

DISPOSITION SHEET - PUBLIC MEETING OF January 28, 1987 - CITY HALL, N.Y. - 10 A.M.

CAL. NO.	C.P. NO.	REPORTS		REMARKS	CAL. NO.	C.P. NO.	REPORTS		REMARKS
		TO	FROM				TO	FROM	
	MINUTES			Approved	46	C 850651	PSM		Gov. Rept. Adopt
1	C 870322	HUK		Sched. for 2/18/87	47	C 860886	ZSM		Laid over
2	C 870323	HDK		" "	48	C 850354	BFY		Unf. Rept.
3	C 870033	HOK		" " "	49	C 850528	BFY		" "
4	C 870266	PPK		" " "	50	C 870342	PPR		Withdrawn
5	C 870395	400 PPK		" " "					
6	C 860928	ZSK		" " "					
7	C 860867	GFK		" " "					
8	C 850337	ZSM		" " "					
9	C 860657	PLM		" " "					
10	C 860839	PLM		" " "					
11	C 860927	ZSM		" " "					
12	C 850518	BFY		" " "					
13	N 870492	ZRY		" " "					
14	N 870443	ZRY		" " "					
15	N 850487	ZRY		" " "					
16	C 870402	PPX		" " "					
17	C 870265	PPK		Hearing Closed					
18	C 870267-268	PPK		" "					
19	C 870275-277	PPK		" "					
20	C 870279	PPK		" "					
21	C 870252	PPK		" "					
22	C 870338-339	PPK		" "					
23	C 870324	PPK	✓	(RUC) " "					
24	C 870327	PPK	✓	(RUC) " "					
25	C 850359	ZMQ		" "					
26	C 870367	PSQ		Cont. to 2/18/87					
	C 870368	PPQ		" " "					
27	C 860294	ZMR		Hearing Closed					
28	C 860295	ZSQ		" "					
29	C 860296	HMR		" "					
30	C 860778	HAM		Cont. to 2/18/87					
31	C 870242	ZMM		Hearing Closed					
32	N 870241	ZRM	✓	" "					
33	C 870345	HAX		" "					
34	C 870346	HLX		" "					
35	C 870161	PSX		" "					
36	C 840699	PNR		" "					
37	C 870159	ZMK		Gov. Rept. Adopted					
38	C 860185	MMK	✓	" " "					
39	C 870324	PPK		Printed in error					
40	C 870327	PPK		" " "					
41	C 870340-341	PPQ	✓	Gov. Rept. Adopted					
42	M 790764 (B)	CMM		Withdrawn					
43	C 841002	MMM	✓	Gov. Rept. Adopted					
44	C 870164	PSM	✓	" " "					
45	N 870004	ZRM	✓	" " "					

PRESENT

SYLVIA DEUTSCH, CHAIRPERSON
 SAL. GAGLIARDO, COMMISSIONER
 DANIEL SCANNELL, "
 DENISE SCHEINBERG, "

ADJOURNED AT: 12:35 P.M.

Re: minutes

**COMPREHENSIVE
CITY PLANNING CALENDAR**

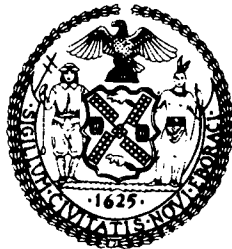
of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, January 28, 1987

**MEETING AT 10:00 A.M.
in the
CITY HALL**



Edward I. Koch, Mayor

City of New York

[No. 2]

Prepared by Lory R. Alcalá, Calendar Officer

A
CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of four members.
2. Final action by the Commission shall be by the affirmative vote of not less than four members.
3. Except by unanimous consent, matters upon which public hearings 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 member of a Community Planning Board, any 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 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, 2 Lafayette Street, Room 1614, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list (\$60.00 for a two year subscription pro-rated) may do so by contacting the Calendar Information Office, 566-8510.

B

CITY PLANNING COMMISSION

2 Lafayette Street, New York, N.Y. 10007

SYLVIA DEUTSCH, *Chairperson*

SALVATORE C. GAGLIARDO

~~R. SUSAN MOTLEY,~~

DANIEL T. SCANNELL,

DENISE M. SCHEINBERG, *Commissioners*

LORY R. ALCALA, *Calendar Officer*

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

ORDER OF BUSINESS AND INDEX

WEDNESDAY, January 28, 1987

Calendar No. 2

I. Roll Call; approval of minutes	1
I. Scheduling February 18, 1987	1
II. Public Hearings	33
III. Reports	54

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 1614, 2 Lafayette Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for February 18, 1987, in City Hall, Room 16, Manhattan, at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearings" 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 10 sets of each.

Anyone wishing to present facts or to inform the Commission of their views on an item in this calendar, but who cannot or do 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 1614
2 Lafayette Street, New York, N.Y. 10007

(Extra copies of this form may be obtained in the Calendar Information Office—Room 1614, 2 Lafayette Street.)

Subject _____

Date of Hearing _____ Calendar No.: _____

Borough _____ Identification No.: _____

CB No.: _____

Position:

Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

WEDNESDAY, January 28, 1987

APPROVAL OF MINUTES OF Special Meeting of January 12, 1987 and
Regular Meeting of January 14, 1987

**I. PUBLIC HEARINGS ON THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, FEBRUARY 18, 1987
STARTING AT 10 A.M. IN CITY HALL, MANHATTAN**

BOROUGH OF BROOKLYN

Nos. 1, 2 and 3

*(Proposed amendment to the Ocean Hill Urban Renewal Plan, disposition of
property and a proposed New York City Housing plan and project.)*

No. 1

CD 16

C 870322 HUK

**IN THE MATTER OF an Urban Renewal Plan for the Ocean Hill Urban
Renewal Area, located in Community District #16, Borough of Brooklyn,** pursuant
to Section 505 of the General Municipal (Urban Renewal) Law of New York State
and Section 197-c of the New York City Charter.

The **proposed amendment** would facilitate the construction of 156 dwelling
units in 78 three story buildings on Sites 111A, 111B, and 111C within the Ocean
Hill Urban Renewal Area.

The plan provides for the acquisition, clearance and redevelopment of parts of
three blocks within the Ocean Hill Urban Renewal Area.

The properties to be acquired are as follows:

SITE 111A—Part of the block bounded by Park Place, Howard Avenue,
Ste. ng Place and Ralph Avenue (block 1466, lots 20, 22, 24, 27, 29 thru 33, 35,
35, 36, 38, 41, 141, 42 thru 45, 47, 49, 55, 57, 60 and 63).

SITE 111B—Part of the block bounded by Sterling Place, Howard Avenue, St. John's Place and Ralph Avenue (block 1470, lots 1, 3, 8, thru 11, 15, 17 thru 20, 22 thru 25, 33, 35 thru 39, 41, 48 thru 53, 55, 58, 59, 73, 148 and 160).

SITE 111C—Part of the block bounded by Sterling Place, Eastern Parkway, St. John's Place and Howard Avenue (block 1471, lots 1, 4 thru 11, 14 thru 24, 53, 55, 57, 59 and 61).

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 2

CD 16

C 870323 HDK

IN THE MATTER OF the disposition of city-owned property within the Ocean Hill Urban Renewal Area, pursuant to Section 197-c of the New York City Charter.

The proposed disposition would facilitate the construction of 156 dwelling units for families of low-income in 78 three story buildings on Sites 111A, 111B and 111C within the Ocean Hill Urban Renewal Area.

The properties to be acquired are to be disposed to a Turnkey developer selected by the New York City Housing Authority. Upon completion the project is to be acquired by the New York City Housing Authority.

The properties to be disposed are as follows:

SITE 111A—Part of the block bounded by Park Place, Howard Avenue, Sterling Place and Ralph Avenue (block 1466, lots 20, 22, 24, 27, 29 thru 33, 35, 35, 36, 38, 41, 141, 42 thru 45, 47, 49, 55, 57, 60 and 63).

SITE 111B—Part of the block bounded by Sterling Place, Howard Avenue, St. John's Place and Ralph Avenue (block 1470, lots 1, 3, 8, thru 11, 15, 17 thru 20, 22 thru 25, 33, 35 thru 39, 41, 48 thru 53, 55, 58, 59, 73, 148 and 160).

SITE 111C—Part of the block bounded by Sterling Place, Eastern Parkway, St. John's Place and Howard Avenue (block 1471, lots 1, 4 thru 11, 14 thru 24, 53, 55, 57, 59 and 61).

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 3

CD 16

C 870033 HOK

IN THE MATTER OF a New York City Housing Authority plan and project within the Ocean Hill Urban Renewal Area, pursuant to Section 150 of the Public Housing Law of New York State and Section 197-c of the New York City Charter.

The proposed plan and project provides for the construction of 156 dwelling units for families of low-income in 78 three story buildings on Sites 111A, 111B and 111C within the Ocean Hill Urban Renewal Area.

The properties to be acquired are to be disposed to a Turnkey developer selected by the New York City Housing Authority. Upon completion the project is to be acquired by the New York City Housing Authority.

The project site comprises the following properties:

SITE 111A—Part of the block bounded by Park Place, Howard Avenue, Sterling Place and Ralph Avenue (block 1466, lots 20, 22, 24, 27, 29 thru 33, 35, 36, 38, 41, 141, 42 thru 45, 47, 49, 55, 57, 60 and 63).

SITE 111B—Part of the block bounded by Sterling Place, Howard Avenue, St. John's Place and Ralph Avenue (block 1470, lots 1, 3, 8, thru 11, 15, 17 thru 20, 22 thru 25, 33, 35 thru 39, 41, 48 thru 53, 55, 58, 59, 73, 148 and 160).

SITE 111C—Part of the block bounded by Sterling Place, Eastern Parkway, St. John's Place and Howard Avenue (block 1471, lots 1, 4 thru 11, 14 thru 24, 53, 55, 57, 59 and 61).

Resolution for adoption scheduling February 18, 1987 for a public hearing.



No. 4

CD 3

C 870266 PPK

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of eight (8) City-owned properties.

<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
3	1519	38	161 Saratoga Avenue
	1607	25	538 Kosciusko Street
	1761	74	659 Willoughby Avenue
	1770	84	27 Pulasky Street

1899	37	74-76 Skillman Street
1954	102	329 Franklin Avenue
1968	51	157 Lexington Avenue
1985	43	400 Franklin Avenue

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 5

CD 1,2,3,4,7,8

C 870395-400 PPK

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of fifty-two (52) City-owned properties.**

<u>ULURP NO.</u>	<u>COM. BOARD</u>	<u>NO. OF PARCELS</u>
870395 PPK	1	4
870396 PPK	2	7
870397 PPK	3	32
870398 PPK	4	2
870399 PPK	7	4
870400 PPK	8	3

A list and description of the properties can be seen at the City Planning Commission, 2 Lafayette Street-Room 1614, New York, N.Y. 10007.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 6

CD 2

C 860928 ZSK

IN THE MATTER OF an application submitted by Time Out Family Amusement Centers, Inc., pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-47 of the Zoning Resolution, for the **grant of a special permit** for a term of three years, to **allow** an approximately 2,700 square foot **amusement arcade located below street level in the Albee Square Mall Building, 1 DeKalb Avenue, within the Special Fulton Mall District.**

Plans for this existing amusement arcade are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, New York 10007.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 7

CD 2

C 860867 GFK

IN THE MATTER OF an application submitted by Consolidated Edison Company of New York, Inc. pursuant to Section 197-c of the New York City Charter for the **grant of a 10-year revocable consent to construct, maintain and use** a 3 feet - 6 inches high by 205 feet - 3 inches long steel guard rail, on the 10 feet - 2 inches wide sidewalk at 245 Plymouth Street; with 22 posts, spaced 9 feet 9 inches apart, extending 1 foot - 2 inches south from the building line to protect the Con Edison substation's air louvers from passing trucks while leaving 9 feet pedestrian clearance along the guard rail's entire length. **The proposed Plymouth Street guard rail** is to be located 45 feet - 3 inches west from the corner Gold Street property line, to a point 30 feet - 6 inches east of the west side property line, on Block 29 Lot 9.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

BOROUGH OF MANHATTAN

No. 8

CD 7

C 850337 ZSM

IN THE MATTER OF an application submitted by the Geloda/Briarwood Corp. pursuant to Sections 197-c and 200 of the New York City Charter and Sections 13-462 and 74-52 of the Zoning Resolution for the **grant of a Special Permit for a public parking garage** containing 47 parking spaces on property located at **100 West 89th Street**, bounded by West 88th Street, West 89th Street and Columbus Avenue (Block 1219, Lot 30).

Plans for this public parking garage are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, N.Y. 10007.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 9

CD 8

C 860657 PLM

IN THE MATTER OF an application submitted by the New York City Police Department pursuant to Section 197-c of the New York City Charter for the **disposition of real property** involving a three year lease for the first and second floors (approximately 23,750 square feet) of a building located at 312 East 94th Street (Block 1556, Lot 40) **for temporary occupancy by the 19th Precinct** during the reconstruction of its permanent house at 153 East 67th Street.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 10

CD 2

C 860839 PLM

IN THE MATTER OF an application submitted by Fay Fishel, Trustee of the Last Will and Testament of Bernard Fishel d/b/a Ken-Rob Co. pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-781 of the Zoning Resolution for the **grant of a special permit** to modify the provisions of Section 42-14D 2(b) of the Zoning Resolution **to allow use and occupancy** of approximately 8,700 square feet **of the ground floor as retail space at property located at 632 Broadway** (Block 522, Lot 10), in an M1-5B District.

Plans for this proposed retail space are on file with the City Planning Commission and may be seen in Room 1514; 2 Lafayette Street; New York, NY 10007.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 11

CD 5

C 860927 ZSM

IN THE MATTER OF an application submitted by Time Out Family Amusement Centers, Inc., pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-47 of the Zoning Resolution for the **renewal of a special permit** for a term of three years to **permit an amusement arcade to be located in the LIRR Concourse of 1 Penn Plaza.**

Plans for this existing amusement arcade are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, N.Y. 10007.

Resolution for adoption scheduling February 18, 1987 for a public hearing.

CITYWIDE

No. 12

CD 1,4,7,8,10,12 A The Bronx

C 850518 BFY

5 Brooklyn

5,6, Manhattan

1,2,3,4,5,6,7,8,9,10,11,12,13,14 Queens

IN THE MATTER OF an application submitted by Jamaica Buses, Inc. requesting **renewal of its omnibus franchise contract** dated January 9, 1974 to **provide local, express, racetrack and raceway bus service.** This contract includes the following routes:

Race Track Routes	Q-114	Aqueduct Race Track
	Q 15	Belmont Park Race Track
	BW-10	Brooklyn-Yonkers Raceway
	QW-10	Queens-Yonkers Raceway
	QW-11	Belmont RT-Yonkers Raceway
	QW-12	Aqueduct RT-Yonkers Raceway
	QW-13	Long Island City-Roosevelt ~ Raceway
	QN-10	Queens-Roosevelt Raceway
	QN-11	Long Island City-Roosevelt Raceway
	BN-10	Brooklyn-Roosevelt Raceway
<u>Local Routes</u>	Q-110	Belmont Park-Jamaica

Q-111 New York Blvd.—Jamaica—
Hook Creek

Q-112 Ozone Park-Jamaica

Q-113 Far Rockaway

QM-21 Rochdale, Queens-Manhattan

Express

*Resolution for adoption scheduling
February 18, 1987 for a public hearing.
No. 13*

Citywide

N 870492 ZRY

IN THE MATTER OF amendments to Section 200 of the New York City Charter, of the Zoning Resolution, relating to Section 74-711, **clarifying the language of the landmarks preservation special permit findings** by removing superfluous language regarding appreciable increase in building volume.

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

Matter in **BOLD TYPE** is new, to be added:

Matter in *italics* is defined in Section 12-10 of the Zoning Resolution.

