



Legislation Text

File #: Res 1887-2001, Version: *

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1887

Resolution approving the decision of the City Planning Commission on Application No. N 010206 ZRM, an amendment to the text of the Zoning Resolution regarding Section 37-04 (Requirements for Urban Plazas) (L.U. No. 1039).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on March 19, 2001 its decision dated March 14, 2001 (the "Decision"), on the application submitted by 774 Development LLC, c/o The Witkoff Group, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 010206 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 April 18, 2001;

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 November 13, 2000 (CEQR No. 01DCP018M);

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

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

* * *

37-04

Requirements for Urban Plazas

(f) Circulation and access

(7) All #urban plazas# shall be accessible to the public at all times, except where the City Planning Commission has authorized a nighttime closing in accordance with Section 37-06 or, within a C6-4X districts, for a #development# or #enlargement# with more than 25 percent of its total #floor area# occupied by #residential use#, where the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that:

(a) the enclosure or barrier that limits public access, shall not obstruct access to the #urban plaza# or impede pedestrian circulation into, through, or along the frontage of the #urban plaza# during hours of public access, and shall allow visibility of the #urban plaza# when the enclosure or barrier is in closed position;

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(b) public access to the #urban plaza# will be provided, at a minimum, between the hours of 7:00 a.m. and 8:30 p.m. from May 1 to September 30 and from 7:00 a.m. to 7:00 p.m. from October 1 to April 30, and that the hours of public access to the #urban plaza# shall be prominently displayed on a plaque affixed to the enclosure or barrier at each #street# frontage of the #urban plaza#; and

(c) the #urban plaza# shall be illuminated at night in accordance to Section 37- 04(n).

All applications for such certification shall include detailed plans demonstrating compliance with the provisions of Section 37-04(f)(7). The plans shall include, but not necessarily be limited to, a site plan and elevation showing location and dimensions of the proposed gates, fences, or other enclosure devices, and signage indicating hours of public access to the #urban plaza#. All such plans, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of certification pursuant to this Section. Such filing and recording of the instrument shall be a precondition for the restricted hours of public access of an #urban plaza#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

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 April 25, 2001, on file in this office.

City Clerk, Clerk of Council

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