

DISPOSITION SHEET - PUBLIC MEETING OF..OCTOBER 21, 1987.... - CITY HALL, N.Y. - 10 A.M.

CAL. NO.	C.P. NO.		REPORTS		REMARKS	CAL. NO.	C.P. NO.		REPORTS		REMARKS
			TO	FROM					TO	FROM	
	MINUTES	9/10	9/14/87	Approved	47	N 880060	BDM	Previously	Approved	10/19	
1	C 870918	PPR	Previously	Scheduled on	48	C 870586	ZSM	✓ Fav. Rep.	Adopted		
2	C 870862	PPX	Oct. 19, 1987	for 11/4/87	49	N 880043	ZRM	✓	"		
3	C 880121	HDX		"	50	N 880033	ZCM	Auth.	Approved		
4	C 880122	HDX		"	51	N 880172	ZRY	✓ Fav. Rep.	Adopted		
5	C 870952	PPK		"	52	N 851092	ZRY	✓	"		
6	N 880168	BDK		"	53						
7	C 870861	PPQ		"	54						
8	C 870086	ZSM		"	55						
9	C 870500	HDM		"	56						
10	C 880047	ZSM		"	57						
	NOTICE										
11	C 880125	ZSM		"	58						
12	C 880123	HDM		"	59		Present				
13	N 870565	ZRY		"	60		S. Deutsch Ch.				
14	C 850959	MMR		Hearing Closed	61		S. Gagliardo, Comm.				
15	C 870917	PPR		"	62		M. Mammano	" - not voting			
16	Informational Hearing		Casleton Depot		63		G. McNeil,	"			
17	C 870897 -	899 PPX		"	64		D. Scannell,	"			
18	C 850824	BFX		Con't to 11/4	65		D. Scheinberg	"			
19	C 870817 -	820 PPX		Hearing Closed	66						
20	C 870614	PSX		"	67		Adj. 12:59				
21	C 870675	PPK		"	68						
22	C 870512	PSK		Con't to 11/4	69						
23	C 880026	ZSK		" "	70						
24	C 870676 -	677 PPX		Hearing Closed	71						
25	C 870900 -	903 PPX		"	72						
26	C 870508	ZSM		"	73						
27	C 880034	PPM		"	74						
28	C 880035	ZSM		"	75						
	NOTICE										
29	C 870243	PSR	✓	Fav. Rep. Adopt	76						
30	C 870303	ZSR	✓	"	77						
31	N 870720	ZAR		Auth. Approved	78						
32	C 880001	HDX	✓	Fav Rep. Adopt	79						
33	C 870457	PSX	✓	"	80						
34	C 870708	ZMX		Laid Over	81						
35	C 870510	PSX		"	82						
36	C 870930	PLX		"	83						
37	C 870739	PPK	✓	Fav. Rep. Ad	84						
38	C 870569	PSK		Laid Over	85						
39	C 870828	830 PPX	✓	Fav. Rep. Ad	86						
40	C 851129	ZMQ	✓	"	87						
41	C 870715	PLQ		Laid Over	88						
42	C 870995	PLQ		"	89						
43	C 861022	ZMQ	✓	Fav. Rep. Ad	90						
44	N 880099	BDQ	✓	"	91						
45	C 870316	ZSM	✓	"	92						
46	C 870766	PSM		Laid Over	93						

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, October 21, 1987

MEETING AT 10:00 A.M.

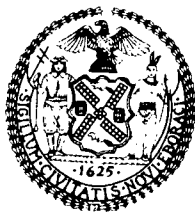
in the

Board of Standards and Appeals

11th Floor Hearing Room

161 Avenue of the Americas

New York, New York



Edward I. Koch, Mayor

City of New York

[No. 16]

Prepared by Lory R. Alcalá, Calendar Officer

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, 22 Reade Street, Room 2E, 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, 720-3370.

CITY PLANNING COMMISSION

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

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, October 21, 1987

Calendar No. 16

Roll Call; approval of minutes	1
I. Scheduling November 4, 1987	1
II. Public Hearings	9
III. Reports	18

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for November 4, 1987, in the City Hall, Room 16, Manhattan, New York 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 2E
22 Reade Street, New York, N.Y. 10007

(Extra copies of this form may be obtained in the Calendar Information Office—Room 2E, 22 Reade 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, October 21, 1987

APPROVAL OF MINUTES OF Special Meetings of September 10th and 14th,
1987 and Regular Meeting of September 30, 1987

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS
TO BE SCHEDULED FOR
WEDNESDAY, NOVEMBER 4, 1987
STARTING AT 10 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF STATEN ISLAND

No. 1

CD 2

C 870918 PPR

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of sixteen (16) city-owned vacant lots.**

A list and description of the properties is on file and can be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

BOROUGH OF THE BRONX

No. 2

CD 9

C 870862 PPX

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned vacant lot located at Westchester Avenue and Zerega Avenue (Block 3846, Lot 3).

