

CAL. NO.	C.P. NO.	REPORTS		REMARKS	CAL. NO.	C.P. NO.	REPORTS		REMARKS
		TO	FROM				TO	FROM	
				Approved	46	C 861003	ZMQ		Laid Over
1	C 870344	PPX		Sched. 8/5/87	47	C 860389	GFM	✓	Law. Rept. Adopted
2	C 860555	MMX		" "	48	C 870740	PPM	✓	" " "
3	C 860556	ZMX		" "	49	N 870592	ZAR		Auth. Approval
4	C 870807	ZMX		" "	50	C 870695	HUM		Sched 8/5
5	C 870808	HAX		" "	51	C 870696	HDM		" "
	NOTICE	EIS		" "	52				
6	C 870697-699	PPX		" "	53				
	C 870701	PPX		" "	54				
7	C 870860	PPK		" "	55				
8	C 860023	GFK		" "	56				
9	C 860354	GFK		" "	57				
10	C 850819	MMQ		" "	58				
11	C 860246	PSQ		" "	59				
12	C 860581	ZMQ		" "	60				
13	C 860582	ZSQ		" "					
14	C 860493	ZSM		" "					
15	C 870882	HDM		" "					
16	C 870883	HDM		" "					
17	C 870884	HDM		" "					
18	C 860115	MMR		" "					
19	C 870737-738	PPX		Hearing Closed					
20	C 870792	HDX		" "					
21	C 870793	HDX		" "					
22	C 870672-674	PPK		" "					Present
23	C 870533	PSK		" "					S. Deutsch, Chairperson
24	C 870548	ZMK		" "					S. Magliardo, Commissioner
25	C 870634	HUK		" "					H.W. McNeil, "
26	N 870657	HGK		" "					D. Scannell, "
27	C 860287	MMQ		Cont. to 8/5/87					D. Schenberg, "
28	C 860640	MMQ		Hearing Closed					
29	C 861198	PLQ		" "					
30	C 820267	ZSM		" "					
31	C 870504	HDM		" "					Mtg. Adjourned at: 2:27 P.M.
32	C 870671	PPM		" "					
33	C 870791	HDM		" "					
34	C 860726	ZHM		" "					
35	C 860726(A)	ZMM		" "					
36	N 870760	ZRM		" "					
37	N 851092	ZRY		Cont. to 9/30/87					
38	N 870612	ZRY		Cont. to 8/5/87					
39	N 870873	ZRR		Hearing Closed					
40	C 860071	MMX	✓	Law. Rept. Adopted					
41	C 870405	ZMK		Laid over					
42	C 870007	MMK		Laid Over					
43	C 870693	PPQ	✓	Law. Rept. Adopted					
44	C 830549	MMQ	✓	" " "					
45	C 860487	MMQ	✓	" " "					

Logged

SUPPLEMENTAL CALENDAR FOR THE CITY PLANNING COMMISSION
PUBLIC HEARING OF JULY 8, 1987
MATTERS NOT ON CALENDAR - CONSIDERED BY UNANIMOUS CONSENT

S C H E D U L I N G

BOROUGH OF MANHATTAN

No. 50

CD 10 & 11

C 870695 HUM

IN THE MATTER OF an amendment to the Milbank-Frawley Urban Renewal Plan, in Community Districts #10 and #11, Borough of Manhattan, pursuant to Section 505 of Article 15 of the General Municipal Law (Urban Renewal Law) of New York State and Section 197-c of the New York City Charter.

The proposed amendment provides for changes in land use for the sites now identified as Sites 22 and 26B, from residential to residential/commercial; and for the acquisition of 3 properties on the easterly part of the block bounded by West 112th Street, 5th Avenue, West 111th Street and Lenox Avenue (block 1595, lots 39, 40 and 140; 1332-1334 5th Avenue and 8 West 112th Street).

These changes would facilitate the construction of 150 dwelling units for middle-, moderate-, and low-income housing in two six-story buildings that will occupy the blockfronts of both sides of 5th Avenue, between West 111th and west 112th Streets. Each building will contain commercial and community facility space at the street level.

This application was submitted by the Department of Housing Preservation and Development on May 11, 1987.

Resolution for adoption scheduling August 5, 1987 for public hearing.

CD 10 & 11

C 870696 HDM

IN THE MATTER OF the disposition of city-owned property comprising Sites 22 and 26B within the Milbank-Frawley Urban Renewal Area, in Community Districts #10 and #11, Borough of Manhattan, pursuant to Section 197-c of the New York City Charter.

The properties to be disposed comprise Sites 22 and 26B within the Milbank-Frawley Urban Renewal Area as follows:

SITE 26B - This site comprises the easterly part of the block bounded by West 112th Street, 5th Avenue, West 111th Street and Lenox Avenue (block 1595, lots 31 thru 41 and 140; 3-5 West 111th Street, 1320-1334 5th Avenue and 6-8 West 112th Street).

SITE 22 - This site comprises the westerly part of the block bounded by East 112th Street, 5th Avenue, East 111th Street and Madison Avenue (block 1617 lots 1 thru 4 and 67 thru 72; 1321-1335 5th Avenue and 4-6 East 112th Street).

The disposition of these properties would facilitate the construction of 150 dwelling units-- 80% for middle and moderate-income households and 20% for and low-income households-- in two six-story buildings that will occupy the blockfronts of both sides of 5th Avenue, between 111th and 112th Streets. Each building will contain commercial and community facility space at the street level.

Financing for the project will be structured through the use of Housing Development Corporation bond -generated funds supplemented with Municipal Assistance Corporation funds to reduce the debt service requirements of the project to below market levels during the life of the mortgage. The developer will also be eligible for tax exemption pursuant to Section 421 of the Real Property Law.

This application was submitted by the Department of Housing Preservation and Development on May 11, 1987.

Resolution for adoption scheduling August 5, 1987 for public hearing.

**COMPREHENSIVE
CITY PLANNING CALENDAR**

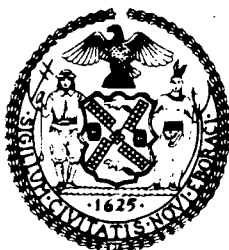
of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, July, 8, 1987

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



Edward I. Koch, Mayor

City of New York

[No. 12]

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.

CITY PLANNING COMMISSION

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

SYLVIA DEUTSCH, *Chairperson*

SALVATORE C. GAGLIARDO

WM. GARRISON MCNEIL

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, July 8, 1987

Calendar No. 12

Roll Call; approval of minutes	1
I. Scheduling August 5, 1987	1
II. Public Hearings	11
III. Reports	47

**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 August 5, 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, July 8, 1987

APPROVAL OF MINUTES OF Regular Meetings of June 3rd and 17th, 1987

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS
TO BE SCHEDULED FOR
WEDNESDAY, AUGUST 5, 1987
STARTING AT 10 A.M.
IN CITY HALL, MANHATTAN**

BOROUGH OF THE BRONX

Nos. 1, 2 and 3

(Disposition of City owned property and amendments to the City Map and the Zoning Map)

No. 1

CD 10

C 870344 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 City-owned properties as follows:

Seven acre site currently mapped as part of the Hutchinson River Expressway. Property is bounded by Senger Place to the north; Schley Avenue to the south; the Hutchinson River Expressway to the east and Brush Avenue to the west.

The property will be sold with several restrictions which are attached to the applications.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 2

CD 10

C 860555 MMX

IN THE MATTER OF an application submitted by the Bronx Borough Office of the Department of City Planning, pursuant to Sections 197-c and 199 of the New York City Charter, for an **amendment to the City Map** involving the elimination, discontinuing and closing of an irregular portion of the west side of the Hutchinson River Expressway extending northerly from a point located approximately 400 feet north of Schley Avenue to Senger Place and the layout of Jay Place 60 ft. wide from Brush Avenue to Senger Place. The layout of Senger Place 60' ft. wide from Jay Place to the Hutchinson River Expressway and layout of a portion of Brush Avenue varying in width from 60 feet to 80 feet from a point located 761.807 feet north of Schley Avenue to Jay Place and the adjustment of legal grades necessitated thereby **to dispose of the property through DRP auction**, in accordance with Plan No. 13,000, dated November 20, 1984 and revised on April 22, 1987, and signed by the Borough President.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 3

CD 10

C 860556 ZMX

IN THE MATTER OF an application submitted by the Bronx Borough Office of 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. 7a, changing from an R4 District to an M1-1 District, property bounded by Brush Avenue, Jay Place, Senger Place, Hutchinson River Expressway and the former boundary of Ferry Point Park located north of Schley Avenue, (Brush Avenue, Jay Place, Senger Place, and Hutchinson River Expressway are the subject of a related street mapping action, C-860555 MMX) as shown on a diagram dated May 4, 1987.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

Nos. 4 and 5

(Zoning map change and designation and disposition of City owned property to permit the development of retail space in the proposed Tibbet Gardens residential complex)

 No. 4

CD 8

C 870807 ZMX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map, Section No. 1d**, establishing within an existing R6 District a C1-4 District bounded by Irwin Avenue, West 230th Street, a line 202 feet west of the southwest corner of the intersection of Corlear Avenue and West 230th Street, and a line 100 feet south of West 230th Street, **to permit retail space as part of a residential complex tentatively known as Tibbett Gardens**, located partially in Manhattan and partially in The Bronx, but entirely within the boundaries of the Community District 8, Borough of The Bronx, as shown on a diagram dated June 1, 1987.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

 No. 5

CD 8

C 870808 HAX

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 of property located at the southeasterly corner of Irwin Avenue and West 230th Street, part of Lot 80 of Tax Block 2215 and part of Lot 725 of Tax Block 5716;
- 2) Approval of an Urban Development Action Area Project for such property; and
- 3) Disposition of such property to a developer to be selected by the Department of Housing Preservation and Development (HPD).

