



## Legislation Text

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**File #:** Res 1337-2008, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1337

Resolution approving with modifications the decision of the City Planning Commission on Non-ULURP No. N 060273 NPM, a Section 197-a Plan for Community Board No. 6 in Manhattan (L.U. No. 667).

By Council Members Katz and Garodnick

WHEREAS, the City Planning Commission filed with the Council on January 28, 2008 its decision dated January 28, 2008 (the "Decision"), on the Plan, known as *The 197-a Plan for the Eastern Section of Community District 6*: for Manhattan Community Board No. 6, submitted by Manhattan Community Board No. 6, pursuant to Section 197-a of the Charter of the City of New York (Non-ULURP No. N 060273 NPM) (the "Plan");

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 Plan on February 25, 2008;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Plan; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration, issued on March 31, 2006 (CEQR No. 06DCP088M);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-a and 197-d of the City Charter and on the basis of the Decision and Plan, the Council approves the Decision with the following modifications:

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Matter in underline is new, to be added;  
Matter in bracket [ ] is old, to be deleted;

*Waterfront Related Improvements*

1. Explore with Con Ed, NYCDOT and NYSDOT opportunities to widen Esplanade between 13th and 15th Streets by replacing the existing pump with a smaller pump.
2. [Explore with]Encourage NYCDOT and DPR [the feasibility of making]to make the 25th Street pedestrian bridge handicapped accessible.
3. If the FDR Drive is to be relocated to grade, which would permit a deck above the drive, the option of a park on a deck above the FDR Drive between 28th and 30th streets should be studied, within the context of the reconstruction of the FDR Drive by NYSDOT.\*
4. Improve area around 35th Street ferry landing.
5. [Explore the feasibility of creating]Encourage creation of smaller neighborhood piers for water taxis at 23rd and 42nd streets.\*
6. [Explore the feasibility of constructing]Encourage construction of a narrow esplanade walkway between 53rd and 63rd streets on a cantilever on the outboard side of the existing FDR Drive.\*
7. Explore alternatives to relocate all parking located directly on the waterfront such as the 34th Street lot, the 23rd Street Skyport parking garage, and the Con Edison Parking pier (38th to 41st streets).
8. Accommodate pedestrians, joggers, cyclists, and skaters on new esplanades and greenways.
9. The city should work with appropriate federal and state agencies to [explore the feasibility for]encourage decking over a portion of the FDR Drive, the relocation or reconfiguration of the northbound FDR exit ramp at 42nd Street, and the creation of a continuous waterfront esplanade between 34th and 42nd streets. Development on the First Avenue Properties (former Con Edison sites) should be compatible with, and not preclude, future off-site waterfront improvements.\*\*
10. Pursue measures to ensure that the waterfront esplanade at Waterside Plaza is publicly accessible.\*\*
11. [Facilitate safe inland pedestrian connections between sections of the waterfront esplanade for areas with uses that preclude direct pedestrian access along the waterfront.\*\*]Ensure that the heliport permits safe inland pedestrian connections between adjacent sections of the waterfront esplanade.
12. Encourage new pedestrian bridges and other means to provide improved public access to the waterfront [in appropriate locations based on engineering feasibility and other criteria.\*\*]particularly at 16<sup>th</sup>, 27<sup>th</sup>, 29, 39<sup>th</sup>, 40<sup>th</sup>, 41<sup>st</sup>, 42<sup>nd</sup>, 48<sup>th</sup> and 54<sup>th</sup> Streets.
13. [Explore the feasibility of providing]Encourage creation of pedestrian crossings from 35th or 36th streets to the East River Esplanade Park if a tunnel for the FDR Drive is to be constructed.\*\*
14. To preserve and create waterfront views and facilitate public access to the waterfront, appropriate zoning, land use and mapping controls (including remapping demapped streets, if feasible) as well as urban design and streetscape improvements should be used.\*\*

15. Where appropriate and physically feasible, create the opportunity for public access to the waterfront by allowing pedestrians to use streets or their extensions that have been remapped, reopened or otherwise made publicly accessible.\*\*

#### *Other Open Space Improvements*

16. Encourage the MTA (with DPR and DOT) to consider park decks above Queens Midtown Tunnel portals as part of the ongoing Second Avenue Subway Outreach process.

[17. The city should explore with Con Edison the possible acquisition or lease of open space at the Con Edison East River plant to supplement Murphy Brothers Park.\*]

[18.]17. Given the deficit of publicly-accessible open space in CD 6, the city should encourage the inclusion of publicly accessible open spaces where feasible and appropriate as part of large new developments.\*

#### DELETED:

- Encourage public acquisition for open space for such developments as Bellevue/East River Science Park Plan; Con Edison Waterfront redevelopment; replacement of Robert Moses Playground.

#### *Land Use and Zoning*

[19.]18 Explore mapping contextual zoning districts to maintain neighborhood scale and residential character in appropriate locations.\*

[20.]19 [Support tower-on-the-base zoning districts where appropriate to maintain existing street wall character along avenues. Tower-on-the-base zoning also limits zoning lot mergers.\*]Map tower-on-the-base zoning districts to maintain street wall character along avenues and restrict zoning lot mergers where appropriate.

[21.]20 Carefully evaluate proposals for high-density office development east of the midline between Second and Third avenues, and discourage such development where inappropriate, such as in predominantly residential areas.\*\*

21. Encourage institutional development and community uses that are compatible with the existing scientific, hospital and hospital related uses in the area bounded by 23<sup>rd</sup> Street, First Avenue, 34<sup>th</sup> Street and the FDR Drive.