Resolution for adoption scheduling November 4, 1987 for a public hearing.

No. 3

CD 4

C 880121 HDX

IN THE MATTER OF an application by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the **disposition of city-owned property located at 1015 Anderson Avenue**, on the westerly side of Anderson Avenue between West 164th Street and West 165th Street (Block 2508, Lot 41). The property proposed to be disposed is a fully occupied, five-story new law walk-up building with twenty-one (21) residential units, to be disposed to an Article XI (New York State Private Housing Finance Law) Housing Development Fund Corporation, **for the purpose of providing housing for low-income families.**

Resolution for adoption scheduling November 4, 1987 for a public hearing.

No. 4

CD 2

C 880122 HDX

IN THE MATTER OF an application by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the **disposition of city-owned property located at 1015 Longwood Avenue**, on the northerly side of Longwood Avenue between Fox Street and Southern Boulevard (Block 2721, Lot 43). The property is a five-story new law walk-up building with ten occupied and ten vacant residential units proposed to be disposed to an Article XI (New York State Private Housing Finance Law) Housing Development Fund Corporation **for the purpose of providing housing for low-income families.**

Resolution for adoption scheduling November 4, 1987 for a public hearing.

BOROUGH OF BROOKLYN**No. 5****CD 5****C 870952 PPK**

IN THE MATTER OF an application by the Division of Real Property for the disposition of 45 city-owned vacant buildings to be sold at auction under HPD terms of sale, pursuant to Section 197-c of the New York City Charter.

A list and description of properties are on file and may be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

No. 6**CD 9, 14****N 880168 BDK**

IN THE MATTER OF an application submitted by the Office of Business Development, pursuant to Section D3-4.0(c), Title D of Chapter 3 of the Administrative Code of the City of New York (Business Improvement Districts) of the District Plan for the Flatbush Avenue Business Improvement District.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

BOROUGH OF QUEENS**No. 7****CD 14****C 870861 PPQ**

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

<u>Block</u>	<u>Lot</u>	<u>Property Size</u>	<u>Property Type</u>
15833	28,30,31	80'x100'	vacant land
16066	14	35'x100'	vacant land

Resolution for adoption scheduling November 4, 1987 for a public hearing.

BOROUGH OF MANHATTAN

No. 8

CD 2

C 870086 ZSM

IN THE MATTER OF an application, pursuant to Section 74-782 of the Zoning Resolution of the City of New York, by 120 Wooster Associates requesting a **Special Permit** to modify Section 42-14D 1(b) **to allow** in an M1-5A Zoning District the **conversion of 3 units to Joint Living-Work Quarters for Artists** on the second, fifth and sixth floors of the loft building whose coverage exceeds 5,000 square feet located on the east side of Wooster Street between Prince and Spring Streets (120-126 Wooster Street).

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

Resolution for adoption scheduling November 4, 1987 for a public hearing.

 No. 9

CD 10

C 870500 HDM

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

The property proposed for disposition is two vacant lots, **2410-2412 Seventh Avenue and 204-206 West 141st Street**, located on the southwesterly corner of the intersection of Adam Clayton Powell, Junior, Boulevard (Seventh Avenue) and West 141st Street (Tax Block 2026, Lots 33 and 38). The property is proposed to be disposed to the Southwest 141st Street Housing Development Fund Corporation, Inc., a corporation formed pursuant to Article XI of the New York State Private Housing Finance Law and Section 402 of the New York State Not-For-Profit Corporation Law. The property is to be used for the development of a **new six-story residential building with approximately 68 apartments for the elderly and handicapped** and one superintendent's apartment, **tentatively known as John Paul II Apartments.**

Resolution for adoption scheduling November 4, 1987 for a public hearing.

No. 10

CD 4

C 880047 ZSM

IN THE MATTER OF an application submitted by Able Empire Group, Inc. pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-922 of the Zoning Resolution for the **grant of a special permit to allow a large retail shopping facility with no limitation on floor area (department store) to be located within an existing building on a zoning lot bounded by Tenth Avenue, West 17th Street, Eleventh Avenue and West 16th Street (Block 688, Lots 1001 and 1002), in an M1-5 District.**

Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, 3rd Floor, New York, New York 10007.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

 NOTICE

On November 4, 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 Belz Department Store** pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR).