This application would facilitate the construction of approximately 1,001 condominium units in two buildings, each with interconnected wings ranging from four to fifteen stories. The development, tentatively named Tibbett Gardens, is part of the Mayor's Affordable Housing Program.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

NOTICE

On August 5, 1987 at 10:00 a.m. in City Hall, New York, a public hearing will be held by the Department of City Planning and the Department of Environmental Protection to receive comments relating to the Draft Environmental Impact Statement concerning the proposed Tibbet Gardens residential complex, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR).

No. 6

CD 1,2,3, and 5

C 870697-699 PPX

C 870701 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 the following City-owned properties:

ULURP	COM. BOARD	NO. OF PARCELS
870697	1	50
870698	2	27
870699	3	50
870701	5	41

A list and description can be seen at City Planning Commission, 2 Lafayette Street, Room 1614, New York, New York 10007.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

BOROUGH OF BROOKLYN**No. 7****CD 6****C 870860 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**, Block No. 937, Lot 17, property size 20' by 100' of vacant land.

Plans be seen at the Department of City Planning, 2 Lafayette Street, Room 1614, New York, New York.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 8**CD 1 and 3****C 860023 GFK**

IN THE MATTER OF an application submitted by Pfizer Inc. pursuant to Section 197-c of the New York City Charter for the grant of a 10-year **renewal of revocable consent to continue to maintain and use a bridge over and across Flushing Avenue between Tompkins Avenue and Marcy Avenue** for the transfer of packaging materials and completed packaged goods and various utilities.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 9**CD 1****C 860354 GFK**

IN THE MATTER OF an application submitted by Pfizer Inc. pursuant to Section 197-c of the New York City Charter for a **revocable consent to maintain and use an existing enclosed single span bridge over and across Gerry Street**, at a point approximately 72 feet west of the westerly line of Harrison Avenue, for continued use as a passageway for Pfizer employees, materials and various utilities

connecting properties located at 58-64 Gerry Street, (Block 2269, Lot 1) and 75-79 Gerry Street (Block 2766, Lot 46).

Resolution for adoption scheduling August 5, 1987 for a public hearing.

BOROUGH OF QUEENS

Nos. 10, 11, 12 and 13

(The selection of property, amendment of the Zoning Map and the grant of a special permit to facilitate the construction of a municipal parking lot at the intersection of College Point Boulevard and 14th Avenue)

No. 10

CD 7

C 850819 MMQ

IN THE MATTER OF an application submitted by the the Department of Parks and Recreation and the Department of Transportation, pursuant to Section 197-c of the New York City Charter, showing **the establishment of a Park on the southeast corner of the intersection of 14th Avenue and 121st Street** (part of block 4056, Lot 1), in accordance with Map No. 4807, dated December 24, 1985 and signed by the Borough President and the Commissioner of Parks. The map was referred by the Board of Estimate on January 9, 1987 (Calendar No. 213).

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 11

CD 7

C 860246 PSQ

IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Transportation, pursuant to Section 197-c of the New York City Charter for the **selection of property** measuring approximately 57 feet by 180 feet, located on the southwest corner of the intersection of 14th Avenue and College Point Boulevard (part of Lot 1, Block 4056, as more specifically shown on drawing sheet No. 5 of 17, revised 4-14-86, as prepared for the Department of Parks and Recreation by Richard Dattner, P.C.

and modified by supplementary drawing No. 1 dated 6-3-86), for the construction of a municipal parking lot.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 12

CD 7

C 860581 ZMQ

IN THE MATTER OF an application submitted by the the Department of Parks and Recreation and the Department of Transportation, pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section No. 7b establishing within an existing R4 District, a C1-2 District, bounded by College Point Boulevard, 14th Avenue, the easterly boundary of a park, the southerly boundary of said park, a line 100 feet west of College Point Boulevard and a line 100 feet north of 14th Road **to facilitate the construction of a Municipal Parking Lot.**

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 13

CD 12

C 860582 ZSQ

IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Transportation, pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-511 of the Zoning Resolution for the **grant of special permit for the construction of a Municipal Parking Lot** of under 100 spaces on property located on the southwest corner of the **intersection of College Point Boulevard and 14th Avenue.**

Plans for this proposed municipal parking lot 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 August 5, 1987 for a public hearing.

BOROUGH OF MANHATTAN**No. 14**

(Request for a Special Permit to allow the conversion to joint living-work quarters for artists in a building located at 48-52, 54-60 Beach St.).

CD 1**C 860493 ZSM**

IN THE MATTER OF an application, pursuant to Section 74-782 of the Zoning Resolution of the City of New York, by Stein, Davidoff and Malito requesting a Special Permit to modify Section 111-103 (b) to allow in subdistrict B1 of the Special Lower Manhattan Mixed Use District the conversion to joint living-work quarters for artists of 14 units (2B, 2D, 3A, 3C, 3D, 4A, 4C, 4D, 5A, 5D, 6A, 6B, 6C and 6D) of a loft building whose coverage exceeds 5,000 square feet located on the south side of Beach Street between Greenwich and Hudson Streets (48-52, 54-60 Beach Street).

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 15**CD 3****C 870882 HDM**

IN THE MATTER OF the disposition of city-owned property pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **163 Avenue C**, is a five (5) story old law, walk-up building with seven (7) residential units and one (1) vacant commercial unit, located on the westerly side of Avenue C, between East 10th and East 11th Streets (block 393, lot 3). The Department of Housing Preservation and Development (HPD) proposes to sell the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.**

The Homesteader's Association of 163 Avenue C applied to this program by responding to a Request For Proposal (RFP). Their application was reviewed competitively based on selection criteria listed in the RFP.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 16

CD 3

C 870883 HDM

IN THE MATTER OF the disposition of city-owned property pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **336 East 4th Street**, is a 6 story new law, walk-up building with 18 residential units, located on the southerly side of East 4th Street, between Avenue C and Avenue D (block 373, lot 21). The Department of Housing Preservation and Development (HPD) proposes to sell the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.**

The Homesteader's Association of 336 East 4th Street applied to this program by responding to a Request For Proposal (RFP). Their application was reviewed competitively based on selection criteria listed in the RFP.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

No. 17

CD 11

C 870884 HDM

IN THE MATTER OF the disposition of city-owned property pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **120-122 East 107th Street**, is a 3 story Heretofore Converted Class B Multiple Dwelling with five (5) residential units, located on the southerly side of East 107th Street, between Park and Lexington Avenues (block 1634, lot 62). The Department of Housing Preservation and Development (HPD) proposes to sell the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.**

The Homesteader's Association of 120-122 East 107th Street applied to this program by responding to a Request For Proposal (RFP). Their application was reviewed competitively based on selection criteria listed in the RFP.

BOROUGH OF STATEN ISLAND**No. 18****CD 1****C 860115 MMR**

IN THE MATTER OF an application submitted by the NYC Department of Transportation pursuant to Sections 197-c and 200 of the New York City Charter for an amendment to the City Map involving changes in the legal grade of Tompkins Avenue between Lyndhurst and Townsend Avenues in connection with the reconstruction of Tompkins Avenue and two bridges along Tompkins Avenue crossing over Willow Avenue & the Staten Island Rapid Transit, and over Greenfield Avenue in order to achieve an improved stopping sight distance, in accordance with map No. 4087, dated November 21, 1986 and signed by the Borough President.

Resolution for adoption scheduling August 5, 1987 for a public hearing.

II. PUBLIC HEARING

BOROUGH OF THE BRONX

No. 19

CD 1,3

C 870737-738 PPX

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 two (2) City-owned properties.**

ULURP No.	C.B.	Block	Lot	Location
870737PPX	1	2288	35	458 East 144th Street
870738PPX	3	2614	27	614 East 168th Street

(On June 17, 1987, Cal. No. 1, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 20

CD 7

C 870792 HDX

PUBLIC HEARING:

IN THE MATTER OF the **disposition of city-owned property**, pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **2295 Andrews Avenue** is a five (5) story new law walk-up building with 38 residential units, located on the northerly side of Andrews Avenue, between West 183rd Street and West Fordham Road, (block 3225, lot 22). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.** The building has been managed by the tenants' association since July 1, 1985, through HPD's Leasing Bureau.

(On June 17, 1987, Cal. No. 2, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 6

C 870793 HDX

PUBLIC HEARING:

IN THE MATTER OF the disposition of city-owned property, pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **1968 Marmion Avenue** is a five (5) story new law walk-up building with 21 residential units, and three occupied commercial units located on the easterly side of Marmion Avenue, between East Tremont Avenue and East 178th Street, (block 3117, lot 10). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families.** The building has been managed by the tenants' association since November 1, 1985, through HPD's Leasing Bureau.

