



## Legislation Text

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**File #:** Res 0966-2016, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 966

Resolution approving the decision of the City Planning Commission on Application No. N 150421 ZRR, for an amendment of the Zoning Resolution of the City of New York, modifying Article X, Chapter 5, and related sections, concerning the bulk, parking, grading, and private roads regulations in a Tier I Site within the Special Natural Area District and the New York City Farm Colony-Seaview Hospital Historic District in Community District 2, Borough of Staten Island (L.U. No. 322).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on December 18, 2015 its decision dated December 16, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by NFC Associates, LLC and the New York City Economic Development Corporation, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article X, Chapter 5, and related sections, concerning the bulk, parking, grading, and private roads regulations in a Tier I site within the Special Natural Area District and the New York City Farm Colony-Seaview Hospital Historic District, (Application No. N 150421 ZRR), Community District 2, Borough of Staten Island (the "Application");

WHEREAS, the Application is related to applications C 150422 ZMR (L.U. No. 323), an amendment to the Zoning Map to establish within an existing R3-2 District a C1-3 District; and C 150428 PPR (L.U. No. 324), a disposition of city-owned property located at 475 Brielle Avenue (Block 1955, p/o Lot1), pursuant to zoning;

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 January 12, 2016;

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, including the negative declaration issued on October 15, 2015, and revised negative declaration (CEQR No. 15DME006R) issued on November 16, 2015 (together the "CEQR Determination");

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the CEQR Determination.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150421 ZRR, incorporated by reference herein, the Council approves the Decision.

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 Section 12-10;

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

## Article X

### Special Purpose Districts

#### Chapter 5

##### Special Natural Area District

\* \* \*

##### 105-023

##### Relationship to public improvement projects

In all cases, the City Planning Commission shall deny an application, whenever the #development#, #enlargement# or #site alteration# will interfere with a public improvement project (including highways, public #buildings# or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit or other public facilities) that has been approved by the City Council or the City Planning Commission.

##### 105-03

##### District Plan

The regulations of this Chapter are designed to implement the #Special Natural Area District# Plan. The District Plan includes the following maps in Appendix A, a glossary in Appendix B and plant lists in Appendices C, D and E:

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|-------------------|---|
| <u>Appendix A</u> | <u>Map 1 - Special Fort Totten Natural Area District-4 Plan Map</u>         |
|                   | <u>Map 2 - New York City Farm Colony-Seaview Hospital Historic District</u> |
| <u>Appendix B</u> | <u>Glossary</u>   |
| <u>Appendix C</u> | <u>Selection List for Ground Covers and Shrubs</u>                          |
| <u>Appendix D</u> | <u>Tree Selection List for On-site Trees</u>                                |

## Appendix E    Tree Selection List for Street Trees

These maps and lists are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter shall apply.

### **105-10**

#### **NATURAL FEATURES**

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### **105-43**

#### **Authorizations to Modify Bulk, Parking, Grading and Private Roads Regulations**

For a #development#, #enlargement# or #site alteration# located within the #Special Natural Area District#, the City Planning Commission may authorize:

- (a) modification of #lot coverage# controls in accordance with the provisions of Section 105-431;
- (b) modification of underlying district regulations relating to #bulk# or #parking# in accordance with the provisions of Section 105-432 (Modification of yard, height and setback regulations, and parking location regulations);
- (c) modification of grading controls in accordance with the provisions of Section 105-433; and
- (d) modification of requirements for driveways and private roads on #Tier I sites# and #Tier II sites# in accordance with the provisions of Section 105-434.

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### **105-434**

#### **Modification of requirements for private roads and driveways**

For any #development#, #enlargement# or #site alteration#:

- (a) the City Planning Commission may authorize variations in the requirements for #private roads# and driveways on any #Tier II site# as set forth in Section 105-35 (Tier II Site Requirements for Driveways and Private Roads) as well as the requirements of Sections 25-621 (Location of parking spaces in certain districts) and 25-631 (Location and width of curb cuts in certain districts)- provided that:

~~In order to grant such authorizations, the Commission shall find that:~~

- (a1) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development#, #enlargement# or #site alteration# that satisfies the purposes of this Chapter;
- (b2) such modification is the least modification required to achieve the purpose for which it is granted;
- (c3) the modification will not disturb the drainage pattern and soil conditions of the area;
- (d4) the modification has minimal impact on the existing natural topography and vegetation and

blends harmoniously with it; and  
(e5) such modification will enhance the quality of the design of the #development#,  
#enlargement# or #site alteration#; or

For any #development#, #enlargement# or #site alteration#:

(b) located on a #zoning lot# containing historic buildings designated by the Landmarks Preservation Commission within the New York City Farm Colony-Seaview Hospital Historic District, as shown on Map 2 in Appendix A of this Chapter, the City Planning Commission may authorize modifications or waivers of the requirements for #private roads# as set forth in Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS) through Section 26-27 (Waiver of Bulk Regulations within Unimproved Streets), inclusive, and Section 26-30 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS) through 26-35 (Screening), inclusive, provided that such modification or waiver:

