

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, NOVEMBER 20, 2002
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007**

**Rosa R. Romero, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	N 030078 HAX	3	Scheduled to be Heard 12/4/02	18	N 030046 ZAQ	2	Authorization Approved
2	C 020646 PPK	3	“ ”	19	N 020681 RAR	3	“ ”
3	C 030023 PPK	2	“ ”	20	N 010658 RAR	3	“ ”
4	C 030024 ZSK	6	“ ”	21	N 020614 ZAR	2	“ ”
5	C 030029 PCK	18	“ ”	22	N 020595 RAR	3	“ ”
6	N 030135 HAM	11	“ ”				
7	N 030119 ZRY	cw	“ ”				
8	C 020399 ZSM	2	Hearing Closed				
9	C 010462 ZSM	4	“ ”				
10	C 020416 DMK	3	Favorable Report Adopted				
11	C 000087 ZMK	1	“ ”				
12	M 770445(C) ZMK	18	Modification Approved				
13	C 020539 ZSM	2	Favorable Report Adopted				
14	C 030031 ZSM	4	“ ”				
15	N 030170 PXM	1	“ ”				
16	C 010519 MMQ	10	“ ”				
17	N 010716 ZAQ	2	Authorization Approved				

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R														
Calendar Numbers:		10	11	12	13	14	15	16	17	18	19	20	21	22		
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Irwin Cantor, P.E.	P	Y	Y	Y	Y	AB	Y	Y	Y	Y	Y	Y	Y	Y		
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Jane D. Gol	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
William J. Grinker	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
John Merolo	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Karen A. Phillips	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Joseph B. Rose	P	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		
*Dolly Williams, Commissioners	P		Y	Y	Y	AB	Y	Y	Y	Y	Y	Y	Y	Y		

MEETING ADJOURNED AT: 10:35 A.M.

*Note: On Cal. No. 10, Commissioner Williams was not present for the vote.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York
—
CITY PLANNING COMMISSION
—
WEDNESDAY, NOVEMBER 20, 2002
—
MEETING AT 10:00 A.M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK



Michael R. Bloomberg, Mayor

City of New York

[No. 23]

Prepared by Rosa R. Romero, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution
on the World Wide Web, visit the Department of City Planning (DCP)
home page at: nyc.gov/planning

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: first in Section I, (Scheduling Dates for Future Public Hearings), second in Section II, (Public Hearings), and third in Section III, (Reports). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

CALENDARS: Any Community Board, civic association or non-profit organization may write the Calendar Officer of the Commission to be placed on the mailing list to receive the Comprehensive City Planning Commission Calendar which consists of the City Planning Commission Public Meeting Calendar, Supplemental Calendar and Special Meeting Calendar, and Community Board Public Hearing Notices. Calendars are also available to the public in the Calendar Information Office, 22 Reade Street, Room 2E, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list may do so by sending a certified check, made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216. The fee, including tax, is \$100.00 for a one year subscription.

For Calendar Information: call (212) 720-3368, 3369, 3370.

Note to Subscribers: Notify us of change of address by writing to:

City Planning Commission
Calendar Information Office
22 Reade Street - Room 2E
New York, New York 10007-1216

B
CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

AMANDA M. BURDEN, *AICP, Chair*
KENNETH J. KNUCKLES, *Esq., Vice Chairman*
ANGELA M. BATTAGLIA
IRWIN G. CANTOR, *P.E.*
ANGELA R. CAVALUZZI, *R.A.*
RICHARD W. EADDY
ALEXANDER GARVIN
JANE D. GOL
WILLIAM J. GRINKER
JOHN MEROLO
KAREN A. PHILLIPS
JOSEPH B. ROSE
DOLLY WILLIAMS, *Commissioners*
ROSA R. ROMERO, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

ORDER OF BUSINESS AND INDEX

WEDNESDAY, NOVEMBER 20, 2002

Roll Call; approval of minutes	1
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II. Public Hearings	22
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**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for December 4, 2002 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials and Community Board Chairpersons will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in opposition and those speaking in support of the proposal.

Length of Testimony: In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

Written Comments: If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

NOVEMBER 20, 2002

APPROVAL OF MINUTES OF Regular Meeting of November 6, 2002

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, DECEMBER 4, 2002
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 3

N 030078 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for:

- 1) the designation of 1437 Prospect Avenue (Block 2937, Lot 60), as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area;

to facilitate rehabilitation of an existing building as a transitional living facility for youth under HPD's Community Works Program.

Resolution for adoption scheduling December 4, 2002 for a public hearing.

BOROUGH OF BROOKLYN

No. 2

CD 3

C 020646 PPK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **the disposition of two (2) city-owned properties** pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Location</u>
1914	11	155 Skillman Street
1860	16	1202 Fulton Street

Resolution for adoption scheduling December 4, 2002 for a public hearing.



Nos. 3 and 4

(Applications for the disposition of city-owned property and grant of a special permit to allow a public parking garage within the Special Downtown Brooklyn District)

No. 3

CD 2

C 030023 PPK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **disposition of one (1) city-owned property** located on the western portion of the block bounded by Atlantic Avenue, Boerum Street, State Street, and Court Street (Block 277, Lot 8), pursuant to zoning.

Resolution for adoption scheduling December 4, 2002 for a public hearing.



No. 4

CD 6

C 030024 ZSK

IN THE MATTER OF an application submitted by the Two Tree Management Company and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 700 spaces, including up to 134 accessory spaces** on portion of the ground floor and four cellars of a proposed mixed use building to be constructed at 121-135 Court Street/211-235 Atlantic Avenue/204-224 State Street (Block 277, Lot 8), in a C6-2A District, within the Special Downtown Brooklyn District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

Resolution for adoption scheduling December 4, 2002 for a public hearing.

