



## Legislation Details (With Text)

|                        |  |                     |   |                       |   |
|------------------------|--|---------------------|---|-----------------------|---|
| <b>File #:</b>         | Res 1752-2008  | <b>Version:</b>     | * | <b>Name:</b>          | LU 899 - Zoning Reso., Via Verde/The Green Way, Citywide (N080518ZRY) |
| <b>Type:</b>           | Resolution   | <b>Status:</b>      |   | <b>Adopted</b>        |   |
|                        |  | <b>In control:</b>  |   | Committee on Land Use |   |
| <b>On agenda:</b>      | 12/18/2008   |                     |   |                       |   |
| <b>Enactment date:</b> |  | <b>Enactment #:</b> |   |                       |   |
| <b>Title:</b>          | Resolution approving the decision of the City Planning Commission on Application No. N 080518 ZRY, for an amendment of the Zoning Resolution of the City of New York, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), concerning Section 74-74 (General Large Scale Development) to allow modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) (L.U. No. 899). |                     |   |                       |   |
| <b>Sponsors:</b>       | Melinda R. Katz, Daniel R. Garodnick   |                     |   |                       |   |
| <b>Indexes:</b>        |  |                     |   |                       |   |
| <b>Attachments:</b>    | 1. Press Release, 2. Committee Report, 3. Hearing Transcript - Stated Meeting 12/18/08   |                     |   |                       |   |

| Date       | Ver. | Action By             | Action                | Result |
|------------|------|-----------------------|-----------------------|--------|
| 12/18/2008 | *    | Committee on Land Use | Approved by Committee |        |
| 12/18/2008 | *    | City Council          | Approved, by Council  | Pass   |

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1752

Resolution approving the decision of the City Planning Commission on Application No. N 080518 ZRY, for an amendment of the Zoning Resolution of the City of New York, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), concerning Section 74-74 (General Large Scale Development) to allow modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) (L.U. No. 899).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on October 31, 2008 its decision dated October 7, 2008 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the Department of Housing Preservation and Development, for an amendment of the Zoning Resolution of the City of New York, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), concerning Section 74-74 (General Large Scale Development) to allow modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) (Application No. N 080518 ZRY), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 080517 ZMX (L.U. No. 898), a zoning map amendment changing from an M1-1 District to an C6-2 District; C 080519 ZSX (L.U. No. 900), a special permit to permit development over a rail right-of- way; C 080520 ZSX (L.U. No. 901), a special permit to permit modifications of height and setback, rear yard, minimum distances between buildings, minimum distance between legally required windows and walls or lot lines, and inner court regulations within a General Large Scale Development; C 080521 PQX (L.U. No. 902), an acquisition of privately-owned property; C

080522 HAX (L.U. No. 903), UDAAP designation and project approval and disposition of city-owned property;

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 December 2, 2008;

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on June 19, 2008 (CEQR No. 08HPD018X); and

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

RESOLVED:

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

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.

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 ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

## **Article VII ADMINISTRATION**

\* \* \*

### **Chapter 4 Special Permits by the City Planning Commission**

\* \* \*

#### **74-74 General Large Scale Developments**

\* \* \*

**74-743**

**Special provisions for bulk modifications**

- (a) For a #general large scale development#, the City Planning Commission may permit:

\* \* \*

- (5) modification of the requirements of Section 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) for #developments# or #enlargements#, where:

- (i) the required minimum distance as set forth in Section 23-86 is provided between the #legally required window# in the new #development# or #enlargement# and a wall or #lot line # on an abutting property; and
- (ii) the required minimum distance is provided by a light and air easement acceptable to the Department of City Planning and recorded in the County Clerk's office in the county in which such tracts of land are located.

\* \* \*

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 December 18, 2008, on file in this office.

.....  
City Clerk, Clerk of The Council