



Legislation Details (With Text)

**File #:** Res 1226-2003      **Version:** \*      **Name:** LU 585 - Zoning Reso, Battery City Park District, Manhattan (20030536ZRM)  
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**In control:** Committee on Land Use

**On agenda:** 12/15/2003

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**Title:** Resolution approving the decision of the City Planning Commission on Application No. N 030536 ZRM, amendments to the text of the Zoning Resolution relating to Section 84-131 (Floor area regulations) and Section 84-132 (Mandatory front building walls) regarding minimum dwelling unit size requirements and set back regulations for new buildings in the Special Battery Park City District, Manhattan (L.U. No. 585).

**Sponsors:**

**Indexes:**

**Attachments:** 1. Committee Report, 2. Stated Meeting - Hearing Transcript 12/15

Date	Ver.	Action By	Action	Result
12/11/2003	*	Committee on Land Use	Approved by Committee	
12/15/2003	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1226

Resolution approving the decision of the City Planning Commission on Application No. N 030536 ZRM, amendments to the text of the Zoning Resolution relating to Section 84-131 (Floor area regulations) and Section 84-132 (Mandatory front building walls) regarding minimum dwelling unit size requirements and set back regulations for new buildings in the Special Battery Park City District, Manhattan (L.U. No. 585).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on November 7, 2003 its decision dated November 5, 2003 (the "Decision"), on the application submitted by the Battery Park City Authority, pursuant to Section 201 of the New York City Charter, for amendments to the text of the Zoning Resolution (Application No. N 030536 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 December 9, 2003;

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 technical memorandum which was issued by the Battery Park City Authority on July 18, 2003 which said that this is a minor modification of a previously approved zoning amendment to the Special Battery Park City District text;

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 to be deleted;  
Matter within # # is defined in the Zoning Resolution;  
\*\*\* indicates where unchanged text appears in the Zoning Resolution.

#### SPECIAL BATTERY PARK CITY DISTRICT REGULATIONS

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2/27/01  
84-131

##### Floor area regulations

Notwithstanding any other provisions of this Resolution, the permitted #floor area ratio# for any #development# or #enlargement# on a #zoning lot# in subzones A-1 and A-5 shall not exceed 12.0, and in subzones A-2, A-3 and A-6 shall not exceed 8.0. However, within subzone A-6, the #floor area ratio# for the #zoning lot# on the southeast corner of Chambers Street and North End Avenue may be increased from 8.0 to a maximum of 12.0, provided that such additional #floor area# is occupied by a #school#.

The #floor area# bonus provisions with respect to R10 Districts shall not apply.

The minimum #floor area# contained within any #dwelling unit# shall not be less than 550 square feet.

10/12/01  
84-132

##### Mandatory front building walls

Except as set forth in paragraph (g) 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 along North End Avenue 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; and

(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.

(i) 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.

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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 15, 2003, on file in this office.

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City Clerk, Clerk of The Council