



Legislation Details (With Text)

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**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 3/3/2010

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on Application No. N 100052 ZRM, for an amendment of the Zoning Resolution of the City of New York, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 6 (Special Clinton District), in Community District 4, Borough of Manhattan (L.U. No. 28).

**Sponsors:** Leroy G. Comrie, Jr., Mark S. Weprin

**Indexes:**

**Attachments:** 1. Committee Report, 2. Hearing Transcript - Stated Meeting 3/3/10

Date	Ver.	Action By	Action	Result
2/25/2010	*	Committee on Land Use	Approved by Committee	
3/3/2010	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 69

Resolution approving the decision of the City Planning Commission on Application No. N 100052 ZRM, for an amendment of the Zoning Resolution of the City of New York, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 6 (Special Clinton District), in Community District 4, Borough of Manhattan (L.U. No. 28).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on January 29, 2009 its decision dated January 27, 2009 (the "Decision"), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 6 (Special Clinton District), in Community District 4, (Application No. N 100052 ZRM), to facilitate residential, commercial and community facility uses (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 100051 ZMM (L.U. No. 29), an amendment to the Zoning Map changing from M1-5 to R8/C2-5 and R10/C2-5; C 100053 ZSM (L.U. No. 44), a special permit pursuant to Section 74-681 to permit development over railroad or transit air space; C 100054 ZSM (L.U. No. 31), a special permit pursuant to Section 74-743 to waive height and setback, distance between buildings and open space regulations; and C 100055 HAM (L.U. No. 32), an urban development action area project designation, project approval and disposition of city-owned property;

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 February 24, 2010;

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 Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on January 13, 2010 (CEQR No. 09HPD022M).

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable;
- (4) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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.

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 strike out is old, to be deleted; Matter within ## is defined in Section 12-10 (DEFINITIONS)

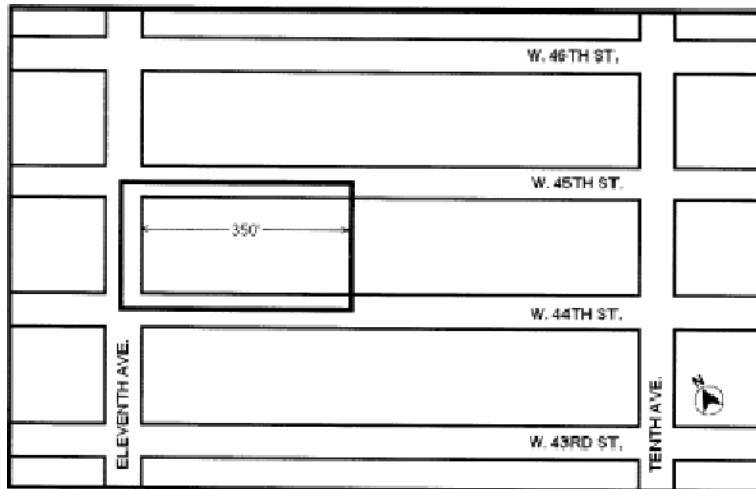
\*\*\* indicates where unchanged text appears in the Resolution

\* \* \*

## **96-82**

### **R10 Inclusionary Housing Designated Area**

The R10 district in the area shown on the map in this Section shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District. The provisions of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply.



\* \* \*

## APPENDIX F INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#.

\* \* \*

In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within the special purpose district:

Special 125<sup>th</sup> Street District - see Section 97-42 1 (Inclusionary Housing)

Special Clinton District - see Sections 96-81 (C6-3X Designated District) and 96-82 (R10 Inclusionary Housing Designated Area)

Special Coney Island District - see Section 131-321 (Special floor area regulations for residential uses)

Special Downtown Jamaica District - see Section 115-211 (Special Inclusionary Housing Regulations)

Special Garment Center District - see Section 93-23 (Modifications of Inclusionary Housing Program)

\* \* \*

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 3, 2010, on file in this office.

.....  
City Clerk, Clerk of The Council