

SPECIAL MEETING OF NOVEMBER 26, 1984

TIME: 4:25 p.m.

CAL. NO.	C.P. NUMBER	REPORTS		ACTION	REMARKS	DATA FOR MINU
		IN	BoE			
1	C 820547	ZSM		Fav. Report Adopted		329 Canal St.
2	841006	ZRM		" " "		Union Square
3	C 841005	ZMM		" " "		" "
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20					Present:	
21					H. Sturz, Chairman	
22					M. Bond, Commissioner	
23					J. Gulino, "	
24					S. Motley, "	
25					D. Scheinberg, "	
26					T. Teach, "	
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29					Mtg. Adj. at 4:30 p.m.	
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I R E P O R T S

BOROUGH OF MANHATTAN

No. 1

CB 2

C 820547 ZSM

IN THE MATTER OF an application pursuant to Section 74-782 of the Zoning Resolution of a **Special Permit to allow the conversion to joint living-work quarters for artists** of a loft building whose lot coverage exceeds 5,000 square feet on property located on the northeast corner of Canal and Greene Streets (329-331 Canal Street, A/K/A 6 Greene Street) within the SoHo M1-5B District.

(On September 19, 1984 Cal. No. 7, the Commission scheduled October 17, 1984 for a public hearing. On October 17, 1984 Cal. No. 20 the hearing was closed.)

For consideration

Disposition: ....Favorable Report Adopted.

Nos. 2 and 3

*[Zoning text and map changes establishing a Special Union Square District.]*

No. 2

CB 2, 3, 5

N 841006 ZRM

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York relating to Article 11, Chapter 9 and various other sections concerning the Special Union Square District as follows:

Matter in **Bold Type** is new;

Matter in brackets [ ], is old, to be deleted;

Matter in *italics* is defined in Section 12-10.

\* \* \*

Table of Contents

\* \* \*

Chapter 9 SPECIAL UNION SQUARE DISTRICT

119-00 General Purposes

\* \* \*

11-12 Establishment of Districts

\* \* \*

Establishment of the Special Union Square District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the Special Union Square District is hereby established.

\* \* \*

12-10 DEFINITIONS

\* \* \*

#### Special Union Square District

The "Special Union Square District" is a special purpose district, designated by the letters "US", in which special regulations set forth in Article XI, Chapter 9 apply. The *Special Union Square District* appears on the *zoning maps* superimposed on other districts, and its regulations supplement and modify those of the districts on which it is superimposed.

\* \* \*

#### 119-00 GENERAL PURPOSES

The Special Union Square District established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) To promote a revitalized mixed-use area around Union Square by encouraging controlled development on vacant and underutilized sites within the District.
- (b) To stimulate such growth while providing guidelines which will ensure urban design compatibility between new development, existing buildings and Union Square and which will preserve and enhance the special character of the Square.
- (c) To stabilize the area through residential development and thereby encourage active utilization of Union Square Park.
- (d) To enhance the retail and service nature and economic vitality of 14th Street by mandating appropriate retail and service activities.
- (e) To improve the physical appearance and amenity of the Streets within the District by establishing streetscape and signage controls which are compatible to Union Square Park.
- (f) To improve access, visibility, security and pedestrian circulation in and around the 14th Street/Union Square Station.
- (g) To promote the most desirable use of land in this area and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

#### 119-01 Definitions

##### Special Union Square District (repeated from Section 12-10)

The *Special Union Square District* is a Special Purpose District designated by the letters "US" in which special regulations set forth in Article XI, Chapter 9 apply to all *developments or enlargements*. The Special Union Square District appears on the *zoning maps* superimposed on other districts, and its regulations supplement and modify those of the underlying districts on which it is superimposed.

#### 119-02 General Provisions

In harmony with the general purpose and intent of this resolution and the general purposes of the *Special Union Square District* and in accordance with the provisions of this chapter, certain specified *use, bulk and sign* regulations of the underlying district are made inapplicable and are superseded by the *use, bulk and sign* regulations of the *Special Union Square District* as set forth in this Chapter. In addition, special *street wall* transparency and location of entrance requirements are set forth in this Chapter. Except as modified by the express provisions of this Chapter, the underlying district regulations remain in effect.

