



Legislation Text

File #: Res 0807-2005, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 807

Resolution approving the decision of the City Planning Commission on Application No. N 050051 ZRM, amendments to the text of the Zoning Resolution concerning Article IX, Chapter 6 (Special Clinton District), relating to the creation of a new Section 96-40 (Modification of General Large Scale Requirements), to permit the modification of open space requirements within general large-scale developments, Manhattan (L.U. No. 290).

By Council Members Katz and Martinez

WHEREAS, the City Planning Commission filed with the Council on January 4, 2005 its decision dated December 22, 2004 (the "Decision"), on the application submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for amendments to the text of the Zoning Resolution (Application No. N 050051 ZRM) (the "Application"), Community District 4, Borough of Manhattan;

WHEREAS, the Application is related to ULURP Applications Numbers C 050050 ZMM (L.U. No. 289), an amendment to the Zoning Map to rezone M1-5 and R8 portions of the project site to C6-3 to facilitate the construction of a mixed-use development; C 050052 ZSM (L.U. No. 291), a special permit pursuant to Section 74-681 for development within or over a railroad right-of-way or yard; C 050053 ZSM (L.U. No. 292), a special permit pursuant to Sections 74-743, 74-743(a)(1), 74-743(a)(2) and 96-40 to allow for the distribution of floor area across zoning lot lines and modification of height, setback, minimum distance between buildings, open space, and yard regulations in a proposed general large-scale development; C 050054 ZSM (L.U. No. 293), a special permit pursuant to Section 74-744(b) to allow for location of residential and commercial uses without regard to the requirements of Section 32-42; and C 050055 HAM (L.U. No. 294), an urban development action area project designation, 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 January 25, 2005;

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 August 4, 2004 (CEQR No. 04HPD011M);

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; and

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

Chapter 6 Special Clinton District

* * *

96-30 OTHER AREAS

In area C, the regulations of the underlying districts shall apply, except as otherwise set forth in this Chapter.

96-40 MODIFICATION OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS

For parcels within the #blocks# bounded by West 50th Street, Tenth Avenue, West 56th Street and 11th Avenue known as the Clinton Community Urban Renewal Development Area#, within a #general large-scale development# that occupies #zoning lots# on more than one #block#, the City Planning Commission may permit the modification of #open space# required pursuant to Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio) as part of a special permit pursuant to Section 74-743 (General Large-scale Development), provided the Commission finds that:

- a. the amount of #open space# provided is sufficient to meet the needs of the residents of the #general large-scale development#; and
- b. such modification results in improved site planning.

* * *

96-80

EXCLUDED AREAS

Except as provided in this Section, the regulations set forth in this Chapter shall not apply to the following areas:

- (a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue known as the Clinton Community Urban Renewal Development Area, provided that in this Area the provisions of Sections 96-40 (MODIFICATION OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS) and 96-51 (Mandatory Tree Planting Provisions) shall apply;

* * *

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 February 2, 2005, on file in this office.

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City Clerk, Clerk of The Council