



Legislation Text

File #: Res 1687-2000, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1687

Resolution approving the decision of the City Planning Commission on Application No. N 000650 ZRM, an amendment to the text of the Zoning Resolution regarding Section 81-066 and Section 81-00, Appendix A, Map 1, within the Special Midtown District and Subdistricts (L.U. No. 911).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on October 20, 2000 its decision dated October 18, 2000 (the "Decision"), on the application submitted by The Museum of Modern Art, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 000650 ZRM) (the "Application");

WHEREAS, the Application is related to ULURP Application Numbers C 000649 ZMM (L.U. No. 910), an amendment of the Zoning Map and C 000651 ZSM (L.U. No. 912), a special permit;

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 November 21, 2000;

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 Notice of Completion for the Final Environmental Impact Statement ("FEIS"), issued on October 6, 2000 (CEQR No. 00DCP007M);

RESOLVED:

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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 Graytone is new; to be added;
Matter in Strikeout is old, to be deleted;
Matter within # # is defined in Section 12-10;
*** ** indicates where unchanged text appears in the Zoning Resolution.

81-066

Special pPermit mModifications of Section 81-40 and Section 77-00 Certain Sections of Article VII, Chapter 7

On application, Tthe City Planning Commission, by special permit, for #zoning lots# where the #lot area# is at least 60,000 square feet or that occupy an entire #block# after public notice and hearing and subject to Board of Estimate action, may permit modification of the mandatory district plan elements of Section 81-40 and the or the provisions of Article VII, Chapter 7, that determine the allocation distribution of permitted #floor area# on such #zoning lots#, without regard to the provisions of Section 77-22 irrespective of the date when the #zoning lot# was created; subject to the following: and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements. However, no exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.

(a) The #lot area# of the #zoning lot# shall be at least 60,000 square feet and shall contain complete #wide street block# frontage, or such #zoning lot# shall occupy an entire #block#.

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(b) The modifications shall be subject to Commission shall make the following findings:

(1a) tThat the modifications of mandatory plan elements, or #floor area# allocation, #rear yard# and #court# regulations result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#;

(b) that a substantial majority of the #zoning lot# which is either vacant at the time of certification for review, pursuant to Section 197-c of the New York City Charter., or contains buildings that will be an integral part of the #development#, both physically and programmatically;

(2c) tThat the cleared portion of the #zoning lot# is of sufficient size to ensure that the design, scale and location of the new #buildings# or #enlarged buildings# is compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;

(d) that such modifications will not unduly obstruct access of light and air to surrounding properties;

(3e) tThat any adverse impact on retail continuity is minimized by a site plan which that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;

(4f) tThat such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements.

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

No exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.

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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 19, 2000, on file in this office.

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City Clerk, Clerk of Council