74-711

Landmark Preservation in all districts

In all districts, upon application of the Landmarks Preservation Commission, the City Planning Commission may permit modification of the **use** and **bulk** regulations, except *floor area ratio* regulations, applicable to **zoning lots** with existing **buildings** provided that the following findings are made:

(a) That the said **zoning lot** contains a landmark designated by the Landmarks Preservation Commission, or that said **zoning lot** lies within a Historic District designated by the Landmarks Preservation Commission; and

(b) That a program has been established for continuing maintenance that will result in the preservation of the subject **building** or **buildings**; and

(c) [That any modification of **bulk** regulations will not result in an appreciable increase of **building** volume on the **zoning lot** and t] That such **bulk** modifications relate harmoniously to all structures or **open space** in the vicinity in terms of scale, location and access to light and air in the area, as determined by the City Planning Commission.

*1- everything in bold should be in italics not if
2- brackets in bold form*

Resolution for adoption scheduling February 18, 1987
for a public hearing.*

No. 14

Citywide

N 870443 ZRY

IN THE MATTER OF an amendment to the Zoning Resolution, pursuant to Section 200 of the New York City Charter, to clarify the definition of “a landmark building or other structure” for the purpose of transfer of development rights from a landmark as permitted in Section 74-79.

Proposed Text Amendment to Section 74-79

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

Matter in **BOLD TYPE** is new, to be added;

Matter in *italics* is defined in Section 12-10 of the Zoning Resolution.

* * *

Transfer of Development Rights from Landmark Sites

In all districts except R1, R2, R3, R4, or R5 Districts, or C1 or C2 Districts mapped within such districts, for new *developments* or *enlargements*, the City Planning Commission may permit development rights to be transferred to adjacent lots from lots occupied by landmark *buildings* or *other structures*, may permit the maximum permitted *floor area* on such adjacent lot to be increased on the basis of such transfer of development rights, may permit in the case of *residential developments* or *enlargements*, the minimum required *open space* or the minimum *lot area per room* to be reduced on the basis of such transfer of development rights, may permit variations in the front height and setback regulations and the regulations governing the size of required loading berths, and minor variations in *plaza*, *arcade* and *yard* regulations, for the purpose of providing a harmonious architectural relationship between the *development* or *enlargement* and the landmark *building* or *other structure*.

Where a *zoning lot* occupied by a landmark *building* or *other structure* is located in a *residence district*, the Commission may modify the applicable regulation of primary business entrances, show windows, **signs** and entrances and exits to *accessory* offstreet loading berths on the “adjacent lot” in a *commercial* district provided that such modifications will not adversely affect the harmonious relationship between the *building* on the “adjacent lot” and the landmark **building** or **other structure**.

For the purposes of this Section, the term “adjacent lot” shall mean a lot which is contiguous to the lot occupied by the landmark *building* or **other structure** or one which is across a **street** and opposite to the lot occupied by the landmark *building* or **other structure**, or, in the case of a *corner lot*, one which fronts on the

same *street* intersection as the lot occupied by the landmark *building or other structure*. If [i]t shall also mean in the case of lots located in a C5-3, C5-5, C6-6, C6-7 or C6-9 Districts a lot contiguous or one which is across a *street* and opposite to another lot or lots which except for the intervention of *street* or *street* intersections form a series extending to the lot occupied by the landmark *building or other structure*. All such lots shall be in the same ownership (fee ownership or ownership as defined under *zoning lot in Section 12-10*). A "landmark *building or other structure*" shall include any **building or other structure** designated as a landmark by the Landmarks Preservation Commission and the Board of Estimate pursuant to Chapter 8-A of the New York City Charter and Chapter 8-A of the New York City Administrative Code, but shall not include [any] *buildings or other* [any] structures for which cemetery purposes is the primary use, [public parks,] *buildings or other structures* within [public parks or] historic districts, [those portions of *zoning lots* used for cemetery purposes,] statues, monuments and bridges. **No transfer of development rights is permitted pursuant to this Section from zoning lots occupied by buildings or other structures within historic districts, those portions of zoning lots for which cemetery purposes is the primary use, or those portions of zoning lots occupied by statues, monuments or bridges.**

The grant of any special permit authorizing the transfer and use of such development rights shall be in accordance with all the regulations set forth in Sections 74-791 (Requirements for application), 74-792 (Conditions and limitations), and 74-793 (Transfer instruments and notice of restrictions).

Resolution for adoption scheduling February 18, 1987 for a public hearing.

No. 15

CITYWIDE

N 850487 ZRY

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 200 of the New York City Charter for an **amendment to the Zoning Resolution establishing an Inclusionary Housing Program**. The program permits an increase in allowable floor area in R10 and certain equivalent districts when lower income housing is developed or preserved.

Matter in **bold type** is new,

Matter in [brackets] to be removed,

Matter in *italics* defined in Section 12-10 or in this amendment:

23-15

Maximun Floor Area Ratio in R10 Districts

R10

In the district indicated, the *floor area ratio* for any *building* on a *zoning lot* shall not exceed 10.0, except as provided in the following sections:

* * *

Section 23-90 (Inclusionary Housing)

* * *

Notwithstanding any other provision of this resolution, the maximum *floor area ratio* shall not exceed 12.0.

All *developments* or *enlargements* located within the boundaries of Community Board #7 in the Borough of Manhattan shall be subject to the requirements of Section 23-151 (R10 Infill) and no *floor area* bonus shall be granted for such *developments* or *enlargements*, except as [otherwise] set forth in Section 23-[151] **90 (Inclusionary Housing).**

* * *

In the R10A Districts the *floor area ratio* for any *building* on a *zoning lot* shall not exceed 10.0 except as provided in Section [74-95 (Housing Quality Developments).] **23-90 (Inclusionary Housing).**

* * *

23-22

Required Lot Area per Dwelling Unit

Lot Area per Room or Floor Area per Room

* * *

(c) In R3, R6, R7, R9, and R10 Districts, the *lot area* required is expressed in terms of *rooms*, and as indicated, the total *lot area* of a *zoning lot* shall not be less than as set forth in this section, except as provided in the following sections:

* * *

Section 23-90 (Inclusionary Housing)

(d) In the R8A, R8B, R9A, R9X or R10A Districts, the *lot area* requirement is expressed in terms of *dwelling units* or *rooming units* and the *lot area* per

dwelling unit or *rooming unit* shall not be less than as set forth in this section, except as provided in the following sections:

Section 23-90 (Inclusionary Housing)

* * *

23-90 INCLUSIONARY HOUSING

23-91

General Provisions

R10

In the district indicated, an Inclusionary Housing program is established to preserve and promote a mixture of low to upper income housing within neighborhoods experiencing a shift from mixed to upper income housing and thus to promote the general welfare. The requirements of this program are set forth in Sections 23-90 through 23-94.

23-92

Definitions

For the purposes of the Inclusionary Housing program, matter in italics is defined either in Section 12-10 (Definitions) or in this section.

Administering Agent

The “administering agent” is the entity or entities identified in the *lower income housing plan* as responsible for ensuring compliance with such plan.

Compensated Development

A “compensated development” is a *development* which receives an increased *floor area ratio* as a result of meeting the requirements of the Inclusionary Housing program.

Development

For the purposes of the Inclusionary Housing program, a “development” is a *development* as defined in Section 12-10 or an *enlargement* of more than 50 percent of the *floor area* of an existing *building*.

Fair Rents

At initial occupancy of *lower income housing*, “fair rents” are annual rents for such housing equal to 30 percent of the annual incomes of the respective tenants of such housing, provided that such tenants are *lower income households* at the time of initial occupancy pursuant to the provisions of this program (the “Section 8 Standard”).

Upon renewal of a lease for an existing tenant, "fair rent" is the then-current *fair rent* for the housing plus a percentage increase equal to the percentage increase for a one or two year renewal lease, as applicable, permitted by the Rent Guidelines Board for units subject to rent stabilization (the "Rent Stabilization Standard"). Upon rental of *lower income housing* to a new tenant, "fair rents" are the higher of

- (a) the then-currently applicable Section 8 Standard or
- (b) the Rent Stabilization Standard.

There shall be no additional charge to the tenant for the provisions of heat and electric service except that the Commissioner of Housing Preservation and Development may approve a *lower income housing plan* permitting a *lower income household* to be made responsible for the payment of utilities as long as the sum of

- (i) the initial *fair rent* and
- (ii) the monthly costs of a reasonable compensation for these utilities, by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary and healthful living environment

do not exceed 30 percent of said *lower income household's* income. At initial occupancy of any *lower income housing*, no portion of the *fair rent* shall be for the payment of the principal or interest on any debt and the *lower income housing* shall not secure any debt other than city taxes on such housing. Thereafter, *fair rents* may be used for principal or interest of debt only if such debt was incurred after the date of initial occupancy and for a capital improvement to such *lower income housing* other than those set forth in the *lower income housing plan*.

Lower Income Household

A "lower income household" is a *family* having an income equal to or less than the income limits (the "Section 8 Income Limits") for New York City residents established by the U. S. Department of Housing and Urban Development for "lower income families" receiving housing assistance payments pursuant to Section 3(b)(2) of the United States Housing Act of 1937, as amended.

Lower Income Housing

"Lower income housing" is a *standard unit* occupied or to be occupied by *lower income households*. *Lower income housing* shall not include *standard units* assisted under city, state or federal programs, except where such assistance is in the form of:

- (a) real estate tax abatements and exemptions limited to such *lower income housing* or
- (b) operating assistance that the Commissioner of the Department of Housing Preservation and Development determines will be used to enable households

with incomes of not more than 62.5% of the Section 8 Income Limits to afford such lower income housing.

Lower Income Housing Plan

The "lower income Housing plan", is the plan accepted by the Commissioner of Housing Preservation and Development which sets forth the developer's plans for creating and maintaining the specified *lower income housing* pursuant to this program.

Standard Unit

A "standard unit" is a

- (a) *dwelling unit*,
- (b) *rooming unit* or
- (c) room used for sleeping purposes in a non-profit institution with sleeping accommodations which room is acceptable to the Commissioner of Housing Preservation and Development as meeting the intent of the Inclusionary Housing program

that is free of violations and located in a *building* in which the common areas are free of violations under the City of New York Building Code, the New York State Multiple Dwelling Law, the New York City Housing Maintenance Code and this Resolution recorded against the property as of the date of acceptance of the *lower income housing plan*. Windows in *standard units* shall be double glazed.

23-93

Floor Area Compensation

The *floor area ratio* of a *development* may be increased from 10.0 to a maximum of 12.0 at the rate set forth below, if the developer of such *development* provides *lower income housing* pursuant to Section 23-94 (Lower Income Housing Requirements).

For each square foot of *floor area* provided for *lower income housing* pursuant to the options listed in Column A and set forth in Section 23-94 (Lower Income Housing Requirements), the *floor area* of the *development* may be increased by either

- (a) the number of square feet set forth in Column B if the *lower income housing* is provided for the life of the increased *floor area* or
- (b) the number of square feet set forth in Column C if the *lower income housing* is provided for 20 years.

Options <u>Column A</u>	For Life of Increased Floor Area <u>Column B</u>	For 20 Years <u>Column C</u>
On-site New Construction	4.0	3.1
On-site Substantial Rehabilitation	3.5	2.8
Off-site New Construction (Private Site)	4.5	3.2
Off-site New Construction (Public Site)	2.8	2.0
Off-site Substantial Rehabilitation	4.2	3.0
Preservation	2.2	1.6

For each .7 of one percent increase in *floor area* permitted to *compensated developments* pursuant to this Section, the *lot area* requirements for such *compensated developments* set forth in Sections 23-22 (Required Lot Area per Dwelling Unit or Per Room) or 23-25 (Special Provisions for Buildings Used Partly for Non-Residential Uses) shall be reduced by .6 of one percent. In no event shall such reduction exceed 17 percent of the applicable *lot area* requirements.

23-94

Lower Income Housing Requirements

To qualify for the increased *floor area*, *compensated developments* must provide *lower income housing* pursuant to one or more of the options listed in Sections 23-941, 23-942 and 23-943 and such *lower income housing* must meet each of the requirements set forth below.

(a) Standards

All *lower income housing* shall be in *standard units*. Except in *buildings* in which all *standard units* are occupied by *lower income housing*, the *floor area* devoted to *lower income housing* shall be considered only the *floor area* within the perimeter walls of the *standard units* of the *lower income housing* and a pro rata share of the common areas of the *building* exclusive of those common areas for which a fee is charged for its use. In *buildings* in which all of the *standard units* are occupied by *lower income housing*, all of the *residential floor area* shall be considered as devoted to *lower income housing*.

(b) Tenant Selection

All incoming occupants of *standard units in lower income housing* must be *lower income households*.

Tenants in occupancy of *lower income housing* provided pursuant to the 20 year option, may, at their choice, remain in occupancy at the termination of the 20 year period at *fair rents*. After 20 years, the vacating of such *lower income housing* shall remove such *floor area* from the requirements of the Inclusionary Housing program. Within 30 days of such vacating, the *administering agent* shall notify the Department of Housing Preservation and Development or successor agency that such *floor area* is no longer *lower income housing*.

On and after the issuance of Certificate of Occupancy for *lower income housing* the *administering agent* shall have a duty (1) to make habitable and maintain in a habitable condition all *lower income housing* and (2) to rent such *housing to lower income households*. The duty to rent shall be satisfied by the *administering agent* if such agent has in fact rented all such units to *lower income households* or has, in good faith, made a continuing public offer to rent such units at rents no greater than the rents authorized by this program or otherwise at law.

A finding by the Commissioner of Housing Preservation and Development that *lower income housing* was withheld from rental to *lower income households* in violation of this paragraph shall result in an extension of the 20 year term for such *standard unit* by 5 years for each occurrence.

(c) Rent Levels

All *standard units in lower income housing* shall be rented at *fair rents*.

(d) Income Verification Prior to renting *lower income housing*, the *administering agent* shall verify the income of each household to occupy such housing, to assure that the households are *lower income households*.

(e) Lower Income Housing Plan

A *lower income housing plan* acceptable to the Commissioner of Housing Preservation and Development, shall be prepared and followed by the developer. The plan shall include the building plans, indicate the amount of *lower income housing* and shall demonstrate the feasibility of creating and maintaining the specified *lower income housing* required in accordance with the Inclusionary Housing program, including that:

- (i) the *lower income housing* will be managed and operated by a responsible agency;
- (ii) there will be sufficient income stream to provide for adequate maintenance and operation of the *lower income housing*; and

(iii) tenant selection is on an equitable, non-discriminatory basis.

For 12 months after (the effective date of this amendment) any developer of a *compensated development* shall furnish a copy of the *lower income housing plan* to the Department of City Planning immediately after the acceptance of such plan by the Commissioner of Housing Preservation and Development.

No building permit for *compensated development* shall be issued until the Commissioner of Housing Preservation and Development shall certify that an acceptable *lower income housing plan* has been filed.

The *administering agent* shall submit an affidavit to the Commissioner of Housing Preservation and Development upon initial occupancy and annually thereafter attesting that all incoming occupants of *lower income housing* are *lower income households*. No temporary Certificate of Occupancy shall be issued for the *compensated development* until a temporary Certificate of Occupancy for the *lower income housing* has been issued. No permanent Certificate of Occupancy shall be issued for the *compensated development* until a permanent Certificate of Occupancy for the *lower income housing* has been issued. Prior to the issuance of any temporary or permanent Certificate of Occupancy for the *compensated development*, the Commissioner of Housing Preservation and Development shall certify that the *lower income housing* is in compliance with the *lower income housing plan*.

(f) On-site units shall be those units on the same *zoning lot* as the *compensated development*.

23-941

On site new construction option

To qualify for this option, the designated *lower income housing* shall meet the following requirements.