No. 5

CD 18

C 030029 PCK

IN THE MATTER OF an application submitted by the Department of Homeless Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for site selection and acquisition of property Located at 10110 Foster Avenue** (Block 8149, part of lot 1) **for use as a warehouse and maintenance facility.**

Resolution for adoption scheduling December 4, 2002 for a public hearing.

BOROUGH OF MANHATTAN

No. 6

CD 11

N 030135 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for:

- 1) the designation of 109 E. 125th Street (Block 1774, Lot 6), as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area;

to facilitate rehabilitation of an existing building, tentatively to be known as the Positive Learning Center, for use as a community facility.

Resolution for adoption scheduling December 4, 2002 for a public hearing.

CITYWIDE

No. 7

(Amendment of the Zoning Resolution to eliminate certain regulations for unenclosed sidewalk cafés.)

Citywide

N 030119 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Section 12-10 and Article I, Chapter 4 (Sidewalk Café Regulations), in relation to physical and locational requirements for unenclosed sidewalk cafés.

Matter in **Graytone** is new, to be added;
 Matter in ~~Strikeout~~ is old, to be deleted;
 Matter in *italics* or within # # is defined in Section 12-10;
 * * * indicates where unchanged text appears in the Zoning Resolution.

* * *

**12-10
 DEFINITIONS**

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

* * *

Sidewalk café

A "sidewalk café" is a portion of an eating or drinking place; **that is** located on a public sidewalk, ~~that provides waiter or waitress service~~ **as defined in subdivision a of Section 20-**

223 of the Administrative Code, and is either an #enclosed# or #unenclosed sidewalk café#, as defined herein. ~~No portion of a #sidewalk café# shall be used for any purpose other than dining and circulation therein.~~

~~The provisions of Section 12-10 of the Zoning Regulations relating to the definition of #sidewalk cafes# shall not become effective until the City Planning Commission certifies that amendments by the New York City Council to the following sections of the New York City Charter and the New York City Administrative Code carry out the objectives of the subject zoning amendments:~~

~~New York City Charter
— Section 366-a~~

~~New York City Administrative Code
— Section B32-53.0
— Section B32-54.0 b, c, d
— Section B32-55.0
— Section B32-56.0
— Section B32-57.0~~

Sidewalk café, enclosed

An "enclosed sidewalk café" is a #sidewalk café# ~~which~~ **that** is contained within a ~~one~~ #story# structure constructed predominantly of light materials such as glass, slow-burning plastic, or lightweight metal. ~~All materials shall be approved by the Department of Buildings. #Sidewalk cafes# are permitted only upon the granting of revocable consent by the City Council, or its successor, and as such only non-permanent structures are permitted.~~

Sidewalk café, unenclosed

An "unenclosed sidewalk café" is a space on the sidewalk ~~which~~ **that** contains readily removable tables, chairs, or railings. ~~An #unenclosed sidewalk café# shall be open to the sky except that it may have a retractable awning or umbrellas. For the purposes of this Section "readily removable" shall mean that no object which is part of the #unenclosed sidewalk café#, such as a table, chair, planter, or any other fixture, shall be leaded, cemented, nailed, bolted, power riveted, screwed in or affixed, even in a temporary manner, to either the sidewalk in which it is placed, to the #building# or to any other structure which it abuts.~~

~~All objects other than planters in accordance with the provisions of Section 14-42 shall be removed during that period of the year when the #unenclosed sidewalk café# ceases operation, or at least between December 1 and February 28.~~

* * *

**Chapter 4
Sidewalk Cafe Regulations**

**14-00
GENERAL PURPOSES**

The sidewalk cafe regulations as established in this Resolution are city-wide regulations, designed to encourage sidewalk cafes in locations where they are appropriate, and discourage them in locations where they are inappropriate, and to promote and protect public health, safety, general welfare and amenity. These general goals include among others the following specific purposes:

- (a) To ensure adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes.
- (b) To promote sidewalk cafes as visual amenities which better relate to the streetscape.
- (c) To preserve and enhance the character of neighborhoods throughout the City.
- (d) To simplify administrative and strengthen enforcement procedures for sidewalk cafes that are effective, efficient and enforceable.
- (e) To promote the most desirable use of land and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

~~Sidewalk cafes may be established only at the discretion of the City of New York, pursuant to Section 14-02 (General Provisions):~~

**14-01
Definitions**

~~Words in italics are defined in Section 12-10 (DEFINITIONS) or, if applicable exclusively to this Chapter, in this Section:~~

**14-02 14-01
General Provisions**

In harmony with the general purpose and intent of this Resolution, and the general purposes of the ~~the Sidewalk Cafe Regulations~~, and in accordance with the provisions of this Chapter certain specified regulations concerning area eligibility, sidewalk locational criteria and physical criteria for sidewalk cafes, in general, and for enclosed sidewalk cafes, and unenclosed sidewalk cafes, are herein established, and shall apply to all sidewalk cafes except as otherwise provided herein:

~~All sidewalk cafes shall comply with the regulations established herein except as modified in accordance with the provisions of Section 14-50 (SPECIAL PERMIT MODIFICATIONS):~~

~~The granting of a revocable consent is a discretionary act of the Board of Estimate, or its successor, and mere compliance with these regulations shall not necessarily result in its issuance. Applications for revocable consent shall be reviewed in accordance with Sections~~

197-c (the Uniform Land Use Review Procedure), 200 and 366-a of the New York City Charter. These provisions mandate review of all petitions for revocable consent by the Community Boards and the City Planning Commission (where special permit modifications are required, pursuant to Section 14-50) before final consideration of the Board of Estimate, or its successor.