No. 11

CD 5

C 880125 ZSM

IN THE MATTER OF an application, submitted by the Landmarks Preservation Commission on behalf of West 56th Street Associates, pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-711 of the Zoning Resolution for the **grant of a special permit to modify a previous special permit (C 850643 ZSM) which was approved by the City Planning Commission on June 24, 1985 (Calendar No. 3) and by the Board of Estimate on August 15, 1985 (Calendar No. 4), granting modification of the height and setback, rear yard, residential density, through block connection design standards, and bulk distribution across district boundary line regulations, in order to construct a 68-story plus penthouse mixed-use building, on property located between West 55th Street and West 56th Street, approximately 360 feet west of Avenue of the Americas (Block 1008, Lots 12, 15, 51, 53, 55, 56, 57, 58 and 59) in C6-6 and C6-6.5 Districts. The present application (C 880125 ZSM) increases the previously**

approved modifications of the height and setback and rear yard regulations, resulting from an increase of 10 feet 10½ inches in the building height, and an error of 2.86 feet in the datum elevation, which is corrected in this application.

Plans for this proposed increase in the previously approved modifications are on file with the City Planning Commission and may be seen on the 3rd Floor, 22 Reade Street, New York, New York 10007.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

No. 12

CD 12

C 880123 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, **546 West 156th Street**, contains a six-story new law walk-up building with 12 occupied and 18 vacant residential units, located on southerly side of West 156th Street between Broadway and Amsterdam Avenue (Tax Block 2114, Lot 19). The property is proposed to be disposed to an Article XI (New York State Private Housing Finance Law) Housing Development Fund Corporation for the purpose of providing housing for low-income families.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

CITYWIDE

No. 13

City-wide

N 870565 ZRY

(An amendment to Section 54-314 of the Zoning Resolution to allow the construction of elevator shafts in the non-complying rear yards of non-complying buildings in R6, R7 and R8 zones.)

IN THE MATTER OF an amendment pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to Section 54-314 as follows:

Matter in **bold type** is new

Matter in brackets [] is old, to be omitted

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

54-314

Modification by authorization

In R6, R7 or R8 Districts, for any substantial rehabilitation of one or more *non-complying* multiple dwellings which were in existence prior to December 15, 1961, the City Planning Commission may authorize the [existing *open space* on the *zoning lot* to be reduced by not more than 5 percent and the existing *building floor area* on such *zoning lot* to be increased by not more than 5 percent, if the Commission finds that such modification of the applicable *bulk* regulations as set forth in Section 54-31 will result in an improved apartment design with adequate access of light and air and an improved circulation system. In the *Special Clinton District* such authorizations may apply to *complying* multiple dwellings and may include a 5 percent increase in *lot coverage* and *floor area*. The Commission, in making the findings above may round out the *floor area* or *lot coverage* increase to the nearest percent. No increase in the existing *zoning room* count and apartment *floor area* shall be permitted for such *buildings*.]

following:

- (a) the existing *open space*, where applicable, on the *zoning lot* to be reduced by not more than five percent and the existing *floor area* and the existing *lot coverage*, where applicable, on such *zoning lot* to be increased by not more than five percent; or
- (b) an elevator shaft to encroach into an existing *rear yard* by not more than sixty-four (64) square feet or penetrate a *rear sky exposure plane*, provided the existing *open space*, where applicable, on the *zoning lot* is not reduced by more than five percent and the existing *floor area* or *lot coverage*, where applicable, on such *zoning lot* is not increased by more than five percent as set forth in (a) above.

Prior to granting any such authorization, the Commission shall find that modification to the applicable *bulk* requirements as set forth above in this Section:

- (1) will result in an improved apartment design or in an improved circulation system; and,
- (2) will result in adequate access of light and air to all apartments in the building.

The Commission, in making the above findings, shall round out the *open space* decrease or the *floor area* or *lot coverage* increase to the nearest percent.

No increase in the existing zoning *room* count or apartment *floor area* shall be permitted for such *buildings*.

In the *Special Clinton District* such modifications may apply to complying multiple dwellings.

Resolution for adoption scheduling November 4, 1987 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF STATEN ISLAND

No. 14

CD 2

C 850959 MMR

IN THE MATTER OF an application submitted by Mr. Hadi Salchi, pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the elimination of Conrad Avenue between Rockland and Monahan Avenues, and the delineation of a sewer easement, **to facilitate the development of a single family residential unit.**

(On September 30, 1987, Cal. No. 4, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 1

C 870917 PPR

IN THE MATTER OF an application by the Division of Real Property for the **disposition of 54 city-owned properties**, pursuant to Section 197-c of the New York City Charter.

A list and description of the properties are on file and can be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

(On September 30, 1987, Cal. No. 5, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

CD 1

Informational Hearing

PUBLIC HEARING:

IN THE MATTER OF a proposal to close a portion of Rector Street between Castleton Avenue and Hurst Street, as part of an expansion and rehabilitation of the Castleton Depot, pursuant to Section 1266-c of the Public Authorities Law.