#### 119-03 Incorporation of Appendix A

The District Plan of the *Special Union Square District* is set forth in Appendix A and is incorporated as an integral part of the provisions of this Chapter.

## 119-10 USE REGULATIONS

### 119-11 Ground Floor Uses

Uses on the ground floor or within 5 feet of *curb level* along 14th Street shall be limited to the *uses* listed below, except that entrances to above-grade or below-grade *uses* are permitted subject to the regulations set forth in Section 119-41 (Entrances on 14th Street).

These regulations shall apply to *developments, enlargements, extensions and changes of use.*

Antique stores  
Art galleries, commercial  
Artists' supply stores  
Automobile rental offices  
Bakeries, provided that *floor area* used for production shall be limited to 750 square feet per establishment  
Banks  
Barber Shops  
Beauty Parlors  
Bicycle sales, rental or repair shops  
Book stores  
Candy or ice cream stores  
Carpet, rug, linoleum, or other floor covering stores, with no limitation on *floor area* per establishment  
Cigar or tobacco stores  
Clothing or clothing accessory stores, with no limitation on *floor area* per establishment  
Clothing rental establishments, limited to 10,000 square feet on *floor area* per establishment  
Department stores  
Drug stores  
Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of *floor area* per establishment, and provided that only solvents with a flash point of not less than 138.2 degrees Fahrenheit shall be used, and total aggregate load capacity of machines shall not exceed 60 pounds  
Dry goods or fabric stores, with no limitation of *floor area* per establishment  
Eating or drinking places including those which provide outdoor table service or incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordian, guitar or any stringed instrument  
Eating or drinking places without restrictions on entertainment or dancing but limited to location in hotels  
Fishing tackle or equipment, rental or sales  
Florist shops  
Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores  
Furniture stores, with no limitation on *floor area* per establishment  
Furrier shops, custom  
Gift shops  
Hardware stores  
Interior decorating establishments, provided that *floor area* used for processing, servicing or repairs shall be limited to 750 square feet per establishment  
Jewelry or art metal craft shops

Laundry establishments, hand or automatic self-service  
Leather goods or luggage stores  
Medical or orthopedic appliance stores  
Millinery shops  
Music stores  
Newsstands, open or enclosed  
Office or business machine stores, with no limitations on *floor area* per establishment  
Optician or optometrist establishments  
Package liquor stores  
Paint stores  
Pet shops  
Photographic equipment or supply stores  
Photographic developing or photographic printing establishments limited to 2500 square feet per establishment  
Photographic studios  
Picture framing shops  
Record stores  
Seed or garden supply stores  
Sewing machine stores, selling household machines only  
Shoe stores  
Shoe or hat repair shops  
Sporting or athletic stores  
Stamp or coin stores  
Telegraph offices  
Television, radio, phonograph or household appliance stores with no limitation on *floor area* per establishment  
Toy stores  
Travel bureaus  
Typewriter stores  
Variety stores, with no limitation on *floor area* per establishment  
Wallpaper stores  
Watch or clock stores or repair shops

### 119-12 Sign Regulations

On *street walls* fronting on 14th Street no *sign* may be located more than 25 feet above *curb level*.

Signs on *street walls* fronting on all other *streets* within the Special District shall be subject to the provisions of Section 37-23. (Streetscape-Accessory Business Signs)

*Flashing signs* are not permitted within the Special District.

### 119-20 BULK REGULATIONS

#### 119-21 Floor Area Regulations

The maximum *floor area ratio* permitted on a *zoning lot* is 10.0, except as provided in Section 119-60. (Subway Improvements within the Special Union Square District.)

In no event, shall the *commercial floor area ratio* exceed 6.0.

