

Section 74-711 to modify the use provisions of Section 42-133(a) to allow residential use in an M1-6 zoning district. The subject property is an existing building located at 1182 Broadway (Block 830, Lot 26) at the intersection of Broadway and West 28th Street in the Madison Square North Historic District in Manhattan, Community District 5.

The proposed action would facilitate a proposal by the applicant to allow floors 6 through 16 plus penthouse to be used for approximately 51,682 SF of residential use (44 dwelling units). The building's first through fifth floors will be occupied by as-of-right commercial uses. The ground floor would have approximately 3,271 SF of restaurant or retail space and a lobby and service corridor for the commercial and residential uses above. The subject property is currently vacant except for office space on floors 6, 7, 9, 11, 12, 14, 16 and the penthouse, totaling approximately 8,000 square feet. The existing commercial uses on these floors will be replaced by the residential use as part of the proposed action.

In connection with the 74-711 special permit, a Continuing Maintenance Plan (CMP) has been approved by the Landmarks Preservation Commission (LPC) for cleaning and repairing the existing building's masonry and restoring the building's historic storefront. The LPC issued a Certificate of No Effect on January 10, 2008 and a Certificate of Appropriateness on January 18, 2008. Absent the proposed action, the applicant has stated that the project site would remain as in current conditions.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated September 16, 2010, prepared in connection with the ULURP Application (No. 080361ZSM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Olga Abinader at (212) 720-3493.

s/s Date: September 24, 2010

Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

s/s Date: September 27, 2010

Amanda M. Burden, FAICP, Chair
City Planning Commission

NEGATIVE DECLARATION

Project Identification
CEQR No. 11DCP030Y
ULURP No. N110090ZRY
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007

Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Key Terms Clarification Text Amendment

The applicant, the New York City Department of City Planning ("the Department"), proposes a city-wide text amendment to clarify and preserve the intent of the zoning regulations in relation to the terms "development" and "building," as they are defined in the Zoning Resolution. The Department has examined each section of the Zoning Resolution which uses the terms "development" or "building" and has concluded that in order to clarify the meaning of the regulations consistent with their intent, it is necessary to amend these definitions. In the course of reviewing the Zoning Resolution for this purpose, the Department also identified a limited number of other changes which it believes are desirable and has therefore included as part of the text amendment.

The proposed amendments to the Zoning Resolution text can be characterized as falling into one of four separate categories:

- 1. Technical wording changes to the zoning regulations;
2. Clarifications to ambiguously worded zoning regulations which conform the text to current interpretations by the New York City Department of Buildings which the Department believes are consistent with the original intent of the City Planning Commission;
3. Clarifications to ambiguously drafted zoning regulations which are designed to ensure that the Zoning Resolution will be applied consistently with the original intent of the City Planning Commission; and
4. Other changes.

At the time of adoption of the 1961 Zoning Resolution, the term "development" was intended to refer to a new building constructed under the then-new regulations. However, since then, two things have occurred:

- 1. The continuing applicability of the regulations to "developments" (new buildings) which are now existing buildings (no longer "new") has been called into question[MSOffice1], and
2. Zoning text amendments using the term "development" have applied it inconsistently. In some cases the term has been intended to mean only the new construction on the zoning lot, and in some cases the term has been used to mean new construction as well as existing buildings on the zoning lot.

Thus, the meaning and use of the term "development" as currently used in the Zoning Resolution is unclear.

In defining a "building" as being bounded by open area or lot lines, the 1961 Zoning Resolution created a situation where if all buildings on a single zoning lot abut one another, they are considered one "building." This treatment of separate

buildings as one building for zoning purposes has caused confusion and resulted in undesirable outcomes.

Thus, the proposed action will benefit:

- Property owners, through clearer expectations of what can be built on their property;
The general public, through clearer expectations of what can be built in their neighborhoods;
The Department of Buildings, through more efficient processing of building permits and clearer standards for compliance during plan examination; and
Architects and developers, through clearer regulations that provide certainty and remove ambiguities that can lead to zoning disputes.

Overall, the proposed action would result in changes that will have no measurable effect on the amount, type, or location of future development. The majority of these changes are clarifications that are non-substantive in nature. In the limited cases where changes are considered substantive, the proposed changes would result in a minor effect upon the built environment. These include changes to requirements related to parking lot landscaping and maneuverability standards, street tree plantings, building amenities, front, side and rear yards, waterfront public access areas, security gates and building signage. Further, in a limited number of cases, the action would also result in minor changes to building form, design and bulk configuration, building footprint, ground coverage, square footage, configuration of uses and overall height.

The analysis year for the proposed action is 2020.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated September 24, 2010, prepared in connection with the ULURP Application (No. N110090ZRY). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Olga Abinader at (212) 720-3493.

s/s Date: September 24, 2010

Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
Department of City Planning

s/s Date: September 27, 2010

Amanda M. Burden, FAICP, Chair
City Planning Commission

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 09/17/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists names of poll workers and their details.

Table with columns: LAST NAME, FIRST NAME, MIDDLE NAME, GENDER, SALARY, ACTION, EFF DATE. Lists names of poll workers and their details.

Table with columns for Name, Address, Amount, Status, Date, and Agency. Lists numerous individuals and their associated records.