#### DELETED:

- Map a Special Hospital Use District (includes Bellevue, NYU, and VA Hospital Medical Centers).
- Eliminate zoning preferences for community facilities in the Study Area: eliminate larger floor area ratio for community facilities in R7 and R8 districts; eliminate all rear yard encroachment in midblock

locations; distinguish definitions between wide and narrow street location to allow greater density on wide streets compared to narrow streets.

- Designate the area bounded by First Ave., 59th Street, waterfront, and 14th Street as a Special Public Access District; provide additional floor area bonus on any zoning lots that provides elective public open space improvements either on or off-site; an additional bonus would be allowed for the inclusion of affordable housing which would supersede the underlying FAR bonus provisions.
- Amend Article I, Chapter 3 of the zoning resolution to change accessory parking in R10 districts from up to 20% of apartment units to 10%.

### *Specific Sites*

#### *United Nations:*

22. Provide for needs of UN without significantly displacing or disrupting the surrounding neighborhoods.

23. If Robert Moses Park is developed with a UN or UN-related building, the city should support the replacement of this park space with appropriate public open space in the nearby community[.\*\*,] including an esplanade along the east edge of the UN and out board of the FDR Drive with connections to Glick Park at 37<sup>th</sup> Street via an esplanade extension of Glick Park between 38<sup>th</sup> and 41<sup>st</sup> streets and to the north at 48<sup>th</sup> Street. If a proposed building is found to have an impact on the existing open space, park space should be provided in the immediate neighborhood as a mitigation.

#### DELETED:

- Sale of three UNDC buildings to private developers should give priority to UN-related uses.

#### *First Avenue Properties:*

24. Provide overlook parks along the FDR Drive.

25. Require ground floor retail on First Avenue in order to enhance pedestrian activity.\*

26. Provide publicly-accessible space and view corridors on the extensions of 39th and 40<sup>th</sup> streets.\*\*

27. Consider the scale and density of existing development near the ERRC sites, the potential for [the provision of substantial publicly accessible on-site open space on the larger 700/708 parcel, and site planning elements relating to circulation and the placement of buildings in determining the appropriate bulk and heights]shadow impacts on the Tudor City parks, and site planning elements to

determine the appropriate building placement, bulk and height for the development of the First Avenue Properties sites. \*\*

28. Encourage the developer of the First Avenue properties to provide an easement along the eastern edge of the property so as to not preclude future off-site waterfront improvements.\*\*
29. Include [a large, publicly accessible open space in the First Avenue properties development.]large, publicly accessible spaces on the site as a mitigation for the large scale development.
30. Facilitate the inclusion of an elementary or elementary/intermediate school on the First Avenue properties site.

DELETED:

- 39th and 40th streets (extensions) be remapped.

*East River Science Park:*

31. Encourage a dialogue between CB 6, EDC, DCP and the developers and users of the East River Science Park sites for elements of the ERSP which have not yet been decided on.\*\*

*Transportation*

32. Determine (DCP and DOT) placement of traffic calming measures at appropriate side street locations, including neckdowns and wider sidewalks, and creation of landscaping treatment.
33. Endorse the identified locations for Second Avenue subway stations and entrances at 14th, 23rd, 34th, 42nd, and 55th streets.
34. Encourage MTA to [consider providing]provide pedestrian transfers via underground tunnel from Second Avenue subway station stop to: No. 7 line at Grand Central Station and E and V lines at 53rd Street from the proposed 55th Street station.\*
35. [If resources are available, consider]Encourage the MTA to provide an Avenue A entrance to the First Avenue station on the L line.\*
36. [Assess bus stop locations, routes and service to accommodate new development.\*]Reroute buses and create/relocate bus stops to support new development in the study area.
37. [Facilitate intermodal transfer points at main east/west connector streets to the waterfront by providing upland connections where feasible and appropriate.\*]Encourage DOT, MTA, and any relevant agency to locate bus stops with a view to facilitating intermodal transfer points among buses, ferries, the subway and water taxis at 23<sup>rd</sup>, 34<sup>th</sup> and 42<sup>nd</sup> Streets.
38. Explore sites for black car and bus layovers, parking and rest stops, with CB 6 proposing

specific locations.\*

39. Endorse a network of dedicated and safe bicycle routes.
40. Encourage bicycle parking in private garages.

DELETED:

- Develop uniform standards for security barriers or other security measures (landscaping, street furniture) within the Study Area.

*Preservation*

41. [Encourage LPC and CB 6 to enter into a dialogue on issues relating to]Consider landmark designations for the original Bellevue Hospital buildings as to preserve the historic character and campus setting of the hospital and [for] consider preserving the integrity of the built character of Stuyvesant Town and Peter Cooper Village.\*\* which may include landmark designation, designation as a Special Planned Community Preservation district or placement on the National Register of Historic Places.

*Housing*

42. Encourage permanent affordable housing.
43. Discourage demolition or conversion of affordable housing (i.e. Mitchell Lama) to market- rate housing.
44. Encourage low and moderate income housing in new developments which would be permanent and could not be converted to market value.

*Community Facilities*

45. Encourage NYC Division for Child Care and Head Start (CCHS) to monitor daycare demand and availability of slots in CD6.
46. Encourage CCHS to promote construction of day care facilities in new private office and residential development.

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 March 26, 2008, on file in this office.

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City Clerk, Clerk of The Council