(On June 17, 1987, Cal. No. 3, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 22

CD 8,9,16

C 870672-674 PPK

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 17 City-owned properties.**

<u>ULURP NO.</u>	<u>COM. BOARD</u>	<u>NO. OF PARCELS</u>
870672PPK	8	9
870673PPK	9	3
870674PPK	16	5

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

(On June 17, 1987, Cal. No. 4, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 23, 24, 25 and 26

(Amendment of the Zoning Map, selection and acquisition of property and an amendment to the Flatlands Industrial Urban Renewal Plan to facilitate the construction of transitional housing for homeless families)

No. 23

CD 18

C 870533 PSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration to Section 197-c of the New York City Charter for the **selection and acquisition of property** located on the West Side of Avenue D and Van Sinderen Avenue between Linden Boulevard and Dewitt Avenue (Block 3871, Lots 50, 51 and part of and a portion of Lot 101) as more specifically described in the site plan provided by the Human Resources Administration and dated March 6, 1987, **for the construction of transitional housing for families.**

(On June 17, 1987, Cal. No. 5, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 24

CD 5, 18

C 870548 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Human Resources Administration pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section No. 17d, changing from an M1-1 District to an R6 District, property bounded by Linden Boulevard, a line midway between Van Sinderen Avenue and Snediker Street, DeWitt Avenue and its westerly prolongation, and the easterly line of the railroad right-of-way and establishing within the proposed R6 District, a C2-4 District, bounded by Linden Boulevard, a line midway between Van Sinderen Avenue and Snediker Street, Dewitt Avenue, and Van Sinderen Avenue **to allow the construction of transitional housing for homeless families**, as shown on a diagram dated March 16, 1987.

(On June 17, 1987, Cal. No. 6, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 25

CD 18

C 870634 HUK

IN THE MATTER OF the **Amendment to the Flatlands Industrial Urban Renewal Plan** pursuant to Section 505 of Article 15 of the General Municipal Law (Urban Renewal Law) of New York State and Section 197-c of the New York City Charter.

The proposed amendment excludes part of the area previously designated for Industrial uses. This change in the plan would **facilitate the construction of transitional housing for homeless families**.

This application was submitted by the Department of Housing Preservation and Development on February 20, 1987.

(On June 17, 1987, Cal. No. 7, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 26

CD 18

N 870657 HGK

IN THE MATTER OF the rescission of the designation pursuant to Section 504 of Article 15 of the General Municipal Law (Urban Renewal Law) for the part of the Flatlands Industrial Urban Renewal, bounded by Linden Boulevard, Avenue D, an extension of DeWitt Avenue and the southerly right of way for the Long Island Railroad.

(On June 17, 1987, Cal. No. 80, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 27

CD 7

C 860287 MMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the P. Schorr Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter for an **an amendment to the City Map** involving the elimination of 6th Avenue from 129th Street to 131st Street and the discontinuing and closing of a portion of 6th Avenue from a point 193 feet east of 129th Street to 131st Street, including an adjustment in legal grades necessitated thereby, along with the delineation of an 8-foot wide public pedestrian easement, **to facilitate the development of six, 2-family attached townhouses**, in accordance with Map No. 4826, dated November 30, 1986, and signed by the Borough President. The map was referred by the Board of Estimate on November 6, 1986 (Cal. #219).

(On June 17, 1987, Cal. No. 8, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 28

CD 7

C 860640 MMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by H. Irving Sigman, P.E., pursuant to Sections 197-c and 199 of the New York City Charter, for **an amendment to the City Map**, showing the realignment of the lines of 123rd Street, to **facilitate truck and machinery movement and development of adjacent land** and the adjustment of grades associated therewith.

(On June 17, 1987, Cal. No. 9, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 29

CD 7

C 861198 PLQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation pursuant to Section 197-c of the New York City Charter for the **selection of property located on 95-34 157th Street** between Tuckerton Street and Liberty Avenue, (Block 10108, Lot 333 and part of Lot 330), for a 5 year lease with renewal option **for 18 Sanitation Department trucks.**

(On June 17, 1987, Cal. No. 10, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 30

CD 5

C 860267 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the 101 Park Avenue Associates pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-52 of the Zoning Resolution for the **grant of special permit to change an accessory underground parking garage to a public parking garage** with a capacity of 142 spaces in a 46-story office tower on property located at 101 Park Avenue between East 41st Street and 40th Street (Block 1245, Lot 1).

(On June 17, 1987, Cal. No. 11, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 31

CD 9

C 870504 HDM

PUBLIC HEARING:

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

The property to be disposed, **551 West 125th Street** (block 1982, Lot 104), is a vacant five-story old-law building, located on the northerly side of West 125th Street, between Old Broadway and Amsterdam Avenue. The building is **proposed** to be rehabilitated as a 24 bed, 12 unit supervised community **residence for homeless chronically mentally ill adults**. The property is to be disposed to an Article 75 non-profit service organization on under the N.Y. State Mental Hygiene Law. This service organization is to be organized by the sponsor/developer, The Bridge, Inc.

This application was submitted by the Department of Housing Preservation and Development on December 29, 1986.

On June 17, 1987, Cal. No. 12, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.

Close the hearing.

No. 32

CD 12

C 870671 PPM

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** as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Size</u>	<u>Property Type</u>
2111	4	25' x 100'	vacant land
2110	5	25' x 100'	vacant land

(On June 17, 1987, Cal. No. 13, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 33

CD 10

C 870791 HDM

PUBLIC HEARING:

IN THE MATTER OF the **disposition of city-owned property**, pursuant to Section 197-c of the New York City Charter.

The property to be disposed, **30 Macombs Place**, is a six (6) story new law walk-up building with 23 residential units, located on the easterly side of Macombs Place, between West 150th and West 151st Streets, (block 2036, lot 57). The Department of Housing Preservation and Development (HPD) proposes to dispose of the property to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate-income families**. The building has been managed by the tenants' association since January 1, 1986, through HPD's Leasing Bureau.

(On June 17, 1987, Cal. No. 14, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 34 and 35

(Amendment to the Zoning Map; Section 5d, changing from an R8 District to an R10A District)

No. 34

CD 7

C 860726 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 2770 Broadway Corp. pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section No. 5d.:

1. Changing from an R8 District to an R10A District, **property bounded by West End Avenue**, a line midway between **West 105th Street** and **West 106th Street**, a line 100 feet west of West End Avenue, and **West 107th Street**; and

2. Changing from R8 and C1-5 Districts to a C4-6A District, property bounded by a line midway between West 107th Street and West 108th Street, a line 100 feet east of Broadway, a line midway between West 105th Street and West 106th Street, West End Avenue, West 107th Street, and a line 100 feet west of Broadway, as shown on a diagram dated March 30, 1987.

(On June 17, 1987, Cal. No. 15, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 35

CD 7

C 860726(A) ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 2770 Broadway Corp. pursuant to Sections 197-c and 200 of the New York City Charter for **amendment of the Zoning Map**, Section No. 5d.:

1. Changing from an R8 District to an R10A District, property bounded by West End Avenue, a line midway between West 105th Street and West 106th Street, a line 100 feet west of West End Avenue, and West 107th Street; and

2. Changing from R8 and C1-5 Districts to a C2-8A District, property bounded by a line midway between West 107th Street and West 108th Street, a line 100 feet east of Broadway, a line midway between West 105th Street and West 106th Street, West End Avenue, West 107th Street, and a line 100 feet west of Broadway, as shown on a diagram dated March 30, 1987, and modified June 15, 1987.

(On June 17, 1987, Cal. No. 16, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 36

CD 5

N 870760 ZRM

(Amendments to the Zoning Resolution pertaining to the Theatre Subdistrict to retail continuity along designated streets, required use allocation on street frontages of certain zoning lots requirements for entertainment related uses, restrictions on demolition of theatres and floor area bonus for new theatres.)

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to various sections of 81-40 (Mandatory District Plan Elements) and Section 81-70 (Special Regulations for Theatre Subdistrict).

Resolution for adoption scheduling July 8, 1987 for a public hearing.

Reading Proposed Zoning Text Changes

words not underlined	=	existing text to remain
[words bracketed]	=	existing text to be deleted
words <i>in italics</i>	=	<i>terms whose meaning is defined in the Zoning Resolution</i>
words bolded	=	new text

81-00 GENERAL PURPOSES

The "Special Midtown 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:

- (h) To preserve, protect and enhance the character of the Theatre Subdistrict as an **area of diverse uses primarily characterized by entertainment and entertainment-related uses including** [the location of] the world's foremost concentration of legitimate theatres.

* * *

81-42

Retail Continuity along Designated Streets

* * *

All *street frontages of developments or enlargements on zoning lots located within that portion of the Theatre Subdistrict bounded by 43rd Street, a line 100 feet east of Eighth Avenue, 50th Street and a line 200 feet west of Avenue of the Americas* [between 43rd and 50th Streets with *street* frontage on Seventh Avenue and/or Broadway] shall meet the ground level **and entertainment-related use** requirements of Section [81-723 (Required use allocation on wide street frontages and the frontages of certain zoning lots)] **81-72 (Use Regulations Modified)**.

81-43

Street Wall Continuity Along Designated Streets

On designated *streets* where *street wall* continuity is required (See Map 3) **and, between 43rd and 50th Streets, on the narrow street frontages of zoning lots with street frontage on Seventh Avenue and/or Broadway**, the surface of the *street wall* of a new *development* or *enlargement*, for the minimum length and height set forth in this Section, shall be within 10 feet of the *street line* or within 10 feet of a permitted arcade's supporting columns at the *street line* or within 10 feet of a permitted arcade's supporting columns at the *street line*, except that on 57th Street, 42nd Street, 34th Street and Fifth Avenue, no *street wall* setback below a height of 85 feet is permitted. The length of the *street wall* subject to setback restrictions shall be at least 80 percent of the length of the *front lot line* along the specified *street*, measured at the specific heights or anywhere above the specific heights indicated on the following table.

The minimum height of a *street wall* subject to the setback restriction shall be as follows:

Length of <i>Zoning Lot Frontage</i>	Minimum Height of a <i>Street Wall</i> Subject to the Setback Restrictions
For <i>zoning lots</i> with frontages of 50 feet or less on the designated <i>street</i>	<i>Four stories</i> or 50 feet above <i>curb level</i> , whichever is less.
For <i>zoning lots</i> with frontages of more than 50 feet on the designated <i>street</i> .	<i>Six stories</i> or 85 feet above <i>curb level</i> , whichever is less.

