



Legislation Text

File #: Res 1202-2016, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1202

Resolution approving the decision of the City Planning Commission on Application No. N 160069 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying the provisions of Article IX, Chapter 6 (Special Clinton District), Community District 4, Borough of Manhattan (L.U. No. 437).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on August 12, 2016 its decision dated August 10, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Durst Pyramid, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, to modify the provisions of Article IX, Chapter 6 (Special Clinton District), to facilitate the mapping of the project area as the new Special Use Regulation Area C1-2 of the Special Clinton District and allow for automobile repair and preparation of vehicles for delivery in area C1-2 of the Special Clinton District, (Application No. N 160069 ZRM), Community District 4, Borough of Manhattan (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 September 7, 2016;

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 as described in the 2012 Final Environmental Impact Statement, the revised technical memorandum (CEQR No. 12DCP020M) issued on August 3, 2016, and the the April 21, 2016 Technical Memorandum (together the "Environmental Analysis");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Environmental Analysis.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 160069 ZRM, incorporated by reference herein, the Council approves the Decision.

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 Section 12-10;

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

Article IX: Special Purpose District

Chapter 6: Special Clinton District

* * *

96-34

Special Regulations in Northern Subarea C1

~~In Area C1-1, within~~ Within Northern Subarea C1, Special Use Regulations Areas C1-1 and C1-2, as shown on the map in Appendix A, ~~the following of this Chapter~~, are subject to the special #use# regulations of this Section. In addition, the special Inclusionary Housing regulations, ~~#use# and special permit regulations set forth in this Section~~ shall apply: in Area C1-1.

(a) Inclusionary Housing Program

The boundaries of the ~~#Inclusionary Housing designated area#~~ within the ~~#Special Clinton District#~~ are shown on Map 2 in Manhattan Community District 4, in APPENDIX F of this Resolution. Such area shall be an ~~#Inclusionary Housing designated area#~~, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

Within such ~~#Inclusionary Housing designated area#~~ the following special regulations shall apply. The ~~#residential floor area#~~ of the ~~#zoning lot#~~ may be increased by 1.25 square feet for each square foot of ~~#low income floor area#~~ provided, or by 0.625 square feet for each one square foot of ~~#middle income floor area#~~ provided, up to the maximum ~~#floor area#~~ set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). However, the amount of ~~#low income floor area#~~ plus half the amount of ~~#middle income floor area#~~ required to receive such ~~#floor area compensation#~~ need not exceed 20 percent of the total ~~#floor area#~~, exclusive of ground floor non-~~#residential floor area#~~ on the ~~#compensated zoning lot#~~, provided that no more than 8,000 square feet of ~~#middle income floor area#~~ may be included within this calculation.

(b) Special ~~#use#~~ regulations

(1) In Special Use Regulations Areas C1-1 and C1-2, ~~t~~The following ~~#uses#~~ shall be permitted below the level of the lowest floor occupied by ~~#dwelling units#~~:

- (i) automobile showrooms or sales with preparation of automobiles for delivery; and
- (ii) automobile repairs.

(2) ~~#Transient hotels#~~ shall not be permitted within the portion of Area C1-1 that is located between

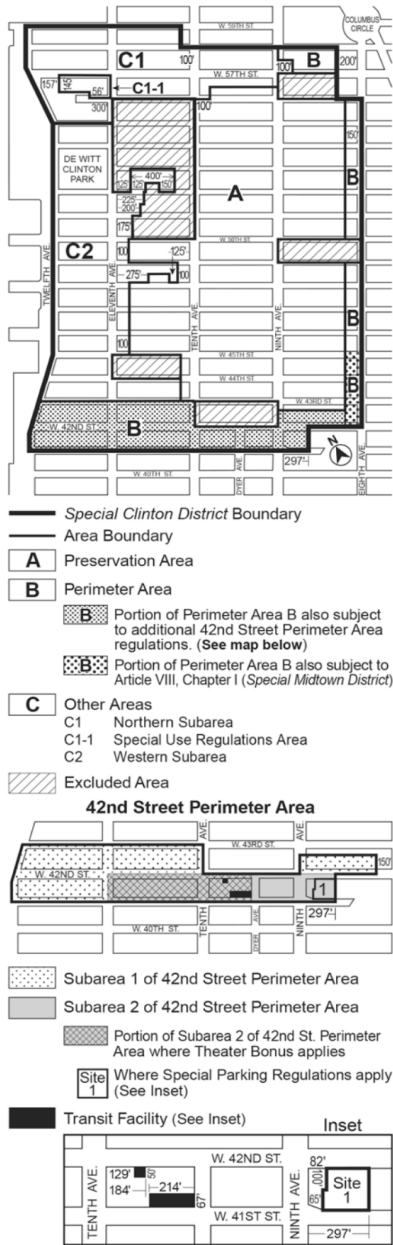
Eleventh Avenue and a line 250 feet west of Eleventh Avenue, and in the portion located between West 57th Street and a line 100 feet south of West 57th Street, except by special permit of the City Planning Commission, pursuant to the provisions of this paragraph (b)(2).

The City Planning Commission may permit #transient hotels#, resulting from a #development#, #enlargement#, #extension# or change of #use#, provided that the Commission shall find that such #transient hotel# is so located as to not impair the essential character of, or the future use or development of the surrounding area.

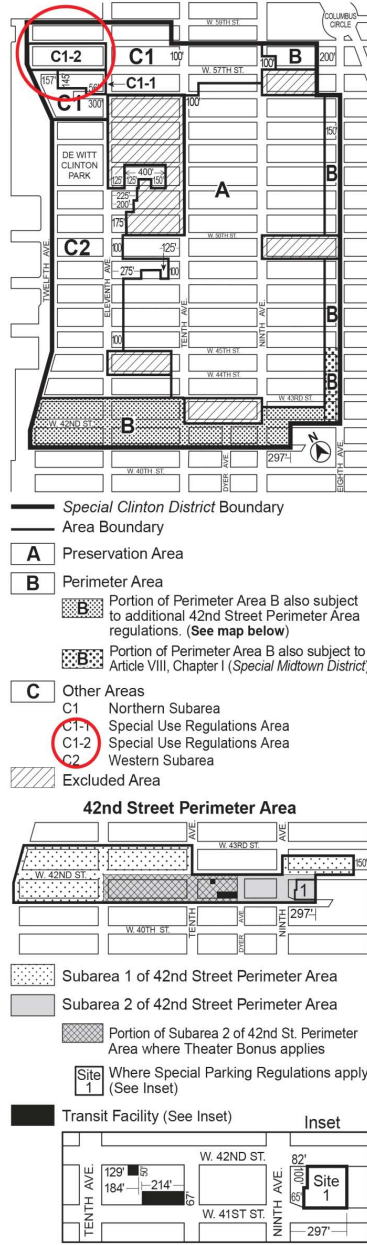
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

Appendix A - Special Clinton District Map



PROPOSED MAP



EXISTING MAP

* * *

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 14, 2016, on file in this office.

City Clerk, Clerk of The Council