MTA 125th Street and Lexington Avenue Rezoning

CD 11 **N 250301 ZRM**

IN THE MATTER OF an application submitted by Metropolitan Transportation Authority, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending Article IX, Chapter 7 (Special 125th Street District) and APPENDIX F 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 Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

Chapter 7
Special 125th Street District

* * *

97-00
GENERAL PURPOSES

* * *

97-04
Establishment of Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~three~~ four subdistricts are established within the #Special 125th Street District#: the Core Subdistrict, the Park Avenue Hub Subdistrict, ~~and~~ Subdistrict A, and Subdistrict B. Each subdistrict includes specific regulations designed to support an arts and entertainment environment and other relevant planning objectives along 125th Street. The boundaries of the subdistricts are shown on Map 1 in Appendix A of this Chapter.

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97-06
Applicability of District Regulations

97-061
Applicability of Special Transit Land Use District Regulations

Wherever the #Special 125th Street District# includes an area which also lies within the #Special Transit Land Use District#, the requirements of the #Special Transit Land Use District#, as set forth in Article IX, Chapter 5, shall apply, except as modified by the provisions of this Chapter.

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97-40
SPECIAL BULK REGULATIONS

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97-41
Special Floor Area Regulations

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97-412
Maximum floor area ratio in the Park Avenue Hub Subdistrict

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum #floor area ratio# for #zoning lots# is set forth in paragraph (a) of this Section, and is modified for certain #zoning lots# in accordance with paragraph (b) of this Section.

(a) Maximum #floor area ratio#

The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential# #floor area#, such #zoning lot# shall satisfy the provisions of either:

(1) a minimum non-#residential# #floor area ratio# of ~~2.0~~ 1.5 shall be provided on such #zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel#; or

(2) a minimum #floor area ratio# of 0.5, or a minimum amount of floor space equivalent to such 0.5 #floor area ratio#, shall be provided on such #zoning lot#. Such #floor area# or equivalent floor space shall be exclusively used for those visual or performing arts #uses#, designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses), and shall be certified by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-42 (Certification for floor area bonus for visual or performing arts uses) have been met.

Where the provisions of Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) apply, the total #floor area# permitted for such #zoning lot# may be increased by one square foot of #residential floor area# for each square foot of #floor area# of a #FRESH food store#, as defined by Article VI, Chapter 3, up to 20,000 square feet.

(b) Modified maximum #floor area ratio# for certain #zoning lots#

For #zoning lots# existing on or before November 30, 2017, with a #lot area# of less than 5,000 square feet, or for #zoning lots# subject to the provisions of paragraph (a)(4) of Section 27-131 (Mandatory Inclusionary Housing), or for #zoning lots# that include a transit easement in accordance with the applicable provisions of Article IX, Chapter 5 (Special Transit Land Use District), the maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

(1) the minimum non-#residential# #floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before November 30, 2017, with a #lot area# of less than 5,000 square feet or for #zoning lots# that include a transit easement in accordance with the applicable provisions of Article IX, Chapter 5 (Special Transit Land Use District). For #zoning lots# utilizing the provisions of this paragraph, the minimum non-#residential# #floor area# or visual or performing arts space requirements set forth in paragraph (a) of this Section shall not apply;

(2) for #zoning lots#, subject to the provisions of paragraphs (a)(4)(i) or (a)(4)(iii) of Section 27-131, the maximum #residential# #floor area# provision of the underlying district as specified in Section 23-221 shall apply;

(3) for #zoning lots# utilizing the provisions of paragraph (b)(1) or (b)(2) of this Section, the maximum overall #floor area ratio# shall be 10.0, except that such maximum #floor area ratio# may be increased up to a maximum #floor area ratio# of 12.0, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-42 have been met; and

(4) for #zoning lots# utilizing the provisions of paragraph (b)(2) of this Section, such maximum #floor area ratio# may also be increased pursuant to the provisions of Article VI, Chapter 3.

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97-43
Special Height and Setback Regulations

* * *

97-433

Height and setback regulations in the Park Avenue Hub Subdistrict and in Subdistrict B

In C6-4 Districts within the Park Avenue Hub Subdistrict or in any #commercial district# within Subdistrict B, as shown on Map 1 in Appendix A of this Chapter, the following provisions shall apply.

(a) #Street wall# location

The applicable provisions of Section 35-631 shall be modified as follows:

(1) Along 125th Street

The #street wall# provisions of paragraph (a) of Section 35-631 shall apply. The minimum base height shall be 60 feet, or the height of the #building#, whichever is less, except that for #buildings# or portions thereof within 50 feet of Park Avenue, the minimum base height shall be 40 feet, or the height of the #building#, whichever is less. The street wall location provisions of this paragraph shall be modified to allow a sidewalk widening pursuant to the provisions of paragraph (a)(2) of this Section; and

(2) Along Park Avenue and #narrow streets#

The #street wall# provisions of paragraph (b) of Section 35-631 shall apply, except that the minimum base height shall be 40 feet, or the height of the #building#, whichever is less.

