

CITY PLANNING COMMISSION - DISPOSITION SHEET - PUBLIC MEETING OF WED., October 18, 1989, 10:00 A.M.
 HELD IN CITY HALL, NEW YORK, NEW YORK

CAL. No.	C.P. No.	REPORTS TO BOE	CPC ACTION	CAL No.	C.P. No.	REPORTS TO BOE	CPC ACTION
1	C 890832 PLK		<i>Scheduled for</i>	51	C 890238 ZMR		<i>Laid Over</i>
2	C 890834 PLK		<i>Hearing 11/8</i>	52	C 890733 PLM	✓	<i>For Rept. Adopt.</i>
3	C 890991 PLK			53	C 890865 HDM	✓	" "
4	C 891005 HDK			54	C 890866 HDM	✓	" "
5	C 900135 HDK			55	N 880669 ZRM	✓	" "
6	C 900136 HDK			56	C 880670 MMM	✓	" "
7	C 860587 MMR			57	C 880671 ZSM	✓	" "
8	C 900131 HDM			58	N 900219 HKM	✓	<i>Send to BOE</i>
9	C 900132 HDM			59	N 900220 HKM	✓	" "
10	C 900133 HDM			60	N 900223 HKM	✓	" "
11	C 890584 ZSM			61	N 900224 HKM	✓	" "
12	N 881029 ZRM			62	N 891087 ZRM	✓	<i>For Rept. Adopt.</i>
13	N 900248 ZRY			63	N 891088 ZRM	✓	" "
14	N 890808 (A) ZRY			64	C 891024 HDX	✓	" "
15	C 890445 PSQ			65	C 891025 HDX	✓	" "
16	N 890446 MMQ			66	C 850523 MMQ	✓	" "
17	C 890986 PLQ		↓	67	C 890783 PLQ	✓	" "
18	C 880723 ZSK		<i>Hearing Closed</i>	68	C 880040 MMQ	✓	" "
19	C 890247 HAK			69	C 880041 ZSQ	✓	" "
20	C 890248 ZMK			70			
21	C 890833 PLK			71			
22	C 890742 PPK			72			
23	C 890743 PPK			73			
24	C 890871 HDK			74			
25	C 890874 HDK			75			
26	C 891003 HDK			76			
27	C 891004 HDK			77			
28	C 891006 HDK			78			
29	C 891008 HDK			79			
30	C 891009 HDK			80			
31	C 891010 HDK			81			
32	C 900083 HDK			82			
33	C 870057 ZMR			83			
34	C 870058 ZSR			84			
35	C 870059 MMR NOTICE			85			
36	C 880888 ZMR			86			
37	C 900079 HDM			87			
38	C 891036 PSM			88			
39	C 890676 PPM			89			
40	C 900080 HDM			91			
41	C 891014 HDM			92			
42	C 880703 ZMM NOTICE			MEETING ADJOURNED AT: <i>2:30 p.m.</i>			
43	C 880136 MMX			COMMISSION ATTENDANCE			
44	C 890792 PPX			Sylvia Deutsch, Chairperson		✓	
45	C 890236 MMQ			*Denise Scheinberg, Vice "		✓	
46	C 890787 PLQ			Salvatore C. Gagliardo		✓	
47	C 890987 PLQ			Marilyn Mammano		✓	
48	C 890968 PPO			*Wm. Gary McNeil		✓	
49	C 870982 HDK		↓	Daniel T. Scannell, Comm.		✓	
50	C 870983 ZMK		<i>Laid Over</i>	Lois McDaniel, Calendar Officer			
			" "	(212) 720-3370			
				* Abstract Cal No. 43-44			

led *10/20/89* By *M. O'Neill*

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, OCTOBER 18, 1989

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



Edward I. Koch, Mayor

City of New York

[No. 20]

Prepared by Lois McDaniel, 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 hearing 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 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 may do so by sending a certified check, made out to the **City of New York—Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216. The fee, including tax, is \$64.95 for a two year subscription.

For Calendar Information: call (212) 720-3368, 3369, 3370.

Note to Subscribers: Notify us of change of address by writing to:

City Planning Commission
Calendar Information Office
22 Reade Street—Room 2E
New York, New York 10007-1216

B

CITY PLANNING COMMISSION

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

SYLVIA DEUTSCH, *Chairperson*

DENISE M. SCHEINBERG, *Vice Chairperson*

SALVATORE C. GAGLIARDO

MARILYN MAMMANO

WM. GARRISON McNEIL

DANIEL T. SCANNELL, *Commissioners*

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 18, 1989

Roll Call; approval of minutes	1
I. Scheduling November 8, 1989	1
II. Public Hearings	80
III. Reports	97

**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 8, 1989, 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 view on an item in this calendar, but who cannot or does 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 at the above address.)

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 18, 1989

APPROVAL OF MINUTES OF Regular Meeting of September 20, 1989
and Special Meeting of October 2, 1989.