The zoning regulations are intended to establish the necessary criteria with which #sidewalk cafes# must first comply in order to be eligible for consideration for such revocable consent. These may not be the sole criteria by which the Community Boards and the Board of Estimate, or its successor, shall judge the petition for a revocable consent. Therefore, mere conformance to these regulations shall not necessarily ensure the granting of a revocable consent.

The amendments to Article I, Chapter 4, adopted by the City Council on (date of Council adoption), shall become effective upon the effective date of legislation amending the Administrative Code of the City of New York respecting the approval process for #unenclosed sidewalk cafes#.

Licenses for all #sidewalk cafes# must be obtained from the Department of Consumer Affairs, or its successor.

14-03 14-011

Sidewalk Cafe Appendices Locations

The Appendices for the Sidewalk Cafe Guidelines (APPENDIX A through APPENDIX D) #Sidewalk cafes# may be located in all R10H Districts, in all #Commercial Districts# other than C3 Districts, and in all #Manufacturing Districts# other than M1-5A or M1-5B Districts, except in those areas where #sidewalk cafes# are prohibited, as provided in Section 14-40 (AREA ELIGIBILITY).

The following sections identify specific #streets#, malls, areas or portions of #streets# for which special area eligibility regulations apply:

The Appendices are as follows:

APPENDIX A Section 14-41 - (Areas where #sidewalk cafes# are not permitted Limitations for All Sidewalk Cafes)

APPENDIX B Section 14-52 - (Areas where #enclosed sidewalk cafes# are not permitted Limitations for All Enclosed Sidewalk Cafes)

APPENDIX C Section 14-53 - (Special Zoning Districts)

APPENDIX D Section 14-54 - (Street Malls).

~~#Sidewalk cafes# may be permitted in R10H Districts, #Commercial Districts#, except C3 Districts, #Manufacturing Districts#, except M1-5A and M1-5B Districts, and as otherwise provided herein.~~

~~These Appendices are hereby incorporated as an integral part of the Sidewalk Cafe Regulations.~~

14-04

Area Eligibility

- ~~(a) No #sidewalk cafe# shall be permitted in any #Residence District#, except in R10H Districts, nor on any #street# listed in Appendix A.~~
- ~~(b) No #enclosed sidewalk cafe# shall be permitted on any #street# listed in Appendix B.~~
- ~~(c) #Sidewalk cafes# shall be permitted within Special Zoning Districts set forth in this Resolution only in accordance with the provisions of Appendix C.~~
- ~~(d) #Sidewalk cafes# shall be permitted in street malls in accordance with the provisions of Appendix D.~~
- (e) #Sidewalk cafes# shall be permitted in Historic Districts or in designated Landmark Buildings only if such #sidewalk cafe# is approved by the Landmarks Preservation Commission.

14-10

SIDEWALK LOCATIONAL CRITERIA FOR ENCLOSED SIDEWALK CAFES

The regulations of this Section, governing clear path, clearance at intersection of #streets#, and clearance from large obstructions and minimum distance between two cafes shall apply to all #enclosed sidewalk cafes#, either #enclosed# or #unenclosed#.

~~14-11~~

(a) Clear Path

There shall be a minimum of 8 feet, 0 inches clear distance or 50 percent of the sidewalk width, whichever is greater, free of all obstructions, in order to allow adequate pedestrian movement.

The minimum distance shall be measured from the portion of the #enclosed sidewalk cafe# frontage which that is nearest either the curb line or the nearest obstruction. In no event may recesses in the #enclosed sidewalk cafe# frontage be used to satisfy this unobstructed width requirement, except that the corners of the #enclosed sidewalk cafe# may be rounded or mitered. A clearance of 8 feet, 0 inches shall be maintained around the corners of #enclosed sidewalk cafes#, measured in radius.

For the purpose of the minimum clear path, but not the clearance from corners of the #enclosed sidewalk cafes#, parking meters, traffic signs, and trees which have gratings flush to grade, without fences or guards, shall not count as obstructions.

In the case of a #street# for which a mall plan or other special plan has been adopted, the clear path requirements pursuant to this Section shall be deemed satisfied if there is not less than an 8 feet, 0 inches clear path.

~~14-12~~

(b) Clearance at Intersections of Street Line

There shall be a minimum of 9 feet, 0 inches clearance, free of all obstructions with no exception, measured from the outer edge of the #enclosed sidewalk cafe# to the curb side obstacle. The corner of the #enclosed sidewalk cafe# wall may be rounded or mitered. Such distance shall be measured from the outer edge of the #enclosed sidewalk cafe# to either the curb line or the nearest obstruction.

~~14-13~~

(c) Clearance from Large Obstructions

All #enclosed sidewalk cafes# shall be a minimum of 15 feet from large obstructions. For the purpose of this Section, large obstructions shall be bus stop shelters, newsstands, subway entrances or any other object greater than 15 square feet in area. The closed end of a subway entrance located along the #front lot line# may abut an #enclosed sidewalk cafe#.

~~14-34~~

(d) Minimum Distance Between Enclosed Sidewalk Cafes

There shall be a minimum distance of 40 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor #commercial use#, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them.

There shall be a minimum distance of 15 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor non-#commercial use#, or a #use# located above or below the ground floor, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them.

14-20

PHYSICAL CRITERIA FOR ENCLOSED SIDEWALK CAFES

The regulations of this Section, shall apply to all #sidewalk cafes#, either #enclosed# or #unenclosed#.