#### 19-22 Residential Density Regulations

The *lot area* requirement of Section 23-20 (Density Regulations-Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room) and 35-40 (Applicability of Lot Area Requirements to Mixed Buildings) shall not apply. In-

stead, for every 750 square feet of gross residential floor area provided on a zoning lot there shall be no more than one dwelling unit. However, the conversion of non residential buildings to residential use shall be subject to the provision of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in Community Districts 1,2,3,4,5 and 6 in the Borough of Manhattan)

**119-23 Minimum Distance between Residential Portions of Buildings**

On a zoning lot located entirely within the Special Union Square District, if residential portions of buildings are not connected to one another at any level and are deemed to be separate buildings pursuant to Section 23-82 (Building Walls regulated by Minimum Spacing Formula) the minimum distance between such residential building elements shall be in accordance with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) or 60 feet, whichever is less.

**119-30 STREET WALL, HEIGHT AND SETBACK REGULATIONS**

The location and height above curb level of the street wall of any development or enlargement shall be as shown in the District Plan (Appendix A). However, if a development or enlargement is adjacent to one or more existing buildings fronting on the same street line, the street wall of such development or enlargement shall be located neither closer to nor further from the street line than the front wall of the adjacent building which is closest to the same street line.

Street wall recesses are permitted below the level of the second story ceiling for subway stair entrances required under Section 119-50 (Off-Street relocation of a Subway Stair within the Special District). Such recesses shall be no longer than 15 feet and no deeper than 8 feet or the width or length of the relocated subway stair, whichever is greater.

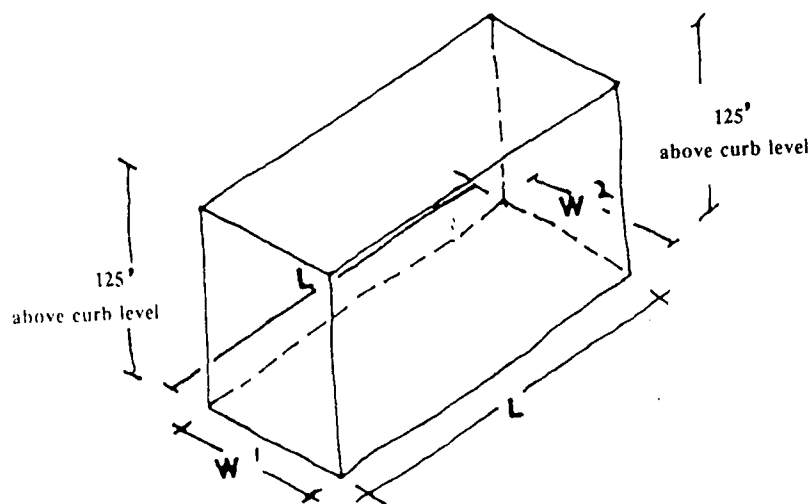
Street wall recesses are also permitted below the level of the second story ceiling for building or store entrances only.

A sky exposure plane of 2.5 to 1 shall begin at a height above curb level of 125 feet on all streets within the Special District, except that on a narrow street beyond 100 feet from any street line opposite a public park or from the intersection of such narrow street with a wide street, the sky exposure plane shall begin at a height above curb level of 85 feet.

No development or enlargement shall penetrate such sky exposure plane except pursuant to Section 33-45 (Tower Regulations). However, Section 33-45 shall not be applicable to any portion of a building located within 100 feet of a street line opposite a public park.

**119-31 Modification of Streetwall Requirements**

(a) In the Special Union Square District, on a zoning lot where there is an existing building to remain, and when there is to be a development or enlargement, the requirements governing height and location of street walls shall not apply within a volume defined by the rear wall of the existing building (W<sup>1</sup>), the front lot line (W<sup>2</sup>), the prolongations of the side walls (L), and a height of 125 feet above curb level. If, after the effective date of this resolution, any demolition or destruction occurs within the volume defined the requirements governing street wall height shall apply.



