



Legislation Text

File #: Res 1137-2007, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1137

Resolution approving the decision of the City Planning Commission on Application No. N 080022 ZRQ, for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 5 (Special Downtown Jamaica District) concerning Section 115-22 (Modification of Rear Yard Regulations) and 115-234 (Maximum Building Height), Borough of Queens (L.U. No. 598).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on October 5, 2007 its decision dated October 3, 2007 (the "Decision"), on the application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution of the City of New York (Application No. N 080022 ZRQ) (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 October 23, 2007;

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 (CEQR No. 05DCP081Q), and the Final Environmental Impact Statement (FEIS) for the Jamaica Plan was certified as complete and a Notice of Completion was issued by the City Planning Commission (CPC), acting as lead agency, on June 29, 2007. On September 10, 2007, the City Council (Council) approved the application (N 070315 (A) ZRQ) and related applications. The approved actions consist of the Affordable Housing Alternative (AHA), which was analyzed in Chapter 23, "Alternatives", of the Final Environmental Impact Statement (FEIS) for the Jamaica Plan, and associated modifications that were analyzed in a technical memorandum dated July 11, 2007.

The proposed minor modification, as described in the technical memorandum dated August 3, 2007, would increase the maximum allowable building height in the proposed C6-4 district from 250 feet to 290 feet, and remove the 20-foot rear yard requirement for non-residential uses in the proposed C6-4 district and properties adjacent to the LIRR viaduct. A Notice of Minor Modification was issued on August 3, 2007, which determined that the proposed modification would not result in any new or increased significant adverse environmental impacts not already identified in the FEIS. Accordingly, the follow-up zoning text amendment represents a minor modification and does not alter the conclusions of the earlier environmental review. Therefore, the Notice of Completion of the Final Environmental Impact Statement issued on June 29, 2007 remains valid.

RESOLVED:

The Council finds that the action described herein does not alter the conclusions of the earlier environmental review and that the Notice of Completion of the Final Environmental Impact Statement (CEQR # 05DCP081Q) issued on June 29, 2007 remains valid.

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

Based on the environmental determination set forth in the Notice of Minor Modification dated August 3, 2007 and the consideration described in this report, 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 in ~~Strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

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

Article XI - Special Purpose Districts

Chapter 5

Special Downtown Jamaica District

115-22

Modification of Rear Yard Regulations

#Rear yard# requirements shall not apply to non-#residential uses# along such portion of a #lot line# that coincides with a boundary of a railroad right-of-way, or in any portion of a C6-4 District.

115-23

Height and Setback Regulations

In M1-4 Districts, the underlying height and setback regulations shall apply except as modified in Section 115-22 31 (Permitted obstructions).

In C4 and C6 Districts, the underlying height and setback regulations are modified as set forth in Sections 115-22 31 through 115-22 35, inclusive.

* * *

115-22 31

Permitted obstructions

* * *

115-22 32

Street wall location

* * *

115-22 33

Street wall height

* * *

115-22 34

Maximum building height
C4 C6

In C4-4A Districts, no #building or other structure# shall exceed a height of 80 feet.

In C4-5X Districts, no #building or other structure# shall exceed a height of 125 feet.

In all C6-2 and C6-3 Districts, no #building or other structure# shall exceed a height of 250 feet. In C6-4 Districts, no #building or other structure# shall exceed a height of 290 feet. However, no maximum building height limitation shall apply on Block 9993, shown on Map 5 (Maximum Building Height) in the Appendix to this Chapter, if such #block# is developed pursuant to the Jamaica Gateway Urban Renewal Plan.

115-22 35
Transition area

* * *

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 October 29, 2007, on file in this office.

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City Clerk, Clerk of The Council