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, NOVEMBER 8, 1989
STARTING AT 10 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 8

C 890832 PLK

IN THE MATTER OF an application submitted by the Human Resources Administration for a lease of private property for a term of up to ten years, located at 1085 Sterling Place (Block 1243, Lot 48), for the use as an Agency Operated Boarding Home.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 2

CD 13

C 890834 PLK

IN THE MATTER OF an application submitted by the Human Resources Administration (HRA) pursuant to Section 197-c of the New York City Charter for a 10 year renewal of lease of private property located at 3001 West 37th Street (Block 7065, Lot 1) in the Coney Island area for use as a senior citizen center and child care center.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 3

CD 17

C 890991 PLK

IN THE MATTER OF an application submitted by the Human Resources Administration for a **lease of private property for a term of up to ten years, located at 860 East 38th Street** (Block 7565, part of Lot 39), for use as an Agency Operated Group Home.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 4

CD 6

C 891005 HDK

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, **74 Fifth Avenue**, (Tax Block 934, Lot 40), between St. Marks Place and Warren Street, is a four-story old law walk-up building with 6 residential units, and 1 commercial unit. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.

The property has been managed and maintained by a Tenant Association under HPD's Tenant Interim Lease Program since June 1, 1987.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 5

CD 9

C 900135 HDK

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, **224 Lefferts Avenue**, (Tax Block 1328, Lot 44), between Rogers and Bedford Avenues, is a four-story new law walk-up building with 14 residential units, and 1 commercial unit. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenant's association since November 1, 1988, under HPD's Tenant Interim Lease Program.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 6

CD 7

C 900136 HDK

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, **414 61st Street**, (Tax Block 5791, Lot 13), between 4th and 5th Avenues, is a four-story new law walk-up building with 16 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by Tenants under HPD's Tenant Interim Lease Program since August 1, 1988.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

BOROUGH OF STATEN ISLAND

No. 7

CD 2

C 860587 MMR

IN THE MATTER OF an application submitted by **FOUR BROTHERS — HEARTLAND** pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the change of legal grades in Lovell Avenue between Shirra and Ashworth avenues to facilitate the reconstruction of

Lovell Avenue between Shirra and Ashworth avenues, all in accordance with Map No. 4102, dated August 2, 1988 and signed by the Borough President.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

BOROUGH OF MANHATTAN

No. 8

CD 9

C 900131 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, is **498 West 133rd Street**, (Tax Block 1970, Lot 61), between Amsterdam and Convent Avenues, is a 5-story old law walk-up building with 9 residential units and 1 commercial unit. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenant's association since November 1, 1986, under HPD's Tenant Interim Lease Program.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 9

CD 9

C 900132 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, **601 West 136th Street**, (Tax Block 2002, Lot 42), between Broadway and Riverside Drive, is a six-story new law elevator building with 39 residential units and 5 commercial units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenant's association since September 1, 1988, under HPD's Tenant Interim Lease Program.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 10

CD 9

C 900133 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, is **602-604 West 132nd Street**, (Tax Block 1998, Lot 38), between Broadway and Riverside Drive, is a six-story new law walk-up building with 30 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenant's association since November 1, 1988, under HPD's Tenant Interim Lease Program.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 11

CD 2

C 890584 ZSM

IN THE MATTER OF an application pursuant to Section 197-c of the New York City Charter and Section 74-782 of the Zoning Resolution of the City of New York, submitted by Joseph Pell Lombardi, requesting a **special permit** to modify Section 42-14(D) (1) (b) **to legalize the conversion of four joint living-work quarters for artists on floors eight and eleven at 594-596 Broadway** (124-128 Crosby Street), a loft building with a lot coverage exceeding 3,600 square feet located on the east side of Broadway between Prince and East Houston streets, within an M1-5B zoning district.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 12

CD 1

N 881029 ZRM

IN THE MATTER OF amendments pursuant to Section 200 of the New York City Charter, **of the Zoning Resolution** of the City of New York, relating to Sections 86-00, 86-10, 86-11, 86-12, 86-13, 86-14, Appendix A, Appendix B and Appendix C of the **Special Greenwich Street Development District**.

Reading Proposed Zoning Text Changes

Words in plain characters	=	existing text to remain
Words struck out	=	existing text to be deleted
Words in <i>italics</i>	=	term whose meaning is defined in the Zoning Resolution
Words in bold	=	new text

Special Greenwich Street Development District

86-00

GENERAL PURPOSES

The *Special Greenwich Street Development District* (hereinafter also referred to as the "District") established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following purposes:

- (a) To foster and promote the orderly expansion of commercial office development so that the City of New York will enhance its position as a national center for economic and commercial affairs, provide an expanding source of employment opportunities for its inhabitants and encourage the development of a desirable working environment;
- (b) development and implement a plan for improved pedestrian and vehicular circulation, including the grade separation of pedestrian and vehicular circulation systems, in order to avoid congestion arising from the movements of large numbers of people;
- (c) To improve the rapid transit facilities in the area and pedestrian access thereto, including the provision of subsurface pedestrian connections from centers of major commercial development to the transit facilities;