- L Sidewall and prolongation of existing building
- W<sup>1</sup> Front Lot Line
- W<sup>2</sup> Rear wall of Existing building

(b) Within the Special Union Square District the City Planning Commission may, upon application, authorize modifications in the required *street wall* location of a *development* or *enlargement* if the Commission finds that the existing *buildings* or existing open areas serving existing *buildings* to remain on the *zoning lot* would be adversely affected by the location of the *street walls* of the *development* or *enlargement* in the manner prescribed in the paragraphs above.

**119-40 ENTRANCE AND STREET WALL TRANSPARENCY REQUIREMENTS**

All *developments* and *enlargements* which front on 14th Street, Union Square East, Union Square West and 17th Street shall be subject to the requirements set forth below.

**119-41 Entrances on 14th Street**

Each permitted *use* which is located on the ground floor or within 5 feet of *curb level* in *developments* or *enlargements* with frontage on 14th Street shall be entered directly from 14th Street. Entrances to *uses* located above or below the ground floor in *developments* or *enlargements* fronting on 14th Street are permitted, provided that such entrances in aggregate shall not exceed 30 linear feet of *street wall* frontage on 14th Street.

**119-42 Entrances on Union Square East, Union Square West and 17th Street**

If a *use* occupies at least 40 percent of the *floor area* of a *development* or an *enlargement* which fronts on Union Square East, Union Square West or 17th Street between Broadway and Park Avenue South, then the principal entrance to that *use* shall be located on Union Square East, Union Square West or on 17th Street between Broadway or Park Avenue South. However if more than one *use* meets these criteria, the principal entrance to only one of them is required to be so located.

**119-43 Street Wall Transparency**

When the *street wall* of any *development* or *enlargement* is located on 14th Street, Union Square East, Union Square West or 17th Street, at least 50% of the total surface area of such *street wall* shall be transparent between *curb level* and 12 feet above *curb level* or the ceiling of the ground floor, whichever is higher. Such transparency must begin not higher than 4 feet above *curb level*.

**119-50 OFF STREET RELOCATION OF A SUBWAY STAIR WITHIN THE SPECIAL UNION SQUARE DISTRICT**

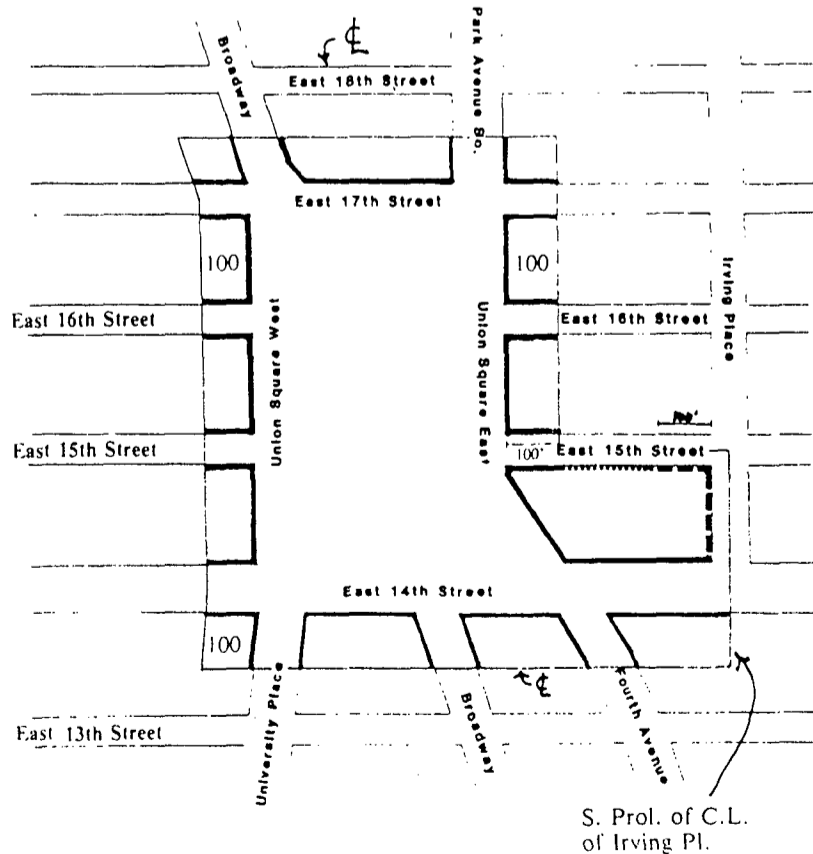
Where a *development* or *enlargement* is constructed on a *zoning lot* of at least 5,000 square feet which front on a portion of a sidewalk containing a stairway entrance or entrances into the 14th Street/Union Square Station, the *development* or *enlargement* shall be subject to the regulations of Section 37-03 (Off-Street Relocation of a Subway Stair).