Developments which are in their entirety no more than two *stories* in height shall be exempt from the minimum *street wall* height requirements.

Pedestrians circulation spaces may be provided to meet the requirements of Section 81-45, 81-46 or 81-47 subject to the setback restrictions of this Section and to the minimum length of the *street wall* subject to such setback restrictions. However, the City Planning Commission may waive such restrictions for a subway entrance area which is part of a subway station improvement for which bonus *floor area* is granted, in accordance with the provisions of Section 81-53 (Subway Station Improvements).

Below the minimum height of a *street wall* subject to the setback restriction, no recesses of greater than 10 feet in depth are permitted. Recesses of between 2 feet and 10 feet in depth shall be limited in their aggregate area to no more than 30 percent of the area of the *street wall* below the minimum required street wall height. The aggregate area of recesses of up to 2 feet in depth shall not exceed 50 percent of the area of the street wall. The restrictions on recesses shall not apply to arcades, corner arcades, subway stairs relocated within the *building*, through block connections within the *building* or *building* entrance recess areas within the *building*, where such spaces are provided in accordance with the requirements and design standards of Section 81-45, 81-46 or 81-47 and provided that such spaces shall be subject to a maximum height limit of 30 feet. Any recesses in the *residential* portion of a *building* shall comply with the *outer court* regulations of Section 23-84 (Outer Court Regulations).

No arcades, sidewalk widenings or urban plazas shall be permitted on Fifth Avenue, 42nd Street, 34th Street or 57th Street frontages. Between 43rd and 50th Streets, no arcades or urban plazas shall be permitted on Seventh Avenue or Broadway and, with the exception of marquees and *signs*, any area between the Seventh Avenue or Broadway *street line* and any required *street wall* below the

height of the first required setback, including permitted recesses, shall be open from *curb level* to the sky in its entirety. Any such area shall be at the same elevation as the adjoining sidewalk, directly accessible to the public at all times and free of all obstructions at ground level, including *street trees*. On the remaining *streets* designated for *street wall* continuity, arcades, if provided, shall be not less than 10 feet in depth and not more than 30 feet high. Arcades shall not be counted towards the recess allowances.

For *zoning lots* between 43rd and 50th Streets with *street* frontage on Seventh Avenue and/or Broadway the minimum and maximum required *street wall* heights without setback on all *street frontages* shall be in accordance with Section 81-75 (Special Street Wall and Setback Requirements).

On Fifth Avenue, the minimum required *street wall* height without setback shall be 85 feet and the maximum allowable *street wall* height without setback shall be 125 feet. Above the maximum *street wall* height, a setback of at least 10 feet shall be required. (See Section 81-83).

Existing *buildings* on a *zoning lot* shall be included in measurements of the *street wall*. No existing *building* shall be altered such that a *non-compliance* with the provisions of this Section is created, nor shall an existing degree of *non-compliance* with these provisions be increased.

81-71

General Provisions

The regulations of Sections 81-72 to 81-75, inclusive, relating to Special Regulations for the Theatre Subdistrict are applicable only in the Theatre Subdistrict, whose boundaries are shown on Map No. 2 (Special Midtown and Subdistricts). They supplement or modify the regulations of this Chapter applying generally to the *Special Midtown District* of which the Subdistrict is a part.

In order to preserve and protect the character of the Theatre Subdistrict as a cultural, [and] theatrical and entertainment showcase as well as to help insure a secure basis for the useful cluster of shops, restaurants, and related amusement activities, special incentives and controls are provided for the preservation and rehabilitation of existing theatres and the addition of [new theatres] **entertainment and entertainment-related uses**, and special restrictions are placed on ground floor uses, [and] signage and **building street wall heights and setbacks** within the Subdistrict.

The Mayor of the City of New York shall appoint a Theatre Advisory Council (the "Council") and name a chairperson. Other members of the "Council" shall include representatives of the performing arts, the theatrical industry and related

professions. The "Council" shall advise the City Planning Commission concerning applications for special permits or certifications pursuant to Section 81-74.

Applications shall be referred by the Commission to the "Council" for an advisory report prior to certification for ULURP (Uniform Land Use Review Procedure) review. Such advisory report shall assist the Commission in evaluating each special permit application and in making each of the required findings therein concerning demolition pursuant to Section 81-742 or the *floor area* bonus pursuant to Section [81-744 or] 81-745. In all special permits or certifications involving the preservation or rehabilitation of existing theatres [or the construction of new theatres,] the "Council" shall advise the Commission on the adequacy of the assurances required by Section 81-743 for continuance of legitimate theatre use.

[The regulations of Sections 81-72 through 81-74 with the exception of Section 81-732, relating to a Special Theatre Subdistrict will expire on November 13, 1987. At that time or prior thereto, the City Planning Commission will submit to and the Board of Estimate will act upon further zoning action or actions based upon a comprehensive review undertaken by the City Planning Commission with the full participation and advice of the Theatre Advisory Council authorized herein. Such review will include additional planning proposals to strengthen the long-term viability of the legitimate theatres through alternative accommodations, such as but not limited to, the designation of the special character of the Theatre District, actions of the Landmarks Preservation Commission, consideration of air rights and implementation of Special criteria for the theatre demolition permit.]

81-72**Use Regulations Modified**

Within that portion of the Theatre Subdistrict bounded by West 40th Street, Eighth Avenue, West 51st Street and Avenue of the Americas, *uses* which are created by [new] *development*, or which are *enlarged* or *extended*, [or which results from a change of *use*, [shall be subject to the provisions of this section.

81-722**Use Group T**

The following *uses* are subject to the limitations on location and *floor area* of the underlying zoning district:

Uses marked with an asterisk (*) are allowed only on *narrow street* frontages.

Uses marked with double asterisks (**) are allowed only on floors other than the ground floor.

Use

Antique stores

Apartment hotels—lobby space is limited to 20% of total *zoning lot* frontage on *wide streets*

Appliance, repair shops—not permitted in C5 Districts

Appliances, sales

Art galleries, commercial

* Art galleries, non-commercial

Art metal craft shops

Art needle work

Artists' supply stores

Athletic goods stores

*** Auditoriums**

* Automobile rental establishments—not permitted in C5 Districts

Bakeries

Banks—limited to 15% of total *zoning lot* frontage on *wide street*

* Banquet halls

** Barber shops

** Beauty parlors

Bicycle stores, rental or repair, not permitted in C5 Districts

Bicycle stores, sales

* Blue printing establishments

* Boarding houses

Book stores or card stores

- * Bowling alleys—not permitted in C5 Districts
- ** Business machines, small shops, rental, repairs, sales
- ** Business schools or colleges
 - Candy stores
 - Carpet, rug, linoleum or other floor covering stores
- * Catering establishments
- * Churches
 - Cigar stores
 - Clock or watch stores or repair shops
 - Clothing rental establishments
 - Clothing stores
- * Clubs, non-commercial
 - Coin stores
- * Colleges or universities
- * Community centers
- * Convents
 - Costume rental establishment
- ** Dance halls, public—not permitted in C5 Districts
 - Delicatessen stores
 - Dressmaking shops, custom
 - Drug stores
- * Dry cleaning establishments
 - Dry goods or fabric stores
 - Eating or drinking places—with restrictions on entertainment or dancing in C5 districts; without restrictions in C6 or M1 Districts
- * Fire stations
 - Fishing tackle or equipment, stores or rental establishments
 - Florist shops
 - Food stores including supermarkets, grocery stores, markets or delicatessen stores
 - Furniture stores
 - Furrier shops, custom
 - Gift shops
- * Gymnasiums
 - Hair products for headwear
 - Hardware stores
- * Health centers
 - Historical exhibits—not permitted in C5 Districts
 - Hotels—lobby space limited to 20% of total *zoning lot* frontage on *wide streets*

- * Household appliance repair shops—not permitted in C5 Districts
 - Ice cream stores
- * Institutions, philanthropic or non-profit
 - Interior decorating establishments
 - Jewelry shops
 - Leather goods or luggage stores
- * Libraries
 - Locksmith shops
 - Luggage stores
- * Medical offices or group medical centers
- * Meeting halls
 - Millinery shops
- * Motion picture production studios
- * Museums
 - Music stores
- * Musical instruments, repair
 - Newsstands, enclosed
 - Office or business machine stores, sales or rental
 - Offices—only lobby space is permitted at grade on *wide street* frontages; lobby is limited to 20% of total *zoning lot* frontage on *wide streets*
 - Optician or optometrist establishments
 - Orthopedic stores
 - Paint stores
- * Parish houses
- * Parks, public or private
 - Parking lots, public; parking garages, public*, subject to the provisions of Section 81-30 (OFF-STREET PARKING AND OFF-STREET LOADING RESTRICTIONS)
 - Pet shops
- * Phonographic repair shops—not permitted in C5 Districts
 - Photographic developing or printing establishments
 - Photographic equipment stores
 - Photographic studios
 - Photographic supply stores
- * Photostating establishments
 - Picture framing stores
- * Police stations
- * Post offices
- * Printing establishments

- *Radio appliance repair—not permitted in C5 Districts
 - Record stores
- *Recreation centers, non-commercial
- *Rectories
 - Residences—only lobby space is permitted at grade on *wide streets*; lobby space is limited to 20% of total *zoning lot* frontage on *wide streets*
- *Rooming houses
- *Schools
- *Settlement houses
 - Sewing machine stores, selling household machines
- *Shoe repair shops
 - Shoe stores
- *Sign painting shops—not permitted in C5 Districts
- *Skating rinks, indoor—not permitted in C5 Districts
- *Skating rinks, outdoor ice
 - Sporting goods stores
 - Stamp stores
 - Stationery stores
- *Studios, music, dancing or theatrical
- *Studios, radio or television
- *Table tennis halls—not permitted in C5 Districts
 - Tailor shops, custom
 - Telegraph offices
- *Television repair shops—not permitted in C5 Districts.
 - Theatre—A new motion picture theatre in a new or existing *building* shall provide a minimum of 4 square feet of waiting area within the *zoning lot* for each seat in such theatre. The required waiting space shall be either in an enclosed lobby or open area that is covered or protected during inclement weather and shall not include space occupied by stairs or space within 10 feet of a refreshment stand or entrance to a public toilet—not permitted in C5 Districts
 - Ticket sales
 - Tobacco stores
 - Tour operator
 - Toy stores
- *Trade or other schools for adults
 - Travel expositions—not permitted in C5 Districts
 - Travel bureau—limited to 15% of total *zoning lot* frontage on *wide streets*
 - Typewriter stores

- *Typewriter or other small business machine repair stores
- Variety stores
- Wallpaper stores
- *Wholesale establishments
- *Wholesale offices or showrooms

81-723

Required use allocation on [wide] street [frontages and the] frontages of certain zoning lots.