14-21 *Renumbered as paragraph (d) of Section 14-21***Cafe Boundary**

No portion of #sidewalk cafes#, such as doors, windows, walls, or any objects placed within an #sidewalk cafe#, shall swing or project beyond the designated exterior perimeter of the #sidewalk cafe#. However, fire exit doors, which are used exclusively as emergency fire exit doors, shall be exempt from this provision.

14-22 *Relocated***Access for Persons with Physical Disabilities**

A #sidewalk cafe# or its restaurant shall be directly accessible to persons with physical disabilities. In the event the main restaurant has provided such access, the #sidewalk cafe# shall be accessible to persons with disabilities from the interior of the restaurant.

In order to ensure access for persons with physical disabilities:

- (a) at least one door leading into the #sidewalk cafe# or restaurant from the adjoining sidewalk shall be not less than three feet wide, clear, and
- (b) a ramp with non-skid surface, if there is change of grade, having a minimum width of three feet and a slope of not greater than 1 in 12, shall be provided. Such ramp may be of portable type for cafes are six feet wide or less, except if such cafe is at least 180 square feet in area.

14-23 *Renumbered as paragraph (e) of Section 14-21***Fixtures**

The furnishings of the interior of a #sidewalk cafe# shall consist solely of moveable tables, chairs and decorative accessories. No objects, except lighting fixtures and HVAC installations, may be permanently affixed onto any portion of the of the # sidewalk cafe# wall. In no event shall such objects penetrate the exterior perimeter of the wall or the roof of the # sidewalk cafe# or impede the transparency as required by this Chapter. The exhaust for such HVAC installations on the adjacent walls shall not be less than 10 feet above #curb level#.

14-24 *Renumbered as Section 14-23***Signage**

No #signs# are permitted on a #sidewalk cafe# except that only the name and type of establishment may appear on the umbrella or the valance of the awning. In the event the roof is of glass or material other than fabric, the signage may be placed upon the glass wall, but shall not obscure the required transparency.

14-25 *Renumbered as paragraph (f) of Section 14-21***Refuse Storage Area**

No structure or enclosure to accommodate the storage of garbage may be erected or placed adjacent to or separate from the # sidewalk cafe# on the public right of way.

14-26 Renumbered as Section 14-24

Unnecessary Noise

Musical instruments or sound reproduction devices shall not be operated or used within a #sidewalk cafe# for any purpose.

14-30

PHYSICAL CRITERIA FOR ENCLOSED SIDEWALK CAFES

14-31 14-21

Structural Requirements for Enclosed Sidewalk Cafes

The regulations of this Section governing certain structural and operational requirements shall apply to all #enclosed sidewalk cafes#.

(a) Awning or Ceiling

The awning ceiling of an #enclosed sidewalk cafe# shall be of incombustible materials, including colored or colorless safety glass or fabric which has been treated to be fire resistant as approved by the Buildings Department of Buildings.

At no point shall the height of the ceiling or awning of an #enclosed sidewalk cafe# be lower than 7 feet, 0 inches above the floor of the #sidewalk café#. The valance of the awning shall not exceed 12 inches in height.

14-32

(b) Transparency - Exterior Walls

An #enclosed sidewalk cafe# may provide a base wall of opaque material up to a maximum height of 12 inches from the finished floor level. The base wall shall include any horizontal structural members that support transparent materials above.

All enclosing walls, doors and windows, except for the structural members, above finished floor level or base wall as provided in this Section above, up to a height of 7 feet, 0 inches above finished floor level, must be of colorless, untinted, non-reflective transparent material, as approved by the Department of Buildings. In order to maximize transparency, the horizontal, as well as vertical structural members shall not be sized more than 10 inches wide.

At least 50 percent of the walls, up to a height of 7 feet, 0 inches above finished floor level, shall consist of operable transparent windows.

14-33

(c) Elevation

The #enclosed sidewalk cafe# floor shall not be more than seven inches above the level of the adjoining sidewalk.

However, ~~if~~ in the event of a major grade change, ~~however,~~ the City Planning Commission may, by certification, permit the floor level to be more than seven inches above the level of the adjoining sidewalk.

~~14-34~~ (Moved and renumbered as paragraph (d) of Section 14-10)~~Minimum Distance Between Enclosed Sidewalk Cafes~~

~~There shall be a minimum distance of 40 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor #commercial use#, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them. There shall be a minimum distance of 15 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor non-#commercial use#, or a #use# located above or below the ground floor, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them.~~

~~14-21~~**(d)** Cafe Boundary ~~Designated boundaries~~

No portion of #enclosed sidewalk cafes#, such as doors, windows, walls, or any objects placed within an #enclosed sidewalk cafe#, shall swing or project beyond the designated exterior perimeter of the #enclosed sidewalk cafe#. However, fire exit doors, ~~which that~~ are used exclusively as emergency fire exit doors, shall be exempt from this provision.

~~14-23~~**(e)** Fixtures

The furnishings of the interior of an #enclosed sidewalk cafe# shall consist solely of moveable tables, chairs and decorative accessories. No objects, except lighting fixtures and HVAC installations, may be permanently affixed onto any portion of the ~~wall~~ of the #enclosed sidewalk cafe# ~~wall~~. In no event shall such objects penetrate the exterior perimeter of the wall or the roof of the #enclosed sidewalk cafe# or impede the transparency as required by this Chapter. The exhaust for such HVAC installations on the adjacent walls shall not be less than 10 feet above #curb level#.