(On October 5, 1987, Cal. No. 1, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF THE BRONX

No. 17

CD 2, 4, 6

C 870897-899 PPX

IN THE MATTER OF an application submitted by the Division of Real Property for the disposition of the following four city-owned properties, pursuant to Section 197-c of the New York City Charter:

<u>Community Board No.</u>	<u>No. of Properties</u>	<u>ULURP No.</u>
2	1	C 870897 PPX
4	2	C 870898 PPX
6	1	C 870899 PPX

A list and description of the properties are on file and may be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

(On September 30, 1987, Cal. No. 6, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

CB 12

C 850824 BFX

IN THE MATTER OF an application by Dorcal Edenwald, Inc., to provide local van service between the White Plains Road subway station at East 233rd Street and Seton Avenue.

(On September 30, 1987, Cal. No. 7, the Commission scheduled October 21, 1987 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CB 1, 3, 5, 6

C 870817-820 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 13 city-owned vacant lots:

<u>ULURP No.</u>	<u>CD</u>	<u>No. of Properties</u>
C 870817 PPX	1	2
C 870818 PPX	3	4
C 870819 PPX	5	4
C 870820 PPX	6	<u>3</u>
		13

A list and description of the properties are on file and may be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

(On September 30, 1987, Cal. No. 8, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

CD 1

C 870614 PSX

CONTINUED PUBLIC HEARING:

IN THE MATTER OF an application submitted by the N.Y.C. Board of Education pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property located at 170 Brown Place** between East 135th Street and East 136th Street (Block 2263, Lot 1), **for the renovation of a school for emotionally handicapped students.**

(On September 2, 1987, Cal. No. 12, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 30, the hearing was continued to October 31, 1987.)

Close the hearing.

BOROUGH OF BROOKLYN

CB 1

C 870675 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 37 city-owned properties.**

A List and description of the properties can be seen at the City Planning Commission, 22 Reade Street, Room 2E, New York, New York.

(On September 30, 1987, Cal. No. 9, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 22 and 23

(Selection and acquisition of property and grant of a special permit to permit a proposed family residence shelter on the northeast corner of Ditmas Avenue and East 58th Street)

No. 22

CB 17

C 870512 PSK

IN THE MATTER OF an application submitted by the Human Resources Administration, pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property located on the northeast corner of Ditmas Avenue and E. 58th Street** (Block 7916, Lots 1, 3 and a triangular area formerly in the bed of Ditmas Avenue and not yet assigned a tax lot number), as more specifically described in a diagram provided by the Human Resources Administration and dated August 2, 1987, **for the rehabilitation of an existing building as a family residence shelter for 100 homeless families.**

(On September 30, 1987, Cal. No. 10, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 23

CB 17

C 880026 ZSK

IN THE MATTER OF an application submitted by the New York City Human Resources Administration pursuant to Section 197-c and 200 of the New York City Charter and Section 74-902 of the Zoning Resolution for the **grant of a special permit** to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) to apply to a proposed non-profit institution with sleeping accommodations at the northeast corner of Ditmas Avenue and East 58th Street (Block 7916, Lots 1 and 3 and a triangular area formerly in the bed of Ditmas Avenue).

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

(On September 30, 1987, Cal. No. 11, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 24

CB 2, 3

C 870676-677 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 the following **60 city-owned properties**:

<u>ULURP No.</u>	<u>CB No.</u>	<u>No. of Properties</u>
C 870676 PPK	2	12
C 870677 PPK	3	48

A list and description of properties are on file and may be seen at the Department of City Planning, Room 2E, 22 Reade Street, New York, New York.

(On September 30, 1987, Cal. No. 12, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 25

CB 2, 3, 4, 10

C 870900-903 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 the following **26 city-owned properties**:

<u>ULURP No.</u>	<u>CB</u>	<u>No. of Properties</u>
C 870900 PPK	2	3
C 870901 PPK	3	15
C 870902 PPK	4	7
C 870903 PPK	10	1

A list and description of properties are on file and may be seen at the Department of City Planning, Room 2E, 22 Reade Street, New York, New York.

(On September 30, 1987, Cal. No. 13, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 26

CD 2

C 870508 ZSM

IN THE MATTER OF an application submitted by 547 Broadway Realty Inc./Richard Potofsky, pursuant to Section 74-782 of the Zoning Resolution, for the **grant of a special permit** to modify the provisions of Section 42-14D 1 (b) to **legalize six existing Joint Living-work Quarters for Artists** on the third through sixth floors of **547 Broadway**, on the West side of Broadway between Spring and Prince Streets in Soho (Block 498, Lot 15), in an M1-5B District.

Plans for this proposal are on file with the Department of City Planning and may be seen at 22 Reade Street, Room 3N, New York, New York.