On any *wide street*, at least 80 percent of the ground level frontage of the *front lot line* on the *wide street* shall be allocated to *uses* indicated in Section 81-722 (Use Group T). [Banks and travel bureaus, however, shall not constitute more than 15 percent of the *wide street* frontage of the *zoning lot*.]

On any *narrow street* with the area bounded by 43rd Street, a line 100 feet east of Eighth Avenue, 50th Street and a line 200 feet west of Avenue of the Americas, at least 50 percent of the ground level frontage of the *front lot line* on the *narrow street* shall be allocated to *uses* indicated in Section 81-722 (Use Group T). Requirements related to *uses* fronting on *wide streets* within Section 81-722 (Use Group T) shall also apply to *uses* fronting on the above *narrow streets*. Where a stairway entrance into a subway is relocated onto a *zoning lot* in accordance with the requirements of Section 81-47 (Off-Street Relocation of a Subway Stair), up to, but not more than, 40 feet of the *narrow street* ground level frontage occupied by that stairway may be excluded from the length of *narrow street* frontage to which the above requirements apply. Required *accessory off-street* loading berths may be excluded from the length of *narrow street* ground level frontage to which the above requirements apply.

The following requirements apply to both *wide* and *narrow street* frontages:

- (a) No single establishment shall have a [wide] *street* frontage of less than 10 feet or, except in the case of theatres, greater than 40 feet. Each establishment shall be located within 10 feet of the *lot line* on which it is required to front for the full length of the frontage of that establishment.
- (b) Banks and travel bureaus shall not constitute more than 15 percent of any of the ground level *street* frontages of a *zoning lot*.
- (c) Lobby space [is permitted on *wide street* frontages provided it does] shall not comprise more than 20 percent of [a *development's wide*] **any of a *zoning lot's street* frontages**. In addition to the 20 percent frontage limitation, a lobby frontage on a [wide] *street* shall not exceed 40 feet, but need not be less than 15 feet.
- (d) *Uses* with no *street* frontage and which are accessible only through a lobby shall not be restricted to Use Group T *uses*.

(e) If any *street* frontage of a *zoning lot* is less than 20 feet in length, the provisions of this Section shall not apply.

[On *zoning lots* between 43rd and 50th Streets with *street* frontage on Broadway or Seventh Avenue, *narrow street front lot line* ground level frontages shall be allocated to *uses* indicated in Section 81-722 (Use Group T) for 50 percent of their full length or the first 100 feet from Seventh Avenue or Broadway, whichever is less. All other requirements set forth in this Section relating to *wide street* frontages shall also apply to the *narrow street* ground level frontages specified above. Where a stairway entrance into a subway is relocated onto the *zoning lot* in accordance with the requirements of Section 81-47 (Off-Street Relocation of a Subway Stair), the length of *narrow street* ground level frontage occupied by that stairway may be excluded from the length of frontage to which these requirements apply.]

81-724

Requirements for Entertainment-Related Uses

For a *zoning lot*, or portion thereof, located within the area bounded by 43rd Street, a line 100 feet east of Eighth Avenue, 50th Street and a line 200 feet west of Avenue of the Americas the following requirements shall apply. If five percent of the new *floor area* of a *development* or *enlargement* exceeds 2,500 square feet, an amount of floor space on the *zoning lot* equal to that five percent shall be allocated to *uses* listed in Section 81-725 (Entertainment-related Uses). Floor space allocated to such *uses* accommodating any number of occupants shall be classified under Occupancy Group F-Assembly as described in Section C26-307.0 of Chapter 26 of the New York City Administrative Code and shall meet all relevant requirements of Title C, Part II, Article 8 of Chapter 26 of that Code. All such *uses* shall be subject to the locational requirements of Section 81-721 (Restriction of Ground Floor Uses).

81-725

Entertainment-Related Uses

Auditoriums, with capacity limited to 2,500 seats

Dance halls, public

Eating or drinking places where there is entertainment or dancing

Meeting halls, limited to location in hotels

Studios, music, dancing, theatrical, radio or television

Theatres

81-731

Special regulations for signs, transparency, banners and canopies

Within that area of the Theatre Subdistrict whose boundaries are described in Section 81-72 (Use Regulations Modified), the following provisions apply along *wide street* frontages. [and, for *zoning lots* between 43rd and 50th Streets with *street* frontage on Seventh Avenue or Broadway, along *narrow street* frontages for the full length of the frontage of the *zoning lot* or the first 100 feet from Seventh Avenue or Broadway, whichever is less:] **Within that portion of the Theatre Subdistrict bounded by 43rd Street, a line 100 feet east of Eighth Avenue, 50th Street and a line 200 feet west of Avenue of the Americas the following provisions also apply along *narrow street* frontages.**

- (a) At least 50 percent of the *street wall* surface of a [new] *development* shall be glazed at the ground floor level with clear untinted transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with *signs*. For the purpose of the glazing requirements, the *building's street wall* surface at the ground floor level shall be measured from the floor the height of the ceiling or 14 feet above grade, whichever is less.
- [(b) Below a level of 10 feet above *curb level*, *signs* shall not be permitted on the exterior of any establishment with the exception of theatres.
- (c) The display of banners or pennants from the exterior of new or existing *buildings* is prohibited.]
- (b) [(d)] Canopies (as defined in Section 692-f 6.0 of the Administrative Code) and awnings shall not be permitted on the exterior of any *development*.

For the purposes of this Section, any *signs*, [including banners or pennants,] which do not comply with the above regulations may be continued for one year after the effective date of this Section, provided that after the expiration of that period such *nonconforming sign* shall terminate; a *sign* which the Chairman of the City Planning Commission certified as an integral part of the *building* shall not be required to terminate.

81-74

Special Incentives and Controls in the Theatre Subdistrict

81-741

General provisions

- (a) Special permits by the City Planning Commission

In the Theatre Subdistrict, the City Planning Commission; by special permit after public notice and hearing and subject to Board of Estimate action, may grant special permits:

- [(1) authorizing *floor area* bonuses for new theatres in accordance with the provisions of Section 81-744;]

- (1)[(2)] authorizing *floor area* bonuses for rehabilitation of existing theatres in accordance with the provisions of Section 81-745;
- (2)[(3)] authorizing transfer of development rights from *zoning lots* occupied by theatres which are designated landmarks in accordance with the provisions of Section 81-747;
- (3)[(4)] authorizing demolition of theatres where permissible under the provisions of Section 81-742.

(b) Certification by the Chairman of the City Planning Commission

By certification of the Chairman of the City Planning Commission,

- (1) The Special Provisions for *Zoning Lots* Divided by District Boundaries (Article VII, Chapter 7) may be modified in the case of a *zoning lot* partly occupied by a listed theatre in accordance with the provisions of Section 81-746, or
- (2) Bonus *floor area* may be authorized for a through block galleria in accordance with the provisions of Section 81-748

(c) Required Assurances

All such authorizations by special permit or certification and involving new theatres or preservation of existing theatres shall be subject to the provisions of Section 81-743 (Required assurances for continuance of legitimate theatre use).

(d) Limits on total additional floor area

Except as otherwise provided in Section 81-212 (Special provisions for transfer of development rights from landmark sites), the total additional *floor area* permitted on the *zoning lot* by such special permit or certification, together with all bonus *floor area* or *floor area* derived from transferred development rights under other provisions of this Chapter, shall in no event exceed the maximum amount permitted by special permit as set forth in Section 81-211 (Maximum floor area ratio for non-residential or mixed buildings).

(e) Limitations on non-theatre related bonuses in C6-4, C6-5 or M1-6 Districts.

For *zoning lots* or portions thereof in C6-4, C6-5 or M1-6 Districts, the total amount of *floor area* derived from non-theatre related bonuses or other special *floor area* allowances pursuant to provisions of this Chapter other than those in Sections [81-744], 81-745, 81-746 or 81-747 relating to [new theatres or] the preservation of existing theatres shall not exceed a *floor area ratio* of 2.0.

(f) Theatre-related bonus floor area for residences in C6-4 and C6-5 Districts

For *zoning lots* or portions thereof in C6-4 or C6-5 Districts, some or all of the bonus *floor area* or other special *floor area* allowances permitted pursuant to the provisions of Sections [81-744], 81-745, 81-746 or 81-747 relating to [the

provision of new theatres or] the preservation or rehabilitation of existing theatres may be allocated to a *residential building* or the *residential* portion of a *mixed building* provided that the total *residential floor area ratio* with such *floor area* allowances shall not exceed 12.0.