- (d) To retain and promote the establishment of a variety of retail consumer and service businesses so that the needs and requirements of the area's working population will be satisfied;
- (e) To provide an incentive for development in a manner consistent with the foregoing objectives which are integral elements of the Comprehensive Plan of the City of New York;
- (f) To encourage a desirable urban design relationship between each building in the District, between the buildings and the District's circulation systems and between the development in the District and in the adjacent areas of Battery Park City and the World Trade Center;
- (g) To encourage development in accordance with a District Plan, including the provision of mandated improvements, by the coordinated relaxation of tower coverage and other height and setback regulations; and
- (h) To promote the most desirable use of land in accordance with a development and thus to conserve and enhance the value of land and buildings and thereby protect the City's tax revenues.

86-01

Definitions

For the purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS) and Sections ~~86-00 (GENERAL PURPOSES)~~, 86-01 (Definitions), ~~86-04 (Pedestrian Circulation Improvements)~~ and ~~86-05 (Lot Improvements)~~

Development, to develop or developer

For purposes of this Chapter, a "development" includes the construction of new *building* or other *structure* on a *zoning lot* or *lots*, the relocation of an existing *building* on another *zoning lot* or *lots*, the *use* of a tract of land for a new *use*, or an *enlargement*.

To "develop" is to create a *development*.

"Developer" is the party which undertakes a *development*.

Manhattan Tunnel Approaches

The Manhattan approaches to the Brooklyn Battery Tunnel shall be referred to as the "Manhattan tunnel approaches."

Special Greenwich Street Development District

The "Special Greenwich Street Development District" is a Special Purpose District designated by the letter "G", in which special regulations set forth in Article VIII, Chapter 6 apply to all *developments* (as defined in Section 86-01).

The *Special Greenwich Street Development District* appears on the zoning maps superimposed on other districts, and its regulations supplement and modify those of the districts on which it is superimposed.

86-02

General Provisions

The *Special Greenwich Street Development District* includes portions of two underlying zoning districts: a C6-4 and a C5-5 District. In harmony with the general purpose and intent of this Resolution and the general purposes of the *Special Greenwich Street Development District* and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the *Special Greenwich Street Development District* is superimposed are made inapplicable. Except as modified by the express provisions of this District, the regulations of the underlying zoning districts remain in effect.

In addition to meeting the requirements, conditions and safeguards as set forth in this Chapter, each *development* shall conform to and comply with all of the applicable district regulations on *use, bulk*, supplementary *use* regulations, regulations applying along district boundaries, *accessory signs*, *accessory* off-street parking and off-street loading, and all other applicable provisions of this Resolution, except as otherwise specifically provided in this Chapter.

86-03

District Plan

The District Plan for the *Special Greenwich Street Development District* identifies the physical improvements which a *developer* or the City or its designee may provide in the District in exchange for bonuses allowed under provisions of this Chapter. ~~In the event that such physical improvements described by the District Plan have already been provided by the City or its designee pursuant to Section 86-040 of this Chapter, the *developer* may elect, with the approval of the Commission, to make a fund contribution for these specified improvements at the monetary rate established in section 86-0411.~~

The physical improvements are of four general types — mandatory pedestrian circulation improvements,—elective pedestrian circulation improvements,—mandatory lot improvements and *preferred special* lot improvements, each of such improvements being described and **where applicable**, its bonus set forth in the provisions of and appendices to this Chapter. The District Plan and elements thereof are set forth in the following appendices attached hereto and made an integral part hereof:

- (a) District Plan (Appendix A);
- (b) Description of Improvements by Block (Appendix B);

(c) Elective Pedestrian Circulation Improvements (Appendix C).

86-04

Pedestrian Circulation Improvements

86-041

General

Pedestrian circulation improvements are those elements of the District Plan which are identified in Appendices B and C. Such improvements are of two types—mandatory and elective. Mandatory pedestrian circulation improvements are those elements which shall be built by the *developer* of a *zoning lot* in the *block* or *blocks* identified in Appendix B and for which the *developer* is allowed the additional *floor area* specified in Section 86-046 (Floor area allowance). Elective pedestrian circulation improvements are those elements identified in Appendix C which a *developer* may elect to build, and for which the *developer* is allowed the additional *floor area* specified therein. any *development* within the District shall be eligible for the additional *floor area* authorized by Section 86-047 (Additional floor area for pedestrian circulation improvements) subject, however, to the limitations imposed by Section 86-048 (Basic maximum floor area ratio) and 86-06 (Floor Area Limitations).

