Legislation Details (With Text)

File #:	Res 0526-2006	**Version:** *	**Name:**	LU 226 - ULURP, Tribeca North Rezoning Parking, Manhattan (N040544ZRM)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Land Use
On agenda:	9/13/2006			
Enactment date:			**Enactment #:**	

Title: Resolution approving with modification the decision of the City Planning Commission on Application No. N 040544 ZRM, an amendment to the text of the Zoning Resolution relating to Section 111-00 (Special Tribeca Mixed Use District), to create a new Area A4 within the special district, and to apply certain use and bulk regulations within the proposed Area A4 (L.U. No. 226).

Sponsors:

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 9/13/06

Date	Ver.	Action By	Action	Result
8/16/2006	*	Committee on Land Use	Approved by Committee with Modifications and Referred to CPC	
9/13/2006	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 526

Resolution approving with modification the decision of the City Planning Commission on Application No. N 040544 ZRM, an amendment to the text of the Zoning Resolution relating to Section 111-00 (Special Tribeca Mixed Use District), to create a new Area A4 within the special district, and to apply certain use and bulk regulations within the proposed Area A4 (L.U. No. 226).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on July 14, 2006 its decision dated July 12, 2006 (the "Decision"), on the application submitted by Truffles LLC, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 040544 ZRM), Community District 1, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to Applications Numbers C 040543 ZMM (L.U. No. 225), zoning map amendment to rezone a four block area in the Special Tribeca Mixed Use District from an M1-5 district to C6-2A and C6-3A districts, and C 040545 ZSM (L.U. No. 227), zoning special permit pursuant to Zoning Resolution Sections 13-562 and 74-52 to allow a 180-space public parking garage to be developed as part of a proposed residential building in the area of the rezoning;

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

August 14, 2006, which was recessed to August 16, 2006;

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 (CEQR No. 06DCP067M): In January 2006, the applicant revised the 2004 version of the applications, proposing C6-2A (6 FAR) and C6-3A (7.5 FAR) districts for the four blocks and a reduced maximum building height of 160 feet along a wide street in the C6-3A portion. After a study of the potential environmental impact of the subject application (C 040543 ZMM), a Negative Declaration was issued on February 6, 2006, which included a restrictive declaration for hazardous materials and "E" designations for hazardous materials and noise;

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 with modification; 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 **bold** and <u>double-underline</u> is new, to be added by City Council;
Matter in <u>underline</u> is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter in # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

* * *

111-03
District Map

The District Map for the #Special Tribeca Mixed Use District# (Appendix A) identifies special areas comprising the Special District in which special zoning regulations carry out the general purposes of the #Special Tribeca Mixed Use District#. These areas are as follows:

Area A1 - General Mixed Use Area
Area A2 - Limited Mixed Use Area (Commercial and Residential Uses)
Area A3 - General Mixed Use Area
<u>Area A4-</u> <u>General Mixed Use Area</u>
Area B1 - Limited Mixed Use Area
Area B2 - Limited Mixed Use Area

111-102

Ground floor use restrictions

(a) Areas A1, ~~and~~ A3 and A4

Ground floor spaces in separate #buildings# may not be combined for #uses# in Use Groups 3, 4, 5 and 6, except in those #buildings# having frontage on Chambers Street, Church Street, Greenwich Street, Hudson Street, ~~or~~ West Broadway or West Street.

* * *

111-103

Additional use regulations

(a) Areas A1, ~~and~~ A3 and A4

(1) #Uses# in Use Groups 16 and 17 shall be permitted, except the following #uses# are prohibited in all #buildings#:

(i) within Use Group 16A: crematoriums, poultry or rabbit killing establishments, unenclosed automobile, boat, motorcycle or trailer sales, motorcycle rentals;

(ii) all Use Group 16B #uses#, except #automotive service stations# by special permit pursuant to Section 73-21;

(iii) all Use Group 16C #uses#;

(iv) within Use Group 16D: dry cleaning or cleaning or dyeing establishments, with no limitation on type of operation, solvents, #floor area# or capacity per establishment;

(v) within Use Group 17B: manufacture of aircraft, automobiles, trucks, trailers, boats, motorcycles or chemicals; and

(vi) all Use Group 17C #uses#, except agriculture.

