



Legislation Details (With Text)

File #:	Res 2073-2001	Version:	*	Name:	LU 1158 - Zoning, Museum of Jewish Heritage, Manhattan (010629ZRM)
Type:	Resolution	Status:		Adopted:	Adopted
		In control:		Committee on Land Use:	Committee on Land Use
On agenda:	10/12/2001				
Enactment date:		Enactment #:			
Title:	Resolution approving the decision of the City Planning Commission on Application No. N 010629 ZRM, an amendment to the text of the Zoning Resolution regarding Article VIII, Chapter 4 concerning the mandatory front building walls, curb cut location and mandatory arcades regulations of Sections 84-132, 84-144 and Appendices 2.4 and 2.6 of the Special Battery Park City District (L.U. No. 1158).				
Sponsors:	June M. Eisland, Walter L. McCaffrey				
Indexes:					
Attachments:	1. Committee Report				

Date	Ver.	Action By	Action	Result
10/4/2001	*	Committee on Land Use	Approved by Committee	
10/12/2001	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 2073

Resolution approving the decision of the City Planning Commission on Application No. N 010629 ZRM, an amendment to the text of the Zoning Resolution regarding Article VIII, Chapter 4 concerning the mandatory front building walls, curb cut location and mandatory arcades regulations of Sections 84-132, 84-144 and Appendices 2.4 and 2.6 of the Special Battery Park City District (L.U. No. 1158).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on August 16, 2001 its decision dated August 8, 2001 (the "Decision"), on the application submitted by the Battery Park City Authority, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 010629 ZRM) (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 October 1, 2001;

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

WHEREAS, a Technical Memorandum submitted by Battery Park City Authority dated May 2, 2001, examined this application in relation to the original FEIS issued on August 19, 1981. In a letter dated May 16, 2001, BPCA determined a Supplemental EIS was not required. The proposed project would not have the potential for resulting in any significant adverse impacts; and

RESOLVED:

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 Graytone is new, to be added;

Matter in Strikeout is old, to be deleted;

Matter within ## is defined in Sections 12-10 of the Zoning Resolution

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

84-132

Mandatory front building walls

Except as set forth in paragraph (f) and (i) of this Section, where Appendices 2.1 or 3.1 shows a requirement for a #development# in Zone A to be built to a #mandatory front building wall line#, any such #development# shall have a mandatory front building wall coincident with and constructed along such #mandatory front building wall line#, which shall rise without setback for a height above #curb level# as specified in this Section, except that, at building entrances, openings below the second #story# ceiling in the mandatory front building walls will be permitted to provide access to courtyards:

- (a) except as set forth in paragraph (d) of this Section, with respect to any 60-85 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 60 feet nor more than 85 feet;
- (b) with respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 110 feet nor more than 135 feet. However, a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;
- (c) on the portion of any #zoning lot# designated as a #special height location# in Appendix 2.2, a height of not less than the applicable amount set forth in paragraphs (a) or (b) of this Section and not more than the maximum height indicated in Appendix 2.2 or in paragraph (d)(1) of Section 84-135 (Limited height of buildings);
- (d) with respect to any #zoning lot# south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above #curb level#;
- (e) with respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet;
- (f) with respect to any 110-230 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 230 feet, except that:
 - (1) the length of the mandatory front building wall in excess of a height of 135 feet shall not exceed 120 feet along any frontage;
 - (2) where the length of the #mandatory front building wall line# along #street lines# intersecting North End Avenue exceeds 100 feet, the mandatory front building wall in excess of a height of 135 feet shall not exceed a length of 75 feet along North End Avenue. However, the length of the mandatory front building wall along #street lines# intersecting North End Avenue may be reduced to not less than 100 feet in order to accommodate landscaping and other improvements within or adjacent to the public open space areas shown in Appendix 3.6;
 - (3) a setback of ten feet at a height of 135 feet is required along all street frontages, except Park Place West, at a height of 135 feet;
 - (4) a setback of not less than five feet and not more than ten feet is required in other locations at a height of 135 feet, as shown in Appendix 3.1; and
 - (5) a setback of not less than five feet is required at a height of 210 feet on all sides of the building, except for #special height locations# provided in Section 84-135 (Limited height of buildings) and shown in Appendix 3.2;
- (g) with respect to any 150-250 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 150 feet nor more than 250 feet; except that the height may not exceed either 150 feet for more than 120 feet or 75 percent of the length of the site's western property line, whichever is less, and a setback of not less than five feet and not more than ten feet is required at a height of 150 feet. Where Appendix 3.1 shows a requirement for a #development# to be built to a #mandatory front building wall line# along frontage on River Terrace, any such #development# may have a mandatory front building wall coincident with and constructed along a line set back one and one-half feet from the #street line# along River Terrace to accommodate landscaping treatment as required by the Battery Park City Authority; and
- (h) on the portion of any #zoning lot# designated as a #special height location# in Appendix 3.2, a height of not less than the applicable amount set forth in paragraphs (e), (f) or (g) of this Section and not more than the height shown in Appendix 3.2.
- (iv) on the #zoning lot# south of First Place and west of Battery Place, the eastern mandatory front building wall may be located within 30 feet from the eastern #mandatory front building wall line#, and the southern mandatory front building wall may be reduced in length up to 30

feet along the southern #mandatory front building wall line# within 30 feet from the intersection with the eastern #mandatory building wall line#.

Subject to the provisions of Section 84-133 (Front wall recesses), the mandatory front building wall requirements set forth in this Section shall also apply to all #developments# along all #street lines# within 50 feet of their intersection with any #mandatory front building wall line#. For the next 20 feet along the #street line#, the mandatory front building wall requirements are optional except that, for any #development# north of Vesey Street and Vesey Place, the mandatory front building wall requirements are optional for the next 25 feet. The height limit of 85 feet shall apply along #street lines# or to #developments# not subject to the mandatory front building wall requirements.

84-144

Location of curb cuts

Curb cuts are permitted only in the areas or locations indicated in Appendix 2.6 and Appendix 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
- (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;
- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut to the #accessory# off-street parking facility;
- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- (e) for each #zoning lot# located on the east side of Battery Place between First Place and Third Place, the aggregate width of all curb cuts shall not exceed 40 feet.
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

Appendix 2.4

Special Battery Park City District Mandatory Arcades

Appendix 2.6

Special Battery Park City District Curb Cut Locations

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 October 12, 2001, on file in this office.

.....
City Clerk, Clerk of Council

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