Dewitt Clinton Park North – 801 11th Avenue

CD 4 **N 260014 ZRM**

IN THE MATTER OF an application submitted by 801 11th Ave., LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending provisions of ARTICLE VII, Chapter 9 (Special Hudson River Park District) and ARTICLE IX, Chapter 6 (Special Clinton District) and amending APPENDIX F (Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas) for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Sections 12-10 or 89-02;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

ARTICLE VIII
SPECIAL PURPOSE DISTRICTS

Chapter 9
Special Hudson River Park District

89-00
GENERAL PURPOSES

* * *

89-02
Definitions

For the purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS) and in this Section.

Granting site

Within the #Special Hudson River Park District#, a "granting site" is a #zoning lot#, or a portion of a #zoning lot#, within ~~the areas~~ Area A, identified as "A1", ~~or "B1"~~ or within Area B, identified as "B-G1", "B-G2" or "B-G3", on the map in the Appendix to this Chapter, upon which development is regulated by contract, lease, covenant, declaration or otherwise to assure compliance with the purposes of this Special District and from which #floor area# may be transferred. A #granting site# may only transfer #floor area# to a #receiving site# within an area that shares the same letter designation. For example, a #granting site# within ~~area~~ Area A1 may

transfer #floor area# to a #receiving site# within ~~area~~ Area A2, but not to a #receiving site# within ~~area B2~~ Area B.

Receiving site

Within the #Special Hudson River Park District#, a "receiving site" is a #zoning lot#, within ~~the area~~ Area A, identified as "A2", ~~"B2", or "B3"~~ or within Area B, identified as "B-R1", "B-R2" or "B-R3" on the maps in the Appendix to this Chapter, to which #floor area# of a #granting site# may be transferred.

* * *

89-10
USE AND BULK REGULATIONS

89-11
Use and Bulk Regulations on Receiving Sites

The #use# and #bulk# regulations applicable to a #receiving site# shall be modified as follows:

(a) C6-4 Districts

Within Area A2 on the maps in the Appendix to this Chapter, the #use# and #bulk# regulations of the underlying C6-4 District shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M1-5 District shall apply.

Within ~~Areas B2 and B3~~ Area B-R1 and Area B-R2, the #use# and #bulk# regulations of the underlying C6-4X District shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M2-3 District shall apply.

(b) C6-3 and M1-5 Districts

The #use# and #bulk# regulations of the underlying C6-3 and M1-5 Districts shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M2-4 District shall apply.

(c) C4-7 Districts in Area B-R3

The #use# and #bulk# regulations of the underlying C4-7 District shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M2-3 District shall apply

However, on a #receiving site#, for any #development#, #enlargement# or #conversion# that is the subject of a special permit granted by the City Planning Commission pursuant to Section 89-21 (Transfer of Floor Area From Hudson River Park), the #use# and #bulk# regulations of the underlying C4-7, C6-3, C6-4, or M1-5 District shall ~~only~~ apply to such approved

#development#, #enlargement# or #conversion#. However, in C4-7 Districts, automobile dealers and all other motor vehicle dealers, as listed in Use Group VI, may include these additional #uses# only: repair services or preparation of vehicles for delivery.

89-12
Special Floor Area Regulations Within Areas ~~B2 and B3~~ B-R1 and B-R2

Within Areas ~~B2 and B3~~ B-R1 and B-R2 on the maps in the Appendix to this Chapter, where a special permit by the City Planning Commission on a #receiving site# is sought pursuant to Section 89-21 (Transfer of Floor Area From Hudson River Park), and the #bulk# regulations of the underlying C6-4X District apply pursuant to the provisions of Section 89-11 (Use and Bulk Regulations on Receiving Sites), the #floor area ratio# for #qualifying affordable housing# shall be 10.0 within a #Mandatory Inclusionary Housing area#, and such maximum #floor area ratio# may be increased to a maximum of 12.0 only, as set forth in Section 89-21.