(On September 30, 1987, Cal. No. 1, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 27 and 28

(Disposition of surplus development rights, acquisition and disposition of access easements and the grant of a special permit to allow the development of a 48 story office building on a zoning lot containing the High School of Performing Arts)

No. 27

CD 5

C 880034 PPM

IN THE MATTER OF an application submitted by the New York City Division of Real Property of the Department of General Services pursuant to Section 197-c of the New York City Charter for the **disposition of surplus development rights** from 120 West 46th Street (Block 998, Lot 41) to an adjacent development on Avenue of the Americas (Block 998, Lots 29, 30, 33, 34, 35, 36,

37 and 135) and for the **acquisition and disposition of access easements** and other leasehold easements necessary to effect joint uses within the zoning lot.

(On September 30, 1987, Cal. No. 2, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

No. 28

CD 5

C 880035 ZSM

IN THE MATTER OF an application submitted by the New York City Landmarks Preservation Commission on behalf of the 46 NYL Partners and the Division of Real Property of the Department of General Services pursuant to Sections 197-c and 200 of the New York City Charter for the **grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution for the **modification of regulations** for use and bulk involving the transfer of floor area across zoning district boundaries, pedestrian circulation space, and the waiver of a mandatory through block connection; and for the grant of a special permit pursuant to Sections 13-462 and 74-52 of the Zoning Resolution for a public parking garage with a capacity of 147 spaces in a C6 District, **to allow the development of a 48 story office building on a zoning lot containing the High School of Performing Arts**, an existing landmarked building, and bounded by West 46th Street, Avenue of the Americas and West 45th Street (Block 998, Lots 29, 30, 33, 34, 35, 36, 37, 41 and 135), **within the Special Midtown District.**

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

(On September 30, 1987, Cal. No. 3, the Commission scheduled October 21, 1987, for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On October 21, 1987, at 10:00 a.m. in City Hall, New York, a **public hearing** will be heard 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 Americas Tower office building,**

pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR).

Close the hearing.

III. REPORTS

BOROUGH OF STATEN ISLAND

Nos. 29 and 30

(Selection of property and grant of a special permit for the construction of the Hill Street Police Station)

No. 29

CD 1

C 870243 PSR

IN THE MATTER OF an application submitted by the NYC Police Department pursuant to Section 197-c of the New York City Charter for the **selection of property located on the south side of Hill Street** between Warren Street and Tompkins Avenue (Block 556, Lot 100), **for the construction of a police station with an accessory parking lot.**

(On September 2, 1987, Cal. No. 8, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 20 the hearing was closed.)

For consideration.

No. 30

CD 1

C 870303 ZSR

IN THE MATTER OF an application submitted by the NYC Police Department pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-67 of the Zoning Resolution for the **grant of a special permit for the construction of a police station with an accessory parking lot** in a residential district **on property located on the south side of Hill Street** between Warren Street and Tompkins Avenue (Block 556, Lot 100).

Plans for this proposed special permit for a police station in a residential district are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, New York 10007.

(On September 2, 1987, Cal. No. 9, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 21 the hearing was closed.)

For consideration.

No. 31

CPD 2

N 870720 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 Section 105-421 and 105-423 of the Zoning Resolution from Alphonse J. Calvanico, P.E., for the grant of authorizations involving modification of topography and alteration of botanic environment including the removal of seven (7) trees on property located at 518 Valleyview Place. Block 689, Lot 84.

Plans for the proposed single family dwelling are on file with the Department of City Planning and may be seen at the Staten Island Borough Office, 56 Bay Street, Staten Island, New York.

For consideration.

BOROUGH OF THE BRONX

No. 32

CD 5

C 880001 HDX

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

The property proposed to be disposed, 2130 Tiebout Avenue, is located on the easterly side of Tiebout Avenue between East 182nd and East 180th Streets (Tax Block 3143, Lot 33) and comprises a substantially-occupied five-story new law walk-up building with 33 residential units. The property is **proposed for disposition** to an Article XI Housing Development Fund Corporation **for the purpose of providing housing for low and moderate income families.**

(On September 2, 1987, Cal. No. 13, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 25 the hearing was closed.)

For consideration.

No. 33

CD 5

C 870457 PSX

IN THE MATTER OF an application submitted by the New York Public Library pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property located on the northwest corner of West 176th Street and University Avenue, (Block 2878, Lot 224), for the construction of a new branch library building.**

(On September 2, 1987, Cal. No. 14, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 26 the hearing was closed.)

For consideration.

Nos. 34 and 35

(Amendment to the Zoning Map and selection and acquisition of property to permit transitional housing for women and a central kitchen for the provision of food for other shelters)

No. 34

CD 4

C 870708 ZMX

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 an **amendment of the Zoning map, Section No. 3d, changing from an M1-1 District to an R7-1 District** property bounded by East 166th Street, Webster Avenue (Gillispie Square), East 165th Street, and a line midway between Webster Avenue and Clay Avenue and establishing within the existing and proposed R7-1 District a C2-4 District bounded by East 166th Street, Webster Avenue (Gillispie Square), East 165th Street and a line 100 feet west of Webster

Avenue, to permit supported housing for 300 homeless women and a central kitchen for the provision of food services to shelters for the homeless throughout the City, as shown on a diagram dated July 20, 1987.