- (a) The *lower income housing* shall be located in the *compensated development*. The *lower income housing* shall be maintained and leased to *lower income households* for the life of the increased *floor area* or for 20 years, in accordance with the amount of additional *floor area* received by the *compensated development* pursuant to Section 23-93 (Floor Area Compensation).
- (b) The *standard units* designated as *lower income housing* shall be distributed randomly throughout the *development*. No *story* shall contain more than two such units unless at least 80 percent of all *stories* contain two such units. The designated *lower income housing* units shall be distributed among the various size units in proportion to the total distribution of unit size in the following categories of unit sizes:

- under 600 net square feet
- 600—749 net square feet
- 750—949 net square feet
- 950—1149 net square feet
- 1150 or more net square feet

23-942

Substantial rehabilitation and off-site new construction options

To qualify for one or more of these options, the designated *lower income housing* shall meet the following requirements:

- (a) The *lower income housing* shall be located within the same Community Board as, or within a one half mile radius of, the *compensated development*, whichever distance from such *compensated development* is greater. The *lower income housing* shall be in a new *building* or in an *existing building* in which, prior to the submission of the *lower income housing plan* pursuant to this section, the *residential portion* had been entirely vacant for not less than three years.
- (b) The *lower income housing* shall be maintained and leased to *lower income households* for the life of the *increased floor area* or for 20 years, in accordance with the amount of *increased floor area* received by the *compensated development* pursuant to Section 23-93 (Floor Area Compensation).

The *administering agent* of the *lower income housing* shall insure said housing against any damage or destruction for no less than the replacement value of the housing.

Any insurance proceeds received as a result of damage or destruction of all or part of said housing shall be used first for the purpose of restoring such damaged or destroyed housing to *lower income housing*, free of violations under the New York City Building Code, the New York State Multiple Dwelling Law, the New York City Housing Maintenance Code and this Resolution.

- (c) The obligation to provide a specified amount of *lower income housing* shall run with the *zoning lot* containing such *lower income housing* for the term of the obligation to provide *lower income housing*. In the event any portion of such housing is damaged or destroyed, no *floor area* may be replaced on said *zoning lot* unless such *floor area* contains the specified amount of *lower income housing*.

23-943

Preservation Option

To qualify for this option, the designated *lower income housing* shall meet the following requirements.

- (a) The *lower income housing* shall be located within the same Community Board as, or within a one-half mile radius of, the *compensated development*, whichever distance from such *compensated development* is greater. The *lower income housing* shall be in an existing occupied *residential building*. Only *standard units* occupied by *lower income households* shall be *lower income housing*. For each *standard unit* designated as *lower income housing* the *administering agent* shall verify the income of the household in tenancy.
- (b) Rent charged to *lower income households* shall not be increased to reflect the costs of any renovation made in order to qualify such units under the Inclusionary Housing program even though such increases may be permitted under laws regulating maximum rent levels in these units.
- (c) At no increase in rent, any kitchen in a *dwelling unit*, or serving a *rooming unit*, designated as *lower income housing* shall be equipped with a new stove with at least four burners and oven and a new refrigerator of at least the capacity of the previous refrigerator, if such appliances have not been replaced within 5 years prior to the units' designation as *lower income housing*.
- (d) The *lower income housing* shall be maintained and leased to *lower income households* for the life of the *increased floor area* or for 20 years in accordance with the amount of *increased floor area* received by the *compensated development* pursuant to Section 23-93 (Floor Area Compensation). The *administering agent* of the *lower income housing* shall insure said housing for no less than its replacement value. The proceeds of any insurance proceeds received as a result of damage or destruction of all or part of said housing shall be used first for the purpose of restoring such damaged or destroyed housing to *lower income housing*, free of violations under the New York City Building Code, the New York State Multiple Dwelling Law, the New York City Housing and Maintenance Code, and this Resolution.
- (e) The obligation to provide a specified amount of *lower income housing* shall run with the *zoning lot* containing such *lower income housing* for the term of the obligation to provide *lower income housing*. In the event any portion of such housing is damaged or destroyed, no *floor area* may be replaced on said *zoning lot* is permitted unless such *development* contains the specified amount of *lower income housing*.

35-35

Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in Connection with Mixed Buildings.

* * *

In the districts indicated,

C1-8A	C2-7A	C4-6A	C6-2A
C1-8X	C2-7X	C4-7A	
C1-9A	C2-8A		

bonuses for *plazas, plaza-connected open space and arcades* are not applicable. However, no existing *plaza* or other public amenity, open or enclosed, for which a *floor area* bonus has been received, pursuant to regulations antedating April 18, 1985, 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*.

35-42

Density or Lot Area Bonus in Mixed Buildings

(a) In the districts indicated,

C1-1 ¹	C2-1 ¹	C4-6	C5 C6
C1-2 ¹	C2-2 ¹	C4-7	
C1-3 ¹	C2-3 ¹		
C1-4 ¹	C2-4 ¹		
C1-5 ¹	C2-5 ¹		
C1-8	C2-7		
C1-9	C2-8		

except as otherwise provided in Section 82-08 (Modification of Bulk and Height and Setback Requirements) and Section 85-04 (Modifications of Bulk Regulations), the *lot area* reduction set forth in Section 23-23 (Density Bonus for a Plaza, Plaza-Connected Open Area, or Arcade) or Section 23-93 (Floor Area Compensation) shall apply to the *lot area* requirements set forth in Section 23-22 (Required Lot Area per Dwelling Unit or per Room) to the extent that the *building* is used for *residential use*; and the *lot area* reduction set forth in Section 23-26, Section 23-93 (Floor Area Compensation) or Section 24-22 (Lot Area Bonus for a Plaza, Plaza-Connected Open Area, or Arcade), shall apply to the *lot area* requirements set forth in Section 35-41 (Lot Area Requirements for Non-Residential Portions of Mixed Buildings) to the extent that the *building* is used for *commercial or community facility use*.

(b) In C1-8A, C1-8X, C1-9A, C2-7A, C2-7X, C2-8A, C4-6A, C4-7A and C6-2A Districts and in C1 and C2 Districts mapped within R9A, R9X and R10A Districts, the density or *lot area* bonus shall not apply. However, in C1-9A, C2-8A, C4-6A, and C4-7A Districts and in C1 and C2 Districts mapped within R10A Districts the provisions of Section 23-90 (Inclusionary Housing) shall be applicable.

74-95

Housing Quality Developments

* * *

74-951

Bulk Provisions for Developments

The maximum *residential floor area ratio* for any *building* on a *zoning lot* and the required *lot area per dwelling unit* shall be as follows:

	Maximum Floor Area Ratio Permitted	Required Lot Area Per Dwelling Unit
R3	0.50	1125
R4	0.75	833
R5	1.25	517
R6	2.43	288
R7	3.44	216
R8	6.02	132
R9	7.52	117
R9A	9.00	100
R10	10.00	90
R10[BONUS]	12.00	75

Inclusionary Housing.

* * *

The *floor area* [bonus] provisions for predominantly *residential buildings* in R10 districts and *commercial districts* permitting an R10 *floor area ratio* may be modified in accordance with Section [74-957 of 23-90 (*Inclusionary Housing*) this chapter] provided that the *floor area ratio* does not exceed 12.0. The special optional regulations relating to *predominantly built up areas* infill and the *lot area per room* and *floor area per room* requirements of Section 23-00 et seq. shall not apply to any *development* for which a special permit is granted under provisions of this section.

* * *

74-952

Housing Quality Definitions

* * *

Shadow Area, Maximum

* * *

The required azimuths (angle of the sun in plan are) 1) 57 degrees east of south at 9 A.M., 2) 0 degrees south at 12 Noon and, 3) 57 degrees west of south at 3 P.M. The lengths of shadow are:

District	9 A.M. and 3 P.M.	Noon
R3	45 ft.	25 ft.
R4	60 ft.	30 ft.
R5	145 ft.	75 ft.
R6	210 ft.	110 ft.
R7	280 ft.	150 ft.
R8	345 ft.	185 ft.
R9	415 ft.	220 ft.
R10	480 ft.	255 ft.
R10[Bonus]	535 ft.	285 ft.

Inclusionary Housing

* * *

74-957

Special Regulations for Housing Quality Developments in R10 Districts or Commercial Equivalents

[A)] Housing Quality *developments* in R10 District or *commercial* equivalents which earn at least 85 Housing Quality Program points under the scoring system described in Section 74-954 (Guidelines for applications), score a mandatory minimum of 15 points in each of its 4 parts, as a precondition for application, may be increased from a *floor area ratio* of 10 to a maximum of 12 and the *lot area per dwelling unit* may be reduced from 90 to a minimum of 75 provided such *development* [contains one or a combination of the public amenities described in "B" below] complies with the requirements of Section 23-90 (Inclusionary Housing). As a precondition for any application for a Housing Quality *development* special permit in an R10 district or *commercial* equivalent the following conditions shall be satisfied.

- 1) Curb cuts. The number of curb cuts shall be limited to one per *street*. No curb cuts shall be allowed on wide *streets*. The number and location of curb cuts for *zoning lots* with only wide *street* frontage or for sites 40,000 square feet or larger may be modified by the City Planning Commission.
 - 2) Central Trash Collection. There shall be a single location for the collection and removal of all trash from the *building*, within the *building* and such facility shall be protected by an enclosure surfaced with the same materials as that of the *building* proper. The size and design of the enclosure shall meet the requirements of the Sanitation Department and the private carting service.
- [†B) In order to earn an increase in *floor area ratio* and a reduction in *lot area per dwelling unit* in a Housing Quality Development, the *development* shall first provide a *plaza* or a neighborhood improvement or a combination of the two. The following are bonusable public amenities for Housing Quality Development.
- 1) a *plaza* as defined in Section 12.10 except that:
 - a) The *plaza* in a *residential* district shall be aggregated into a single space having a minimum dimension of 40 feet and a minimum area of 4,000 square feet and be accessible at all times for public use. The *plaza* shall be developed as either *residential park*, *residential plaza*, or *residential playground* based upon the appropriateness, size and location of the *plaza*.
 - b) Direct access along the *street line* abutting the *plaza* shall be at least 50 percent of such frontage.
 - c) The elevation of the *plaza* surface shall be within 3'-0" of the adjacent *curb level*. Differences in elevation shall be joined by ramps with slopes no greater than 5%.
 - d) The *plaza* shall be adequately landscaped with major trees, planting, seating and lighting.
 - e) The *plaza* shall display in a prominent location a plaque indicating the public nature of the space and information as required by the commission.
 - f) Loading berths, driveways, parking areas, and other vehicular oriented spaces shall not be considered *plaza* space.
 - g) The *plaza* shall be maintained in accordance with a maintenance plan approved by the Commission.
 - 2) Neighborhood Improvements.

- a) One or more offsite physical improvements such as *street trees*, decorative paving and sidewalks, bus shelters, planters, benches or sitting areas, trash containers, information kiosks, *street furniture*, artwork, or the cleaning of landmarks shall be provided with the areas delineated by the *street district(s)* of the *zoning lot*.
 - b) The Commission shall after consultation with the local Community Board, shall certify which neighborhood improvements shall be provided and the specifications for such improvements including a maintenance plan therefor.
- 3) An *arcade* as defined in Section 12-10 except that:
- a) The *arcade* is permitted only in R10 districts with *commercial* overlays or *commercial* districts that are R10 *residential* equivalents.
 - b) An *arcade* shall be provided where adjoining or adjacent existing *buildings* contain *arcades*.
 - c) The *arcade* is permitted on *zoning lots* whose wide *street line* is in excess of 100' except that the wide *street street line* shall be in excess of 200 feet on wide *streets* which are major crosstown *streets*. When adjacent existing *buildings* contain *arcades* the minimum wide *street line* requirement is waived.
 - d) The *arcade* shall extend the full length of the *zoning lot* along the *street line* of a wide *street*.
 - e) The exterior face of building columns shall be coincident with the *street line*.
 - f) The minimum depth of an *arcade* shall be 15'-0".
 - g) The average height of the *arcade* along the centerline of its longitudinal axis shall not be less than 15'-0". At no point shall the minimum height of the *arcade* be less than 8'-0".
 - h) The *arcade* shall be adequately illuminated.
 - i) The surface of the *arcade* shall be continuous with and at the same elevation as the adjoining sidewalk.
- 4) A public area which may be partially open to the sky or fully covered as set forth below:
- a) The public area shall be permitted only in R10 Districts with *commercial* overlays or in commercial districts that are R10 *residential* equivalents.
 - b) A Minimum of 15 percent of the *lot area* of the *zoning lot* shall be available for public *use*. This minimum area shall be aggregated into a

single space and have a minimum dimension of 40'-0". At least 70% of this space shall be open to the sky or either partially or fully covered by a glazed roof surface.

- c) For the purpose of insuring prominent public attention to the public area, it shall be clearly visible and directly accessible from an adjoining *street*.
 - d) *Covered* or *Indoor Space* greater than 15'-0" deep shall have a minimum average height of 15'-0". At no point shall the minimum height of a covered area be less than 10'-0".
 - e) That portion of the public area which abuts a *street* and connects the *street* to the aggregated public area may have a width of not less than 25 feet.
 - f) It shall have permitted retail *uses* listed in Use Group 6 occupying the maximum feasible frontage along those bounding walls of the public area which do not abut *lot lines* or *street lines*. At least 50% of such frontage shall be developed with such *uses*. No more than 25% of the aggregated minimum public area mentioned above can be used for retail or *commercial use*. Opaque wall surfaces shall be treated decoratively.
 - g) The level of the public area shall at no point be more than 5'-0" above or 5'-0" below *curb level* of the *street* providing primary access to such public areas. Differences in elevation shall be joined by ramps with slopes no greater than 5%.
 - h) Seating shall be provided on the basis of one seat (18" wide with back) for each 125 square feet of public area.
 - i) There shall be a minimum of one major tree of 4" caliper or one minor tree 8'-0" in height per 1,000 square feet of the aggregated minimum area mentioned above.
 - j) A minimum of 10% of the total public area is to be planted.
 - k) *Indoor space* attributable to the public area shall be exempt from the *floor area* calculations.
 - l) The public area shall be maintained in accordance with a maintenance plan approved by the Commission.
 - † Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirements existing prior to the effective date of this amendment.
- 5) The preservation of an existing *building* or *buildings* on the same *zoning lot* which, except for required *rear* and *side yards* is contiguous to an existing

building on an adjoining *zoning lot*. This *building* shall be scored in accordance with the regulations governing the four sections of the Housing Quality special permit as a part of the score for the entire application. For non-residential *buildings* only the Neighborhood Impact section need apply. The Commission also may waive Housing Quality requirements which are not possible to comply with because of existing structural conditions. In addition the Commission shall find:

- a) that the *building* to be preserved has made and will continue to make a significant positive impact towards the quality of the surrounding neighborhood by contributing to its economic, social, cultural or aesthetic character.
- b) that when rehabilitation is necessary an acceptable schedule for its implementation accompanies the application for a special permit.
- c) an acceptable agreement between the tenants and the developer which allows all tenants to
 - i) continue as residents on the same *zoning lot* in *dwelling units* which have comparable size, exposure and floor.
 - ii) continue their existing rent levels subject to increases only at existing expiration dates and within the guidelines of either the rent stabilization or rent control laws, whichever is presently applicable to the preserved *building*. Tenants and developers may reach other forms of mutually acceptable agreement but evidence shall be submitted that the tenant who does so was aware of the two provisions governing relocation.
- d) that the relocation practices followed by the developer on the entire *zoning lot* satisfy applicable government standards.

The area of *plazas* in Housing Quality *developments* shall be included in the calculation for Program Elements regulating Onsite Sunlight, Planting and Trees. That portion of the public area which corresponds to the minimum aggregated area shall be included in the calculations for Program Elements regulating Onsite Sunlight (assume open to the sky for computations) and Trees. The total public area shall be included in the calculations for the Program Element regulating Planting. All of the above shall conform to the requirements for compliance of the applicable Program Elements. The bonusable area of *plazas*, *arcades* and public areas may not be applied towards the compliance of the recreation standards in the Type and Size Program Element in the Recreation Program.