89-13
Special Floor Area Regulations Within Area B-R3

Within Area B-R3 on the maps in the Appendix to this Chapter, where a special permit by the City Planning Commission on a #receiving site# is sought pursuant to Section 89-21 (Transfer of Floor Area from Hudson River Park), and the bulk regulations of the underlying C4-7 District apply pursuant to the provisions of Section 89-11 (Use and Bulk Regulations on Receiving Sites), the #floor area ratio# for #qualifying affordable housing# shall be 12.0 within a #Mandatory Inclusionary Housing area#, and such maximum residential #floor area ratio# may be increased to a maximum of 14.4 as set forth in Section 89-21.

* * *

89-20
SPECIAL PERMITS

89-21
Transfer of Floor Area from Hudson River Park

The City Planning Commission may permit a transfer of #floor area# from a #granting site# to a #receiving site#, may permit distribution of total allowable #floor area# of a #receiving site# without regard for zoning district boundaries, may permit that such #receiving site# be treated as a single #zoning lot# for all purposes of this Resolution, and may modify #bulk# regulations, except #floor area# regulations, for a #development#, #enlargement#, or #conversion# located on such #receiving site#. In addition, for #receiving sites# within Area ~~B2~~ B-R1 on the maps in the Appendix to this Chapter, the Commission may exempt floor space from the definition of #floor area# in a #building# that contains an ambulance station and may increase the maximum number of #accessory# off-street parking spaces permitted for such station.

* * *

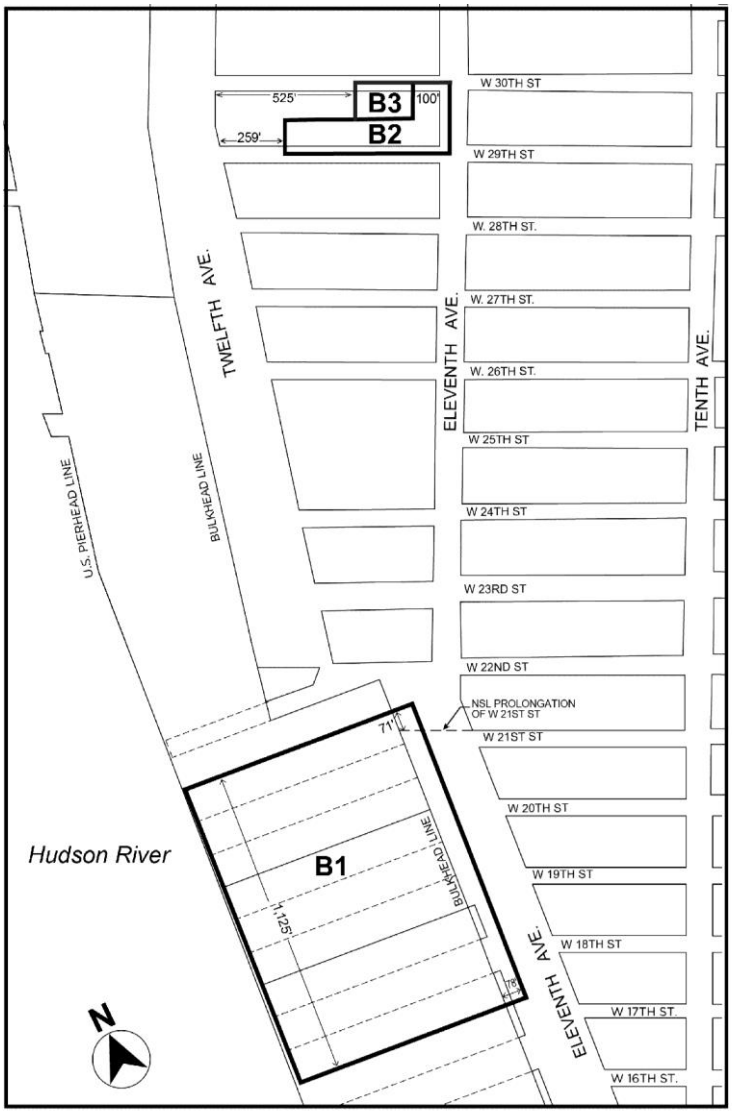
APPENDIX

Special Hudson River Park District Plan

* * *

Map 2. Transfer of Floor Area — Granting and Receiving Sites within ~~Areas B1, B2 and B3~~ Area B