(On September 2, 1987, Cal. No. 15, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 27 the hearing was closed.)

For consideration.

No. 35

CD 4

C 870510 PSX

IN THE MATTER OF an application submitted by the Human Resources Administration, pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property located at 1075 Webster Avenue** between E. 165 and E. 166th Streets (Block 2425, Lot 20), for the rehabilitation of an existing building **to provide supported housing for 300 homeless women and a central kitchen for the provision of food services to shelters for the homeless throughout the City.**

(On September 2, 1987, Cal. No. 16, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 28 the hearing was closed.)

For consideration.

No. 36

CD 12

C 870930 PLX

IN THE MATTER OF an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for the **selection and leasing of** an existing two-story residential building located at **1151 East 224th Street**, bounded by Laconia Avenue, East 225th Street, and Schieffelin Avenue (Block 4903, Lot 20), as more specifically described in a diagram provided by Human Resources Administration and dated June 5, 1987, **for the operation of a group home for seven young men between the ages of 18-21 years.**

(On September 2, 1987, Cal. No. 17, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 29 the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 37

CD 3

C 870739 PPK

IN THE MATTER OF an application by the Division of Real Property for the **disposition of 19 city-owned vacant buildings** pursuant to Section 197-c of the New York City Charter.

A list and description of properties can be seen at 22 Reade Street, Room 2E, New York, New York.

(On September 2, 1987, Cal. No. 18, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 30 the hearing was closed.)

For consideration.

No. 38

CD 4

C 870569 PSK

IN THE MATTER OF an application submitted by the New York City Housing Authority, pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of property** bounded by Central Avenue, Forrest Street, Wilson Avenue and Noll Street, (Block 3148, Lots 1, 13, 48, 49, 50, 51 and 53) **for the construction of a new six-story police facility** to replace the existing over crowded police service facility located at the Whitman Houses.

(On September 2, 1987, Cal. No. 19, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 31 the hearing was closed.)

For consideration.

No. 39**CD 7, 8, 16****C 870828-830 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 fourteen (14) City-owned properties.**

<u>ULURP No.</u>	<u>CD</u>	<u>No. of Properties</u>
C 870828 PPK	7	2
C 870829 PPK	8	4
C 870830 PPK	16	8

A description of the properties are on file and can be seen at the Department of City Planning, 22 Reade Street, Room 2E, New York, New York.

(On September 2, 1987, Cal. No. 2, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 32 the hearing was closed.)

For consideration.

BOROUGH OF QUEENS
No. 40**CD 7****C 851129 ZMQ**

IN THE MATTER OF an application submitted by the Carlyle Club Corp. pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment of the Zoning Map**, Section Numbers 10b and 10d, changing from an R6 District to an R7-1 District, property bounded by Kissena Boulevard, a line 250 feet north of Elder Avenue, Colden Street, a line 200 feet south of Franklin Avenue, a line perpendicular to Franklin Avenue distant 295 feet easterly of the intersection of Franklin Avenue and Colden Street, and Franklin Avenue **to allow the development of a 14-story residential building known as the Carlyle Club**, and also to reflect the existing development on this block 250 feet north of Elder Avenue, as shown on a diagram dated July 20, 1987.

(On September 2, 1987, Cal. No. 1, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 33 the hearing was closed.)

For consideration.

No. 41

CD 12

C 870715 PLQ

IN THE MATTER OF an application submitted by the Human Resources Administration, pursuant to Section 197-c of the New York City Charter for the **selection and leasing** for seven years of **property located at 122-02 Lucas Street** between 122nd Avenue and Nashville Boulevard (Block 12705, Lot 30), **for the continued operation of an agency operated boarding home for six children.**

(On September 2, 1987, Cal. No. 2, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 34 the hearing was closed.)

For consideration.

No. 42

CD 7

C 870995 PLQ

IN THE MATTER OF an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for the **selection and leasing of** an existing two-story residential building located at **171-27 Gladwin Avenue**, bounded by Auburndale Lane, Effington Avenue and Fresh Meadow Lane (Block 5578, Lot 13), more specifically described in a diagram provided by the Human Resources Administration and dated June 26, 1987, **for the operation of an Agency Operated Children's Home (AOCH)** for six infants between the ages of 0-2 years.

(On September 2, 1987, Cal. No. 3, the Commission scheduled September 30, 1987 for a Public hearing. On September 30, 1987, Cal. No. 35 the hearing was closed.)

For consideration.