Floor Area Bonus

- † i) For each square foot of public area or portion thereof provided on the *zoning lot*, the total floor area permitted on that *zoning lot* under the provisions of Section 23-15 (Maximum Floor Area Ratio in an R10 District) may be increased by 6 square feet.
- ii) For each square foot of *plaza* or thereof provided on a *zoning lot*, the total *floor area* permitted on that *zoning lot* under the provisions of Section 23-15 (Maximum Floor Area Ratio in an R10 District) may be increased by 6 square feet provided the *zoning lot* has *wide street* frontage and the *plaza* is located completely within the *street district* of such *wide street*. Where the *zoning lot* does not have a wide street frontage or where the *plaza* is not located completely within 100 feet of the *wide street*. Where the *zoning lot* does not have a wide street frontage of the *zoning lot*, the permitted *floor area* may be increased by 6 square feet for each square foot of *plaza*, provided such increase in *floor area* does not exceed 12% of the *floor area* permitted in Section 23-15.
- iii) For each square foot of *arcade* or portion thereof provided on the *zoning lot* the total *floor area* permitted on that *zoning lot* under the provisions of Section 23-15 (Maximum Floor Area Ratio in an R10 District) may be increased by 3 square feet.
- iv) For each \$5.00 of neighborhood improvement or portion thereof provided within the *street district* including any amounts set aside for maintenance of such improvements the total *floor area* permitted on the *zoning lot* under the provisions of Section 23-15 (Maximum Floor Area Ratio in an R10 District) may be increased by one square foot.
- v) The increase in the basic *floor area ratio* on a *zoning lot* for the preservation of an existing *building* shall be equal to one square foot for each square foot of *floor area* in the preserved *building*.

In no case shall the total *floor area ratio* on a *zoning lot* exceed the prescribed limits of the applicable districts as set forth in Sections 23-15, 24-17, 33-120.5, 35-31.

Lot Area Bonus

For each percent of additional *floor area* achieved by *plaza*, *arcade*, public area, neighborhood improvement or preservation, the *lot area per dwelling unit* requirement of 90 square feet shall be reduced by 1 percent. However, in no event shall such *lot area per dwelling unit* be less than 75 square feet.]

74-959

Special Regulations for Housing Quality Developments on Zoning Lots Containing Existing Buildings to Remain.

* * *

In the case of an *integrated development* the Commission shall also [make the] find[ings required under Section 74-957 B, 5a, b, c, & d]

- a) *that the existing building to remain [be preserved] has made and will continue to make a significant positive impact towards the quality of the surrounding neighborhood by contributing to its economic, social, cultural or aesthetic character.*
- b) *that when rehabilitation of the existing building to remain is necessary an acceptable schedule for its implementation accompanies the application for a special permit.*
- c) *an acceptable agreement between the tenants of the existing building to remain and the developer which allows all tenants to:*
 - i) *continue as residents on the same zoning lot in dwelling units which have comparable size, exposure and floor.*
 - ii) *continue their existing rent levels subject to increases only at existing expiration dates and within the guidelines of either the rent stabilization or rent control laws, whichever is presently applicable to the [preserved] building. Tenants and developers may reach other forms of mutually acceptable agreement but evidence shall be submitted that the tenant who does so was aware of the two provisions governing relocation.*
- d) *that the relocation practices followed by the developer on the entire zoning lot satisfy applicable government standards.*

ARTICLE VIII

Chapter 2 Special Lincoln Square District

* * *

82-08

Modification of Bulk and Height and Setback Requirements

Bulk and Height and Setback regulations otherwise applicable in the L District are modified to the extent set forth in paragraph (1) through (4) of this section, subject to the following limitations:

In no event shall the total *floor area ratio* permitted on a *zoning lot* exceed 12.0.

- (1) The provisions of Sections 23-16, 24-14, or 33-13 (Floor Area Bonus for a Plaza), Sections 23-17, 24-15, or 33-14 (Floor Area Bonus for a Plaza-Connected Open Area), Sections 23-18, 24-16, or 33-15 (Floor Area Bonus for Arcades), or Section 23-23 (Density Bonus for a Plaza-Connected Open Area or Arcade) shall not apply. **The provisions of Section 23-90 (Inclusionary Housing) are applicable.**

* * *

82-10

Public Amenities

The Commission, by special permit issued after public notice and hearing and subject to Board of Estimate action, may grant the increase in *floor area* specified in paragraphs (a) and (B) [through (c)] of this section and may authorize a corresponding decrease in required *lot area per room*, if applicable, and appropriate modifications of height and setback regulations, *yard* regulations, regulations governing minimum distance between *buildings* on a single *zoning lot* and regulations governing courts and minimum distance between legally required windows and walls or lot lines for any new *building* which includes one or more of the public amenities described in paragraphs(a) and (b) [through (c)] of this section, provided that the Commission finds that inclusion of the proposed amenity will significantly protect the specific purposes for which the *Special Lincoln Square District* is established.

* * *

The Commission shall restrict the increase in *floor area* for any amenity within the ranges set forth in the following table:

INCREASE IN SQUARE FEET
OF FLOOR AREA
Maximum

(a)	for a mandatory <i>arcade</i> (82-09)	7 per sq. ft. of Mandatory <i>Arcade</i> not to exceed 1.0 FAR
†(b)	for subsurface concourse connections to subways, or for subway improvements.	An amount, subject to the limitations set forth in Section 82-08, to be determined by the Commission, after consideration of the amenity by criteria (1) through (4) of this Section.
(c)	for provision of low or moderate income housing	An amount subject to the limitations set forth in Section 82-08, to be determined by the Commission

Building and pavement used shall be subject to City Planning Commission approval in order to reinforce the character of the *Special Lincoln Square District Area*

ARTICLE IX

Chapter 6 Special Clinton District

* * *

96-21

Floor Area Bonus

For any *development* the *floor area ratio* permitted by the underlying district may be increased from 10.0 to 12.0 only by complying with either the provisions of Section [96-211 (Floor area bonus for provision of rehabilitated housing)]

23-90 (Inclusionary Housing) or Section 96- [212] 211

(Floor area bonus for a park) or a combination of these two sections. For every .1 increase of permitted *floor area ratio* above 10.00, the *lot area per room* requirements as set forth in Section 23-22 (Required Lot Area Per Dwelling Unit or Per Room) may be reduced by .255 square feet. In no event shall such reduction exceed 17 per cent of the applicable *lot area* requirements set forth in Section 23-22.

A permanent certificate of occupancy for any *building* incorporating bonus *floor area* pursuant to this section shall not be issued by the Department of Buildings until the issuance of a permanent certificate of occupancy for [rehabilitated] lower

income housing and/or park hereunder. In addition to the requirements of Section 23-90 (Inclusionary Housing), any units for which a *floor area* increase has been earned pursuant to Section 23-90 shall be within the Special Clinton District.

96-211

Floor area bonus for rehabilitated housing

For each *room* of rehabilitated housing provided within the Preservation Area the total *floor area* permitted on a *zoning lot* within the Perimeter Area may be increased by 500 square feet.

The number of *rooms* of rehabilitated housing which may generate bonus pursuant to this section shall not exceed the number of *rooms* which occupied the rehabilitated spaces prior to such rehabilitation. This bonus shall be granted provided that the Administrator of Housing and Development certifies to the Department of Buildings:

- (a) That the housing will be substantially rehabilitated within the meaning of the following: A property will be considered substantially rehabilitated when its condition is improved from a substantially substandard condition to a decent, safe and sanitary condition, which, with normal maintenance and repair, will remain in such condition at least 5 years. Substantially substandard condition means that the housing, while structurally sound, is not only below decent, safe, and sanitary condition, but also has one or more critical defects, or a combination of potential defects in sufficient number or extent to require considerable repair or rebuilding. The defects are either so critical or so widespread that the structures should be extensively repaired. Such defects may include, but not be limited to: holes or open cracks, rotted, deteriorated, loose, or missing material over a large area of the outside walls, roof, chimney, inside walls, floors, or ceilings; substandard sagging of floor, walls, or roof; extensive damage by storm, fire, or flood; inadequate or potentially hazardous utility systems and equipment; and lack of hot or cold running water, flush toilet, or tub or shower.

Administrator of the Housing and Development shall certify that the cost of this rehabilitation shall be commensurate with the value of the *floor area* bonus in the perimeter area.

- (b) That any eviction or termination of tenancies undertaken in connection with such rehabilitation satisfies all applicable legal requirements.
- (c) That the initial average monthly rental for the rehabilitated *dwelling units* does not exceed \$37 per *room*, which rental may be adjusted only in accordance with regulations of the rent Guidelines Board or successor thereto. The period

of regulated rent adjustments may end at the conclusion of the term of the initial **mortgage** or 25 years, which is later.

- (d) That the developer follow a tenant selection process which:
- (i) limits tenants to persons whose annual income is not greater than those limits specified in Article 2 of the New York Private Housing Finance Law.
 - (ii) gives first priority to otherwise qualified persons who were temporarily relocated from the site of the rehabilitated housing.
 - (iii) affords priority to residents of the Special Clinton District.
- (e) That provision is made for regular meetings between an organization representing the tenants of the rehabilitated housing and the owner to discuss maintenance, repairs and other matters related to the operation of the rehabilitated *dwelling units*.
- (f) That within 30 days of the filing of an application under the provisions of this Section, notification of filing of such application shall be given by the Administrator of Housing and Development to Borough of Manhattan, Community Board #4.

[96-212]

Floor area bonus for a park

* * *

Resolution for adoption scheduling February 18, 1987 for a public hearing.

BOROUGH OF THE BRONX

No. 16

CD 3

C 870402 PPX

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of one City-owned property located at 1416 Prospect Avenue (Block 2963, Lot 8).**

Resolution for adoption scheduling February 18, 1987 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 17

CD 1

C 870265 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of three (3) City-owned properties.

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
3088	26,27,28,29	N/S Siegal St., 150 Ft. W/O Graham Avenue
3088	32	N/S Siegal St., 75 Ft. E/O Manhattan Avenue
3088	34	N/S Siegal St., 25 Ft. E/O Manhattan Avenue

(On December 10, 1986, Cal. No. 7, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 10, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 18

CD 4,5,7

C 870267-268 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of twenty-four (24) City-owned properties.

<u>ULURP NO.</u>	<u>COM. BOARD</u>	<u>NO. OF PARCELS</u>
870267PPK	4	9
870268PPK	5	15

A list and description of properties can be seen at the Department of City Planning, 2 Lafayette Street, Room 1614, New York, New York.

(On December 10, 1986, Cal. No. 8, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 11, the hearing was continued to January 28, 1987).

Close the hearing.

No. 19

CD 13, 14, 16

C 870275-277 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of ten (10) City-owned properties.**

<u>ULURP NO.</u>	<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
870275PPK	13	7019	14,15,16	2814-18 West 19th Street
"	"	7058	5,6	2116-18 Mermaid Avenue
"	"	7058	8,9,10,11	2104-12 Mermaid Avenue
"	"	7059	2,3,4,5,6	2116-26 Mermaid Avenue
"	"	7059	8,9,10	2008-12 Mermaid Avenue
"	"	7059	12	2002 Mermaid Avenue
870276PPK	14	5166	51	2203 Clarendon Road
870277PPK	16	1461	26	1710 St. Marks Avenue
"	"	3526	325	446 Mother Gaston Blvd.
"	"	3532	24	48 Sutter Avenue

(On December 10, 1986, Cal. No. 9, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 12, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 20

CD 18

C 870279 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of one City-owned property located at 1373 East 95th Street** (Block 8241, Lot 20).

(On December 10, 1986, Cal. No. 10, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 13, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 21

CD 18

C 870252 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property for the **disposition of City-owned property** pursuant to Section 197-c of the New York City Charter.

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>	<u>TYPE OF ACTION PROPOSED</u>
8218	26	East Side of East 91st Street, 152 Feet South of Avenue J.	Restricted disposition for Cemetery uses only.

(On December 10, 1986, Cal. No. 13, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 16, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 22

CD 13, 17

C 870338-339 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of eight (8) City-owned properties.**

<u>ULURP NO.</u>	<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
870338PPK	13	6947	243	2621 W. 20th Street
"	"	6947	249	2611 W. 20th Street
"	"	7066	48	3224 Sea Place
870339PPK	17	4630	41	1093 Clarkson Avenue
"	"	4698	17	5024 Church Avenue
"	"	4870	19	206 E. 34th Street
"	"	4880	41	4303 Church Avenue
"	"	5128	41	91 Lott Street

(On December 10, 1986, Cal. No. 14, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 17, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 23

CD 1, 2

C 870324 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of City-owned property.**

<u>ULURP NO.</u>	<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
870324PPK	1	2269	41	53 Bartlett Street

(On December 10, 1986, Cal. No. 11, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 14, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 24

CD 5

C 870327 PPK

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of five (5) City-owned properties.**

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
3753	39	605 Sutter Avenue
4198	11	1056 Liberty Avenue
4208	46	2579 Pitkin Avenue
4230	17	2664 Pitkin Avenue
4303	31	752 Miller Avenue

(On December 10, 1986, Cal. No. 12, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 15, the hearing was continued to January 28, 1987.)

Close the hearing.

BOROUGH OF QUEENS

No. 25

CD 6

C 850359 ZMQ

PUBLIC HEARING

IN THE MATTER OF an application submitted by the Forest Hills Lakeview Estates pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map, Section No. 14A, changing from an R1-2 district to an R6 district property bounded by the Grand Central Parkway Extension, 72nd Road, 112th Street, a line 100 feet northwest of 72nd Road and the centerline prolongation of 72nd Avenue, to facilitate the construction of a condominium development, as shown on a diagram dated November 10, 1986.**

(On January 12, 1987, Cal. No. 5, the Commission scheduled January 28, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 26

CD 12

C 870367 PSQ

C 870368 PPQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services pursuant to Section 197-c of the New York City Charter for the **selection, acquisition and disposition of property located on the west side of 160th Street between 90th Avenue and Jamaica Avenue** (Block 9756, Lot 50 and part of Lots 64 and 18), as more specifically described in a diagram provided by the Department of General Services and dated January 15, 1986 for the construction of the "Jamaica Farmer's Market".

(On January 14, 1987, Cal. No. 6, the Commission scheduled January 28, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 27, 28 and 29

(Amendments to the Zoning Map and the City Map and grant of a special permit to facilitate a large scale residential development.)

No. 27

CD 7

C 860294 ZMQ

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application submitted by East Point Developers pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section 7b, changing from an M2-1 District to an R4 District and establishing within the R4 District, a C2-2 District, and establishing within an

existing R4 District, a C2-2 District, on property bounded by 5th Avenue, the easterly line of Hermon A. MacNeil Park and the northern prolongation of the west side line of the former College Place, the U.S. Pierhead Line, a line 400 feet easterly of Hermon A. MacNeil Park and the prolongation of the west side line of the former College Place, and a line passing through two points: One on the northerly side of 5th Avenue distant 500 feet easterly of Hermon MacNeil Park, and the other on a line 400 feet easterly of Hermon A. MacNeil Park distant 1115' feet southerly of the U.S. Pierhead Line **to facilitate the construction of a large scale development.**

(On December 10, 1986, Cal. No. 15, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 18, the hearing was continued to January 28, 1987.)

Close the hearing.

No. 28

CD 7

C 860295 ZSQ

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application submitted by East Point Developers pursuant to Sections 197-c and 200 of the New York City Charter and Sections 78-34, 78-351, 78-352 and 78-313(f) of the Zoning Resolution for the **grant of a special permit** involving a large scale residential development on property located on the north side of Fifth Avenue, east of College Place (Block 3916, Lots 1, 8, 12, 18).

(On December 10, 1986, Cal. No. 16, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 19, the hearing was continued to January 28, 1987.)

Close the hearing.

CD 7

C 860296 MMQ

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application submitted by East Point Developers pursuant to Sections 197-c and 199 of the New York City Charter for **amendment of the City Map** involving the elimination, discontinuance and closing of a portion of College Place, between Fifth Avenue and a line approximately 150 feet of north of Fifth Avenue.