~~14-25~~**(f)** Refuse Storage Area

No structure or enclosure to accommodate the storage of garbage may be erected or placed adjacent to or separate from the #enclosed sidewalk cafe# on the public right of way.

**14-22
Access for Persons with Physical Disabilities**

An #enclosed sidewalk cafe# or its restaurant shall be directly accessible to persons with physical disabilities. In the event the main restaurant has provided such access, the #enclosed sidewalk cafe# shall be accessible to persons with disabilities from the interior of the restaurant.

In order to ensure access for persons with physical disabilities:

- (a) at least one door leading into the #enclosed sidewalk cafe# or restaurant from the adjoining sidewalk shall be not less than three feet wide, clear; and
- (b) a ramp with non-skid surface, if there is change of grade, having a minimum width of three feet and a slope of not greater than 1 in 12, shall be provided. Such ramp may be of portable type for #enclosed sidewalk cafes# that which are six feet wide or less, except if such #sidewalk cafe# is at least 180 square feet in area.

14-23 Section 14-23 (Fixtures) has been incorporated into Section 14-21 as paragraph (e).
Signage

No #signs# are permitted on an #enclosed sidewalk cafe#, except that the name and type of establishment may be placed upon the glass wall but shall not obscure the required transparency.

~~14-25~~ (Incorporated into Section 14-21 as paragraph (f))
~~Refuse Storage Area~~

~~No structure or enclosure to accommodate the storage of garbage may be erected or placed adjacent to or separate from the #sidewalk cafe# on the public right of way.~~

~~14-26~~ **14-24**
~~Unnecessary~~ **Music and** Noise **Amplification**

Musical instruments or sound reproduction devices shall not be operated or used within an #enclosed sidewalk cafe# for any purpose.

* * *

**14-40
PHYSICAL CRITERIA FOR UNENCLOSED SIDEWALK CAFES**

14-41**Awnings or Umbrellas**

The awning shall be adequately secured, retractable and made of a non-combustible frame covered with flame-proofed canvas or cloth, slow-burning plastic or other equivalent material, but not including glass, as approved by the Department of Buildings. At no point shall the height of the awning of an #unenclosed sidewalk cafe# be lower than 7 feet 0 inches from the floor of the #sidewalk cafe#. The valance of the awning shall not exceed 12 inches in height.

14-42**Planters or Railings**

All planters, railings and fences placed within an #unenclosed sidewalk cafe# shall be self-supporting. In order to maximize visual access, the height of the railing or planter including the vegetation therein, shall not be higher than 30 inches. All obstructions shall be removed from the sidewalk during those periods when the #unenclosed sidewalk cafe# ceases operation, except for the planter which shall be removed or, alternatively, placed with its longest side against the wall of the restaurant, provided that such planter does not obstruct any egress from the #building#.

14-43**Elevation**

The #sidewalk cafe# shall be at the same elevation as the adjoining sidewalk. Paint, grass or artificial turf, carpet, platforms, or any other surface cover or treatment of any kind, shall not be permitted to be placed upon the area designated for an #unenclosed sidewalk cafe#, at any time.

However, in the event of a major grade change, the City Planning Commission may, by certification, permit the floor level of an #unenclosed sidewalk cafe# to be elevated.

14-50 14-30**SPECIAL PERMIT MODIFICATIONS OF LOCATIONAL OR PHYSICAL CRITERIA FOR ENCLOSED SIDEWALK CAFES****Modifications of Physical or Locational Criteria**

In all #Commercial# or #Manufacturing Districts#, where #enclosed sidewalk cafes# are permitted in accordance with the provisions of Article I, Chapter 4 (Sidewalk Cafe Regulations), the City Planning Commission may permit, upon application, modifications to the locational or physical or locational criteria regulations for #enclosed sidewalk cafes#, except that there shall be no modification of Appendices A, B, C and D Sections 14-41 (Area Restrictions for All Sidewalk Cafes), 14-42 (Area Restrictions for All Enclosed Sidewalk Cafes), 14-43 (Special Zoning Districts) and 14-44 (Street Malls), provided the Commission finds that:

- (1) the #enclosed sidewalk cafe# is developed consistent with the general purposes and objectives of this Chapter;
- (2) any proposed modification to the requirements of this Chapter will result in good overall design, and enhance the general character of the #street# and the neighborhood;
- (3) any proposed modifications to the requirements of this Chapter will not cause a serious adverse effect on pedestrian traffic;
- (4) the restaurant or #enclosed sidewalk cafe# provides access for persons with disabilities;
- (5) where a proposed #enclosed sidewalk cafe# is located between two existing stoops, it will not project beyond the stoops; and
- (6) modifications to the provisions of paragraph (a) Section 14-11 (Clear Path) of Section 14-10 shall be limited to the minimum clear path for a proposed #enclosed sidewalk cafe# to that would be located on a #street# with a special pedestrian plan.

14-60

ADMINISTRATION AND ENFORCEMENT

14-61

Requirements for Applications

All applications for #sidewalk cafes#, either new or renewal, shall include 13 assembled sets of the standard application form and all the material required therein, together with all supporting documents and correspondence.

In addition, the applicant shall be required to notify by certified or registered mail, all persons who occupy ground floor frontage whether #residential#, #commercial# or other #use#, within 50 feet of either side and the owners of such properties along the same block front as the proposed #sidewalk cafe#. Such notification shall state that an application for a #sidewalk cafe# has been filed for the location and shall invite all interested parties to forward their comments to the affected Community Board.

14-62

Term of Sidewalk Cafe Consent

All new #sidewalk cafe# consents shall be limited to one year. The renewal of the consent may be granted for a maximum of five years or for the period remaining on the applicant's lease, whichever is shorter. In no event may a consent be transferred without the approval of the Board of Estimate, or its successor.