Provisions for elective pedestrian circulation improvements in the subway shall include work to be located only within the following stations:

- Lex. IRT Fulton Street Station
- Lex. IRT Wall Street Station
- Lex. IRT Bowling Green Station
- Bwy. BMT Cortlandt Street Station
- Bwy. BMT Rector Street Station
- Bwy. BMT Whitehall Street Station
- 7th Avenue IRT Rector Street Station

86-042

Elevated shopping bridge

An "elevated shopping bridge" is a continuous enclosed space which spans a street between two *zoning lots* and connects to *elevated shopping ways* in one or both of such *zoning lots*. The *elevated shopping bridge*

- (a) has its floor located at the same level as the floors of the *elevated shopping ways* to which it connects; and

- (b) has a minimum width of 40 feet and a maximum width of 50 feet within which a minimum width of 15 feet is devoted to pedestrian space and a minimum width of 25 feet is devoted to retail space. Such pedestrian space has a minimum height between floor and ceiling of 30 feet and is heated and air conditioned. Such retail space may be occupied only by uses listed in Use Group G.

86-043

Enclosed pedestrian bridge

An "enclosed pedestrian bridge" is a continuous enclosed space which spans a *street* between two zoning lots and connects to *elevated shopping ways* or *pedestrian connections* in both zoning lots. The enclosed pedestrian bridge

- (a) has its floor located at the same level as the floors of the *elevated shopping ways* or *pedestrian connections* to which it connects;
- (b) has a minimum width of 15 feet;
- (c) has a minimum height between floor and ceiling of 30 feet; and
- (d) is heated and air conditioned.

86-044

Open pedestrian bridge

An "open pedestrian bridge" is a continuous open bridge which spans a *street* between two zoning lots and connects with *elevated shopping ways* or *pedestrian connections* in each of such zoning lots. The open pedestrian bridge

- (a) is located at the same level as the floors of the *elevated shopping ways* or *pedestrian connections* to which it connects; and
- (b) has a minimum width of 15 feet.

86-045

Pedestrian deck

A "pedestrian deck" is a continuous open platform which extends above a *street* from a zoning lot and connects to adjacent *elevated pedestrian circulation systems*. The *pedestrian deck*:

- (a) is located at the same level as the *elevated pedestrian circulation systems* to which it connects;
- (b) provides for pedestrian facilities including, but not limited to, benches, outdoor cafe, and kiosks for uses from Use Group G;

- (c) has not less than one tree per 1300 square feet of *pedestrian deck*, each tree being a minimum caliper of 4 inches and being watered by an automatic watering system, the measurement of caliper and the specifications for planting being in accordance with the standards and specifications of the American Society of Nurserymen; and
- (d) may have amenities such as fountains and sculptures.

Where trees are planted pursuant to this Section prior to April 1, 1978, such planting may be undertaken in accordance with the tree caliper requirements existing prior to December 15, 1977.

86-046

86-042

Floor area allowance

- (a) for each *mandatory* elective pedestrian circulation improvement provided, the *development* shall be eligible for a *floor area* allowance. at the rate set forth in the following table.

**FLOOR AREA ALLOWANCE FOR MANDATORY
PEDESTRIAN CIRCULATION IMPROVEMENTS**

	Sq. ft. of Floor Area per linear foot
a) for an <i>elevated shopping bridge</i>	700 per linear foot
b) for an <i>enclosed pedestrian bridge</i>	270 per linear ft.
e) for an <i>open pedestrian bridge</i>	
(1) single span	90
(2) Multiple span	100
(3) with stair or ramp	120
d) for a <i>pedestrian deck</i>	10 per linear foot.
e) for each tree provided on <i>pedestrian deck</i>	300 sq. ft. per tree

Mandatory pedestrian circulation improvements shall not be eligible for any *floor area* allowance.

For each elective pedestrian circulation improvement provided, the *floor area* generated shall be determined by the following formula: the estimated cost of the proposed elective pedestrian circulation improvement as approved by the Transit Authority shall be divided by the current district rate to determine the *floor area* attributable to that improvement.

On July 1, 1990 and on each subsequent July 1 the City Planning Commission in conjunction with the Transit Authority shall revise and update the list of Elective Pedestrian Circulation Improvements (Appendix C).

86-047

Additional floor area for pedestrian circulation improvements

~~A developer, in the case of mandatory pedestrian circulation improvements, shall, and in the case of elective pedestrian circulation improvements may, elect to increase its basic maximum floor area ratio set forth in Section 33-12 (Maximum Floor Area Ratio) in accordance with the provisions below provided the developer constructs, or has a private party or a public agency construct on its behalf, pedestrian circulation improvements as provided in Section 86-04.~~

86-048

Basic maximum floor area ration

- (a) ~~For any development in that portion of the District superimposed upon a C6-4 District the basic maximum floor area ratio set forth in Section 33-12 (Maximum Floor Area Ratio) may be raised from 10.0 to not more than 15.0 by means of additional floor area allowances for provision of elective pedestrian circulation improvements or for money contributions in lieu thereof as set forth in Section 86-049 (Selection of pedestrian circulation improvements. A basic maximum floor area ratio increased in this manner is hereinafter referred to as the "adjusted basic maximum floor area ratio."~~