(On December 10, 1986, Cal. No. 17, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 20, the hearing was continued to January 28, 1987.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 30

CD 10

C 860778 HAM

PUBLIC HEARING

IN THE MATTER OF the **designation and disposition of city-owned property**, pursuant to the Urban Development Action Area Act and Section 197-c of the New York City Charter.

Approval of three separate matters is requested:

1) The designation as an Urban Development Action Area:

Property on part of the block bounded by Frederick Douglass Boulevard, West 112th Street, Manhattan Avenue and West 113th Street (Block 1847, 21 thru 28; 2075-2083 Frederick Douglass Boulevard and 300, 304 and 306 West 113th Street.)

2) An Urban Development Action Area Project for such property; and

3) The disposition of such property to a developer to be selected by the Department of Housing Preservation and Development.

The proposed project tentatively known as Antlers Apartments, would provide **81 apartments for the elderly and handicapped**, plus one superintendent's apartment. Recreational and open space will also be provided.

(On January 14, 1987, Cal. No. 7, the Commission scheduled January 28, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 31 and 32

(Proposed amendments to the Zoning Map and the Zoning Resolution for the proposed establishment of a new Special Garment Center District.)

No. 31

CD 4,5

C 870242 ZMM

CONTINUED PUBLIC HEARING

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map, Section No. 8d, establishing a new Special Garment Center District (GC)**, bounded by West 40th Street, Seventh Avenue, West 38th Street, Broadway, West 35th Street, Seventh Avenue, a line midway between West 35th Street, and West 34th Street, Eighth Avenue, West 35th Street, and a line 100 feet east of Ninth Avenue.

(On December 10, 1986, Cal. No. 21, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 24, the hearing was continued to January 28, 1987.)

Close the hearing.

CD 4,5

N 870241 ZRM

CONTINUED PUBLIC HEARING

IN THE MATTER OF an amendment, pursuant to Section 200 of the New York City Charter for an amendment to the Zoning Resolution for the establishment of a new Special Garment Center District.

Matter in **bold type** is new

Matter in brackets [], is old, to be omitted.

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

11-12

Establishment of the Special Garment Center District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter I, The *Special Garment Center District* is hereby established.

12-10

Special Garment Center District

The "Special Garment Center District" is a Special Purpose District designated by the letters "GC" in which special regulations set forth in Article XII, Chapter I apply. The *Special Garment Center District* appears on the zoning maps superimposed on other districts, and its regulations supplement or supersede those of the districts on which it is superimposed.

[42-55

Additional Regulations for Signs, Banners and Canopies in Certain Manufacturing Districts

The following provisions apply on *wide streets* within the *Manufacturing District* bounded by Broadway, West 38th Street, Seventh Avenue, West 40th Street, a line 150 feet west of Eighth Avenue, West 35th Street, Eighth Avenue a line midway between West 35th and West 34th Street, Seventh Avenue and West 35th Street.

- (a) No *accessory business* or *advertising sign* shall project across the street line of a wide street more than 18 inches for double or multi-faced *signs* or 12 inches for other *signs*.
- (b) No canopies, marquees, or awnings shall be permitted on the exterior of any *building* with the exception of theatres or hotels.

- (c) Where a permit is issued by the Department of Highways for the temporary display of banners/pennants across a *street*, (or sidewalk) such banners/pennants shall be removed after 30 days of the issuance of the permit.
- (d) No banners or pennants shall be permanently displayed from the exterior of any *building* unless the design of such banners or pennants has been approved by the Mayor's Fashion Industry Advisory Council.

For the purpose of this Section, any *signs* including canopies, marquees, awnings, banners or pennants which do not conform to the above regulations may be continued for one year after the effective date of this Section, provided that after expiration of that period such non-conforming *signs*, including canopies, marquees, awnings, banners or pennants shall terminate.]

43-01

Applicability of this Chapter

Special regulations applying only in Special Purposes Districts are set forth in Articles VIII, IX, X, XI and XII.

Articles XII, Chapter I, Special Garment Center District

121-00 GENERAL PURPOSES

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

- (a) To retain adequate wage and job producing industries within the Garment Center;
- (b) To preserve apparel production and showroom space in designated areas of the Garment Center;
- (c) To limit conversion of manufacturing space to office use in designated areas of the Garment Center;
- (d) To promote the most desirable use of land within the district, to conserve the value of land and buildings, and thereby protect the City's tax revenues.

121-01

Definitions

Special Garment Center District (repeated from Section 12-10)

The "Special Garment Center District" is a Special Purpose district designated by the letters "GC" in which special regulations set forth in Article XII, Chapter I apply. The *Special Garment Center District* appears on the *zoning maps*

superimposed on other districts, and its regulations supplement or supersede those of the districts on which it is superimposed.

121-02

General Provisions

In harmony with the general purposes of the *Special Garment Center District* the signage requirements of this Chapter shall apply to all *developments, enlargements, alterations, extensions, and conversions*. The *use* regulations shall apply to all conversions and *extensions*. Except as modified by the express provisions of this Chapter, the regulations of the underlying districts remain in effect.

121-03

District Plan (Appendix A)

The District Plan (Appendix A) for the *Special Garment Center District* shows the Preservation Area, indicated by a "P". Appendix A is hereby incorporated as an integral part of the provisions of this Chapter.

121-10 PRESERVATION AREA

121-11

Special Use Regulations

Use Groups A and B list the *uses* which are permitted in the Preservation Area. In addition, conversion to Use Group 6B *use* is permitted subject to the *floor area* preservation requirements of Section 121-113 (Floor area preservation).

121-111

Use Group A

Conversion to Use Group A *uses* are exempt from the *floor area* preservation requirements of Section 121-113 (Floor area preservation). In the case of conversion of *floor area* to Use Group 6B *use*, Use Group A *uses* may not be used to satisfy the preservation requirement.

In Use Group 6A:

All *uses*

In Use Group 6C:

All *uses* except loan offices, telegraph offices and travel bureaus.

In Use Group 6D:

All *uses*

In Use Group 9A:

Blueprinting or photostating establishments

Musical instrument repair shops

Printing establishments, limited to 2,500 square feet of *floor area* per establishment for production

Typewriter or other small business machine sales, rentals or repairs.

In Use Group 12B:

All uses

Additional uses:

Accessory uses

Automobile rental establishments

Public parking lots and public parking garages, pursuant to the provisions of Article I, Chapter 3 (Comprehensive Off-street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7, and 8 in the Borough of Manhattan).

Wholesale establishments, with a minimum of 15 percent of *accessory storage*

Wholesale showrooms

121-112

Use Group B

Conversion to Use Group B *uses* are exempt from the *floor area* preservation requirements of Section 121-113 (Floor area preservation). In the case of conversion of *floor area* to a Use Group 6B *use*, only Use Group B *uses* may be used to satisfy the *floor area* preservation requirements of Section 121-113 (Floor area preservation).

In Use Group 11A:

Art needle work, hand weaving or tapestries

Books, hand binding or tooling

Ceramic products, custom manufacturing

Clothing custom manufacturing or altering for retail

Hair products, custom manufacturing

Jewelry manufacturing from precious metals

In Use Group 16A:

Household or office equipment or machinery repair shops, such as refrigerators, washing machines, stoves, deep freezers, or air-conditioning units

Tool, die or pattern making establishments or similar small machine shops

In Use Group 16D:

Packing or crating establishments

Trucking terminals or motor freight stations, limited to 20,000 square feet of lot area per establishment

Warehouses

In Use Group 17B:

All Uses:

Additional Uses:

Accessory uses

121-113

Floor area preservation

In the Preservation Area, the conversion of *floor area* to Use Group 6B use after October 6, 1986 is permitted only by certification of the Chairman of the City Planning Commission that *floor area* has been preserved subject to the provisions of Section 121-115 (Certification and other requirements of preservation and conversion) for uses specified in Section 121-112 (Use Group B).

The amount of *floor area* to be preserved shall be equal to the amount of *floor area* converted. Such *floor area* may be preserved in the same *building* or in any other comparable *building* in the Preservation Area, subject to the provisions of Section 121-114 (Comparability).

Floor area may not be preserved on portions of floors. If the *floor area* to be preserved includes a fraction of a floor, the next highest number of full floors must be preserved for a permitted use in Use Group B. At the time of conversion, *floor area* to be preserved must either be vacant or occupied by a use in Use Group B.

121-114

Comparability

Where the *floor area* to be preserved is not located within the *building* to be converted, such *floor area* must be comparable to *floor area* in the *building* to be converted. Comparability, shown by an affidavit from a professional engineer or a registered architect, licensed under the laws of the State of New York, shall exist where the *floor area* to be preserved meets the following criteria:

a) Elevators: Load and number

(1) Load

Each elevator shall have a minimum load of 2,000 pounds. The total load of all elevators servicing the *floor area* to be preserved shall be in accordance with the following ratio:

<u>Total Load</u>		<u>Total Load</u>
Gross <i>floor area</i> of <i>building</i> to be preserved	Is greater than or equal to 90% of	Gross <i>floor area</i> of <i>building</i> to be converted

(2) Number

There shall be a minimum of two elevators. The number of elevators servicing the *floor area* to be preserved shall be in accordance with the following ratio:

<u>Number of Elevators</u>		<u>Number of Elevators</u>
Gross <i>floor area</i> of <i>building</i> to be preserved	Is greater than or equal to 90% of	Gross <i>floor area</i> of <i>building</i> to be converted

Notwithstanding the above, where there is only one elevator servicing the *floor area* to be converted, there may be one elevator servicing the *floor area* to be preserved if the following exist:

- (i) the *floor area* to be serviced by the elevator in the *building* to be preserved does not exceed the *floor area* serviced by the elevator in the *building* to be converted by more than 10 percent, and
- (ii) the ratio of the volume of the elevator servicing the *floor area* to be preserved to the *floor area* to be preserved is at least 90 percent of the ratio of the volume of the elevator servicing the *floor area* to be converted to the *floor area* to be converted.

If the number of elevators required pursuant to the above ratio includes a fraction of an elevator, this fraction shall be rounded to the nearest whole number.

(b) Floor Load

The floors shall have a minimum live load capacity of 100 pounds per square foot (100 psf).

(c) Size of Floors

The *floor area* shall be located on floors of not less than 3,000 square feet or 50 percent of the size of the floors in the *building* to be converted, whichever is greater. *Floor area* may not be preserved on portions of floors.

(d) Loading Facilities

The loading facilities shall be at least equal in number to those in the *building* to be converted. In addition, if such *building* has an off-street loading dock, the *building* containing the *floor area* to be preserved must have such off-street loading facilities.

(e) Column Spacing

There shall be a minimum distance between columns of 16 feet, measured

on center. In addition, the average distance between columns shall not be less than 90 percent of the average distance between columns in the *building* to be converted.

(f) Height of Stories

The stories shall have an average minimum height of ten feet.

121-115

Certification and other requirements of preservation and conversion

- (a) Prior to the issuance of an alteration permit for the conversion of *floor area* to Use Group 6B *use*, the Chairman of the City Planning Commission shall certify compliance with the requirements of Section 121-113 (Floor area preservation) upon proof of a legal commitment to preserve and maintain the required *floor area* for a permitted *use* in Use Group B. Such legal commitment shall be executed by all parties having any interest in the *floor area* to be preserved as shown by a certificate issued by a title insurance company licensed to do business in the State of New York showing all such parties in interest.

A "party in interest" in the tract of land shall include only (W) the fee owner thereof, (X) the holder of any enforceable recorded interest superior to that of the fee owner and which could result in such holder obtaining possession of all or substantially all of such tract of land, (Y) the holder of any enforceable recorded interest in all or substantially all of such tract of land which would be adversely affected by the preservation as required herein, and (z) the holder of any unrecorded interest in all or substantially all of such tract of land which would be superior to and adversely affected by the preservation required herein and which would be disclosed by a physical inspection of the tract of land.

A copy of the legal commitment required herein shall be recorded in the Conveyances Section of the Office of the City Register of New York County upon certification.

- (b) The amount of *floor area* required to be preserved in any *building* pursuant to Section 121-113 (Floor area preservation) shall not be reduced by the existence of a previously issued legal commitment for preservation on a portion of the *floor area* in the *building*.
- (c) If any *floor area* preserved for a *use* in Use Group B pursuant to Section 121-113 is damaged, destroyed or becomes unusable, it shall be repaired or reconstructed only in accordance with the conditions and restrictions set forth in the certification granted by the City Planning Commission and the legal commitment constituting part of such certification. Failure to comply with any other conditions and restrictions or failure to rebuild such preserved *floor area* set forth above shall constitute a violation of the certification and may

constitute a basis for denial or revocation of the building permit or certificate of occupancy issued for the *building* containing preserved *floor area*.

121-12

Regulations for Conversions Commenced Prior to (the Effective Date of This Amendment)

If an alteration permit, building notice or other official approval was issued prior to October 6, 1986 for the conversion of *floor area* to a Use Group 6B *use* such *floor area* shall be exempt from the preservation requirements contained in Sections 121-11 *et. seq.*

All other conversions to Use Group 6B *use* for which an alteration permit, building notice or other official approval was issued on or after October 6, 1986 shall be subject to the preservation requirements contained in Sections 121-11 *et. seq.* notwithstanding when such conversion is completed.

121-13

Conditions for Application of Preservation Area Regulations to Entire Zoning Lot

For purposes of this Chapter, the provisions of Article VII, Chapter 7 (Special Provisions for Zoning Lots Divided by District Boundaries) are hereby made inapplicable. In lieu thereof, *zoning lots* existing on October 6, 1986 divided by the boundary of the Preservation Area as shown in Appendix A shall be subject to the *use* regulations applicable to the district in which more than 50 percent of the *lot area* is located. However, *zoning lots* fronting on a *wide street* shall not be subject to the preservation requirements of this Chapter.

121-20 SIGN REGULATIONS

The following provisions apply on *wide streets* within the *Special Garment Center District*

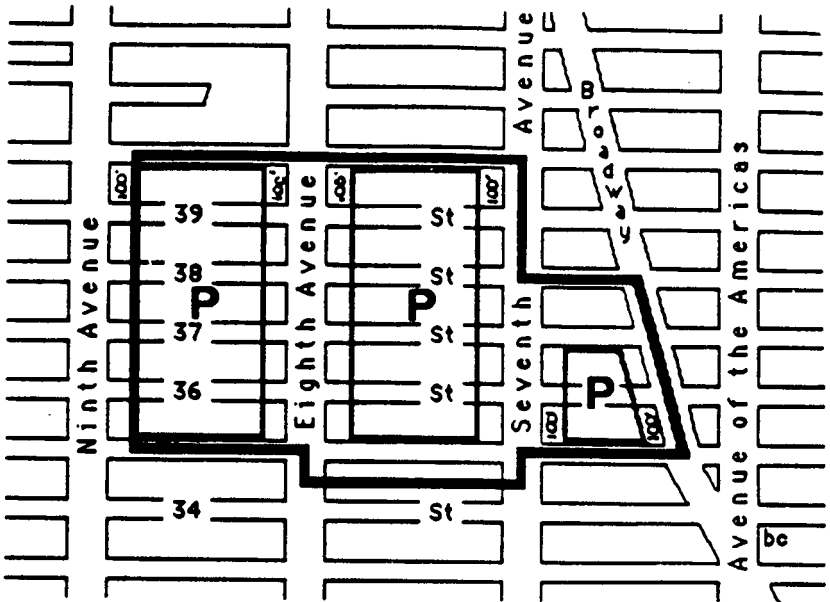
- (a) No *accessory business* or *advertising sign* shall project across the *street line* of a *wide street* more than 18 inches for double or multi-faced signs or 12 inches for other *signs*.
- (b) No canopies, marquees, or awnings shall be permitted on the exterior of any *building* with the exception of theatres or hotels.
- (c) Where a permit is issued by the Department of Highways for the temporary display of banners/pennants across a *street* (or sidewalk) such banners/pennants shall be removed after 30 days of the issuance of the permit.
- (d) No banners or pennants shall be permanently displayed from the exterior of any *building* unless the design of such banners or pennants has been approved by the Mayor's Fashion Industry Advisory Council.