[EXISTING MAP]



[PROPOSED MAP]



Special Hudson River Park District

B-G Area within which a *granting site* may be located

B-R Area within which a *receiving site* may be located

* * *

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

Chapter 6
Special Clinton District

96-00
GENERAL PURPOSES

* * *

96-02
General Provisions

Except as modified by the express provisions of this Chapter, the regulations of the underlying districts, or as modified by the #Special Midtown District#, remain in effect.

The #Special Midtown District# and its regulations, where applicable in the #Special Clinton District#, shall also apply and shall supplement or supersede regulations as set forth in this Chapter pursuant to Section 96-22 (Special Regulations for Eighth Avenue Perimeter Area). In the event of any conflict or discrepancy between the regulations, the more restrictive regulations shall apply in accordance with Section 11-22 (Application of Overlapping Regulations). This portion of the Special Purpose District is designated on the #zoning map# by the letters "CL-MiD."

Wherever the #Special Clinton District# includes an area which also lies within the #Special Hudson River Park District#, the requirements of the #Special Hudson River Park District#, as set forth in Article VIII, Chapter 9, shall apply.

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

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APPENDIX F
Mandatory Inclusionary Housing Areas and former Inclusionary Housing Designated Areas

* * *

MANHATTAN

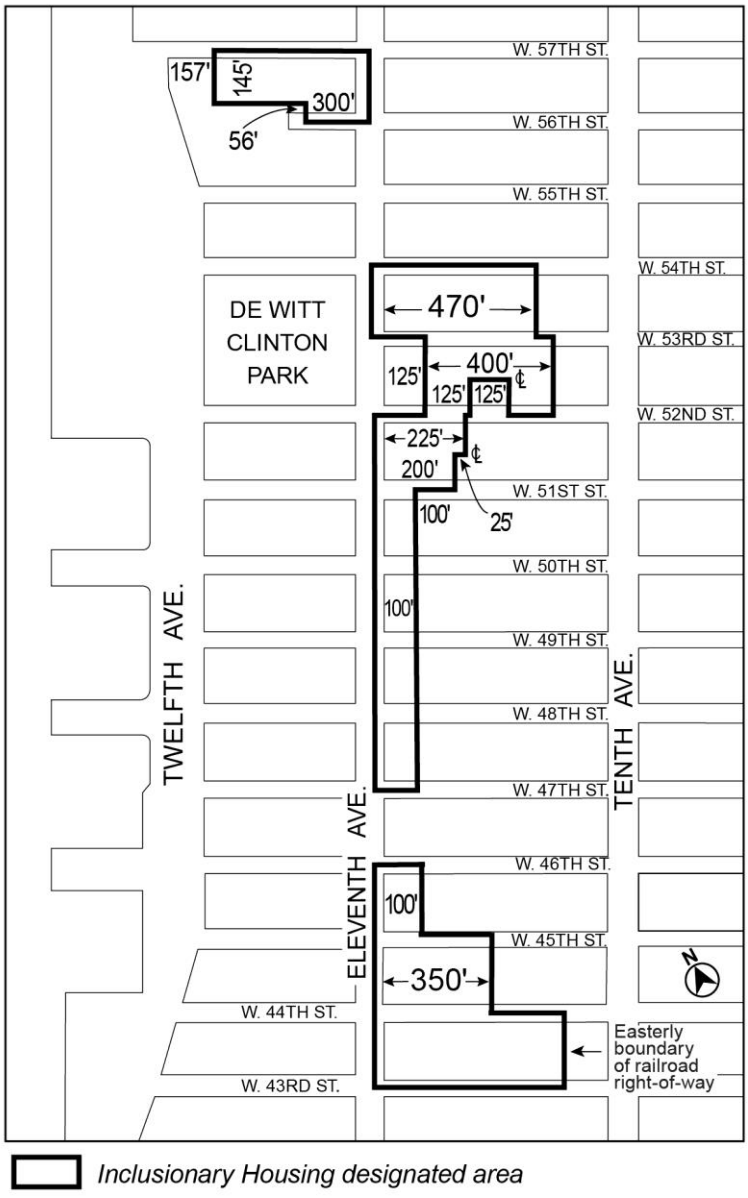
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Manhattan Community District 4