(g) Certification for urban parks or subway station improvements

Within the Theatre Subdistrict, any application for a special permit pursuant to the provisions of Section 81-52 (Urban Parks) or Section 81-53 (Subway Station Improvements) shall be subject to prior certification by the City Planning Commission in accordance with Section 81-51 (General Provisions).

81-742

Restrictions on Demolition of Theatres

No demolition permit shall be issued by the Department of Buildings for any theatre listed in this section as a "listed theatre," unless:

- (a) It is an unsafe *building* and demolition is required pursuant to the provisions of Chapter 26, Title C, Part I, Article 8 of the New York City Administrative Code; or [The theatres to which the provisions of this Section apply are predominantly free standing theatres with full stage and wings and are identified as listed theatres in Table 1 below.]
- (b) It has been designated a landmark by the Landmark Preservation Commission and a notice to proceed has been issued to the owner pursuant to Section 207-8.0 of Chapter 8A of the New York City Administrative Code permitting demolition that contemplates removal of the theatre from theatre *use*; or
- (c) The City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action permits its demolition upon making the following findings:
 - (1) That demolition of the theatre structure will not unduly diminish the character of the Theatre Subdistrict as a cultural, entertainment and theatrical showcase, taking into consideration the following list of factors:
 - (i) Current physical condition and configuration of the theatre,
 - (ii) History of the theatre's *use*.
 - (iii) Likelihood of its future *use* as a legitimate theatre, and
 - (iv) Applicant's plans for replacement of the theatre structure with a *development* containing replacement uses supportive of the character of the theatre subdistrict, and
 - (2) That there exists a legal commitment binding upon all parties in interest of the *zoning lot* containing the theatre that any *development* or *enlargement* on a *zoning lot* containing a portion or all of the former site of the listed theatre

shall reserve area devoted exclusively to *uses* described in Section 81-724 (Requirements for Entertainment-Related Uses) for the life of such *development* or *enlargement* at least equivalent in amount to the total *floor area* of the theatre.

The theatres to which the provisions of this Section apply are predominantly free standing theatres with full stage and wings and are identified as listed theatres in Table 1 below.

TABLE 1
Listed Theatres
(Section 81-742)

<u>THEATRE NAME</u>	<u>ADDRESS</u>	<u>BLOCK NUMBER</u>	<u>LOT NUMBER</u>
Ambassador	215 West 49th St.	1021	15
Barrymore	243 West 47th St.	1019	12
Belasco	111 West 44th St.	997	23
Biltmore	261 West 47th St.	1019	5
Booth	222 West 45th St.	1016	15
Broadhurst	235 West 44th St.	1016	11
Broadway	1681 Broadway	1024	46
Brooks Atkinson	256 West 47th St.	1018	57
City Center	131 West 55th St.	1008	15
Cort	138 West 48th St.	1000	49
Ed Sullivan	1697 Broadway	1025	43
Eugene O'Neill	230 West 49th St.	1020	53
Forty-Sixth St.	226 West 46th St.	1017	48
Golden	252 West 45th St.	1016	58
Harris	226 West 42nd St.	1013	45
Helen Hayes [Little]	240 West 44th St.	1015	51
Henry W. Miller	124 West 43rd St.	995	45
Hudson	139 West 44th St.	997	15
Imperial	249 West 45th St.	1017	10
Liberty	234 West 42nd St.	1013	49
Longacre	220 West 48th St.	1019	50
Lunt-Fontanne	205 West 46th St.	1018	20
Lyceum	149 West 45th St.	998	8
Lyric	213 West 42nd St.	1014	39
Majestic	245 West 44th St.	1016	5
Mark Hellinger	237 West 51st St.	1023	11
Music Box	239 West 45th St.	1017	11

<u>THEATRE NAME</u>	<u>ADDRESS</u>	<u>BLOCK NUMBER</u>	<u>LOT NUMBER</u>
Nederlander	208 West 41st St.	1012	30
Neil Simon [Alvin]	250 West 52nd St.	1023	54
New Amsterdam	214 West 42nd St.	1013	39
Roof Garden	214 West 42nd St.	1013	39
New Apollo	234 West 43rd St.	1014	20
Palace	1564 Broadway	999	63
Plymouth	236 West 45th St.	1016	51
Ritz [R.F.K.]	225 West 48th St.	1020	14
Royale	242 West 45th St.	1016	55
St. James	246 West 44th St.	1015	54
Selwyn	229 West 42nd St.	1014	17
Shubert	225 West 44th St.	1016	15
Studio 54	254 West 54th St.	1025	58
Times Square	219 West 42nd St.	1014	20
Victory	209 West 42nd St.	1014	25
Virginia [ANTA]	245 West 52nd St.	1024	7
Winter Garden	1634 Broadway	1022	2

[However, the City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may permit demolition of a listed theatre provided that, in the case of a landmark theatre, such demolition is also authorized by the Landmarks Preservation Commission, and provided further that the City Planning Commission makes the following findings:

- (a) That loss of the theatre will not harm the entertainment sector of the City's economy, and
- (b) That the theatre is in need of substantial rehabilitation but is not eligible for assistance under any tax abatement or other publicly aided program, and
- (c) That the theatre is not capable of providing a reasonable return, and
- (d) That an acceptable program for new *development* of the *zoning lot* is submitted to the Commission, which indicates that the site will be redeveloped either for a new theatre or for a use which will directly support neighborhood theatre business, such as, but not limited to, rehearsal space, recording facilities or theatre costume rentals, and that construction of the new *development* will commence within a period of 12 months from the completion of demolition, as evidenced by posting of a bond or other security payable to the City of New York and approved by the Corporation Counsel sufficient in amount to cover the cost of building a new theatre.]

In the case of an existing legitimate theatre for whose construction bonus *floor area* was granted pursuant to regulations in effect prior to the effective date of this amendment, no provision of this amendment shall be construed as changing any previously existing responsibility of the owner or lessee of such theatre for continuance of its *use* as a legitimate theatre.

81-743

Required assurance for continuance of legitimate theatre use

As a condition for the issuance of any special permit under the provisions of [Section 81-744 (Floor area bonus for new theatres).] Section 81-745 (Floor area bonus for rehabilitation of existing listed theatres), or Section 81-747 (Transfer of development rights from landmark theatres), or the issuance of a certification under the provisions of Section 81-746 (Modification of special provisions for zoning lots divided by district boundaries), there shall exist:

- (a) a signed lease from a prospective theatre operator with credentials acceptable to the City Planning Commission for occupancy of the theatre and its operation; and
- (b) a legal commitment binding upon the owner and lessee of the theatre for continuance of its use as a legitimate theatre for the life of the related *development*; and
- (c) a plan and program for continuing maintenance approved by the Commission.

81-744

Floor area bonus for new theatres

[The Commission by special permit may authorize bonus *floor area* for any new *building* that contains a new legitimate theatre or theatres, provided that the clearance and *development* of the *zoning lot* result in a net increase in the number of theatres and the number of theatre seats occupying the *zoning lot*.

The amount of the bonus *floor area* granted will be at the discretion of the Commission and after consideration of the following findings by the Commission:

- (a) whether the legitimate theatre or theatres are of a size and type which the Commission deems appropriate, under the circumstances pertaining at the time of the application, to achieve a balance of facilities responsive to the needs of the Subdistrict; and
- (b) whether the *development* includes facilities to support legitimate theatre operations such as rehearsal, studio or storage space; and
- (c) whether adequate special provision is made for pedestrian circulation beyond the provisions required by Section 81-45 (Provision of Pedestrian Circulation Space), and

- (d) whether adequate special provision is made for pedestrian circulation beyond the provisions required by Section 81-45 (Provision of Pedestrian Circulation Space), and
- (e) whether the *development* includes restaurant facilities or other amenities useful to the Theatre Subdistrict.

Such bonus *floor area* shall not exceed 20 percent of the basic maximum *floor area* permitted on the *development's zoning lot* by the regulations of the underlying District, except that in the case of a C6-4, C6-5 or M1-6 underlying District, the bonus *floor area* shall not exceed 44 percent of the basic maximum *floor area* permitted in such underlying District.

The Commission may prescribe appropriate conditions and safeguards to enhance the character of the surrounding area.

Compliance with the provisions of Section 81-743 (Required assurances for continuance of legitimate theatre use) shall be a condition for issuance of a special permit under the provisions of this Section.]

This Section was repealed.

(On June 17, 1987, Cal. No. 79, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 37

Citywide

N 851092 ZRY

PUBLIC HEARING:

IN THE MATTER OF amendments to the Zoning Resolution, pursuant to Section 200 of the New York City Charter, establishing a new Section 73-53 permitting enlargements or extensions of certain manufacturing or related uses by special permit of the Board of Standards and Appeals as follows:

Text in **bold type** is new.

Text in [brackets] is old, to be deleted.

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

73-40 MODIFICATION OF USE OR PARKING REGULATIONS

73-41

General Provisions

Subject to the general findings required by Section 73-03 and in accordance with the provisions contained in Sections 73-42 to 73-[52] 53, the Board shall have the power to permit modification of *use* or parking regulations of this Resolution, and shall have the power to impose appropriate conditions and safeguards thereon.

