



Legislation Text

File #: Res 1339-2008, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1339

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 070523 (A) ZSM (L.U. No. 681), for the proposed modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to Sections 74-743(a)(2) to modify height and setback requirements, and Section 74-743(a)(6)(ii) to modify the requirements of Section 23-942 pursuant to the Zoning Resolution of the City of New York in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6 District, within a General Large-Scale Development, Borough of Manhattan.

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 616 First Realty Company, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to the following Sections of the Zoning Resolution of the City of New York:

1. Section 74-743(a)(2) - to modify the height and setback requirements of Sections 23-652, 23-632, 23-633 and 33-432; and
2. Section 74-743(a)(6)(ii) - to modify the requirements of Section 23-942 to allow community facility floor area above the ground to be excluded from the calculation of the amount of lower income required;

in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6 District, within a General Large-Scale Development (ULURP No. C 070523 (A) ZSM), Community District 6, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 070522 ZMM (L.U. No. 623), a zoning map amendment from M1-5 and M3-2 to C4-6; C 070530 (A) ZSM (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 070525 ZSM (L.U. No. 682), a special permit pursuant to Section 13-562 and 74-52 for a attended public parking garage; C 070529 ZMM (L.U. No. 683), a zoning map amendment from C1-9 and M3-2 zoning districts to a C5-2 district; 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, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on February 25, 2008 on the Decision and Application;

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.

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

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]March 24, 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 New York City Charter and on the basis of the Decision and Application, the Council approves the Decision with the following modifications:

Matter in [bracket] is old to be deleted; by the City Council;
Matter in underline is new, to be added by the City Council;

- (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]March 24, 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).

The property that is the subject of this application (C 070523(A) ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Sidmore, Owing & Merrill LLP and Richard Meier & Partners Architects, and Field Operations Landscape Planning, filed with this application and incorporated in this resolution:

<u>Drawing Nos.</u>	<u>Title</u>	<u>Last Date Revised</u>
T-1	Title	[January 28, 2008] <u>March 14, 2008</u>
Z-3	[General Large Scale Plan, Zoning Actions, & Zoning Calculations] <u>General Large Scale Plan Alternatives,</u>	[January 28, 2008] <u>March 14, 2008</u>
<u>Z 3.1</u>	<u>Zoning Actions, Zoning Calculations</u>	<u>March 14, 2008</u>
Z-4	Average Curb Level Diagram, Height & Setback Diagrams	[January 28, 2008] <u>March 14, 2008</u>

Z-5	Height & Setback Diagrams	[January 28, 2008] <u>March 14, 2008</u>
Z-6	Height & Setback Diagrams	[January 28, 2008] <u>March 14, 2008</u>
Z-7	Height & Setback Diagrams	[January 28, 2008] <u>March 14, 2008</u>
Z-8	Height & Setback Diagrams	[January 28, 2008] <u>March 14, 2008</u>
Z-10	Ground Floor Plan (Public Parking)	[January 28, 2008] <u>March 14, 2008</u>
Z-11	Cellar 1 and 2 Plans (Public Parking)	[January 28, 2008] <u>March 14, 2008</u>
Z-16	[Enlarged West Elevation for 616-1 and And East Elevation for 616-2]	[January 28, 2008] <u>Enlarged 616-1 West Elevation and 616-2 East Elevation for Transparency Requirements</u> <u>March 14, 2008</u>
Z-17	[Enlarged South Elevation for 616-1 and 616-2]	[January 28, 2008] <u>Enlarged 616-1 and 616-2 South Elevations for Transparency Requirements</u> <u>March 14, 2008</u>
Z-18	[Enlarged North Elevations for 616-2 and 616-2]	[January 28, 2008] <u>Enlarged 616-1 and 616-2 North Elevations for Transparency Requirements</u> <u>March 14, 2008</u>
ZL-1	Public Open Area Designations	[January 28, 2008] <u>March 14, 2008</u>
ZL-2	Public Open Area Street Retail Frontage Diagrams	[January 28, 2008] <u>March 14, 2008</u>
[ZL-3	Public Open Area Street Frontage Diagrams	January 28, 2008]
[ZL-4	Public Open Area Plan	January 28, 2008]
[ZL-5	Public Open Area Seating Plan	January 28, 2008]
[ZL-6	Public Open Area Furnishing Plan	January 28, 2008]
[ZL-7	Public Open Area Planting Plan	January 28, 2008]
[ZL-8	Public Open Area Grading Plan	January 28, 2008]
[ZL-9	Public Open Area Surface Material Plan	January 28, 2008]
[ZL-10	Public Open Area Paving Plan	January 28, 2008]
[ZL-11	Public Open Area lighting Plan	January 28, 2008]
[ZL-12	Public Open Area Lighting Photometrics	January 28, 2008]
[ZL-13	Public Open Area Photometrics/Fixture Details	January 28, 2008]

[ZL-14	Public Open Area Landscape Details: Seating	January 28, 2008]
[ZL-14.1	Public Open Area Landscape Details: Seating	January 28, 2008]
[ZL-14.2	Public Open Area Landscape Details: Furnishing	January 28, 2008]
ZL-14.3	Public Open Area Landscape Details: Paving	[January 28, 2008] <u>March 14, 2008</u>
ZL-14.4	Public Open Area Landscape Details: Planting	[January 28, 2008] <u>March 14, 2008</u>

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.

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City Clerk, Clerk of The Council