- (1) results in greater environmental conservation or preservation of existing natural features;
- (2) results in a superior site and landscape plan that will not unduly disturb the drainage pattern and soil conditions of the area;
- (3) results in greater preservation of historic #buildings# or other architectural elements of the Historic District designated by the Landmarks Preservation Commission;
- (4) enhances vehicular and pedestrian connections between #buildings# on the site and the surrounding neighborhood;
- (5) will not impair the essential character of the Historic District and the surrounding area;
- (6) is the least required to achieve the purpose for which it is granted; and
- (7) will not reduce the required minimum width of the #private road# to a width less than 34 feet unless the Fire Department has approved such reduction and determined that emergency vehicles can adequately access and move within the site.

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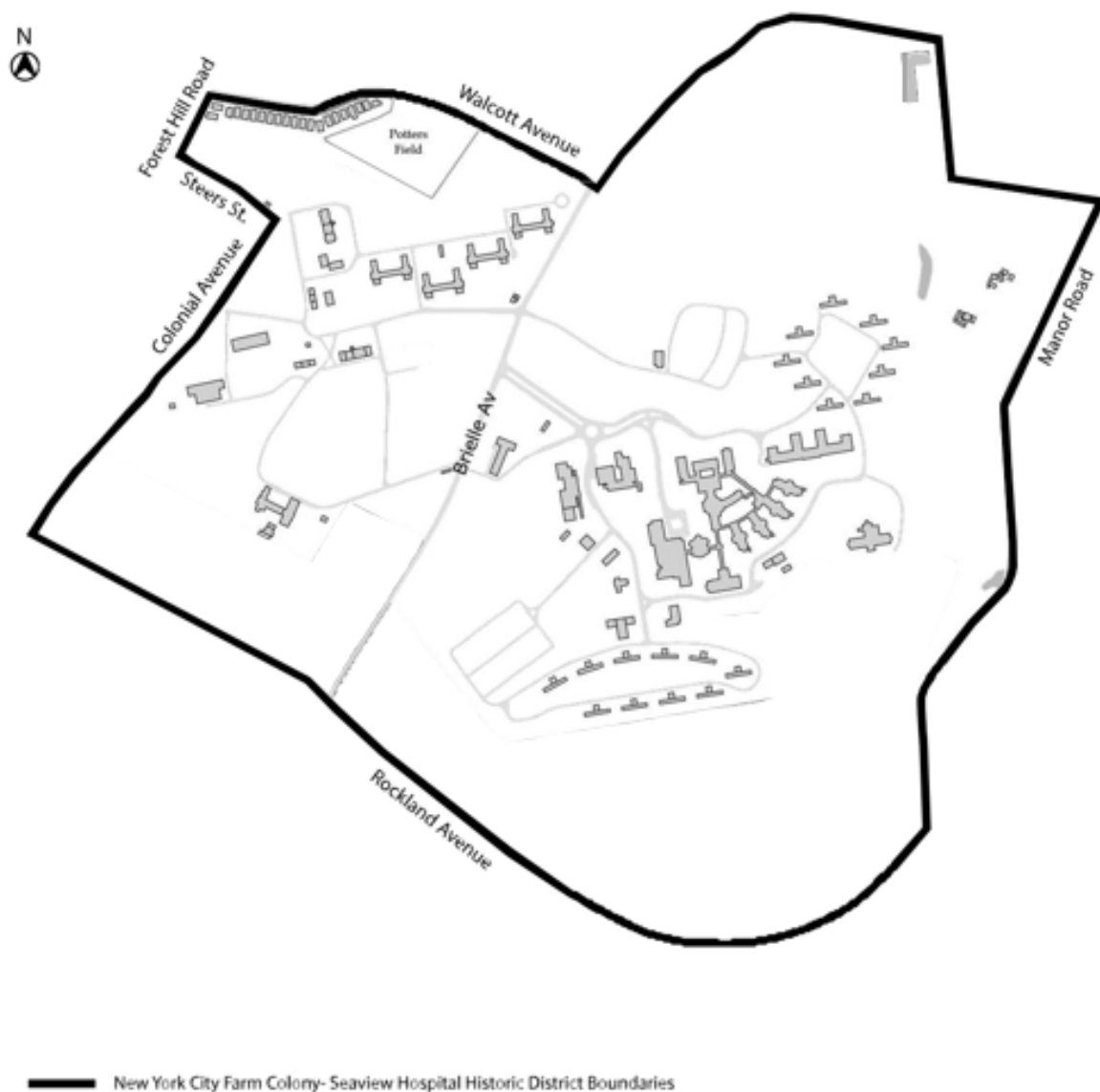
## **Appendix A**

### **Map 1. - Special Fort Totten Natural Area District-4 Plan Map**

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### **[PROPOSED - NEW MAP]**

### **Map 2. - New York City Farm Colony-Seaview Hospital Historic District**



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 January 19, 2016, on file in this office.

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City Clerk, Clerk of The Council