**119-60 SUBWAY STATION IMPROVEMENTS WITHIN THE SPECIAL UNION SQUARE DISTRICT**

The City Planning Commission may, by Special Permit after public notice and hearing and subject to a Board of Estimate action, grant residential *floor area* bonuses for *developments* or *enlargements* which provide major improvements on the 14th Street/Union Square Subway Station in accordance with the provisions of Section 74-634. The *zoning lot* for the *development* or *enlargement* on which such *floor area* bonus is requested shall be adjacent to the 14th Street Union Square Subway Station or to an existing passageway to the station.

As part of the special permit, the Commission may modify the *street wall* regulation of Section 119-30 (Street Wall Height and Setback Regulations) if it finds that such major improvements cannot be provided without modification of these provisions.

**APPENDIX A**



**District Plan**

- Mandatory Street Walls 85'-125' Above Curb Level
- - - - - Permitted Street Walls 125' Above Curb Level
- ..... Permitted Street Walls 85' Above Curb Level

Street Walls shall be coincident with Street lines

37-03 OFF-STREET RELOCATION OF A SUBWAY STAIR

37-031 APPLICABILITY OF THIS SECTION

Where a *development* or *enlargement* is constructed on a *zoning lot* of at least 5000 square feet which fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station listed in this Section, the existing entrance or entrances shall be relocated from the *street* onto the *zoning lot*. The new entrance or entrances shall be provided in accordance with the provisions of this Section. These provisions are in accordance with the New York City Transit Authority's "Station Planning Guidelines" (Revised, 1975 and as may be subsequently revised).

Station	Line	District
Wall Street—Broadway	IRT (Lexington Ave)	C5-5CR
Fulton Street—Broadway	IRT (Lexington Ave)	C5-5CR
Brooklyn Bridge	IRT (Lexington Ave)	C6-4
23rd Street	IRT (Lexington Ave)	C5-2
28th Street	IRT (Lexington Ave)	C5-2
33rd Street	IRT (Lexington Ave)	C5-3
59th Street	IRT (Lexington Ave)	C6-4
South Ferry	IRT (Bway/7th Ave)	C5-5CR
Cortlandt Street	IRT (Bway/7th Ave)	C5-3
Wall Street	IRT (Bway/7th Ave)	C5-5
Fulton Street	IRT (Bway/7th Ave)	C5-5CR
Park Place	IRT (Bway/7th Ave)	C5-5CR
Broad Street	BMT (Nassau)	C5-5
Fulton Street	BMT (Nassau)	C6-4
Chambers Street	BMT (Nassau)	C6-4
Whitehall Street	BMT (Broadway)	C5-5CR
Cortlandt Street	BMT (Broadway)	C5-5
City Hall	BMT (Broadway)	C5-5CR
8th Street	BMT (Broadway)	C6-4
23rd Street	BMT (Broadway)	C5-2
Lexington Avenue	BMT (Broadway)	C6-4
Broadway/Nassau	IND (8th Ave)	C5-5CR
Chambers Street	IND (8th Ave)	C6-4, C5-3CR
34th Street	IND (8th Ave)	C6-4
50th Street	IND (8th Ave)	C6-4
Union Square/14th Street	BMT (Broadway)	C6-4 Sp. Union Sq District
14th Street	IRT (Lexington Ave)	C6-4 Sp. Union Sq District
Union Square	BMT (14th St. Canarsie)	C6-4 Sp. Union Sq District

