tree Planting Provisions) and 96-81 (C6-3X designated District) shall apply:..

In addition, for parcels in C6-3X districts bounded by West 53rd Street, Tenth Avenue, West 54th Street and Eleventh Avenue, the following shall be permitted #uses# below the level of any floor occupied by #dwelling units#:

In addition, in C6-3X Districts, the following shall be permitted #uses# below the level of any floor occupied by #dwelling units#:

- (1) automobile showrooms with automobile sales and preparation of automobiles for delivery;
- (2) automobile repairs; and
- (3) New York City Police Department stables for horses, with #accessory# automobile parking.

Should the floor to ceiling height of such Police Department stable, as measured from the #base plane#, exceed 23 feet, then any floor space occupied by #accessory# parking located on the floor immediately above the floor occupied by such Police Department stable and immediately below the level of any floor occupied by #dwelling units# shall be exempted from the definition of #floor area#.

* * *

96-81 C6-3X Designated District

- (a) Inclusionary Housing Program
Where the designated district is C6-3X within the Excluded Area, such district shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.
- (b) Maximum #floor area ratio#
Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any # zoning lot# containing a #residential use# shall not exceed the base #floor area ratio# of 6.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 9.0, through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90.

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 May 20, 2009, on file in this office.

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City Clerk, Clerk of The Council