



Legislation Details (With Text)

File #: Res 0342-2004 **Version:** * **Name:** LU 81 - Zoning reso., Audubon IV, CityWide (N030228ZRY)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 5/5/2004

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 030228 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), to modify the provisions of Section 74-48 concerning height and setback regulations for scientific research and development facilities in C6 Districts (L.U. No. 81).

Sponsors: Melinda R. Katz

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 5/5

Date	Ver.	Action By	Action	Result
4/29/2004	*	Committee on Land Use	Approved by Committee	
5/5/2004	*	City Council	Approved, by Council	Pass

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 342**

Resolution approving the decision of the City Planning Commission on Application No. N 030228 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission), to modify the provisions of Section 74-48 concerning height and setback regulations for scientific research and development facilities in C6 Districts (L.U. No. 81).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on March 31, 2004 its decision dated March 24, 2004 (the "Decision"), on the application submitted by Columbia University and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 030228 ZRY) (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 030229 ZSM (L.U. No. 82), a special permit pursuant to Section 74-48 of the Zoning Resolution and C 030230 PPM (L.U. No. 83), 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 April 27, 2004;

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 December 18, 2002 (CEQR No. 02DME010M);

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 *italics* is defined in Section 12-10;

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

Article VII - Administration

Chapter 4 - Special Permits by the City Planning Commission

* * *

74-48

Scientific Research and Development Facility

In C6 Districts, the City Planning Commission may permit a scientific research and development facility containing laboratories for medical, biotechnical, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and may modify height and setback regulations for the facility. Such facility must conform to the performance standards applicable to M1 Districts and occupy a *zoning lot* that either contains a minimum *lot area* of 40,000 square feet or comprises an entire *block*. No *residential use* is to be located anywhere on a *zoning lot* containing such a facility.

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

- (a) will not unduly affect the essential character or impair the future use and development of the surrounding areas;
- (b) will be located so as to draw a minimum of vehicular traffic to and through local *streets*; and
- (c) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage.
- (d) that the modification of such height and setback regulations will not unduly obstruct the access of light and air to adjoining properties or public streets.**

All applications for the grant of a special permit pursuant to this Section shall be referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does not report within 45 days, the Commission may make a final determination without reference thereto.

To minimize traffic congestion in the area, the Commission shall require the provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-Street Loading Berths) for *commercial uses*.

The Commission may also require the provision of *accessory* off-street parking facilities to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such *use*. The size and location of such parking and loading facilities shall comply with the applicable provisions of Section 36-00 (OFF-STREET PARKING REGULATIONS: GENERAL PURPOSES AND DEFINITIONS). In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.

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 May 5, 2004, on file in this office.

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