No. 43

(An amendment of the Zoning Map with reference to the 35th Street rezoning)

CD 3**C 861022 ZMQ**

IN THE MATTER OF an application submitted by BSM Land Development pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment of the Zoning Map**, Section No. 9d, changing from an R5 District to an R7A District an area bounded by 69th Street, a line 90 feet north of 35th Avenue, 70th Street, a line 235 feet north of 35th Avenue, a line midway between 70th Street and 71st Street, a line 115 feet north of 35th Avenue, 71st Street and its southerly prolongation, a line 125 feet northeasterly of Leverich Street, a line perpendicular to Leverich Street, distant 200 feet southeasterly from the intersection of Leverich Street and 35th Avenue, Leverich Street, and a line perpendicular to Leverich Street, distant 310 feet southeasterly from the intersection of Leverich Street and 35th Avenue **to facilitate construction of a proposed seven-story apartment building and underground parking garage** for 138 cars and to reflect the character of the surrounding area, as shown on a diagram dated June 15, 1987.

(On August 5, 1987, Cal. No. 5, the Commission scheduled September 2, 1987 for a Public hearing. On September 2, 1987, Cal. No. 21, the hearing was closed. On September 30, 1987, Cal. No. 56 this item was laid over.)

For consideration.

No. 44
CB 5**N 880099 BDQ**

IN THE MATTER OF an application submitted by the Office of Business Development pursuant to Section D3-4.0(c), Title D of Chapter 3 of the Administrative Code of the City of New York (Business Improvement Districts) of the **Myrtle Avenue District Plan**.

(On September 14, 1987, Cal. No. 1, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 36 the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 45

CD 11

C 870316 ZSM

IN THE MATTER OF an application submitted by **Terrence Cardinal Cooke Health Care Center**, pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-90 of the Zoning Resolution to decrease existing Developmentally Disabled Beds and to increase the number of Nursing Home Beds, and to renovate other existing Hospital areas for Nursing Home use, in an existing building at **1249 Fifth Avenue**, in the block bounded by Fifth Avenue, East 105th Street, Madison Avenue, and East 106th Street.

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

(On September 2, 1987, Cal. No. 4, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 14 the hearing was closed.)

For consideration.

No. 46

CD 11

C 870766 PSM

IN THE MATTER OF an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for the **selection and acquisition of city-owned property located at 1680 Lexington Avenue** bounded by East 105th Street, Park Avenue, and East 106th Street (Block 1633, Lot 13), as more specifically described in a diagram provided by the Human Resources Administration and dated April 6, 1987), **for the renovation of an existing five-story building for use as a 250 bed, Tier II Family Residence Center.**

(On September 2, 1987, Cal. No. 5, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 15 the hearing was closed.)

For consideration.

No. 47**CD 5, 6****N 880060 BDM**

IN THE MATTER OF an application by the Office of Business Development pursuant to Section D3-4.0(c) Title D of Chapter 3 of the Administrative Code of the City of New York (Business Improvement Districts) of the **District Plan for the Grand Central Area**.

(On September 2, 1987, Cal. No. 6, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 16 the hearing was closed.)

For consideration.

No. 48**CD 2****C 870586 ZSM**

IN THE MATTER OF an application, pursuant to Section 74-781 of the Zoning Resolution for the City of New York, by F.D.R. Industries requesting a **Special Permit** to modify Section 42-14 D2(b) to allow in a M1-5B Zoning District the conversion to Use Group 6 on the ground floor in a building whose coverage exceeds 3,600 square feet located on the east side of Broadway between Bond and Great Jones Streets (670 Broadway).

(On September 2, 1987, Cal. No. 7, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 17 the hearing was closed.)

For consideration.

No. 49**CD 4****N 880043 ZRM**

(Amendment of Article IX, Chapter 6, Special Clinton District, of the Zoning Resolution to substitute dwelling unit count for zoning room count in Section 96-105 and to make Section 96-105 inapplicable to alteration of existing buildings in the Preservation Area).

PUBLIC HEARING:

IN THE MATTER OF amendments to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to Section 96-105, as follows:

Matter in **Bold** is new;

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

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

Article IX
Special Purpose Districts

Chapter 6 Special Clinton District

96-00 GENERAL PURPOSES

* * *

96-105

[Rooms or] Dwelling unit regulations

(a) [Rooms or] Dwelling unit distribution

[For *developments, enlargements, extensions, conversions* of an existing *building* to a *residential use* or alterations other than *incidental alterations* as described in paragraph (b) of the definition of such term in Section 12-10 DEFINITIONS, the required *lot area per room* shall be not less than 48 square feet, the average number of *rooms* in a *dwelling unit* shall be at least 3½ *rooms* and at least 20 per cent of such *dwelling units* shall contain at least 4½ rooms. In computing the number of 4½ *room* dwelling units required, a fraction of .5 or more shall be considered a *dwelling unit*, and smaller fractions shall be disregarded. No new *rooming units* shall be permitted within the Preservation Area.]

