



Legislation Text

File #: Res 0384-2006, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 384

Resolution approving the decision of the City Planning Commission on Application No. N 060254 ZRY, an amendment to the text of the Zoning Resolution relating to Article VII Chapter 7 (Special Permits by the City Planning Commission), concerning Section 74-75 (Educational Construction Fund Projects), (L.U. No. 169).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on May 12, 2006 its decision dated May 10, 2006 (the "Decision"), on the application submitted by New York City Educational Construction Fund and 1765 First Associates LLP, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 060254 ZRY) (the "Application");

WHEREAS, the Application is related to ULURP Application Number C 060255 ZSM (L.U. No. 170), a zoning special permit pursuant to Section 74-75 of the Zoning Resolution to permit modifications of height and setback, and yard regulations, and permit the transfer of available air rights above the proposed school across district boundaries;

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 1, 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 and the Negative Declaration, issued on December 15, 2005 (CEQR No. 06ECF001M;

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 underlined is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in ~~strikeout~~ is text to be deleted;
*** indicates where unchanged text appears in the zoning resolution

Article VII: Administration
Chapter 4: Special Permits by the City Planning Commission

74-75 (7/26/01)

Educational Construction Fund Projects

In R5, R6, R7, R8, R9 or R10 districts, in C1 or C2 Districts mapped within such Residence Districts, or in C1-6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4, C5, C6, or C7 Districts, for combined school and residences including air rights over schools built on a zoning lot owned by the New York City Educational Construction Fund, the City Planning Commission may permit utilization of air rights; modify the requirements that open area be accessible to and usable by all persons occupying a dwelling unit or rooming unit on the zoning lot in order to qualify as open space; permit ownership, control of access and maintenance of portions of the open space to be vested in the New York City Educational Construction Fund or City agency successor in title; permit modification of yard regulations and height and setback regulations; authorize the total floor area, open space, dwelling units or rooming units permitted by the applicable district regulations on such site to be distributed without regard for district boundaries; and authorize an increase of 25 percent in the number of dwelling units or rooming units permissible under the applicable district regulations. For the purposes of this Section 74-75 a #zoning lot# "owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school listed in this Section.

<u>School</u>	<u>Community District</u>
<u>P.S. 151</u>	<u>M8</u>

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 13, 2006, on file in this office.

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City Clerk, Clerk of The Council