~~If a development's adjusted basic maximum floor area ratio is 15.0, the bonus rates established in the regulation of the C5-5 District shall apply to any plaza, plaza-connected open area, arcade, covered pedestrian space, through block arcade, or elevated plaza provided by such development. When additional floor area attributable to the provision of pedestrian circulation improvements would result in a floor area ratio in excess of 15, the excess floor area shall be credited as bonus floor area subject to the provisions of Section 86-06 (Floor Area Limitations).~~

- (b) ~~For any development in that portion of the District superimposed upon a C5-5 District the basic maximum floor area ratio set forth in Section 22-13 (Maximum Floor Area Ratio) shall remain at 15. Any such development may provide elective pedestrian circulation improvements and receive the additional floor area attributable thereto, provided that such development~~
- (i) ~~provides those mandatory pedestrian circulation improvements and mandatory lot improvements, if any, designated by the District Plan to be constructed on the zoning lot; and~~

- (ii) ~~complies with the provisions of Section 86-06 (Floor Area Limitations). Any additional floor area attributable to the provision of pedestrian circulation improvements shall be credited as bonus floor area.~~

86-049

86-043

Selection of pedestrian circulation improvements

Pedestrian circulation improvements to be provided by a *developer* shall be selected in the following manner:

- (1) **First**, those mandatory pedestrian circulation improvements which the *developer* is required to construct in connection with the *development* of its *zoning lot*, such improvements being listed by *block* number the Description of Improvements by *block* (Appendix B).
- (2) **Second**, those elective pedestrian circulation improvements which remain unconstructed, selected ~~from in the order in which they are ranked~~ on the list of Elective Pedestrian Circulation Improvements (Appendix C) and whose aggregate additional *floor area* allowances ~~when added to that attributable for the provision of mandatory pedestrian circulation improvements, if any~~ entitles the *developer* to the total additional *floor area* desired. ~~Elective pedestrian circulation improvements 10, 11, 12 and 13 in Appendix C have a special ranking priority ahead of the numerical order set forth in Appendix C and equal to each other.~~

The *developers* shall submit written notice to the New York City Transit Authority of the intention to develop a *zoning lot* and the elective pedestrian circulation improvement which the *developer* proposes to construct. Plans and outline specifications as approved by the Transit Authority and written notice of such approval shall be sent to The Department of City Planning. This written approval must include the estimated cost of the proposed elective pedestrian circulation improvement.

- (3) If no **single** unconstructed elective pedestrian circulation improvement or *improvements* enables a *developer* to obtain the total additional *floor area* desired, the *developer* shall **may** select ~~the highest ranked unconstructed improvement and, if necessary,~~ such other improvement or improvements listed in Appendix C, so that the aggregate additional *floor area* attributable to all pedestrian circulation improvements ~~provided either (a) exceeds or equals~~ the additional *floor area* desired, the excess being credited as bonus *floor area*.; ~~or~~

- (b) is less, by the smallest amount, than the additional *floor area* desired, the difference between such aggregate additional *floor area* and the additional *floor area* desired being credited as additional *floor area* in exchange for a contribution (the "Fund Contribution") to the Greenwich Street Development District Fund to be established and administered in accordance with Section 86-04104 (Greenwich Street Development District Fund). The Fund Contribution shall be at the monetary rate specified in Section 86-0411 (Fund Contribution), be in the form of cash and be tendered to such Fund prior to the granting by the Department of Buildings of a building permit for the *development*.

86-0410

Greenwich Street Development District Fund

The City Planning Commission shall establish a Greenwich Street Development Fund as a trust and agency account with the Office of the Comptroller. Such Fund shall accept Fund Contributions which shall be applied by the City Planning Commission (or its designated agent), toward the following:

- (1) Improvements to public transit facilities within the district in accordance with recommendations prepared by the New York City Transit Authority and approved by the City Planning Commission. Such recommended improvements, the design and construction of which may be financed from the fund, may include, but need not be limited to
- (a) lighting
 - (b) the painting or resurfacing of walls, floors and ceilings;
 - (c) modernization of turnstiles, mechanical exits and change booths;
 - (d) graphic design and replacement of signs; and
 - (e) other design improvements which shall add to the amenities of the subway stations within the District. The improvements shall be located within the following stations:
 - Lex. IRT Fulton Street Station
 - Lex. IRT Wall Street Station
 - Lex. IRT Bowling Green Station
 - Bwy. BMT Cortlandt Street Station
 - Bwy. BMT Rector Street Station
 - Bwy. BMT Whitehall Street Station
 - 7th Avenue IRT Rector Street Station
- (2) Design, and/or construction, and/or maintenance and/or operation of:
- (i) *pedestrian circulation improvements* identified in the District Plan;

- (ii) ~~vertical circulation connections between streets and elements of the elevated public circulation system pursuant to the District Plan; and~~
- (iii) ~~improvements in streets or street-related public spaces intended primarily for pedestrian circulation in cases where such improvements (x) are associated with pedestrian circulation improvements identified in the District Plan or (y) are associated with pedestrian underpasses and circulation improvements (Elective Pedestrian Circulation Improvements) related to one or more of the subway stations listed above in subsection 1(c) or this Section. Such work shall be performed either by Port Authority of New York and New Jersey, pursuant to agreement entered into by the Mayor or his designee, or otherwise pursuant to the provisions of the City Charter Governing contracts.~~