* * *

73-53 Enlargement or Extensions of Certain Manufacturing or Related Uses

- (a) In all districts, the Board may modify *use* and *bulk* regulations to permit the *enlargement* or *extension* of a conforming or *non-conforming use* listed in Section 15-58, provided that
- (1) such *use* is not subject to termination pursuant to Section 52-70 et seq;
 - (2) the *use* for which such special permit is being sought has been lawfully located on the *zoning lot* on which the expansion is to occur, or a portion thereof, for five years or more;
 - (3) the *building* in which such *use* is located has not been *enlarged* pursuant to Section 43-121; and
 - (4) the *use* is not listed in Use Group 18.
- (b) Any *enlargement* or *extension* permitted pursuant to this Section shall be subject to the following requirements:

- (1) The permitted *enlargement* or *extension* may be the greater of:
- (i) 45% of the *floor area* occupied by such *use* on (effective date of this amendment); or
 - (ii) 2,500 square feet.

The maximum permitted *enlargement* or *extension* shall be 10,000 square feet additional to the *floor area* existing on (effective date of this amendment).

- (2) Unless located within an M2 or M3 District more than 300 feet from a *Residence District* boundary, any *enlarged* or *extended* portion, or activity generated by such *enlargement* or *extension*, including storage and processing, shall be in *completely enclosed buildings*.
 - (3) In the case of a *non-conforming use*, such *enlarged* or *extended use* shall conform to all performance standards applicable in a M1 District located at the boundary with a *Residence District*. Conforming *uses* shall conform to the applicable performance standards of the district in which they are located.
 - (4) No *open uses* of any kind, including storage or processing, shall be permitted within 30 feet of the *rear lot line* that is located within a *Residence District* or within 30 feet of the *rear lot line* that coincides with a *rear lot line* of a *zoning lot* in a *Residence District*.
 - (5) No *enlargement* or *extension* that exceeds 16 feet above *curb level* shall be permitted within 30 feet of the *rear lot line* of a *zoning lot* in a *Residence District*.
 - (6) No *enlargement* or *extension* that exceeds 16 feet above *curb level* shall be permitted within 8 feet of the *side lot line* that coincides with a *rear lot line* of a *zoning lot* in a *Residence District*.
 - (7) No *open uses* of any kind, including storage or processing, shall be permitted within 8 feet of the *side lot line* that coincides with a *rear lot line* of a *zoning lot* in a *Residence District*.
 - (8) No *enlargement* or *extension*, or *open uses* of any kind, including storage or processing, shall be permitted within 8 feet of the *lot line* which coincides with a *side lot line* of a *zoning lot* in an R1, R2, R3, R4 or R5 District.
 - (9) No *side yard* shall be required in an R6, R7, R8, R9, or R10 District or in a *Commercial* or *Manufacturing District*. However, if such *side yard* is provided, it must be at least 8 feet in width.
- (c) In granting such special permit, the Board shall find:

- (1) that such *enlargement* or *extension* will not generate vehicular or pedestrian congestion in the surrounding area;
- (2) that there will be adequate parking for any vehicles generated by such *enlargement* or *extension*;
- (3) that any required *side yard* shall be suitably landscaped or fenced as the Board shall prescribe;
- (4) that any *accessory* parking or loading generated by such *enlargement* or *extension* shall be suitably buffered from adjacent *uses* by methods that the Board shall prescribe; and
- (5) that the special permit, if granted, will not alter the essential character of the neighborhood or district in which the *use* is located, nor impair the future *use* or *development* of the surrounding area.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects of the *enlargement*, *extension* or existing *uses* on the character of the surrounding area, and to protect *residential* or *commercial zoning lots*.

(On June 17, 1987, Cal. No. 17, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 38

Citywide

N 870612 ZRY

CONTINUED PUBLIC HEARING

74-68

Developments Over Certain Rights-of-Way

74-681

- (1) Developments Over Railroad or Transit Rights-of-Way or Yards

In all districts, the City Planning Commission may permit *developments* or *enlargements* in *railroad* or *transit air space* for any *use* listed in a Use Group permitted by the applicable district regulations, provided that the following findings are made;

- (a) that the *lot area* for such *development* or *enlargement* includes only that portion of the right-of-way or *yard* which is to be completely covered over by a permanent platform, constructed in accordance with administrative code provisions where applicable and standards appropriate for public safety to be determined by the Department of Buildings, unperforated except for such suitable protected openings as may be required for ventilation, drainage, or other necessary purposes.
- (b) That adequate access to one or more *streets* is provided.
- (c) That, considering the size of the proposed *development* or *enlargement*, the streets providing access to such *use* will be adequate to handle increased traffic resulting therefrom.
- (d) That from the standpoint of effects upon the character of surrounding areas, the *floor area* or number of *rooms* is not unduly concentrated in any portion of such *development* or *enlargement*, including any portion located beyond the boundaries of such *railroad* or *transit air space*.
- (e) **That, if such right-of-way or yard is deemed appropriate for future transportation use, the site plan and structural design of the development or enlargement does not preclude future use of, or improvement to the right-of-way for such transportation uses.**

For such *developments* or *enlargements* in *railroad* or *transit air space*, the Commission may establish an appropriate level or levels instead of *curb level* as the reference plane for the applicable regulations pertaining to *open space*, *yards*, *rear yard equivalents*, level of *yards*, minimum distance between buildings and floor space that is used for *accessory parking facilities*.

For any such *development* or *enlargement*, single ownership of rights to *develop railroad* or *transit air space* within a single *block* shall be deemed to be equivalent to ownership of a *zoning lot* or portion thereof, and such ownership of rights shall be deemed to include equivalent ownership arrangements of the *zoning lot* definition in Section 12-10. *Railroad* or *transit air space* in which such rights are in single ownership shall be deemed equivalent to a *zoning lot* or portion thereof. The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, and may require that the structural design of such *development* or *enlargement* make due allowance for changes in the layout of tracks or other structures within such right of way or *yard*, which may be deemed necessary in connection with future improvements of the transportation system.

To facilitate future transportation improvements, the City Planning Commission may require appropriate easements through railroad or transit rights-of-way, *railroad or transit air space* and/or other portions of zoning lots containing such *developments* or *enlargements*.

(2) Large-Scale Residential Developments Over Railroad or Transit Rights-of-Way or Yards

In all districts in which *large-scale residential developments* may be located, the City Planning Commission may permit *large-scale residential developments*, in *railroad or transit air space* for any use listed in a Use Group permitted by the applicable district regulations and in connection therewith, may permit beneath a permanent platform covering such *railroad or transit air space uses accessory* to such primary uses located in such *railroad or transit air space*, and/or, notwithstanding the applicable district regulations, public parking garages or public parking lots (pursuant to Section 74-50), public transit yards, warehouses, trucking terminals or motor freight stations (without limitation on lot area per establishment), or railroads (including rights-of-way, freight terminals, yards or appurtenances, or facilities or services used or required in railroad operations, but not including passenger stations), provided that the following findings are made:

- (a) That the *lot area* for such *large-scale residential development* includes only: that portion of the right-of-way or *yard* which is to be completely covered over by a permanent platform (constructed in accordance with administrative code provisions where applicable and standards appropriate for public safety to be determined by the Department of Buildings, unperforated except for such suitably protected openings as may be required for ventilation, drainage or other necessary purposes); and, if any, that portion of the right-of-way or *yard* adjacent to and at a level below such platform, which below platform portion is designated as *lot area* on the approved site plan is developed, landscaped and used exclusively for active and/or passive recreation, and is usable by and accessible to the residents of the *large-scale residential development*.
- (b) That adequate access to one or more *streets* is provided for such *large-scale residential development* in *railroad or transit air space* and such *uses*, beneath the platform.
- (c) That, considering the size of the proposed *large-scale residential development* in *railroad or transit air space* and such *uses* beneath such platform the *streets* providing access to such *uses* will be adequate to handle increased traffic resulting therefrom.

- (d) That, from the standpoint of effects upon the character of the surrounding area, the *floor area* or *number of rooms* is not unduly concentrated in any portion of such *large-scale residential development*, including any portion located beyond the boundaries of such *railroad* or *transit air space*.
- (e) *That all uses, developments, enlargements and extensions* located in *railroad* or *transit air space* and beneath such platform do not adversely affect one another.
- (f) That the owner(s) or occupant(s) of such *large-scale residential development* which contains at least 1,000 *dwelling units*, will provide, in accordance with an approved *development* phasing plan, and will either directly or indirectly by adequate funding maintain and operate in accordance with an approved maintenance and operation plan:
- (i) a park, located on an adjoining site, which has been or is to be mapped pursuant to Section 199 of the Charter and conveyed to the City; and/or
 - (ii) a recreation area, located on an adjoining site, which, by way of a conveyance of a real property interest, is open and accessible to the general public and/or
 - (iii) a recreation area, as set forth in finding (a) of this subdivision (2), located within the site of such *large-scale residential development* which is designated as *lot area*, and, by way of a conveyance of a real property interest, is open and accessible to the general public as well as the residents of the *large scale residential development*.
- (g) That, if such right-of-way or yard is deemed appropriate for future transportation use, the site plan and structural design of the large scale residential development does not preclude future use of, or improvements to, the right-of-way for such transportation uses.**

For such *large-scale residential development* located in *railroad* or *transit air space*:

- (1) Single ownership of rights to *develop railroad* or *transit air space* within a single *block* shall be deemed to be equivalent to ownership of a *zoning lot* or portion thereof, and such ownership of rights shall be deemed to include equivalent ownership arrangements of the *zoning lot* definition in Section 12-10. *Railroad* or *transit air space* in which such rights are in single ownership shall be deemed equivalent to a *zoning lot* or portion thereof.
- (2) A *street* having a lower limiting plane which does not descend to the level of the natural land located beneath such platform shall not be deemed a "*street*" for the purpose of the definition of a "*block*" or a "*zoning lot*", but shall be

deemed a “street” for all other zoning purposes (hereinafter referred to as a “platform street”).

