



Legislation Text

File #: Res 1714-2008, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1714

Resolution approving the decision of the City Planning Commission on Application No. N 090031 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 7 (Special 125th Street District), to modify height and bulk regulations within the C4-7 zoned portion of the Core Subdistrict (L.U. No. 922).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on October 16, 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 City Planning, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 7 (Special 125th Street District), to modify height and bulk regulations within the C4-7 zoned portion of the Core Subdistrict (Application No. N 090031 ZRM), Community District 10, Borough of Manhattan (the "Application");

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 November 17, 2008;

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:

A Notice of Minor Modification was issued on July 18, 2008, which concluded that the action represents a minor modification and does not alter the conclusions of the earlier review (CEQR No. 07DCP030M). Therefore, the Notice of Completion of the FEIS issued on February 29, 2008 remains valid.

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 12-10 or

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

ARTICLE IX SPECIAL PURPOSE DISTRICTS

* * *

Chapter 7 Special 125th Street District

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97-411 Maximum floor area ratio in C4-4D, C4-7 and C6-3 Districts

In C4-4D, C4-7 or C6-3 Districts, the maximum permitted #floor area ratios# for new #developments# or #enlargements# shall be as listed in the following table for #residential#, #commercial# and #community facility uses and may only be increased pursuant to Section 97-42 (Floor Area Bonuses).

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) FOR RESIDENTIAL, COMMERCIAL AND COMMUNITY FACILITY USES						
	OUTSIDE THE CORE SUBDISTRICT			WITHIN THE CORE SUBDISTRICT		
District	#Residential floor area ratio#	Commercial #floor area ratio#	Community Facility #floor area ratio#	#Residential floor area ratio#	Commercial #floor area ratio#	Community Facility #floor area ratio#
C4-4D	5.4	4.0	6.0	5.4	4.0	6.0
C4-7	9.0	10.0	10.0	9.0 <u>5.4</u>	10.0 <u>7.2</u>	10.0 <u>7.2</u>
C6-3	6.0	6.0	6.0	5.4	6.0	6.0

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97-422**Floor area bonus for visual or performing arts uses**

In C4-4D, C4-7 or C6-3 Districts within the #Special 125th Street District#, for a new #development# or #enlargement# with frontage on 125th Street , the maximum #floor area ratio# otherwise permitted for #residential# or #commercial uses# listed in Section 97-411 may be increased up to the maximum #floor area ratio# specified in the following table, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of such bonused #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) FOR RESIDENTIAL AND COMMERCIAL USES WITH FLOOR AREA BONUS FOR VISUAL OR PERFORMING ARTS USES								
	OUTSIDE THE CORE SUBDISTRICT				WITHIN THE CORE SUBDISTRICT			
District	#Residential floor area ratio		Commercial #floor area ratio#		#Residential floor area ratio		Commercial #floor area ratio#	
	Base	Maximum	Base	Maximum	Base	Maximum	Base	Maximum
C4-4D	5.4	7.2	4.0	5.4	5.4	7.2	4.0	5.4
C4-7	9.0	12.0	10.0	12.0	9.0 <u>5.4</u>	12.0 <u>7.2</u>	10.0 <u>7.2</u>	12.0 <u>8.65</u>
C6-3	6.0	8.0	6.0	8.0	5.4	7.2	6.0	8.0

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97-442**Height and setback regulations for C4-7 and C6-3 Districts**

The following modifications of the underlying district regulations shall apply for C4-7 and C6-3 Districts within the Special District:

- (a) The minimum and maximum base height of the #street wall# and the maximum height of a #development# or #enlargement# shall be modified, as set forth in the following table:

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT		
District	Street Wall Height (in feet)	Maximum Building Height (in feet)

	Minimum Base Height	Maximum Base Height	
C4-7	60	85	290 195
C6-3	60	85	160

All portions of buildings that exceed a height of 85 feet in C4-7 and C6-3 Districts shall be set back at least 15 feet from the #street line#, except that such setback depth may include the depth of any permitted recess in the #street wall#, according to the provisions of 97-433 (Street wall location).

(b) Special regulations for certain C4-7 Districts

(1) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell Boulevard and 150 feet west of Lenox Avenue/Malcolm X Boulevard, the height of any portion of a #development# or #enlargement# shall be limited to 80 feet.

(2) For #zoning lots# bounded by 125th Street, Park Avenue and 124th Street, the maximum #building# height shall be 330 feet.

(3) For Lots 1 and 7501 on #Block# 1910, the requirements of City Environmental Quality Review (CEQR) Environmental Designation number (E-201) have been modified, as set forth in the Technical Memorandum to the Final Environmental Impact Statement for CEQR Number 07DCP030M, dated July 18, 2008.

(c) In C6-3 Districts, the maximum length of any #story# located above a height of 85 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 85 feet. No side of such rectangle shall exceed a width of 150 feet.

* * *

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 November 19, 2008, on file in this office.

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City Clerk, Clerk of The Council