In addition, for #zoning lots# with frontage along Park Avenue between 124th Street and 125th Street, any #development# or horizontal #enlargement# shall provide a sidewalk widening along the #street line# of Park Avenue. Such sidewalk widening shall have a depth of 10 feet, be improved to Department of Transportation standards for sidewalks, and be at the same level as the adjoining public sidewalk.

(b) Basic maximum #building# height and setback regulations

The maximum height of #buildings or other structures# shall be as set forth in the applicable provisions of Section 35-632, except that the minimum base height shall be as set forth in paragraph (a) of this Section, and the maximum base height for #buildings or other structures# along the #street line# of 125th Street and within 50 feet of such #street line# shall be ~~85~~ 125 feet.

(c) Optional height and setback regulations

As an alternative to the provisions of paragraph (b) of this Section, the provisions of this paragraph (c) may be applied to #zoning lots# providing #qualifying affordable housing# or #qualifying senior housing#, or #zoning lots# where 50 percent or more of the #floor area# is allocated to non-#residential uses#.

(1) Setbacks

Above the applicable maximum base height established pursuant to paragraph (b) of this Section, any portion of a #building# or #buildings# on the #zoning lot# shall be considered a "tower."

(2) #Lot coverage# requirements for towers

The maximum #lot coverage# of a tower shall be as set forth in Section 23-435 (Tower regulations).

(3) Maximum #building# height

No height limit shall apply to towers.

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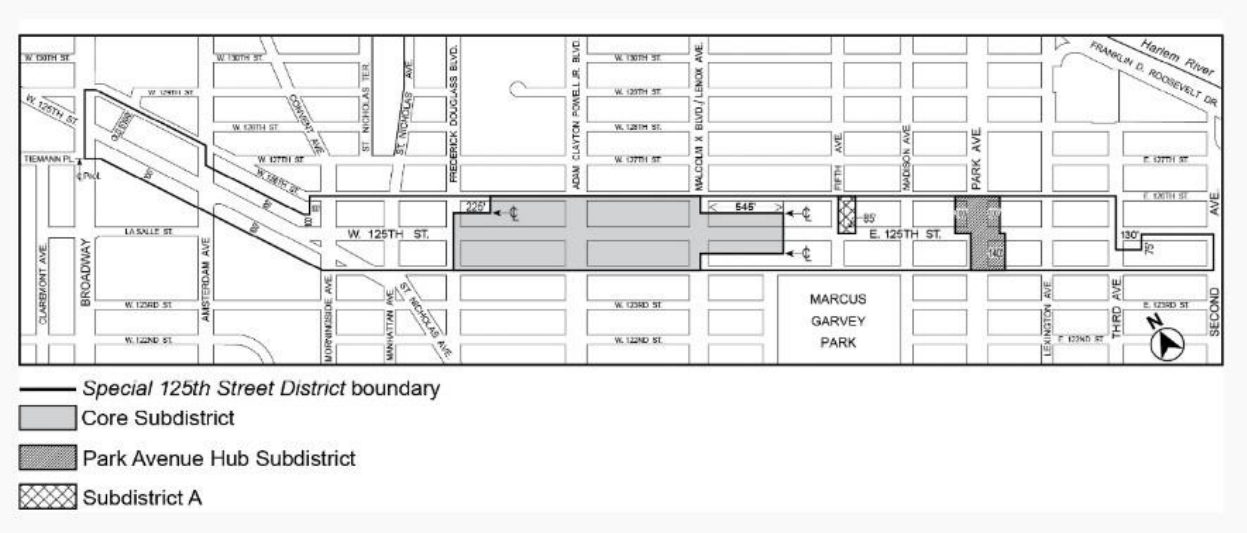
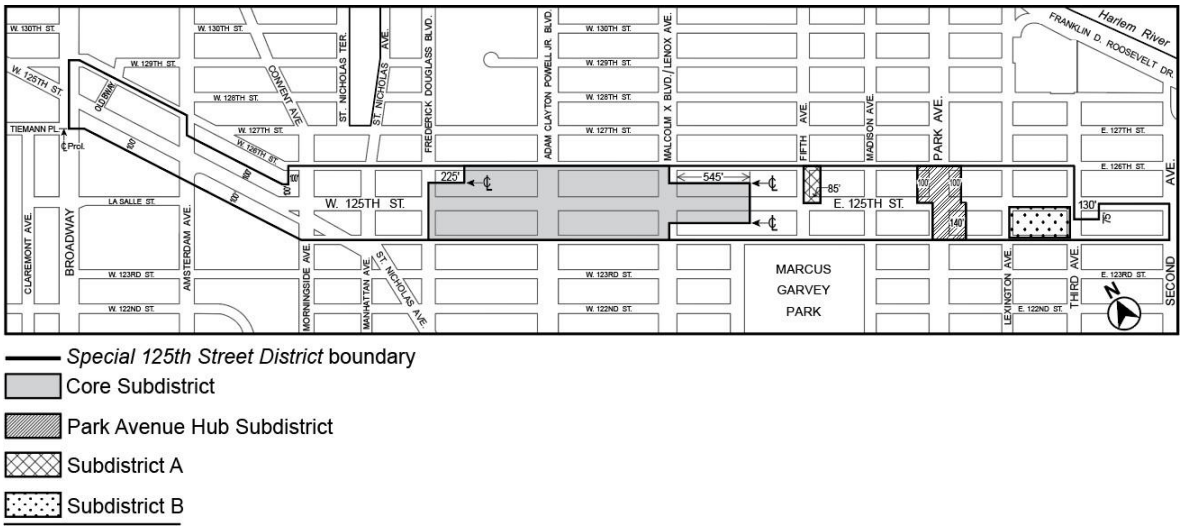
Appendix A
Special 125th Street District Plan