For the purpose of this Section, any *signs* including canopies, marquees, awnings, banners or pennants which do not conform to the above regulations may be continued for one year after the effective date of this Section, provided that after expiration of that period such non-conforming *signs*, including canopies, marquees, awnings, banners or pennants shall terminate.

121-03

APPENDIX A:

Special Garment Center District Plan



———— Special Garment Center District
P — Preservation Area

(On December 10, 1986, Cal. No. 22, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 25, the hearing was continued to January 28, 1987.)

Close the hearing.

BOROUGH OF THE BRONX**Nos. 33 and 34**

(Disposition of City-owned property and lease of property to facilitate the expansion of the Ruth Fernandez Transitional Family Residence.)

No. 33**CD 2****C 870345 HAX****PUBLIC HEARING:**

IN THE MATTER OF an application relating to the **disposition of city-owned property** pursuant to the Urban Development Action Area of New York State and Section 197-c of the New York City Charter.

Approval of three separate matters is requested:

1) The designation of the following properties as an Urban Development Action Area:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>
2720	52	760 Fox Street
	53	762
2707	78	763

2) An Urban Development Action Area Project for such property; and,

3) The disposition of such property to a developer to be selected by the Department of Housing Preservation and Development.

This project involves the **expansion of the existing Ruth Fernandez Transitional Family Residence.**

(On January 12, 1987, Cal. No. 1, the Commission scheduled January 28, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 34**CD 2****C 870346 HLX****PUBLIC HEARING:**

IN THE MATTER OF an application for the lease of property pursuant to Section 197-c of the New York City Charter.

The property to be leased comprises 760, 762 and 763 Fox Street (block 2720 lots 52 and 53, and block 2707 lot 78 respectively). Upon completion of the rehabilitation of these properties for use as an expansion of the **Ruth Fernandez Family Transitional Family Residence**, and the issuance of a Certificate of Occupancy, the Human Resources Administration will initiate a 17 year lease with the owner/sponsor of the building.

(On January 12, 1987, Cal. No. 2, the Commission scheduled January 28, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 35**CD 9****C 870161 PSX****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Department of Juvenile Justice pursuant to Section 197-c of the New York City Charter for the selection and acquisition of property located on the westerly side of **Beach Avenue**, between **Gleason and Watson Avenues** (Block 3753, Lots 1 and 73, for the operation of a non-secure detention group home for children.

(On January 12, 1987, Cal. No. 3, the Commission scheduled January 28, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 36

CD 3

C 840699 PNR

PUBLIC HEARING:

IN THE MATTER OF an application by The Division Of Real Property for the **disposition of City-owned property** pursuant to Section 197-c of the New York City Charter.

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>	<u>TYPE OF ACTION PROPOSED</u>
7991	3 and 100 (Part Of)	Interior Lot near the intersection of Arthur Kill Road and Barnard Avenue	Release of City's interest in lands now or formerly under the water of Arthur Kill to the upland owner (Richmond Industrial Associates).

(On January 12, 1987, Cal. No. 4, the Commission scheduled January 28, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF BROOKLYN

No. 37

CD 7

C 870159 ZMK

IN THE MATTER OF an application submitted by the Brooklyn Office of the Department of City Planning pursuant to Section 197-c and 200 of the New York City Charter for **amendment of the Zoning Map, Section 16d, changing from an R6 District to an R5 District property generally bounded by a line 100 feet west of and parallel to Park Circle, a line 100 feet north of Ocean Parkway, the westerly prolongation of said line, East 5th Street, Vanderbilt Street, Prospect Avenue, the southerly prolongation of the center line of Horace Court, the center line of Horace Court, the northerly prolongation of the center line of Horace Court, 16th Street, a line 100 feet east of Prospect Park West, a line 100 feet east of and parallel to Bartel Pritchard Square, and a line 100 feet south of and then west of Prospect Park Southwest, to bring the zoning more in line with the existing built form, as shown on a diagram dated October 6, 1986.**

(On December 10, 1986, Cal. No. 3, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 6, the hearing was closed.)

For consideration.

 No. 38

CD 16

C 860185 MMK

IN THE MATTER OF an application submitted by the New York City Department of Transportation pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving:

- a) The varying widening of 70-foot-wide Hopkinson Avenue on its easterly side from a width of 70 feet at a point approximately 60 feet northerly of East New York Avenue to a width of approximately 95 feet at East New York Avenue; and

- b) A change in the legal grades of East New York Avenue between Park Place and Sterling Place and of Hopkinson Avenue between Pitkin Avenue and Eastern Parkway

to facilitate the realignment of Hopkinson Avenue at East New York Avenue and the improvement of these streets to existing or near existing grades, in accordance with Map. No. X-2375, dated May 9, 1986, and signed by the Borough President.

This map was referred by the Board of Estimate on June 17, 1986 (Cal. No. 453).

(On December 10, 1986, Cal. No. 4, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 7, the hearing was closed.)

For consideration.

No. 39

*Printed in error
(see #23+24)*

CD 1, 2

C 870324 PPK

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of City-owned property.**

<u>ULURP NO.</u>	<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
870324PPK	1	2269	41	53 Bartlett Street

(On December 10, 1986, Cal. No. 11, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 14, the hearing was closed.)

For consideration.

No. 40

*Printed in error
See #'s 23 + 24*

CD 5

C 870327 PPK

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of five (5) City-owned properties.**

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
3753	39	605 Sutter Avenue
4198	11	1056 Liberty Avenue
4208	46	2579 Pitkin Avenue
4230	17	2664 Pitkin Avenue
4303	31	752 Miller Avenue

(On December 10, 1986, Cal. No. 12, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 41

CD 10, 13

C 870340-341 PPQ

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of three (3) City-owned properties.**

<u>ULURP NO.</u>	<u>C.B.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>
870340PPQ	10	11647	28	114-44 121 Street
870341PPQ	13	13032	119	218-19 137th Avenue
"	"	13342	11	145-94 179th Street

(On December 10, 1986, Cal. No. 18, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 21, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN**Nos. 42, 43, 44 and 45**

(Amendments to the City Map, the Zoning Resolution, the 1979 Memorandum of Understanding and site selection for the relocation of Stuyvesant High School to allow development of the north portion of the Battery Park City Special Zoning District.)

No. 42**CD 1****M 790764 (B)CMM**

IN THE MATTER OF an amendment to the Large Scale Commercial Development Plan for Battery Park City as included in the Memorandum of Understanding of November 8, 1979, for the enlargement of the commercial core to include an additional site north of Vesey Street.

For consideration.

No. 43**CD 1****C 841002 MMM**

IN THE MATTER OF an application submitted by the Battery Park City Authority pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** showing the following changes:

1. The establishment of the lines and grades of the following streets located between West Street and the Hudson River:
 - a) North End Avenue, primarily at a width of 100 feet, between North Cove and Chambers Street;
 - b) The northwesterly extension of Vesey Street, at width of 100 feet, from West Street to North End Avenue;
 - c) The northwesterly extension of Murray Street, at widths ranging from 90 feet to 64 feet, from the Marginal Street, Wharf or Place to River Terrace;

- d) Park Place West, at a width of 64 feet, from the Marginal Street, Wharf or Place to River Terrace;
 - e) The northwesterly extension of Warren Street at a width of 64 feet, from the Marginal Street, Wharf or Place to River Terrace;
 - f) the northwesterly extension of Chambers Street, at a width of 68 feet, from the Marginal Street, Wharf or Place to River Terrace;
 - g) Vesey Place, primarily 55-foot-wide looped street enclosing a small park, located between North End Avenue and North Park at the southerly terminus of River Terrace;
 - h) River Terrace, primarily at a width of three (3) feet from Vesey Place to Chambers Street.
2. The laying out of the following parks:
-
- a) North Park (approximately 15 acres including North Cove) extending along the U.S. Pierhead line of the Hudson River from the intersection of South End Avenue and Liberty Street to the north boundary of the Battery Park City site (i.e., a line roughly parallel to the westerly prolongation of the south line of Harrison Street and located approximately 264 feet southerly therefrom).
 - b) A park (approximately .4 acres) bounded by North End Avenue and Vesey Place.
 - c) A roughly triangular park (approximately .17 acres) bounded by the divided segments of Murray Street and the east line of North End Avenue;
 - d) Three (3) roughly rectangular, 50-foot-wide park-medians in North End Avenue located respectively between Murray Street and Park Place West (approximately 120 feet long); Park Place West and Warren Street (196 feet long), and Warren Street and Chambers Street (196 feet long).
3. The laying out of the following public places:
- a) A 43-foot-wide, approximately 412 foot long Public Place northerly of Chambers Street, extending from the Marginal Street, Wharf or Place westerly to the north end of North Park, along the north boundary of the Battery Park City site.
 - b) The laying out of a Public Place, approximately 90 feet wide by 132 feet long, at the northerly terminus of South End Avenue.

4. The delineation of the following public easements (shown on the alteration map for information purposes only):
 - a) Newly delineated 15-foot-wide sidewalk easements abutting the west line of the Marginal Street, Wharf or Place and extending across the intervening blocks between Vesey Street and the Public Place adjacent to the north boundary of the Battery Park City site;
 - b) A newly delineated 10-foot-wide sidewalk easement abutting the northeast line of Vesey Street from the Marginal Street, Wharf or Place to North End Avenue;
 - c) A newly delineated 10-foot-wide sidewalk easement of irregular configuration extending from the northwest corner of the permanent pedestrian access easement (which accommodates the pedestrian bridge connecting the Battery Park City commercial core with the World Trade Center) to Vesey Street.
 - d) A previously delineated sidewalk easement of varying width and irregular configuration extending from the south side of the above-mentioned permanent pedestrian access easement, roughly following the west line of the Marginal Street, Wharf or Place, to Liberty Street;
 - e) A 40-foot-wide sewer easement extending through North Park from Vesey Place to the U.S. Pierhead Line of the Hudson River.
 - f) A 2-foot-wide sidewalk easement abutting the north line of Chambers Street from West Street to River Terrace;
5. The delineation of the following Battery Park City easements (shown on the alteration map for information purposes only):
 - A. Battery Park City easements:
 - a) A 10-foot-wide private maintenance easement within North Park, along its east boundary, in the vicinity of North Cove;
 - b) A 10-foot-wide private sanitary sewer easement lying adjacent to a portion of the above-noted private maintenance easement, and extending to North End Avenue;
 - c) A private river water intake easement of varying width extending through the southwesterly terminal portion of North End Avenue and North Park to the U.S. Pierhead Line of the Hudson River;
 - d) A private river water outfall easement of irregular shape extending from the BPC site through North Park to the northeast corner of North Cove;

Note: Other easements, including a 20-foot-wide water main easement located within the park in the vicinity of North Cove, may also be delineated on the map for information purposes only; furthermore, some of the above listed easements may be omitted from the final map.

to facilitate the development of the North Neighborhood of Battery Park City, in accordance with a map dated August 30, 1985 and last revised on 9-19-86 prepared by Vollmer Associates, which incorporates the salient features of Manhattan Borough President's Map Acc. No. 30116, which shall be referred to the City Planning Commission in the future.

(On November 6, 1986, Cal. No. 36, the Commission scheduled December 10, 1986 for a public hearing. On December 10, 1986, Cal. No. 39, the hearing was closed.)

For consideration.

No. 44

CD 1

C 870164 PSM

IN THE MATTER OF an application submitted by the New York City Board of Education pursuant to Section 197-c of the New York City Charter for the **selection of property** known as Parcel 21, which is currently owned by the Battery Park City Authority and is located on the north side of Chambers Street between River Terrace and West Street, (Chambers Street and River Terrace are streets which are proposed to be established under a related application, C 841002 MMM), within the North Neighborhood of the Special Battery Park City District, as more specifically described in a diagram prepared by the Battery Park City Authority entitled "Project Site and Proposed Uses" and provided by the applicant, to facilitate the development of Stuyvesant High School as part of a 300 unit residential complex.

(On November 6, 1986, Cal. No. 37, the Commission scheduled December 10, 1986, for a public hearing. On December 10, 1986, Cal. No. 40, the hearing was closed.)

For consideration.

CD 1

N 870004 ZRM

IN THE MATTER OF an amendment to the Zoning Resolution pertaining to the **Special Battery Park City District** as follows:

Matter in **bold type** is new

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

Matter in *italics* is defined within the Zoning Resolution

Chapter 4 Special Battery Park City District

84-00 GENERAL PURPOSES

The "Special Battery Park City District" established in this resolution is designed to promote and protect public health, safety, and general welfare. These general goals include among others, the following specific purposes:

- (a) To strengthen the business core of Lower Manhattan by improving the working environment.
- (b) To provide major additional space for expansion of office *uses* and their ancillary facilities.
- (c) To broaden the regional choice of residence by introducing new housing in the vicinity of the major employment center of Lower Manhattan.
- (d) To achieve a harmonious visual and functional relationship with adjacent areas.
- (e) To create an environment which will be lively and attractive and provide daily amenities and services for the use and enjoyment of the working population and the new residents.
- (f) To take maximum advantage of the beauty of the Hudson River waterfront, thereby best serving the downtown business community, the new residential population and providing regional recreation as well.
- (g) To promote the most desirable use of land and direction of building development in the Lower Manhattan area.

84-02

General Provision and Definitions

In harmony with the general purpose and intent of this Resolution and in order to achieve the purpose of the *Special Battery Park City District*, a special set of

regulations is established for the *Special Battery Park City District* controlling *use, bulk, accessory* off-street parking facilities, and *accessory* off-street loading facilities. Such regulations are contained in this Chapter and in other provisions of this resolution incorporated in this Chapter by cross-reference.

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), in this Section, or Section 84-03 (District Plan). Where matter in italics is defined both in Section 12-10 (DEFINITIONS) and in this Chapter, the definition in this Chapter shall govern.

84-021

Definitions (repeated from Section 12-10) Special Battery Park City District

The “Special Battery Park City District” is a Special Purpose District designated by the letters “BPC” in which special regulations set forth in Article VIII, Chapter 4, apply to all *development, enlargement* and changes of uses.

84-022

Incorporation of Appendix 1, Appendix 2 and Appendix 3

Appendix 1 (Battery Park City District Plan), [and] Appendix 2 **and Appendix 3** (Zone A District Plans) are hereby incorporated as integral parts of the provisions of this Chapter. In the event of an inconsistency or need for clarification between Appendix 1, Appendix 2 **or Appendix 3** and the written specifications in this Chapter, in each such case the written specifications in this Chapter shall govern.

84-023

Esplanade

The “esplanade” is a *public park* extending along all waterfront edges of the *Special Battery Park City District*. The *esplanade* is shown in the Battery Park City District Plan in Appendix 1.

84-024

Mandatory Front Building Wall Lines

“Mandatory front building wall lines” are imaginary lines extending through Zone A of the *Special Battery Park City District* which, except as shown in the Zone A District Plan in Appendix 2.1 **and in Appendix 3.1**, coincide with *street lines and with which building walls* must generally coincide, as provided in Section 84-22. The height of required *building walls* along the *mandatory front building wall lines* shall be 60 to 85 feet or 110 to 135 feet **or 150 to 220 feet**, as shown in the Zone A District Plan in Appendix 2.1 **and Appendix 3.1**, and such walls are hereinafter referred to as “mandatory front building walls.”

84-025

Special Height Locations

“Special Height Locations” are designated areas on certain *zoning lots* in Zone A of the *Special Battery Park City District* upon which a *development* or *enlargement* portion thereof in Section 84-22 and 84-23. Special height locations are indicated in the Zone A District Plan in Appendix 2.2 and Appendix 3.2.