(2) The following #uses# are prohibited in #buildings# that do not front on Chambers Street, Hudson Street ~~or~~, West Broadway or West Street:

(i) all Use Group 8A #uses#;
ii) all Use Group 8D #uses#;

(iii) all Use Group 10A #uses#, except depositories, photographic or motion picture studios, radio or televisions studios; and

(iv) all Use Group 12A #uses#.

(3) In #buildings# fronting on Chambers Street, Church Street, Greenwich Street, Hudson Street ~~or~~ , West Broadway or West Street, the following retail facilities shall be limited to 20,000 square feet of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses#, except as otherwise provided in Section 11-40:

(i) all #uses# in Use Groups 6A and 6C;

(ii) all #uses# in Use Group 10 with parking categories B or B1; and

(iii) the above #uses# when listed in other use groups.

Separate #buildings# on separate #zoning lots# may not be combined for #uses# in Use Group 6A and 6C and all #uses# in Use Group 10 with parking categories B or B1.

In addition, in #buildings# not fronting on West Street, retail facilities in Use Groups 6A and 6C shall be limited to 10,000 square feet

of #floor area# on a #zoning lot#, including retail #cellar# space allotted to such #uses# , except as other wise provided in Section 111 -40.

* * *

(c) Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, as listed in Use Group 12A, in any location within a #building#, shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244. In Areas A1, A2, ~~and~~ A3 and A4, the Board of Standards and Appeals shall additionally find for establishments of any capacity with dancing, as listed in Use Group 12A, that primary ingress and egress for such #uses# may only be located on Chambers Street, Church Street, Greenwich Street, Hudson Street, ~~or~~ West Broadway, or West Street, with only fire or emergency egress on other #streets#, and that no portion of such #use# may be located more than 100 feet, measured perpendicularly, from the above-listed streets. Furthermore, such #uses# are restricted as provided in paragraph (a)(2) of this Section.

111-104
Special Provisions for Areas A1, A2, A3, A4 and B2

* * *

(d) Area A4

Except as set forth herein, the bulk regulations of the underlying district shall apply.

(1) Table A of Section 35-24 shall be modified in C6-3A districts to permit a maximum building height of 160 feet within 100 feet of a #wide street#.

(2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within Area A-4, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(3) In a C6-3A district, the maximum #floor area ratio# permitted on a #zoning lot# shall be 6.5.

(4) In a C6-2A district, the maximum #floor area ratio# permitted on a #zoning lot# shall be 5.5.

~~(d)~~ (e) Area B2

* * *

Appendix A (Existing)

8/27/98
APPENDIX A
Special Tribeca Mixed Use District Map - Existing

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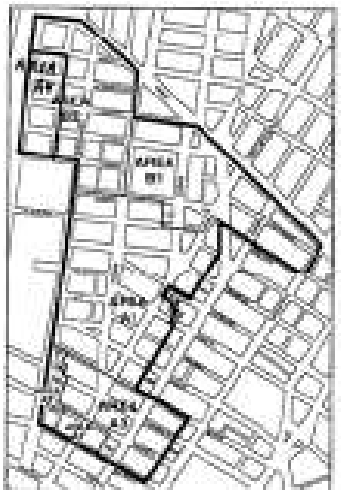
— District Boundary
- Area Boundary

Area A1: General Mixed Use Area
Area A2: Limited Mixed Use Area
Area A3: General Mixed Use Area
Area B1: Limited Mixed Use Area
Area B2: Limited Mixed Use Area

Appendix A (Proposed)

APPENDIX A
Special Tribeca Mixed Use District Map - Proposed



— District Boundary
- Area Boundary

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Area A1: General Mixed Use Area
Area A2: Limited Mixed Use Area
Area A3: General Mixed Use Area
Area A4: General Mixed Use Area
Area B1: Limited Mixed Use Area
Area B2: Limited Mixed Use Area

* * *

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 September 13, 2006, on file in this office.

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

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