86-0411

86-044

Fund Contribution District Rate

The Fund Contribution, if tendered prior to July 1, 1971, shall be at the rate of ~~\$8.44 per square foot of additional floor area credited pursuant to Section 86-049 (Selection of pedestrian circulation improvements)~~. On July 1, 1971, and on each subsequent July 1, the City Planning Commission shall publish the monetary rate at which additional *floor area* shall be credited for the forthcoming year. Such rate shall be calculated by multiplying the monetary rate for the previous year ending on June 30 by a fraction, the numerator of which shall be the "land assessed value" (as defined below) for the fiscal year beginning such July 1 and the denominator of which shall be the "land assessed value" for the fiscal year having just ended. **The district rate shall be 12.2% of the land assessed value per square foot.** As used herein, the term "land assessed value" shall mean the sum of the "values or real estate unimproved" (as such term is calculated and published by the ~~Tax Commission~~ **Department of Finance** of the City of New York) and of those *zoning lots* upon which are constructed the thirty most recently completed (i.e., having received a permanent certificate of occupancy) privately-owned office buildings having at least 100,000 square feet of *floor area* and located south of Chambers Street in the Borough of Manhattan, to be selected each year on May 1.

The rate shall be calculated by dividing the sum of the land assessed values of the thirty most recently-completed buildings meeting the criteria in the text by the sum of the corresponding lot areas of those buildings. This result is then multiplied by 2.2 (the inverse of 45%) in order to adjust the assessment which is based on 45% of market value back to market value. Finally, this estimated market value per square

foot of lot area is divided by 18 in order to obtain the estimated market value per square foot of floor area in an 18 FAR office building. The list of such zoning lots (and the buildings thereon) shall be filed with the Chairman of the City Planning Commission on file at the Department of City Planning.

**For Information Purposes Only:
Effective July 1, 1988 the District rate
is \$57.90 per square foot.**

86-05

Lot Improvements

86-051

General

Mandatory lot improvements are those elements of the District Plan identified in Appendix B which shall be built by the *developer* of the *zoning lot* on which they are mapped, and for which the *developer* is allowed the *floor area* bonus specified in Sections 86-058 (Floor area bonus) and 86-059 (Floor area bonus for certain lot improvements) **Special Preferred** lot improvements are those **may include** elements of the District Plan identified in Appendix B which may be built without a Special Permit from the City Planning Commission as set forth in Section 86-08, by the *developer* of the *zoning lot* on which they are mapped, and for which the *developer* is allowed the *floor area* bonus specified in Sections 86-058 (Floor area bonus) and 86-059 86-053 (Floor area bonus for **special certain** lot improvements).

86-052

Shopping arcade

A *shopping arcade* is a continuous covered space which extends along the *front lot line* of a *zoning lot* for the entire distance shown on the District Plan and described in Appendix B and which

- (a) has a minimum continuous width, unobstructed except for building columns, measured from and perpendicular to the *lot line*, of 15 feet,
- (b) has a minimum continuous height of 15 feet,
- (c) is open to the *street* and has its floor at the same level and continuous with the sidewalk,
- (d) is open to the public at all hours and
- (e) has *fronting uses* as described in Section 86-057 (Frontage allocated for Use Group G).

86-053

Elevated shopping way

An *elevated shopping way* is a continuous enclosed space which extends along the *front lot line* of a *zoning lot* for the entire distance shown on the District Plan and described in Appendix B and which

- (a) has its floor located 22 feet above *curb level*,
- (b) has a minimum continuous width, unobstructed except for building columns, of 15 feet,
- (c) has a minimum continuous height of 30 feet,
- (d) has fronting *uses* as described in Section 86-057, (Frontage allocated for Use Group G),
- (e) is open to the public and 7:00 a.m. to 7:00 p.m. on weekdays,
- (f) is heated and air conditioned,
- (g) is designed so as to allow connection to all contiguous systems shown on the District Plan; and
- (h) is, in a given *block*, connected at each intersecting *street* with the sidewalk either by escalators required in Section 86-054 a *Shopping way*) or by stairs not less than 8 feet in width to be provided by the *developer* and located within the boundaries of the *zoning lot* abutting such intersecting *street*.

86-054

Shopping way

A *shopping way* consists of two major elements—a *shopping arcade* and an *elevated shopping way*. As a connection between such elements, each *development* shall provide a minimum of one pair of 32 inch wide escalators for each 150 linear feet, or fraction thereof, of *shopping way* within the *development*, except that when a *development* provides a secondary means of access to the *shopping way* from an upper level lobby which:

- i) is reached from street level by an escalator; and
- ii) connects with the *shopping way* at a point at least 100 feet from a *shopping way* escalator, then additional *shopping way* escalators need be provided for each 200 linear feet of *shopping way*, or fraction thereof, in lieu of 150 linear feet. The ends of the escalators shall be clearly visible and directly accessible from the *shopping arcade* and *elevated shopping way* and, at those levels, shall be no farther than 25 feet from the *lot line*. At street level there shall be, with the exception

of night gates and air doors, no restriction or obstruction between the sidewalk and the escalators.