84-03

District Plan

The District Plan is set forth in Appendix 1. Each *block* shall be considered a *single zoning lot* for the purposes of the “*Special Battery Park City District*”.

84-04

Sub Districts: Zone A and Zone B [and Zone C]

In order to carry out the purposes and provisions of this Chapter, the *Special Battery Park City District* is divided into two [three] sub-districts: Zone A and Zone B [and Zone C]. The locations and boundaries of the sub-districts are shown on the District Plan in Appendix 1.

84-041

Zone A

Zone A is designed generally to provide for [high-bulk] residential development with ancillary retail and service uses. Zone A is divided into seven [four] sub-Zones: [Zone] A-1, [Zone] A-2, [Zone] A-3, [and Zone] A-4, A-5, A-6 and A-7. The location and boundaries of the sub-Zones are shown in the Zone A District Plan in Appendix 2 [2.3] and Appendix 3 [3.3].

84-042

Zone B

Zone B is designed to provide for [high-bulk] commercial and mixed development with ancillary retail and service uses, in accordance with the **Large Scale Commercial Development Plan which is attached as an exhibit to the Master Lease for Battery Park City dated June 6, 1980 as amended** [Settlement Agreement dated June 6, 1980 between the City of New York, the State of New York, and various agencies and subdivisions thereof.] Alignment of the pedestrian bridge at Liberty Street shall connect or allow for connection at the easterly line of West Street with pedestrian ways to be provided on the southerly side of Liberty Street, as set forth in Chapter 6 “Special Greenwich Street Development District.” In addition, the pedestrian bridge at the World Trade Center crossing shall connect or allow for connection with the World Trade Center at the easterly line of West Street. The pedestrian bridges are shown in the Battery Park City District Plan in Appendix 1.

[84-043 Zone C

Zone C is designed generally to provide for high-bulk residential development with ancillary retail and service uses.]

84-10 ZONE A GENERAL DISTRICT REGULATIONS**84-11****General Provisions**

Except as expressly modified by the provision of this Chapter, the regulations applying in an R10 district shall apply in sub-Zones A-1, A-2,[and] A-3, A-5, A-6, and A-7 of Zone A of the *Special Battery Park City District*. Notwithstanding any other provision of this Resolution, no *development* may be constructed in sub-Zone A-4 except in accordance with certifications given by the City Planning Commission. *Residential open space* in sub-Zone A-4 shall be subject to the provision of Sections 12-10 and 23-12 of the Zoning Resolution, and for every *room*, there shall be a minimum of 22.0 square feet of *open space*. All other provisions of this Chapter with respect to Zone A shall not apply to *development* or *enlargements* in sub-Zone A-4 **unless otherwise indicated**.

84-12**Use Regulations**

In the areas indicated as commercial overlay in the Zone A District Plan in Appendix 2.3 [2.4] and Appendix 3.3 [3.4], the *use* regulations applying in a C2 district shall apply, except as provided in Sections 84-121 (Special Permit Uses) 84-122 (Uses Not Permitted), 84-123 (Uses Along Esplanade), and this Section.

The *uses* permitted hereunder shall be constructed and located so that no exhaust vents or chimneys open onto any *street* or park or onto the *esplanade*.

Notwithstanding any other provisions of this Resolution, the permitted *uses* listed in Use Groups 6, 7, 8, 9, or 14 and the additional *uses* permitted hereunder shall be limited, per establishment, to 10,000 square feet of *floor area* of any *story* and shall not be located above the first *story* ceiling, except that:

- (a) in any *development* containing an *arcade* required in Section 84-13 (Mandatory Arcades), any permitted *use* may be located above the first *story* ceiling and below the second *story* ceiling;
- (b) supermarkets are permitted with no limitation on *floor area*. **Theaters shall comply with the waiting space requirements set forth in Section 32-17;** and
- (c) automobile rental establishments are permitted with a capacity of up to 100 cars.

[Theatres shall comply with the waiting space requirements set forth in Section 32-17]

For *developments* and *enlargements* located in sub-Zone A-4, the City Planning Commission may, upon application, authorize modification of supplementary *use* regulations of Section 32-422 (Location of floors occupied by non-residential uses) provided the following findings are made:

a) that the non-*residential* uses are located in a portion of the *mixed building* which has separate access to the outside with no opening of any kind to the *residential* portion of the *building* at any *story*; and

b) that the non-*residential uses* are not located directly over any *dwelling* unit in a *story* below.

c) That the modifications shall not adversely effect the *residential* character of the area.

84-121

Special permit uses

The following *uses* are permitted only by special permit of the City Planning Commission and the Board of Estimate: [pursuant to the applicable provisions of Article VII, Chapter 4]

Electrical or gas utility sub-stations, open or enclosed pursuant to Section 74-61 [Public utility stations for oil or gas metering or regulating]

[Telephone exchanges or other communications equipment structures]

Public parking [Park] garages [or parking lots] as provided for C5 zones pursuant to Section 74-52.

As a condition precedent to the granting of such special permit, the City Planning Commission shall make a finding that such *use* is located so as to minimize adverse effects on existing or future development in nearby areas or on the use or enjoyment of the *esplanade* or other public facilities.

The following *uses* are permitted only by special permit of the Board of Standards and Appeals:

Electrical or gas utility sub-stations, open or enclosed pursuant to Section 73-14

Public utility stations for oil or gas metering or regulating pursuant to Section 73-15

Telephone exchanges or other communications equipment structures pursuant to Section 73-14

Physical Culture Establishments in sub-Zone A-4 only, pursuant to Section 73-36. However, Physical Culture or Health Establishments located below the level of the first *story* ceiling shall not be permitted to front on the *esplanade*.

84-122

Uses not permitted

The following uses shall not be permitted:

- A. **TRANSIENT ACCOMMODATIONS**
[Hotels, transient]
Motels or tourist cabins or boatels
- B. **RETAIL OR SERVICE ESTABLISHMENTS**
Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilating contractors establishments
Exterminators
Funeral Establishments
Lumber stores
Monument sales establishments
Moving or storage offices
Pawn shops
Printing establishments
Refreshment stands, drive-in
Sign painting shops
Taxidermist shops
Trade embalmers
Upholstering shops
Window cleaning contractors establishments, including floor waxing and other similar building maintenance services
- C. **WHOLESALE ESTABLISHMENTS**
Wholesale establishments
- D. **AUTOMOBILE SERVICE ESTABLISHMENTS**
Automobile service stations
Automobile glass and mirror shops
Automobile seat cover or convertible top establishments
Tire sales establishments
- E. **PUBLIC SERVICE ESTABLISHMENTS**
Prisons

84-123

Uses along esplanade

Except as set forth in this Section and in Section 84-12, *uses* fronting on the *esplanade* shall be limited to the *uses* listed in Use Groups 2, 3, and 4 as set forth in Section 22-12 except that in the areas indicated as retail overlay in the Zone A District Plan in Appendix 2.3 [2.4] in the lowest *story*, other than a *basement*, in any *development* the following additional *uses* shall be permitted:

Eating or drinking [places] establishments, as listed in Use Group 6A, set forth in Section 32-15, provided that they be located in the lowest *story* other than a *basement*. However, in sub-Zone A-7 such *uses* may be at any *story* provided that such *uses* are located below any *story* containing *dwelling units*.

84-124

Interim uses

On application to and with the permission of the Battery Park City Authority, any open *use* listed in Use Groups 1 through 16, as set forth in Sections 32-11 through 32-25, is permitted if such *use* is an interim *use* which will not obstruct, interfere with, or be incompatible with the general purposes and overall development of the *Special Battery Park City District*, and if such *use* is not prohibited by the Settlement Agreement dated June 6, 1980 between the City of New York, the State of New York and various agencies and instrumentalities thereof. The Authority may prescribe appropriate conditions and safeguards in order to minimize adverse effects on surrounding land *uses*.

84-13

Mandatory Arcades

Any *development* located on a *zoning lot* upon which the Zone A District Plan in Appendix 2.4 [2.5] requires an *arcade* shall contain an *arcade* as defined in Section 12-10, and:

(a) the *arcade* shall extend the full length of the *zoning lot* along the indicated *street lines* or other lines, except where otherwise indicated in the Zone A District Plan; and

(b) the minimum unobstructed depth of the *arcade* shall be 12 feet, and the minimum height of the *arcade* shall be 20 feet above *curb level*.

84-20 MODIFICATIONS OF BULK REQUIREMENTS IN ZONE A

Residential and *community facility* bulk regulations otherwise applicable in R10 Districts are modified in Zone A of the *Special Battery Park City District* to the extent set forth in this Section and Sections 84-21 through 84-23.

The height and setback regulations otherwise applicable in R10 Districts are superseded by the regulations set forth in Sections 84-21, 84-22, and 84-23.

The provisions of Section 23-533 (Required Rear Yard Equivalents), Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage), Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments), and Article VII, Chapter 9 (Special Regulations Applying to Large Scale Community Facility Development) are not applicable.

The provisions of Section 23-70 (Minimum Distance Between Buildings) may be modified by the Battery Park City Authority. Prior to the granting of any such modification, the Authority shall make the following findings:

(a) that such modification will aid in achieving the general purpose and intent of the *Special Battery Park City District* as set forth in Section 84-01;

(b) that such modification will not unduly increase the *bulk of buildings*, the density of population, or the intensity of use on any *zoning lot* to the detriment of the occupants of *buildings* on such *zoning lot* or *nearby zoning lots*;

(c) that such modification will not adversely affect the *buildings*, on the *zoning lot* by restricting access to light and air; and

(d) that if an open area is provided at any level, between two *buildings*, it shall have a width of not less than eight feet.

84-21

Floor Area Regulations

Notwithstanding any other provisions of this Resolution, the permitted *floor area ratio* for any *development* or *enlargement* on a *zoning lot* in sub-Zones A-1 and A-5 shall not exceed 12.0 and in sub-Zones A-2, [and] A-3 and A-6 shall not exceed 8.0. In sub-Zone A-7 the permitted floor area ratio shall not exceed 10.

The *bulk* of any *development* or *enlargement* on a *zoning lot* in Sub-Zone A-2 is further limited by the height regulations set forth in Section 84-23 (Limited Height of Buildings).

The *floor area* bonus provisions with respect to R10 Districts shall not apply.

The provisions of Sections 23-22 (Required Lot Area per Dwelling Unit, Lot Area per Room, or Floor Area per Room) shall not apply. For every 300 square feet of gross *residential floor area* provided within any *building*, there shall be no more than one *room*. The minimum *floor area* contained within any *dwelling unit* shall not be less than 550 square feet.

84-22

Required Building Walls

Where the Zone A District Plan in Appendix 2.1 or Appendix 3.1 shows a requirement for a *development* to be built to a *mandatory front building wall line*,

any such *development* except for sub-zone A-7 if used as a *community facility*, shall have a mandatory front *building wall* coincident with and constructed along such *mandatory front building wall line*, which shall rise without setback for a height above *curb level* not less nor more than the amount specified below:

(a) Except as set forth in paragraph (d) of this Section, with respect to any 60-85 foot *mandatory front building wall line* shown in the Zone A District Plan in Appendix 2.1 a height of not less than 60 feet nor more than 85 feet.

(b) With respect to any 110-135 foot *mandatory front building wall line* shown in the Zone A District Plan in Appendix 2.1, and Appendix 3.1, a height of not less than 110 feet nor more than 135 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above *curb level*. For the parcels fronting on North End Avenue between Murray Street and Park Place West, a setback shall be provided between the 60'-85' height to a depth of 20'.

(c) On the portion of any *zoning lot* designated as a *special height location* in the Zone A District Plan in Appendix 2.2, a height of not less than the otherwise applicable amount set forth in paragraph (a) or paragraph (b) of this Section and not more than 400 feet, except that for any development south of First Place and east of Battery Place, with a mandatory front *building wall*, the area of which below the level of the second *story* ceiling occupies 100 percent of the frontage along its *mandatory front building wall line*, a height of not more than 450 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above *curb level*.

(d) With respect to any *zoning lot* south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above *curb level*.

(e) With respect to any 110-135 foot *mandatory front building wall line* shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet.

(f) With respect to any 150-220 foot *mandatory front building wall line* shown in Appendix 3.1, a height of not less than 150 feet nor more than 220 feet; except that the height may not exceed 150 feet for more than 120 feet or 75 percent of the length of a *building's* western property line, whichever is less.

(g) On the portion of any *zoning lot* designated as a *special height location* in the Zone A District Plan in Appendix 3.2 a height of not less than the otherwise applicable amount set forth in Paragraphs e or f of this Section and not more than the height shown in Appendix 3.1 and 3.2.

Subject to the provisions of Section 84-224 (Front Wall Recesses), the mandatory front *building wall* requirements set forth above shall also apply to all *development*

along all *street lines* within 50 feet of their intersection with any *mandatory front building wall line*. For the next twenty feet along the *street line*, the mandatory front *building wall* requirements are optional. The height limit of eighty-five feet shall apply along *street lines or developments not subject to the mandatory front building wall* requirements.

84-221

Front Wall Recesses

Front Wall recesses for architectural or decorative purposes are permitted, except in an *arcade* required in Section 84-13 (Mandatory Arcades), provided that the aggregate area of all such recesses at the level of any *story* shall not exceed 20 percent of the aggregate area of the mandatory front *building wall* at that *story*, and provided further that the depth of such recesses does not exceed 10 feet. At any *story* above the level of the second *story* ceiling, additional recesses to the amount of 25 percent of the aggregate area of the wall at each *story* are permitted, provided the depth of any such additional recess does not exceed 10 feet. All recesses shall be subject to the applicable provisions of Section 23-84 (Outer Court Regulations).

84-23

Limited Height of Buildings

No portion of any *building or other structure* may be built to a height greater than 85 feet above *curb level*, except that:

(a) Any portion of a *building* required to have an exterior wall coincident with a 110-135 foot *mandatory front building wall line*, as provided in Section 84-22 (Required Building Walls) may be built to a height of up to 135 feet above *curb level*.

(b) Portions of a *building* required to have an exterior wall coincident with a 150-220 foot *mandatory front building wall line*, as provided in Section 84-22 (Required Building Walls), may be built to a height of up to 220 feet above *curb level*.

(c)[b]On the portion of any *zoning lot* designated as a *special height location* in the Zone A District Plan in Appendix 2.2 and Appendix 3.2, a *building* may be built to a height of up to 400 feet or above 320 feet above *curb level*. If sub-zone A-7 is used for a *community facility*, any portion of the *zoning lot* may be built to a height of 135 feet above *curb level*.

(d) Sections 23-62 and 33-42 (Permitted Obstruction) are hereby made inapplicable. Any portion of a *building or other structure* that exceeds an established height limit shall be subject to the following provisions:

(1) In the *Battery Park City Special District*, the following shall not be considered permitted obstructions and may thus penetrate a maximum height limit:

i) Chimneys or flues with a total width not exceeding 10 percent of the width of the *street* wall of the *building* at any level where such penetration occurs.

ii) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures) each of which shall have a width of no more than 30 feet. The sum of the products, in square feet of the widths of such obstructions times their heights shall not exceed a figure equal to four times the width of the *street* wall of the building facing such frontage at *curb level*.

iii) Flagpoles and aerials.

iv) Parapet walls not more than four feet high.

v) Wire, chain link or other transparent fences.

(2) The Chairman of the City Planning Commission may, by certification permit the obstructions set forth in Section d, paragraphs (i) and (ii) to be concealed by an enclosure wall. An enclosure wall, for the purposes of this section, is a vertical structure which serves to surround a space that is unroofed and contains no *floor area*. No portion of the enclosure wall shall be at an angle of more than 45 degrees from the vertical. The gross area of each face of the enclosure wall, in square feet, shall not exceed a figure equal to eight times the width of the wall of that face of the *building* at [*street*] *curb level*. All obstructions, permitted pursuant to this paragraph, are exempt from the size restrictions of Section d, paragraphs (i) and (ii) and must be completely located within the enclosure wall.