14-70 14-40

EFFECTIVE DATE AREA ELIGIBILITY

The provisions of Article I, Chapter 4 (Sidewalk Cafe Regulations) shall be applicable to any new #sidewalk cafe#, #enclosed# or #unenclosed#, for which an application is filed with the Department of Consumer Affairs and the Department of City Planning subsequent to the effective date of this Chapter.

The provisions of Article I, Chapter 4 (Sidewalk Cafe Regulations) shall not be applicable to renewals of existing #sidewalk cafes#, #enclosed# or #unenclosed#, for which an application for renewal is filed with the Department of City Planning prior to the effective date of this Chapter.

However, renewals of existing #sidewalk cafes#, #enclosed# or #unenclosed#, for which an application for renewal is filed with the Department of Consumer Affairs and the Department of City Planning subsequent to the effective date of this Chapter, shall comply with the provisions of Section 14-32 to the extent that any curtains, blinds, or drapes or any other opaque coverings are removed from any transparent portion of the #sidewalk cafe# walls. The provisions of Article I, Chapter 4 (Sidewalk Cafe Regulations) shall not become effective until the City Planning Commission certifies that amendments by the New York City Council to the following sections of the New York City Charter and the New York City Administrative Code carry out the administrative objectives of the subject zoning amendments:

New York City Charter:

———— Section 366-a

New York City Administrative Code:

———— Section B32-53.0

———— Section B32-54.0 b,c,d

———— Section B32-55.0

———— Section B32-56.0

———— Section B32-57.0

APPENDIX A 14-41

Areas where no #sidewalk cafes# shall be Allowed: **Restrictions for All Sidewalk Cafes**

No #sidewalk cafe# shall be permitted on any of the following #streets#:

City Wide

1. All #streets# with elevated rail transit lines.

Manhattan

- ~~1.~~ All streets south of Chambers Street and Frankfort Street, except a street to which a mall plan or other special pedestrian plan has been adopted
1. 2. All streets bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west, except Central Park South between Fifth Avenue and Avenue of the Americas
2. 3. All streets bounded by 59th Street on the south, 61st Street on the north, Fifth Avenue on the west and a line 125 feet east of Fifth Avenue on the east
3. 4. Canal Street - the entire length
4. 5. Orchard Street - from Canal Street to Houston Street
5. 6. Delancey Street - from Norfolk Street to Bowery
6. 7. Bowery - from East Broadway to Canal Street
7. 8. Elizabeth Street - from Bayard Street to Canal Street
8. 9. Pell Street - the entire length
9. 10. Mott Street - from Park Row to Canal Street
10. 11. Mulberry Street - from Worth Street to Canal Street
11. 12. Bayard Street - the entire length
12. 13. Doyers Street - the entire length
13. 14. All streets facing Chatham Square
14. 15. Eighth Street - from Avenue A to Avenue of the Americas
15. 16. 14th Street - from Second Avenue to Eighth Avenue
16. 17. 23rd Street - from the East River to Eighth Avenue
17. 18. 31st Street - from Fifth Avenue to Eighth Avenue
18. 19. 32nd Street - from Fifth Avenue to Eighth Avenue
19. 20. 33rd Street - from Fifth Avenue to Eighth Avenue
20. 21. 34th Street - from the East River to Eighth Avenue

- 21, ~~22~~: 42nd Street - from the East River to Eighth Avenue
- 22, 23: 57th Street - from the East River to Eighth Avenue
- 23, ~~24~~: 58th Street - from the East River to Eighth Avenue
- 24, ~~25~~: 59th Street - from the East River to 5th Avenue
- 25, ~~26~~: 60th Street - from Third Avenue to Fifth Avenue.
- 26, ~~27~~: 61st Street - from Third Avenue to Fifth Avenue
- 27, ~~28~~: 62nd Street - from Second Avenue to Fifth Avenue
- 28, ~~29~~: 63rd Street - from Second Avenue to Fifth Avenue
- 29, ~~30~~: 68th Street - from First Avenue to Fifth Avenue
- 30, ~~31~~: 72nd Street - from the East River to Fifth Avenue
- 31, ~~32~~: 77th Street - from First Avenue to Fifth Avenue
- 32, ~~33~~: 79th Street - from the East River to Fifth Avenue
- 33, ~~34~~: 86th Street - from the East River to Fifth Avenue
- 34, ~~35~~: 116th Street - from Lenox Avenue to Eighth Avenue
- 35, ~~36~~: Third Avenue - from 59th Street to 62nd Street
- 36, ~~37~~: Lexington Avenue - the entire length
- 37, ~~38~~: Park Avenue - the entire length from 38th Street, northward
- 38, ~~39~~: Madison Avenue - the entire length
- 39, ~~40~~: Fifth Avenue - from Washington Square North to 61st Street
- 40, ~~41~~: Sixth Avenue - from 31st Street to 38th Street
- 41, ~~42~~: Seventh Avenue - from 31st Street to 38th Street
- 42, ~~43~~: Eighth Avenue - from 31st Street to 38th Street
- 43, ~~44~~: Broadway - from 31st Street to 38th Street

44, 45: Herald Square

45, 46: First Avenue - from 48th Street to 59th Street.

Brooklyn

1. 13th Avenue - from 39th Street to New Utrecht Avenue
2. 86th Street - from 3rd Avenue to Gowanus Expressway
3. Court Street - from Schermerhorn Street to Montague Street
4. Ocean Parkway - the entire length.