86-055

Loggia

~~A loggia is a continuous covered space with a zoning lot which effect a pedestrian connection as required in the District Plan and which~~

- ~~(a) is located along a street line.~~
- ~~(b) is located above the level of the street such that it may not qualify as an arcade.~~
- ~~(c) maybe open, except for building columns and railing, to the air space over the street throughout its length, or may be enclosed, by a colorless, untinted, non-reflective, transparent material, except that is may contain a base wall of opaque material up to a maximum height of 18 inches from the finished floor level, and if enclosed, it must therefore be heated and air conditioned (during the appropriate periods).~~
- ~~(d) has a minimum continous width of 15 feet unobstructed except for building columns,~~
- ~~(e) has a minimum height of 20 feet,~~
- ~~(f) is open to the public at all hours, and~~
- ~~(g) is designed so as to allow connection with all contiguous elements of the District Plan, and match the height of contiguous connecting circulation elements.~~

86-056

Pedestrian connections

~~Pedestrian connections as shown in the District Plan are of two types—connections between two elements which are approximately at the same level and connections between two clearly separate levels. In the former case, the connection shall not be less than a level, or approximately level, walkway 15 feet in wdith, in the latter case the connection shall not be less than a pair of 32 inch wide escalators. In either case the connection may be effected by means of a plaza, arcade, plaza-connected open area, through block arcade, elevated plaza covered pedestrian space, loggia or combination thereof. Bonus floor area shall be allowed at the rate specified in Section 86-058 (Floor area bonus) and shall be attributed to the provision of a mandatory lot improvement as such terms are used in Section 86-061 (Bonus floor area limitations).~~

86-057

86-052

Frontage Allocated for Use Group G

Frontage along the inside boundary of a shopping arcade or an elevated shopping way shall be *developed* and used in accordance with the provisions of this Section.

- (a) A portion of such frontage equivalent to at least 50 percent of the linear dimension of the *front lot line* of the *zoning lot* along which *front lot line* or part thereof the shopping arcade or elevated shopping way is located shall be allocated for occupancy by *uses* in Use Group G;
- (b) The remainder of such frontage may be devoted to access to lobbies, *plazas*, or other pedestrian spaces, escalators or stairs, or to any *uses* permitted by the applicable regulations of the underlying district, provided that the aggregate linear dimension of all frontage occupied by airline offices, banks, loan offices or security brokerage offices may not exceed 25 percent of the linear dimension of the aforementioned *front lot line* of the *zoning lot*, and that no individual establishment in such category of *uses* may occupy more than 40 feet of frontage;
- (c) The minimum depth for all store space fronting on a shopping arcade or elevated shopping way shall be 15 feet; **and**
- (d) No single segment of such frontage occupied exclusively by the facilities or *uses* set forth in paragraph (b) hereof may exceed 80 feet in length.

86-058

Floor area bonus

For each portion of a *lot improvement* provided, the *development* shall be eligible for bonus *floor area* at the rate set forth in the following table. The linear footage of a *lot improvement* is measured along the *lot line* of a *zoning lot*.

BONUS FLOOR AREA FOR PROVISIONS OF LOT IMPROVEMENTS

- | | |
|--|--|
| (a) for a <i>shopping way</i> * | 400 sq. ft. per linear ft. |
| (b) for a <i>shopping arcade</i> | 100 sq. ft. per linear ft. |
| (c) for an <i>elevated shopping way</i> | 300 sq. ft. per linear ft. |
| (d) for a <i>loggia</i> | 100 sq. ft. per linear ft. |
| (e) for a <i>pedestrian connection</i> | the bonus rate specified
in the Zoning Resolution for the amenity provided |
| (f) for required escalators | 20,000 sq. ft. per pair |
| | 32-inch wide escalators if a single run provided, 30,000 sq. ft. bonus if
double run with intermediate landing provided |
| (g) for each tree provided on an elevated <i>plaza</i> | 300 sq. ft. per tree |

~~*A lot improvement which qualifies as a shopping way shall receive the bonus floor area therefore in lieu of separate bonuses for the shopping arcade and elevated shopping way comprising such shopping way.~~

86-050

86-053

Floor Area Bonus for **Special Certain** Lot Improvements

Bonus floor area ~~shall~~ **may** be granted for *covered pedestrian spaces*, elevated plazas, [or] *through block arcades* or **other significant improvements to pedestrian circulation, collectively known as special lot improvements** where such features are designated on the District Plan as lot improvements and are constructed in accordance with the provisions of this Section.