(3) The City Planning Commission may permit, by authorization, an increase in the size of the enclosure wall beyond that permitted by certification, provided that the Commission finds:

i) that the width of such additional enclosure wall at each building face does not exceed 80 percent of the width of the enclosure wall certified pursuant to Section d, paragraph 2.

ii) that the additional area of the enclosure wall at each face of the *building* is not more than 50 percent of the area allowed in Section d, paragraph 2; and,

iii) that the enclosure wall is compatible with the *building* and the urban design goals of the special district and compliments the design by providing a decorative top.

(e) In special height locations in the Zone A District Plan in Appendix 2.2 and Appendix 3.2, no portion of a *building*, including permitted obstructions, shall exceed a height of 450 feet above curb level, except that for any parcel located entirely to the west of North End Avenue and north of Vesey Street, no portion of a *building*, including permitted obstructions, shall exceed a height of 400 feet above curb level.

(f) For the parcel located in sub-Zone A-7, the maximum height of any *building* shall be limited to 140 feet above curb level except that for a portion of the parcel equal to 120 feet in length and measured parallel to North End Avenue, the *building* may rise to 320 feet.

84-30 ZONE A PARKING REGULATIONS AND CURB CUTS

84-31

Accessory Off-Street Parking Spaces

Accessory off-street parking spaces may be provided only for *residential uses* subject to the provisions of this Section [and the applicable provision of Section 25-41 (Purpose of Spaces and Rental to Non-Residents).] **The ownership requirement for accessory off-street parking is satisfied by an interest commensurate with the interest of the principal use.** Such *accessory* parking spaces shall be completely enclosed. [and covered and, if above grade level, may be located only in the locations indicated in the Zone A District Plan in Appendix 2.5 [2.6]. No *accessory* off-site parking shall be permitted and] No portion of any *accessory* parking facility may be constructed at a height of more than 23 feet above curb level. Except as otherwise provided in this section no *accessory* off-site parking shall be permitted.

Parking facilities *accessory to residential uses* on a *zoning lot* shall contain no more than 200 off-street parking spaces or a number of spaces equal to 20 percent of the number of *dwelling units* on such *zoning lot*, whichever is less. The size in square feet of an *accessory [group] off street* parking facility, exclusive of entrance and exit ramps, shall not exceed 200 times the number of parking spaces provided.

Accessory parking facilities shall be constructed so that no exhaust vents open onto any *street* or park or onto the *esplanade* and so that no portion of the facility, other than entrances and exits, is visible from adjoining *zoning lots, streets, or parks* or the *Esplanade*.

The City Planning Commission may, upon application, authorize permitted *accessory* off-street parking spaces to be located anywhere within Zone A without regard for *zoning lot* lines, provided that the Commission shall make the following findings:

(a) that the *accessory* off-street parking spaces and required curb cuts are located within sub-zones A-1, A-2 or A-3 for *zoning lots* within sub-zones A-1, A-2 or A-3 or within sub-zones A-5 or A-6 for *zoning lots* in sub-zones A-5 or A-6, as indicated in Appendix 1, 2.5 and 2.6 of the *Battery Park City Special District*;

(b) that such *accessory* off-street parking spaces will be conveniently located in relation to the *residential buildings* to which such off-street spaces are *accessory*, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the *zoning lot* occupied by the *residences* to which they are *accessory*.

(c) that such location of *accessory* off-street parking spaces will permit better site planning;

(d) that the *accessory* off-street parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement; and

(e) that the *accessory* off-street parking facility is located so as to draw a minimum of additional vehicular traffic to and through local *residential streets*.

Whenever off-street parking spaces are authorized to be located without regard to *zoning lot lines* in accordance with the provisions of this Section, the number of spaces generated by each *building* shall be recorded in that *building's* Certificate of Occupancy (Temporary and Permanent). In addition, any Certificate of Occupancy for the *accessory* off-street parking facility shall state the number of parking spaces authorized to be relocated from each *zoning lot*.

84-33

Location of Curb Cuts

Curb cuts are permitted only in the areas or locations indicated in the Zone A District Plan in Appendix 2.6 [2.7] and Appendix 3.5 [3.6]. The aggregate width of all curb cuts provided for any *development* shall not exceed 20 feet except that in sub-zone A-7, if used as a *community facility*, the aggregate width of all curb cuts shall not exceed 50 feet.

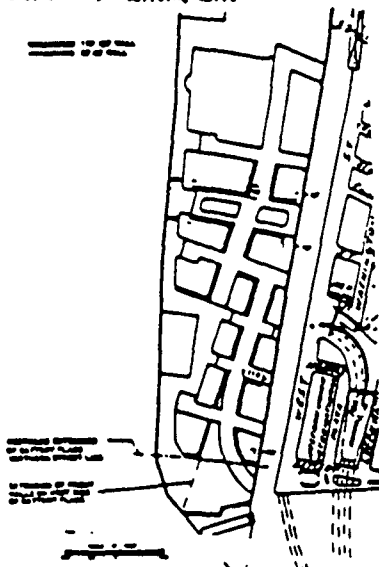
SPECIAL PURPOSE DISTRICT

Special Battery Park City District
City Council

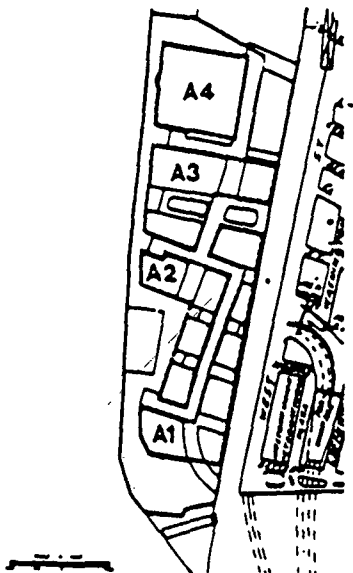
Appendix 1
Special Battery Park City District Plan



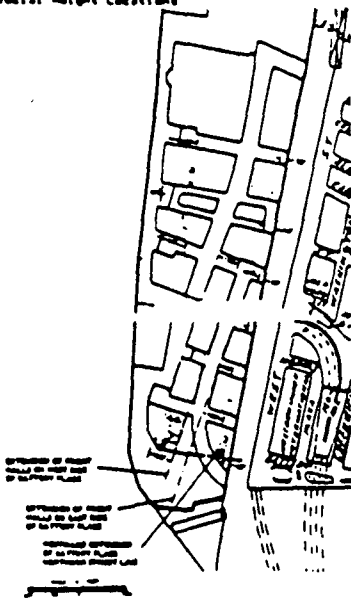
Appendix 2.1
Special Battery Park City District
Nongovernment Building Units



Appendix 2
Special Battery Park City District
Zone A South Residential Neighborhood



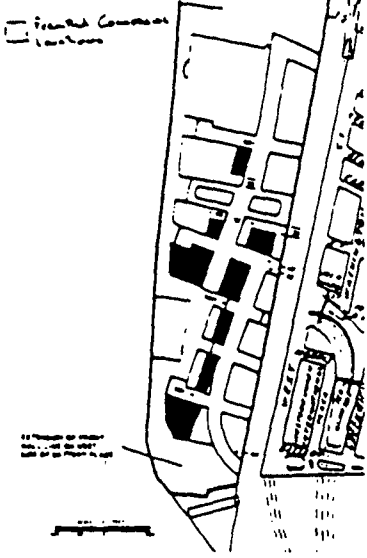
Appendix 2.2
Special Battery Park City District
Special Height Locations



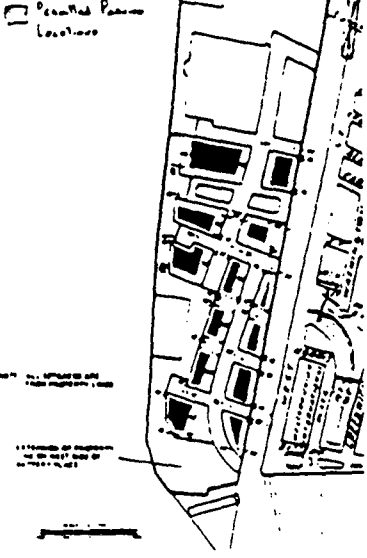
SPECIAL PURPOSE DISTRICT

Special Battery Park City District

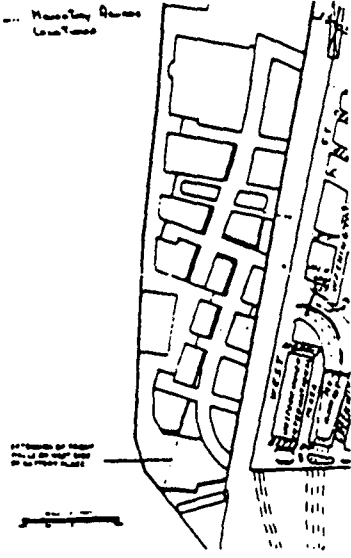
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Special Battery Park City District
Permitted Commercial Locations



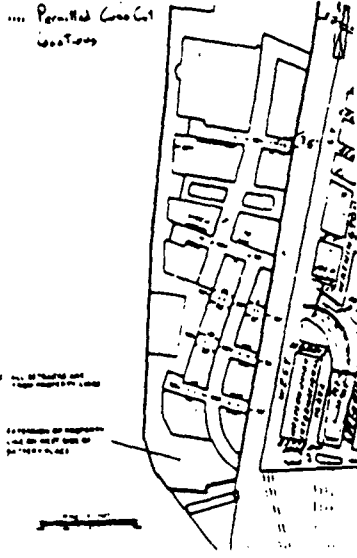
Legend: 2.2
Special Battery Park City District
Permitted Parking Locations



Legend: 2.3
Special Battery Park City District
Permitted Amusement Locations



Legend: 2.4
Special Battery Park City District
Permitted Car Wash Locations

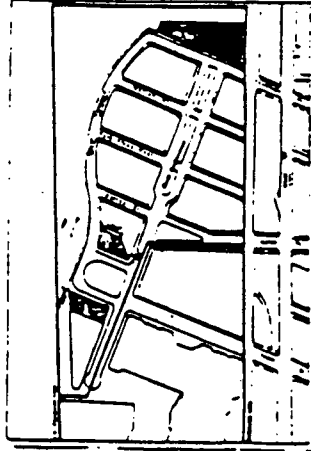


SPECIAL PURPOSE DISTRICT

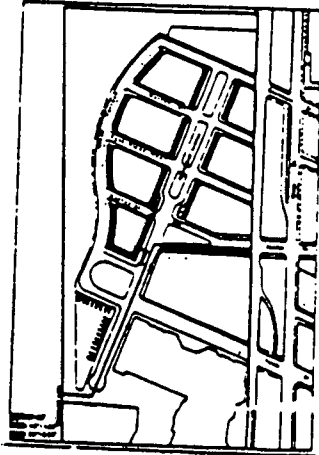
Section 1
Special Purpose City District
Land Use Map - Commercial Use



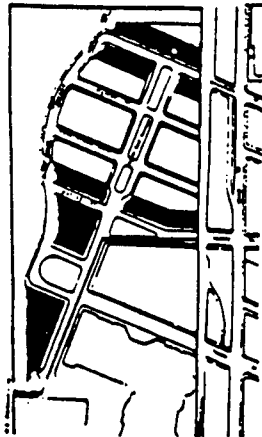
3.2 Social Height Locations



2.1 Mandatory Front Building Walls



Section 3
Special Purpose City District
Permitted Commercial Locations



SPECIAL PURPOSE DISTRICT

Special Purpose Area
City District

Figure 1
 Map of National Park City District
 Showing District

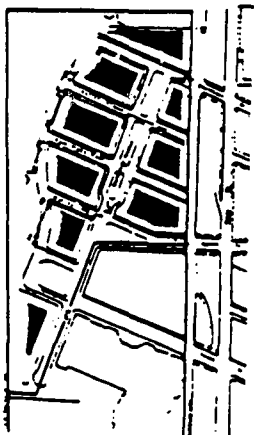
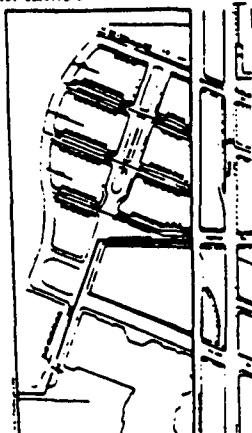


Figure 2
 Map of National Park City District
 Showing District



(On November 6, 1986, Cal. No. 38, the Commission scheduled December 10, 1986 for a public hearing. On December 10, 1986, Cal. No. 42 the hearing was closed.)

For consideration.

No. 46

CD 12

C 850651 PSM

IN THE MATTER OF an application submitted by the New York City Board of Education pursuant to Section 197-c of the New York City Charter for the **selection of city-owned property** located at 180 Wadsworth Avenue, on the northwest corner of Wadsworth Avenue and West 182nd Street (Block 2164, Lot 32), to facilitate the conversion of the former 34th Police Precinct building to a Middle School (grades 5 through 8).

(On December 10, 1986, Cal. No. 19, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 22, the hearing was closed.)

For consideration.

 No. 47

CD 7

C 860886 ZSM

IN THE MATTER OF an application submitted by Sherwood 70 Associates pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-95 of the Zoning Resolution for the **grant of special permit involving a Housing Quality Development** for the request of transfer of 25767.6 square feet of floor area and 18 dwelling units from the R8B District to the C4-7A District area in the zoning lot, the modification of rear yard and rear yard equivalents in the R8B District portion of the zoning lot, the application of increased floor area ratio from 10 to 12 and reduced lot area per dwelling unit from 90 to 75 square feet on property located on the northwest corner of Broadway and West 70th Street (Block 1142, Lot 1, 61 and 161).

Plans for this proposed 21 story mixed-use building are on file with the City Planning Commission and may be seen in Room 1514, 2 Lafayette Street, New York, N.Y. 10007.

(On December 10, 1986, Cal. No. 20, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 23, the hearing was closed.)

For consideration.

CITYWIDE**No. 48****CD 1, 2, 3 R; 1, 2 M; 6, 7, 10 K****C 850354 BFY**

IN THE MATTER OF an application by Drummond Bus Service, Inc. located at 58 Stegman Street, Jersey City, N.J. for a **franchise contract to provide commuter service between Staten Island and Downtown Manhattan** along the following route:

Commencing at the intersection of Huguenot Avenue and Hyland Boulevard; thence along Hyland Boulevard to Arden Avenue; thence along Arden Avenue to Arthur Kill Road; thence along Arthur Kill Road to West Shore Expressway (440); thence along West Shore Expressway (440) to the Staten Island Expressway; thence along the Staten Island Expressway to the Verrazano Narrows Bridge; thence over and across the Verrazano Narrows Bridge to the Gowanus Expressway; thence along the Gowanus Expressway to the Brooklyn Battery Tunnel; thence through the Brooklyn Battery Tunnel to the West Side Drive; thence along the West Side Drive to Battery Place; thence along Battery Place to Greenwich Street; thence along Greenwich Street to Trinity Place, to Church Street; thence along Church Street to Canal Street.

Return Route:

Along Canal Street to Broadway; thence along Broadway to Battery Place; thence along Battery Place to West Side Drive; thence along West Side Drive to the Brooklyn Battery Tunnel; thence return over the same streets through Brooklyn and Staten Island as previously described.

(On December 10, 1986, Cal. No. 23, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 26, the hearing was closed.)

For consideration.

No. 49

CD 1, 2, 3R; 4, 5, 6M

C 850528 BFY

IN THE MATTER OF an application by Anna Bus Company, Inc. to provide franchise express bus service between Staten Island and Manhattan's Midtown area.

(On December 10, 1986, Cal. No. 24, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 27, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 50

CD 1

C 870342 PPR

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of City-owned property located at 227 York Street (Block 48, Lot 3).

(On December 10, 1986, Cal. No. 1, the Commission scheduled January 14, 1987, as the date for a public hearing. On January 14, 1987, Cal. No. 28, the hearing was closed.)

For consideration.
