



## Legislation Details (With Text)

<b>File #:</b>	Res 1046-2011	<b>Version:</b>	*	<b>Name:</b>	LU 476 - Zoning, 249 W. 28th Street Properties, LLC (C100063ZMM)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Adopted:</b>	Adopted
		<b>In control:</b>		<b>Committee on Land Use:</b>	Committee on Land Use
<b>On agenda:</b>	9/21/2011				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on ULURP No. C 100063 ZMM, a Zoning Map amendment (L.U. No. 476).				
<b>Sponsors:</b>	Leroy G. Comrie, Jr., Mark S. Weprin				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 9-21-11				

Date	Ver.	Action By	Action	Result
9/19/2011	*	Committee on Land Use	Approved by Committee	
9/21/2011	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1046

Resolution approving the decision of the City Planning Commission on ULURP No. C 100063 ZMM, a Zoning Map amendment (L.U. No. 476).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on August 26, 2011 its decision dated August 24, 2011 (the "Decision"), on the application submitted by 249 W 28<sup>th</sup> Street Properties, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map to allow the construction of an attended public parking garage with 325 spaces on portions of the ground floor, cellar and sub-cellar levels of a proposed mixed-use development to be located on the midblock portions of two blocks bounded by West 28<sup>th</sup> Street, Eighth Avenue, West 30<sup>th</sup> Street, and Seventh Avenue in Community District 5 in Manhattan, (ULURP No. C 100063 ZMM) (the "Application");

WHEREAS, the Application is related to Applications Numbers N 110285 ZRY (L.U. No. 475), Zoning text amendment by the Department of City Planning to create a new zoning district (M1-6D) that would preserve existing concentrations of Class B and C office and light industrial space, allow infill contextual residential development, including affordable housing, and generally support the development of mixed-use areas; and C 100064 ZSM (L.U. No. 477), Special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 325 spaces;

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

September 15, 2011;

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 Negative Declaration issued on April 25, 2011 (CEQR No. 10DCP004M);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 100063 ZMM, incorporated by reference herein, the Council approves the Decision.

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, by changing an M1-5 District to an M1-6D District property bounded by West 30th Street, a line 100 feet westerly of Fashion Avenue (7th Avenue), West 28th Street and a line 100 feet easterly of Eighth Avenue, as shown on a diagram (for illustrative purposes only), dated April 25, 2011, and subject to the conditions of CEQR Declaration E-276, Community District 5, 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 September 21, 2011, on file in this office.

City Clerk, Clerk of The Council