Map 1: Special 125th Street District and Subdistricts

[EXISTING MAP]



[PROPOSED MAP]



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

MANHATTAN

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Manhattan Community Districts 9, 10, and 11

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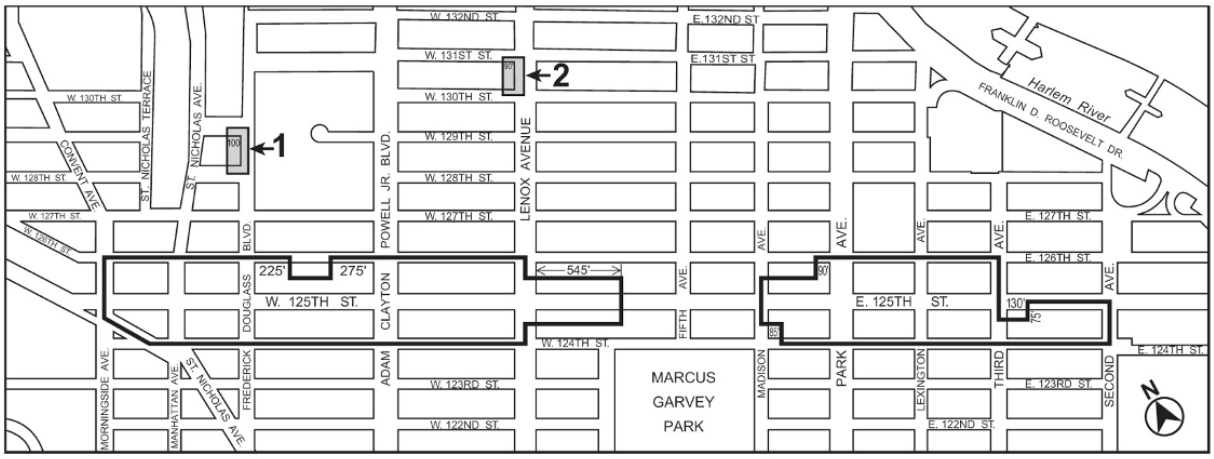
Map 1 - [date of adoption]

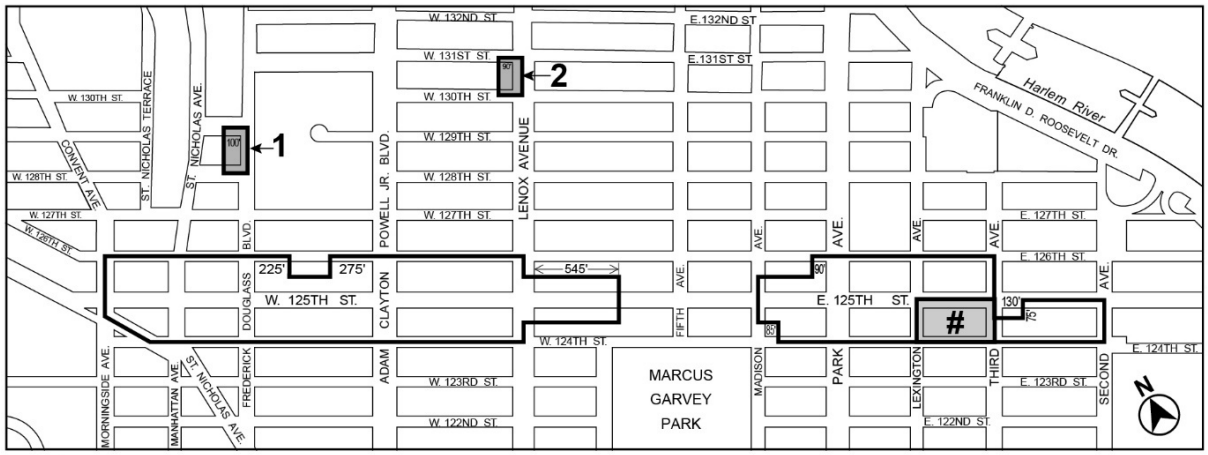
[EXISTING MAP]



Inclusionary Housing designated area

Mandatory Inclusionary Housing area see Section 23-154(d)(3)
Area **1** (2/15/17) – MIH Program Option 1
Area **2** (2/15/17) – MIH Program Option 2

[PROPOSED MAP]



Former Inclusionary Housing designated area

Mandatory Inclusionary Housing area
Area **1** – 2/15/17 MIH Option 1
Area **2** – 2/15/17 MIH Option 2
Area **#** – [date of adoption] MIH Option 1 and Option 3

Portion of Community Districts 9, 10, and 11, Manhattan

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