Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

87-324 - Authorization to modify the special street line provision for Parcels 2, 3 or 4

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LAST AMENDED
12/11/2017

For Parcels 2, 3 or 4, as shown on Map 1 in the Appendix to this Chapter, the City Planning Commission may authorize the modification of the definitions of #Major Deegan Expressway street line# as set forth in paragraph (b) of Section 87-01 and the associated special #street line# provision of paragraph (a) of Section 87-32 (Special Height and Setback Regulations in the Core Subdistrict), on condition that there shall be no less than 14 feet between the #street wall# of #developments# or #enlargements# and the as-built western edge of the Major Deegan Expressway. In conjunction with the modification of such #street line# provision, the special open area provisions of paragraph (a) of Section 87-416 may also be modified. In order to grant such authorization, the Commission shall find that:

(a) the #development# or #enlargement# is not feasible without such modification, or that the requested modification will permit a #development# or #enlargement# that satisfies the purpose of this Chapter;

(b) such modification is the least modification required to achieve the purpose for which it is granted;

(c) the benefits to the surrounding area from the modification outweigh any disadvantages that may be incurred thereby in the area; and

(d) such modification will enhance the quality of the design of the #development# or #enlargement#.

Prior to granting such authorization, the Commission shall request the Department of Transportation of the State of New York to indicate within 30 days whether said agency has any plan to widen or expand the Major Deegan Expressway or its ramps.

The Commission may prescribe appropriate conditions and safeguards to promote the benefits to the surrounding area or to minimize adverse effects on the character of the surrounding area.