- (3) A portion of *railroad* or *transit air space* located at and above the level of such platform, and, if any, a portion of *railroad* or *transit air space* designated as lot are in accordance with finding (a) of this subdivision (2), and located adjacent to and below the level of such platform, which portion(s) is (are) bounded at least in part by such platform *street* and is (are) otherwise bounded in accordance with the definitional requirements for a “block equivalent”). Such *block* equivalent, or portion thereof, which is a lot of record shall be deemed to be equivalent to a *zoning lot* (hereinafter referred to as a “*zoning lot* equivalent”), and shall be subject to all applicable zoning regulations as if it were a *zoning lot*.
- (4) The City Planning Commission may establish an appropriate level or levels instead of *curb level* as the reference plane for the applicable regulations pertaining to *open space*, *yards*, *rear yard equivalents*, level of yards, minimum distance between *buildings* floor space that is used for *accessory* parking facilities.
- (5) The provisions of Sections 74-99 and 78-07 relating to the lapse of a special permit may be modified by the City Planning Commission if it determines that such modification shall enhance the implementation of such *large-scale residential development*.
- (6) The provisions of Sections 23-151, 24-11, 32-43 and 33-120.5 relating to R10 Infill may be modified by the City Planning Commission if it determines that such modifications shall enhance the *large-scale residential development*.
- (7) The provisions of Article I, Chapter 3 relating to *accessory* off-street parking may be modified by the City Planning Commission if it determines that such modification shall enhance the *large-scale residential development*.
- (8) A portion of a *building* may be located in the air space above a platform *street* provided that:
 - (a) Such air space is not mapped or, if mapped, is closed and demapped by the Board of Estimate;
 - (b) Such platform *street* area shall not generate *development* rights;
 - (c) Such *building* portion shall have a minimum clearance height of 45 feet at all points measured from *curb level* (or such *curb level* equivalent) to soffit;
 - (d) Such *building* portion shall not rest upon columns or other means of support intruding upon such platform *street*;

- (e) Each of such building portions shall not exceed 4,750 square feet in area (measured on any horizontal plane);
 - (f) All platform *street* frontages of the *zoning lots* (or *zoning lot* equivalents) under such *building* portion (except for *zoning lots* or *zoning lot* equivalents containing only columns or other means of support for such *building* shall:
 - (i) contain only *uses* requiring human occupancy, such as local retail stores, personal services establishments, and other similar *uses* permitted by the underlying district regulations, and not contain storage rooms, mechanical equipment rooms, parking or loading facilities, or curb cuts; and
 - (ii) contain a main entrance for principal pedestrian access to the subject *building*;
 - (g) Appropriate illumination (of at least 5 foot candles) and ventilation shall be provided beneath such *building* portion; and
 - (h) The minimum distance between the nearest edges of two such building portions traversing the same platform *street* shall be 300 feet (measured along the platform *street line*).
- (9) The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, and may require that the structural design of such *large-scale residential development* make due allowance for changes in the layout of tracks or other structures within such *right-of-way or yard*, which may be deemed necessary in connection with future improvements of the transportation system.

To facilitate future transportation improvements, the City Planning Commission may require appropriate easements through railroad or transit rights-of-way, railroad or transit air space and/or large scale residential developments.

(On June 3, 1987, Cal. No. 16, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 57, the hearing was continued to July 8, 1987.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 39

CD 3

N 870873 ZRR

IN THE MATTER OF an application pursuant to Section 107-21 of the Zoning Resolution from the Department of City Planning, granting **amendment to the Zoning Resolution for modification of Designated Open Space at 5638 and 5644 Amboy Road, Block 6651, Lots 17 and 19 in order to protect an existing stream.**

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.

(On June 17, 1987, Cal. No. 18, the Commission scheduled July 8, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 40

CD 2

C 860071 MMX

IN THE MATTER OF an application submitted by the New York City Department of Transportation pursuant to Section 197-c of the New York City Charter for an **amendment to the City Map** involving a change in the legal grades of Tiffany Street between Garrison Avenue and Bruckner Boulevard **to facilitate the rehabilitation of the Tiffany Street Bridge** in accordance with Map No. 13007 dated March 19, 1987 and signed by the Borough President.

(On June 3, 1987, Cal. No. 19, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 19 the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 41

CD 2

C 870405 ZMK

IN THE MATTER OF an application submitted by Windberk Partners, pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment to the Zoning Map**, Section No. 16c, establishing within an existing R6 District a C2-3 District bounded by Pacific Street, Boerum Place, Dean Street and a line of 125 feet west of Boerum Place **to allow the expansion of an existing racquet ball club** as shown on a diagram dated March 30, 1987.

(On June 3, 1987, Cal. No. 32, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 27 the hearing was closed.)

For consideration.

No. 42

CD 13

C 870007 MMK

IN THE MATTER OF an application submitted by Bay Properties Associates pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the elimination, discontinuance and closing of Bay 44th Street from Westshore Avenue to the U.S. Bulkhead Line; the elimination of lines of Westshore Avenue between Bay 43rd and Bay 44th Avenues; the elimination of an existing sewer easement; the establishment of a sewer easement; and a change in the lines and grades in the vicinity of intersection of Westshore Avenue and Bay 43rd Street **to facilitate the construction of a Marina, and a pedestrian access area** ancillary to an as-of-right residential development in accordance with Map No. X-2396, Dated February 24, 1987, and signed by the Borough of President of Brooklyn.

(On June 3, 1987, Cal. No. 34, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 29 the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 43

CD 12

C 870693 PPQ

IN THE MATTER FOR an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of twenty-eight (28) city-owned properties.**

A list and description of the properties can be seen at the City Planning Commission, 2 Lafayette Street, Room 1514, New York, New York 10007.

(On June 3, 1987, Cal. No. 39, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 34 the hearing was closed.)

For consideration.

No. 44

CD 2

C 830549 MMQ

IN THE MATTER OF an application submitted by the New York City Public Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the elimination, discontinuance and closing of 55th Road between points 10 feet and 100.03 feet east of 46th Street along with the layout of a turnaround area approximately 170 feet south of 55th Avenue and a change in legal street grades within 55th Avenue between 46th Street and 48th Street to **improve the economic viability of the West Maspeth Industrial Area** in accordance with Map No. 4813, dated February 3, 1986, and signed by the Borough President. The map was referred by the Board of Estimate on February 20, 1986 (Calendar No. 197).

(On June 3, 1987, Cal. No. 40, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 35 the hearing was closed.)

For consideration.

No. 45

CD 2

C 860487 MMQ

IN THE MATTER OF an application submitted by the Dormitory Authority of the State of New York pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the elimination, discontinuance and closing of 31st Place between Thomson and 47th Avenues to **facilitate the expansion and consolidation of the Fiorello H. LaGuardia Community College**, in accordance with Map No. 4830, dated November 14, 1986, and signed by the Borough President of Queens.

(On June 3, 1987, Cal. No. 41, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 36 the hearing was closed.)

For consideration.

No. 46

CS 5

C 861003 ZMQ

IN THE MATTER OF an application submitted J. William Manowitz pursuant to Section 197-c and 200 of the New York City charter for **amendment of the Zoning Map**, Section No. 14b, changing from an existing M1-1 District and from a C1-2 within R4 District to a M1-2 District an area bounded by a line 75 feet south of and parallel to 75th Avenue, a line 150 feet east of 88th Street and perpendicular to said line, a line midway between 75th Avenue and 76th Avenue, a line 150 feet west of the intersection of the south service road of Woodhaven Boulevard from 76th Avenue, 76th Avenue, and 88th Street, **to permit limited expansion of existing manufacturing facilities**, as shown on a diagram dated March 16, 1987 (88-05 76th Avenue rezoning).

(On May 18, 1987, Cal. No. 5, the Commission scheduled June 3, 1987 for a public hearing. On June 3, 1987, Cal. No. 51 the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 47

CD 5

C 860389 GFM

IN THE MATTER OF an application submitted by Young and Rubicam, Inc. pursuant to Section 197-c of the New York City Charter for the **grant of a ten year revocable consent to construct, maintain and use** a sixteen feet high by four feet diameter **sidewalk clock** with electrical conduit on the sidewalk beyond the building line, **in front of premises located at 279-293 Madison Avenue**, three feet from the curb to the center of the clock stanchion and approximately 68 feet north of the curb at the intersection of Madison Avenue and East 40th Street, for a pedestrian amenity.

(On June 3, 1987, Cal. No. 1, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 42 the hearing was closed.)

For consideration.

No. 48

CD 12

C 870740 PPM

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>
2115	29	510 West 157th Street
2119	15	572 West 161st Street
2156	145	16 Washington Terrace

(On June 3, 1987, Cal. No. 2, the Commission scheduled June 17, 1987 for a public hearing. On June 17, 1987, Cal. No. 43 the hearing was closed.)

For consideration.

 No. 49

CD 2

N 870592 ZAR

(Request to construct one (1) single family dwelling in the Special Natural Area District of Staten Island).

IN THE MATTER OF an application, pursuant to Sections 105-421 and 105-423 of the Zoning Resolution from Alphose J. Calvanico, P.E., for the **grant of authorizations** involving modification of topography and alteration of the botanic environment including the removal of five (5) trees on property located at **99 St. George Road.** Block 2248. Lots 67 and 68.

Plans for the proposed single family dwelling are on file with the City Planning Commission and may be seen in Room 1517, Two Lafayette Street, New York.

For consideration.