Queens

1. Roosevelt Avenue - from Union Street to Prince Street
2. Austin Street - from Yellowstone Boulevard to Ascan Avenue
3. 82nd Street - from 34th Avenue to 41st Avenue
4. Junction Boulevard - from Northern Boulevard to 41st Avenue.

APPENDIX B 14-42

Areas where no enclosed sidewalk cafes shall be allowed: Restrictions for Enclosed Sidewalk Cafes

No enclosed sidewalk cafe shall be permitted on any of the following streets:

Manhattan

1. Bleecker Street - from Bank Street to Mercer Street
2. Central Park South - from Fifth Avenue to Avenue of the Americas
3. Coenties Slip
4. Park Avenue and Park Avenue South - from 31st Street to 38th Street.

APPENDIX C 14-43

Special Zoning Districts

—where #Sidewalk cafes# are permitted as indicated in the following districts shall or shall not be allowed where permitted by the underlying zoning:

Manhattan	Enclosed	Unenclosed
1. Battery Park City District	Yes	Yes
2. Clinton District	Yes	Yes
3. Limited Commercial District	No	No*
4. Lincoln Square District	No	Yes
5. Little Italy District	No	Yes
6. Lower Manhattan District	No	Yes**
7. Madison Avenue Preservation District	No	No
8. Midtown District	No	No
9. Park Improvement District	No	No
+10. Transit Land Use District	Yes	Yes
+11. Tribeca Mixed Use District	Yes	Yes
+12. United Nations Development District	No	Yes

* Unenclosed sidewalk cafes are allowed on Greenwich Avenue.

** Unenclosed sidewalk cafes are not allowed on State, Whitehall or Chambers Streets or Broadway.

Brooklyn	Enclosed	Unenclosed
1. Bay Ridge District	Yes	Yes
2. Coney Island Mixed Use District	Yes	Yes
3. Downtown Brooklyn District	Yes	Yes
4. Franklin Street Mixed Use District	Yes	Yes
5. Northside Mixed Use District	Yes	Yes
6. Ocean Parkway District, except along Ocean Parkway	Yes	Yes

7. Sheepshead Bay District	No	Yes
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Bronx	Enclosed	Unenclosed
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1. City Island District	No	Yes
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Staten Island	Enclosed	Unenclosed
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1. South Richmond Development District	Yes	Yes
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APPENDIX D 14-44

Street Malls

~~where #Sidewalk cafes# shall or shall not be allowed~~ are permitted as indicated in the following malls where permitted by the underlying zoning:

Manhattan	Enclosed	Unenclosed
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1. Mulberry Street Mall	No	Yes
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2. Nassau Street Mall	No	Yes
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Brooklyn	Enclosed	Unenclosed
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1. Fulton Street Mall except DeKalb Avenue	No	Yes
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2. DeKalb Avenue	Yes	Yes
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Queens	Enclosed	Unenclosed
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1. Far Rockaway Beach 20th Street	No	Yes
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Resolution for adoption scheduling December 4, 2002 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

No. 8

CD 2

C 020399 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Substation Company pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-781 of the Zoning Resolution **to modify the use regulations of Section 42-14(D)(2)(b) to allow retail uses (Use Group 6) on the ground floor of an existing 6-story building on property located at 40 Thompson Street** (Block 476, Lot 62), in an M1-5B District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On November 6, 2002, Cal. No. 1, the Commission scheduled November 20, 2002 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

CD 4

C 010462 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 42/43 Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Sections 13-561 and 96-111 of the Zoning Resolution **to allow an attended accessory parking garage with a maximum capacity of 59 spaces, including 49 off-site accessory spaces for 345 West 42nd Street (Block 1033, tentative Lot 109)** on portion of the first floor and cellar of a proposed mixed building to be constructed at 350 West 43rd Street (Block 1033, Lot 9), in a C6-2 District, within the Special Clinton District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On November 6, 2002, Cal. No. 2, the Commission scheduled November 20, 2002 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF BROOKLYN

No. 10

CD 3

C 020416 DMK

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **the disposition of one (1) city-owned property located at 792 De Kalb Avenue** (Block 1781, Lot 21) pursuant to zoning.

(On October 2, 2002, Cal. No. 1, the Commission scheduled October 16, 2002 for a public hearing. On October 16, 2002, Cal. No. 10, the hearing was closed.)

For consideration.

No. 11

CD 1

C 000087 ZMK

IN THE MATTER OF an application submitted by Wythe Gardens LLC and Water View Condos LLC, pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 12d**, changing from an M3-1 District to an R7A District property bounded by Wythe Avenue, South 11th Street, Kent Avenue, and South 8th Street, as shown on a diagram (for illustrative purposes only) dated July 8, 2002 and subject to the restrictions of Restrictive Declaration D-145 and subject to the conditions of CEQR Declaration E-112.

(On October 2, 2002, Cal. No. 2, the Commission scheduled October 16, 2002 for a public hearing. On October 16, 2002, Cal. No. 11, the hearing was closed.)

For consideration.

No. 12

CD 18

M 770445(C) ZMK

IN THE MATTER OF an application submitted by Sheradel Associates for the modification of Restrictive Declaration D-47, which was previously approved as part of an application for a Zoning Map Amendment (M 770445(A) ZMK), and its subsequent amendment (M 770445(B) ZMK), for a commercial development on property located southeasterly of the intersection of Flatlands Avenue and Louisiana Avenue (Block 8235, Lots 48 and 53), in an R5/C2-1 District and an R5/C2-2 District.

For consideration.

