

SPECIAL MEETING OF FEBRUARY 23, 1987

TIME: 3:10 P.M.

CAL. NO.	C.P. NUMBER	REPORTS		ACTION	REMARKS	DATA FOR MINUTES
		IN	BoE			
1	C 870242	ZMM		Inv. Rept. Adopted		Spec. Comm. Center
2	N 870241	ZRM		" " "		" " "
3	C 850518	BFY	✓	" " "		Jamaica Boro. Office
4	C 840699	PNR		" " "		Arthur Kill Road
5	N 870404	RAR		Auth. Approved		67-77 Eltingville Bl.
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25					Present	
26					Chair Deutsch	
27					Comm. Gagliardo	
28					" Scannell	
29					" Scheinberg	
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SPECIAL MEETING OF THE CITY PLANNING COMMISSION  
Held in the 15th Floor Conference Room at  
2 Lafayette Street, New York, New York on  
Monday, February 23, 1987 at:

R E P O R T S

BOROUGH OF MANHATTAN

Nos. 1 and 2

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

No. 1

CD 4,5

C 870242 ZMM

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.) On January 28, 1987, Cal. No. 31, the hearing was closed. On February 18, 1987 Cal. 26, the item was laid over.)

For consideration.

No. 2

CD 4,5

N 870241 ZRM

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.

**Article 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 1 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

(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.

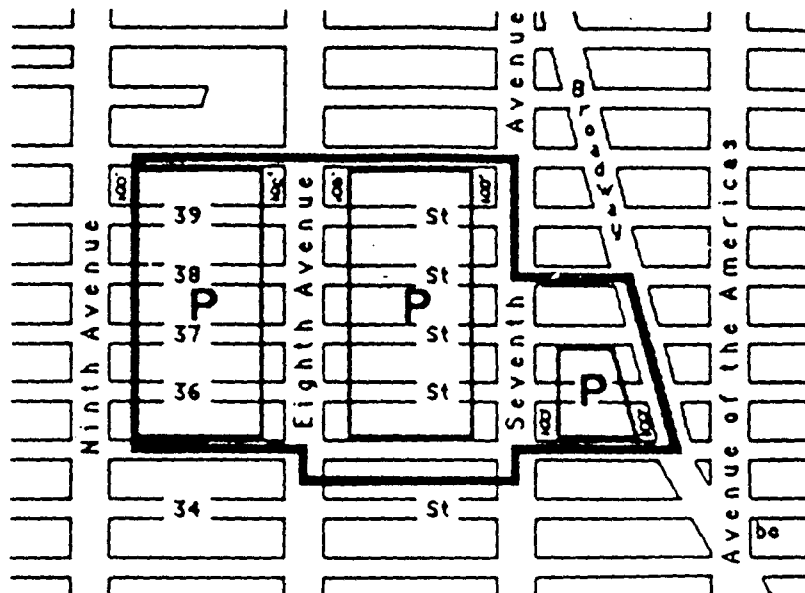
(d) No banners or pennants shall be permanently displayed from the exterior of any *building* unless the design of such banners or pennants has been approved by the Mayor's Fashion Industry Advisory Council.

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.) On January 28, 1987, Cal. No. 32, the hearing was closed. On February 18, 1987 Cal. 27, the item was laid over.)

For consideration.

**CITYWIDE**

No. 3

CD 1,4,7,8,10,12 A The Bronx  
5 Brooklyn  
5,6, Manhattan  
1,2,3,4,5,6,7,8,9,10,11,12,13,14 Queens

C 850518 BFY

**PUBLIC HEARING:**

**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:

- |                          |       |                                    |
|--------------------------|-------|------------------------------------|
| <u>Race Track Routes</u> | Q-114 | Aqueduct Race Track                |
|                          | Q-115 | 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                       |
| <u>Express</u>           | QM-21 | Rochdale, Queens-Manhattan         |

(On January 28, 1987, Cal. No. 12, the Commission scheduled February 18, 1987, for a public hearing. On February 18, 1987 Cal. No. 20, the hearing was closed.)

For consideration.

**BOROUGH OF STATEN ISLAND**

No. 4

CD 3

C 840699 PNR

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 Ellis 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. On January 28, 1987, Cal. No. 36, the hearing was closed. On February 18, 1987 Cal. 28, the item was laid over.)

For consideration.

No. 5

S.L./3

N870404RAR

IN THE MATTER of an application pursuant to Sections 107-64, 107-65, and 107-123 of the Zoning Resolutions from 383 Wilson Avenue Association for granting authorizations for Removal of Trees and Modification of Topography and Certification of Public School Seats at 67-77 Eltingville Boulevard, Block 5507 Lots 19, 21, 22, 24, 25, 26 in order to construct six one-family attached homes.

Plans for the proposed development are on file and may be seen at the Staten Island Office of the Department of City Planning, 56 Bay Street, Staten Island.

For consideration.