



Legislation Text

File #: Res 1043-2005, Version: *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1043

Resolution approving the decision of the City Planning Commission on Application No. N 050297 ZRM, an amendment to the text of the Zoning Resolution relating to Article VIII Chapter 8 (Special Midtown District), concerning Section 81-14 (Modification of Sign and Frontage Regulations in the Fifth Avenue Subdistrict), Manhattan (L.U. No. 463).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 31, 2005 its decision dated May 25, 2005 (the "Decision"), on the application submitted by RCPI Landmark Properties, LLC, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 050297 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 June 15, 2005;

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 March 14, 2005 (CEQR No. 050DCP058M);

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 to be deleted;

Matter within ## is defined in the Zoning Resolution;

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

Article VIII: Special Purpose Districts

Chapter 1: Special Midtown District

81-14 (5/25/05)

Modification of Sign and Frontage Regulations in the Fifth Avenue Subdistrict

81-141 (5/25/05)

Special sign regulations

- (a) For all existing and new #uses# in the Fifth Avenue Subdistrict, #signs# shall not be permitted on the exterior of any #building# below a level of ten feet above #curb level#. The aggregate #surface area# of all #signs# in ground floor windows is restricted to not more than one-third of the window area.

Any #sign# that does not comply with the provisions of this ~~Section paragraph, (a),~~ shall be terminated, except that a #sign# which the Chairperson of the City Planning Commission certifies is an integral part of the #building# shall not be required to terminate.

- (b) In a C5-3 District within the Fifth Avenue Subdistrict, the Chairperson of the City Planning Commission may, by certification, modify the requirements of Section 32-655 (Height of signs in all other Commercial Districts), to allow a single non-#illuminated sign# ~~per #building#~~, other than an #advertising sign#, ~~per #building#~~ to be located at a height between 25 and 50 feet above #curb level#, provided that the permitted #sign# shall:

- (1) be limited to one name and/or address of the #building# or the name of an establishment located therein, consisting only of individual letters and/or numbers not exceeding 18 inches in height;

(2) not be within a frame, a border, or any kind of background other than the building facade;

(3) not project more than three inches from the facade of the #building#; and

(4) not exceed 25 square feet in aggregate #surface area#.

- (c) On any #zoning lot# occupied by a landmark designated by the Landmarks Preservation Commission which lies partially or wholly within the Fifth Avenue Subdistrict, the Chairperson of the City Planning Commission may, by certification, modify the applicable #sign# regulations of Section 32-60 to permit #illuminated signs# on the open area of the #zoning lot#, provided that such #signs# shall:

- (1) be a recreation of historic #signs# and the Landmarks Preservation Commission has issued a Certificate of Appropriateness or other permit for such #signs#;

(2) not exceed a #surface area# of 12 square feet per #sign#; and

(3) not project across a #street line#.

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 June 23, 2005, on file in this office.

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City Clerk, Clerk of The Council