Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

91-70 - SPECIAL REGULATIONS FOR CERTAIN AREAS

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91-70 - SPECIAL REGULATIONS FOR CERTAIN AREAS

LAST AMENDED
2/2/2011

#Developments# or #enlargements# in the former Special Greenwich Street Development District built prior to August 27, 1998, will continue to be governed by the regulations in effect at the time of issuance of the building permit and can only be modified or altered by Sections 91-71 through 91-73, inclusive.

91-71 - Authorization for the Modification of Required Public Amenities

LAST AMENDED
2/2/2011

The City Planning Commission may authorize modifications of certain provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, that mandated public amenities, as follows:

(a) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that resulted in an increase in the basic maximum #floor area ratio# or an increase in the adjusted basic maximum #floor area ratio#, the Commission may authorize:

(1) the alteration of the amenity or improvement, provided that the Commission finds that such modifications improve the intended public purpose of the amenity;

(2) the elimination of the amenity or improvement, provided that the Commission finds that the intended public purpose is no longer useful or desirable and a new public amenity or improvement is supplied, as permitted pursuant to this Chapter, that generates the same or higher amount of bonusable #floor area#; or

(3) in the case of an amenity or improvement built in excess of the requirements necessary to generate the bonus #floor area# at the time of #development# or #enlargement#, the elimination of such portion of the amenity not tied to the bonus #floor area#, provided that the Commission finds that such portion is no longer useful or desirable.

(b) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that did not result in an increase in the basic maximum #floor area ratio#, the Commission may authorize the elimination or alteration of the amenity or improvement if it finds that the intended public purpose is no longer useful or desirable.

(c) No mandatory or elective public amenity or improvement built pursuant to the regulations of the former Special District shall be eliminated or reduced in size, without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#, in accordance with the provisions of paragraph (a)(2) of this Section, except by special permit of the Commission, subject to a finding that the proposed change will provide a greater public benefit in light of the public amenity's purpose and the purposes of the #Special Lower Manhattan District#.

However, the open pedestrian bridge spanning Greenwich Street between Liberty and Cedar Streets may be eliminated, without recourse to the Commission, where the pedestrian access provided between the required elevated public pedestrian circulation systems is no longer useful or desired.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

91-72 - Special Permit for Development Over or Adjacent to the Approaches to the Brooklyn Battery Tunnel

LAST AMENDED
2/2/2011

The City Planning Commission, by special permit, may allow:

(a) the unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single #zoning lot# and may allow the #development# or #enlargement# of a #building# on such unmapped air space, where the #zoning lot# for such #development# or #enlargement# shall include only that portion of the area above the approaches to the Brooklyn Battery Tunnel and contiguous areas of land or property that are covered by a permanent platform and not designated as approaches to the Brooklyn Battery Tunnel.

(b) the unmapped air space above the approaches to the Brooklyn Battery Tunnel, the unmapped air space above Joseph P. Ward Street and the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street to be deemed a single #zoning lot#, and in connection therewith:

(1) such #zoning lot# shall generate #floor area# only from such at-grade parcels and only those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by a permanent platform or #building# existing on November 15, 2007;

(2) no #floor area# shall be generated from the unmapped air space above Joseph P. Ward Street; and

(3) unused #floor area# generated from those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by a permanent platform or #building# existing on November 15, 2007, shall only be located on the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street and shall only be used for #residential# #floor area#.

Notwithstanding any of the foregoing, the use and occupancy of the unmapped air space above the approaches to the Brooklyn Battery Tunnel and of the at-grade parcel bounding the northern #street line# of Joseph P. Ward Street and shown on the City Map, as amended October 3, 1946, as an approach to the Brooklyn Battery Tunnel by the New York State Triborough Bridge and Tunnel Authority, may be continued and in effect as set forth in Resolutions of the former New York City Board of Estimate and as otherwise permitted by law.

The at-grade parcels of the #zoning lot# bounding the northern #street line# of Joseph P. Ward Street shall be considered a #through lot# bounded by Washington Street and West Street from its lowest level to the sky, and only such at-grade parcels shall be used to determine compliance with applicable #bulk# regulations other than #floor area# and #lot area# regulations.

For purposes of this paragraph, (b), the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street shall mean:

the at-grade parcel bounding the northern #street line# of Joseph P. Ward Street and shown on the City Map, as amended October 3, 1946, as an approach to the Brooklyn Battery Tunnel; and

the at-grade parcel bounding the northern line of said parcel.

In order to grant such special permit, the Commission shall find that adequate access and #street# frontage to one or more #streets# is provided; and the streetscape, site design and location of #building# entrances of the proposed #development# or #enlargement# will contribute to the overall improvement of pedestrian circulation within the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to protect and minimize any adverse effects on the character of the surrounding area.

91-73 - Special Provisions for Battery Park Underpass/South Street

LAST AMENDED
2/2/2011

A #zoning lot# containing a #development#, or portion thereof, on a #waterfront zoning lot#, may be located within the volume above the upper limiting plane of the Battery Park Underpass/South Street, when such volume is eliminated, discontinued and closed. That portion of the #zoning lot# that lies above the Battery Park Underpass/South Street shall not be considered #lot area# for the purpose of computing maximum #floor area#; however, such portion shall be considered #lot area# for all other purposes of this Resolution.