74-634 SUBWAY STATION IMPROVEMENTS IN COMMERCIAL ZONES OF 10 FAR AND ABOVE

(a) BONUS-ELIGIBLE SUBWAY STATIONS BY LINE AND ZONE

*Developments* or *enlargements* which provide major improvements to adjacent subway stations are eligible for a *floor area bonus* which shall not exceed 20% of the basic maximum *floor area ratio* permitted by the underlying district regulations. The stations eligible for bonus are as follows:

Station	Line	District
Wall Street—Broadway	IRT (Lexington Ave)	C5-5CR
Fulton Street—Broadway	IRT (Lexington Ave)	C5-5CR
Brooklyn Bridge	IRT (Lexington Ave)	C6-4
23rd Street	IRT (Lexington Ave)	C5-2
28th Street	IRT (Lexington Ave)	C5-2
33rd Street	IRT (Lexington Ave)	C5-3
59th Street	IRT (Lexington Ave)	C6-4
South Ferry	IRT (Bway/7th Ave)	C5-5CR
Cortlandt Street	IRT (Bway/7th Ave)	C5-3
Wall Street	IRT (Bway/7th Ave)	C5-5
Fulton Street	IRT (Bway/7th Ave)	C5-5CR
Park Place	IRT (Bway/7th Ave)	C5-5CR
Broad Street	BMT (Nassau)	C5-5
Fulton Street	BMT (Nassau)	C6-4
Chambers Street	BMT (Nassau)	C6-4
Whitehall Street	BMT (Broadway)	C5-5CR
Cortlandt Street	BMT (Broadway)	C5-5
City Hall	BMT (Broadway)	C5-5CR
8th Street	BMT (Broadway)	C6-4
23rd Street	BMT (Broadway)	C5-2
Lexington Avenue	BMT (Broadway)	C6-4
Broadway/Nassau	IND (8th Ave)	C5-5CR
Chambers Street	IND (8th Ave)	C6-4, C5-3CR
34th Street	IND (8th Ave)	C6-4
50th Street	IND (8th Ave)	C6-4
Union Square/14th Street	BMT (Broadway)	C6-4 Sp. Union Sq District
14th Street	IRT (Lexington Ave)	C6-4 Sp. Union Sq District
Union Square	BMT (14th St. Canarsie)	C6-4 Sp. Union Sq District

(On September 19, 1984 Cal. No. 12, the Commission scheduled October 17, 1984 for a public hearing. On October 17, 1984 Cal. No. 25, the hearing was closed.)

For consideration

Disposition: ....Favorable Report Adopted.

No. 3

CB's 2, 3 and 5

C 841005 ZMM

IN THE MATTER OF a zoning change, pursuant to Section 197-c of the New York City Charter, involving amendments of the Zoning Map, Section 12c, (A) from an existing C6-1 to C6-4 District on property bounded by E. 17th Street, a line 100 feet east of Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway, a line midway between E. 17th and E. 18th Streets and a line 100 feet west of Park Avenue South, (B) **establishing of a Special Union Square District** on property bounded by a line 100 feet east of Park Avenue South and Union Square East, E. 15th Street, Irving Place and its southerly prolongation, a line midway between E. 13th and E. 14th Streets, a line 100 feet west of Union Square West, a line 100 feet west of Broadway and a line midway between E. 17th and E. 18th Streets, as shown on a diagram dated June 18, 1984, which may be seen in Room 1514, 2 Lafayette Street, New York, N.Y.

(On September 19, 1984 Cal. No. 13, the Commission scheduled October 17, 1984 for a public hearing. On October 17, 1984 Cal. No.26 the hearing was closed.)

For consideration

Disposition: ....Favorable Report Adopted.