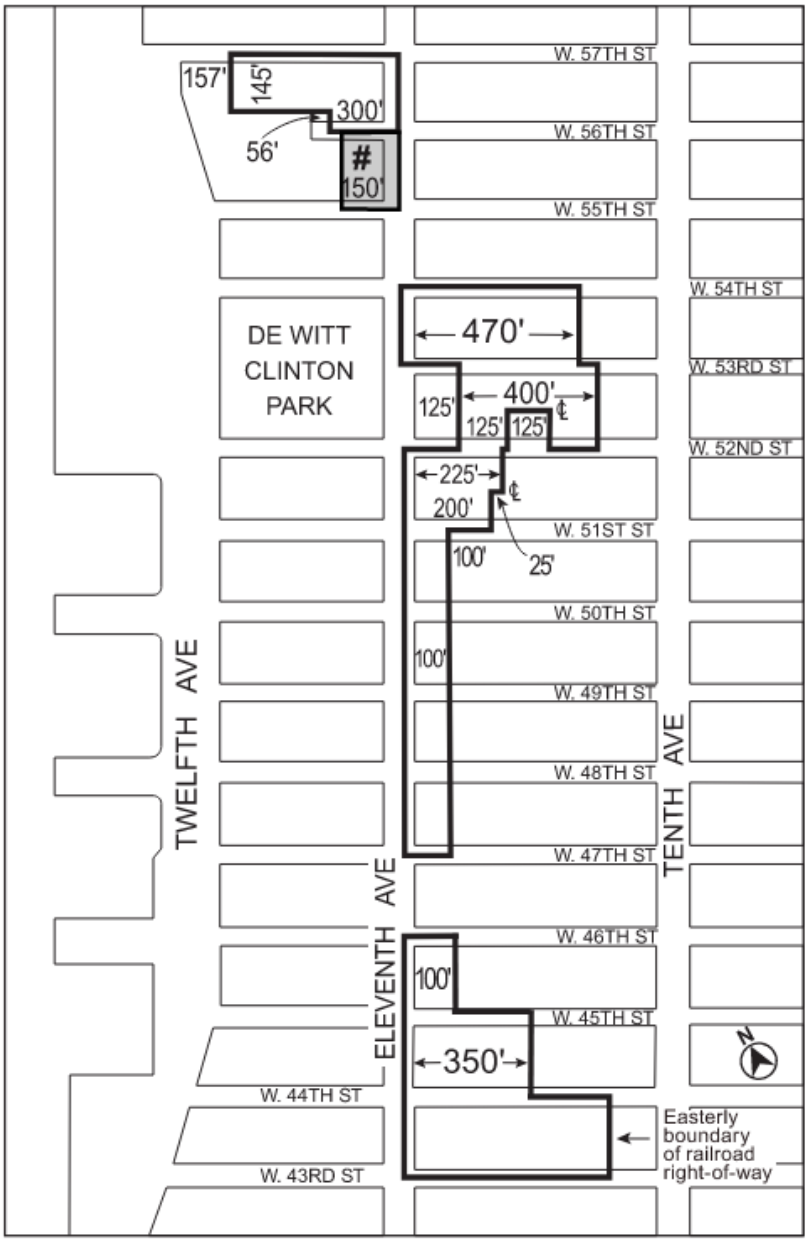
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Map 2 – [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 4, Manhattan

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