BOROUGH OF MANHATTAN

No. 13

CD 2

C 020539 ZSM

IN THE MATTER OF an application submitted by Bond Street Hotel LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of special permit** pursuant to Section 74-781 of the Zoning Resolution **to modify the use regulations of Section 42-14(D)(2)(b) to allow retail uses (Use Group 6) and/or a hotel use (Use Group 5) on the ground floor, cellar floor and subcellar of a proposed 12-story building on property located at 32-40 Bond Street** (Block 530, Lot 48), in an M1-5B District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On October 2, 2002, Cal. No. 3, the Commission scheduled October 16, 2002 for a public hearing. On October 16, 2002, Cal. No. 12, the hearing was closed.)

For consideration.

No. 14

CD 4

C 030031 ZSM

IN THE MATTER OF an application submitted by 122 West 21 Street LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Sections 13-562 and 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 152 spaces on portions of the first floor and cellar, and to permit 8,600 sq. ft. of floor space on the first floor to be exempted from the definition of floor area as set forth in Section 12-10**, in a mixed building at 116-122 West 21st Street (Block 796, Lots 53, 52, 51, 50, 49 and 48), in a C6-3A District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On October 2, 2002, Cal. No. 4, the Commission scheduled October 16, 2002 for a public hearing. On October 16, 2002, Cal. No. 13, the hearing was closed.)

For consideration.

No. 15

CD 1

N 030170 PXM

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at **83 Maiden Lane** (Block 68, Lot 7) (Department of Building's Office of Investigations and Discipline).

(On October 22, 2002, the Commission duly advertised November 6, 2002 for a public hearing. On November 6, 2002, Cal. No. 7, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS**No. 16****CD 10****C 010519 MMQ**

IN THE MATTER OF an application submitted by the New York City School Construction Authority (NYCSCA), pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination of a portion of 99th Street between Rockaway Boulevard and Plattwood Avenue;
- the elimination of 109th Avenue from 98th Street to 99th Street;
- the elimination of a portion of Plattwood Avenue between 98th and 99th streets;
- the discontinuance and closing of a portion of 109th Avenue between 98th and 99th streets;
- the delineation of a New York City Transit (NYCT) easement; and
- any modification of grades necessitated thereby, and any acquisition or disposition of real property related thereto,

in accordance with Map No. 4963, dated December 21, 2001, revised July 16, 2002 and signed by the Borough President.

(On October 2, 2002, Cal. No. 5, the Commission scheduled October 16, 2002 for a public hearing. On October 16, 2002, Cal. No. 14, the hearing was closed.)

For consideration.

Nos. 17 and 18

(Applications for the grant of authorizations for residential enlargement in two additional dwelling units within the Hunters Point Subdistrict of the Special Long Island City Mixed Use District)

No. 17**CD 2****N 010716 ZAQ**

IN THE MATTER OF an application submitted by Andrew Pavlou **for the grant of an authorization pursuant to Section 117-114 of the Zoning Resolution** to authorize a residential enlargement resulting in two additional dwelling units at 47-40 11th Street (Block

45, Lot 24), in an M1-4 District, within the Hunters Point Subdistrict of the Special Long Island City Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N. Y. 10007.

For consideration.

No. 18

CD 2

N 030046 ZAQ

IN THE MATTER OF an application submitted by Andrew Pavlou **for the grant of an authorization pursuant to Section 117-114 of the Zoning Resolution** to authorize a residential enlargement resulting in two additional dwelling units at 47-44 11th Street (Block 45, Lot 23), in an M1-4 District, within the Hunters Point Subdistrict of the Special Long Island City Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N. Y. 10007.

For consideration.

BOROUGH OF STATEN ISLAND

No. 19

CD 3

N 020681 RAR

IN THE MATTER OF an application submitted by the Department of Environmental Protection **for grant of authorizations** pursuant to Sections 107-64 and 107-65 and **grant of certification** pursuant to Section 107-22 of the Zoning Resolution for the removal of trees, the modification of existing topography and work in Designated Open Space, **to allow the implementation of a comprehensive stormwater management plan for the central portion of the Lemon Creek watershed, specifically the construction of a Best Management Practice (BMP) at one location off Foster Road, within the Special South Richmond Development District.**

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th floor, Staten Island, New York, 10301.

For consideration.

No. 20

CD 3

N 010658 RAR

IN THE MATTER OF an application submitted by Tottenville Commons, LLC **for the grant of authorizations** pursuant to Sections 107-321, 107-64, 107-65, and 107-68 of the Zoning Resolution for Restoration, Removal of Trees, Modification of Topography, and Modification of the Size of an Accessory Group Parking Facility at 250 Page Avenue (Block 8008, Lots 134 and 135), in an M1-1 District, within the Special South Richmond Development District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

For consideration.

No. 21

CD 2

N 020614 ZAR

IN THE MATTER OF an application submitted by John Toronto **for the grant of authorizations** pursuant to Sections 105-421 and 105-423 of the Zoning Resolution involving the modification of existing topography, and the alteration of botanic environment including removal of trees **to allow the construction of two, single-family dwellings with garages and driveways located at 5 and 11 Cromwell Circle (Block 894, Lots 155 and 158) within the Special Natural Area District (NA-1).**

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

For consideration.

No. 22

CD 3

N 020595 RAR

IN THE MATTER of an application submitted by Rampulla Associates **for grant of authorization** pursuant to Section 107-68 of the Zoning Resolution **for modification of group parking facility and access regulations (curb cut) to facilitate the development of a detached one family dwelling on one zoning lot at Woodrow Road off Winston Street (Block 5725, Lot 54, p/o 55) within the Special South Richmond Development District.**

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6th floor, Staten Island, New York, 10301.

For consideration.