For *developments, enlargements, extensions or conversions* of an existing *building* to a *residential use*, the *lot area per room* requirement of the underlying districts as set forth in Section 23-22 shall be inapplicable. In lieu thereof, the required *lot area per dwelling unit* of a *development, enlargement, extension or conversion* of an existing *building* to a *residential use* shall not be less than 168 square feet and the number of two-bedroom units on a *zoning lot* shall not be less than 20 percent.

In addition, the minimum *lot area per dwelling unit* requirement and the 20 percent two-bedroom unit requirement set forth above shall apply to any alteration that creates additional *dwelling units* or additional zero-bedroom units.

The City Planning Commission by special permit, after public notice and hearing and subject to Board of Estimate action, may modify the [*room or dwelling unit distribution*] *lot area per dwelling unit* requirements of this section with respect to residences substantially for the elderly handicapped under jurisdiction of a State Agency provided that the following findings are made:

1. That the *residences* are sponsored by a voluntary non-profit organization active within the Special Clinton District.
2. That the location and size of this facility does not create an undue concentration of *dwelling units* of this type and *community facilities* with sleeping accommodations within the immediate area.
3. That there are social service, health and related programs for the residents including a maintenance and security plan.
4. That on-site [open-space] recreation areas for the *use* of the residents are provided.
5. That the proposed *residence* will not overburden existing public services to the neighborhood.

The Commission may prescribe appropriate conditions or safeguards to minimize the adverse effect of any *use* permitted under this Section on the residential character of the surrounding area.

(b) Special provisions for owner-occupied residential buildings

For alterations of *residential buildings which are owner occupied* [that were occupied by the same owner prior to October 1, 1974 and at the time of the issuance of a permanent certificate of occupancy for such alterations] and which contain four or fewer *dwelling units*, the [room or] *dwelling unit* distribution provisions of Section 96-105 [(Rooms or dwelling unit distribution)] shall not apply. [and the *building* shall contain no more than six *dwelling units* after alteration. *The lot area per room* requirement of Section 96-105 shall apply, and no rooming units shall be permitted.]

* * *

(On August 5, 1987, Cal. No. 10, the Commission scheduled September 2, 1987 for a Public hearing. On September 2, 1987, Cal. No.26, the hearing was closed.)

For consideration.

No. 50

CD 8

N 880033 ZCM

IN THE MATTER OF an application, pursuant to Section 23-6333.(b) of the Zoning Resolution, from David J. Nahon, for the grant of an **authorization** involving modification in the street wall location which otherwise would be required by Section 23-6331.(c) **for the renovation of two adjacent brownstones at**

216-218 East 75th Street, on the southerly side of East 75th Street, between Second Avenue and Third Avenue, in an R8B District, Block 1429, Lot 39.

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

CITYWIDE

No. 51

Citywide

N 880172 ZRY

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, to Section 12-10, amending the definition of “predominantly built-up area” to protect existing single and two family detached and semi-detached residences in R4 and R5 districts in “predominantly built-up areas” as follows:

Matter in **bold** is new;

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

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

12-10 Definitions

* * *

Predominantly Built-Up Area

A “predominantly built-up area” is a *block* having a maximum area of 4 acres in R4 and R5 districts which is developed with *buildings* on *zoning lots* comprising 50 percent or more of the area of the *block* including a *commercial district* mapped within such *residential district*.

All such *buildings* shall have certificates of occupancy or other evidence acceptable to the Commissioner of Buildings issued not less than three years prior to the date of application for a building permit. Special optional regulations applying only to *zoning lots* of not more than 1.5 acres in a *predominantly built-up area* as set forth in the following sections:

Section 23-14 (Minimum Open Space Ratio and Maximum Floor Area Ratio in R1 through R9 Districts)

Section 23-22 (Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room)

Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents)

Section 23-631 (Front Setbacks in districts where front yards are required)

Section 23-691 (Special height regulations for developments in predominantly built-up areas)

Section 25-22 (Requirements Where Individual Parking Facilities are Provided)

Section 25-23 (Requirements Where Group Parking Facilities are Required)

However, these provisions shall not apply to any *zoning lot* occupied as of July 1, 1987 by a *single or two family detached or semi-detached residence* where 75 percent or more of the aggregate length of the *block fronts in residential use* on both sides of the *street* facing each other are occupied by such *residences* as of July 1, 1987.

* * *

(On September 2, 1987, Cal. No. 63, the Commission scheduled September 30, 1987 for a public hearing. On September 30, 1987, Cal. No. 18 the hearing was closed.)

For consideration.

No. 52

Citywide

N 851092 ZRY

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. On July 8, 1987, the hearing was continued to September 30, 1987. On September 30, 1987, Cal. No. 19 the hearing was closed.)

For consideration.