- (a) The grant of a bonus floor area for *covered pedestrian spaces* shall be conditioned upon compliance with the definition of *covered pedestrian space* as set forth in Section 12-10 (DEFINITIONS) and with the provisions of Section 74-87 (Covered Pedestrian Space), except that:
- (1) the *covered pedestrian space* may qualify by being directly accessible to the public from any adjoining ~~through block arcade, loggia, elevated shopping way, shopping arcade or elevated plaza~~ which is part of the public pedestrian circulation system, as well as from an adjoining *street, arcade, plaza, court, yard, pedestrian mall*, or other *covered pedestrian space*;
 - (2) *uses* permitted to occupy frontage along a *covered pedestrian space* are limited to those *uses* listed in Use Group G; and
 - (3) any findings pertaining to location or public need for the *covered pedestrian space* shall be considered to be satisfied by its mapping on the District Plan as a **preferred** lot improvement.

Bonus floor area allowances shall be as set forth in Section 74-87 (Covered Pedestrian Space) or as modified by the provisions of Section 86-048 ~~(Basic maximum floor area area ratio)~~ **6 (Floor Area Regulations)**.

- (b) The grant of bonus floor area for *elevated plazas* shall be conditioned upon compliance with the definition of *plaza* as set forth in Section 12-10 (DEFINITIONS), except that:
- (1) ~~the inner boundary of an adjacent elevated shopping way may serve as a reference line for location and dimension requirements instead of the front lot line;~~
 - (2)(1) the level of the *elevated plaza* shall be limited to not more than three feet above or below the level of an adjacent *elevated shopping way* or other adjacent *lot* or pedestrian circulation improvements by which public access to the *elevated plaza* is provided;

- (2) the elevated *plaza* shall have not less than one tree per 1300 square feet of elevated *plaza*, each tree being of a minimum caliper of 6 inches and being watered by an automatic watering system, the measurement of caliper and the specifications for planting being in accordance with the standards and specifications of the American Society of Nurserymen; and
- (3) the Commission may authorize obstructions in addition to those permitted by the definition of *plaza*. Such obstruction may generally include features of an artistic nature, kiosks or open *uses* for public recreation, eating, entertainment and enjoyment, such as open air cafes. Not more than two-thirds of the *plaza's* area may be occupied by such obstructions or *uses*, and they shall be restricted to appropriate areas so that suitable space is reserved and conveniently located for walking, standing, sitting and the providing of any *pedestrian connection* required by the District Plan.

Bonus *floor area* allowance shall be as set forth in Section 33-13 (Floor Area Bonus for a Plaza) or as modified by the provisions of Section 86-0 (DEFINITIONS) and the provisions of Section 74-82 (Through Block Arcades), except that:

- (1) the *through block arcade* may qualify by being directly accessible to the public from a ~~loggia~~ an elevated *plaza*, covered *pedestrian space*, ~~elevated shopping way~~ or ~~shopping arcade~~ which is any part of the public pedestrian circulation system, as well as from an adjoining *street*, *plaza* or *arcade*; and
- (2) *uses* permitted to occupy frontage along a *through block arcade* are limited to those *uses* listed in Use Group G.

Bonus *floor area* allowances shall be as set forth in Section 74-82 (Through Block Arcades) or as modified by the provisions of Section 86-0486 (~~Basic maximum floor area ratio~~) (Floor Area Regulations).

86-0510

86-054

Permitted obstructions in plazas

By special authorization, †The City Planning Commission may authorize obstructions in addition to those permitted by the definition of *plaza* upon the terms and conditions set forth in paragraph (3) of Section 86-059(b)3 (Floor area bonus for **special certain** lot improvements).

86-06

Floor Area Limitations Regulations

86-061

Additional floor area ratio for pedestrian circulation improvements or special lot improvements

A developer in the case of certain pedestrian circulation improvements, shall, and in the case of elective pedestrian circulation improvements or special lot improvements may, elect to increase the basic maximum *floor area ratio* set forth in Section 33-12 (Maximum Floor Area Ratio) in accordance with the provisions below provided the *developer* constructs, or has a private party or a public agency construct on its behalf, pedestrian circulation improvements as provided in Section 86-04.

- (a) For any *development* in that portion of the District superimposed upon a C6-4 District the basic maximum *floor area ratio* set forth in Section 33-12 (Maximum Floor Area Ratio) may be raised from 10.0 to not more than 15.0 by means of additional *floor area* allowances for provisions of elective circulation improvements or special lot improvements. A basic maximum *floor area ratio* increased in this manner is hereinafter referred to as the "adjusted basic maximum *floor area ratio*."

If a *development's* adjusted basic maximum *floor area ratio* is 15.0, the bonus rates established in the regulations of the C5-5 District shall apply to any *covered pedestrian space, through block arcade, elevated plaza* or special lot improvement provided by such *development*. When additional *floor area* attributable to the provision of elective pedestrian circulation improvements or special lot improvements would result in *floor area ratio* in excess of 15, the excess *floor area* shall be credited as bonus *floor area* subject to the provisions of Section 86-062 (Bonus Floor area limitations).

- (b) For any *development* in that portion of the District superimposed upon a C5-5 District the basic maximum *floor area ratio* set forth in Section 33-12 (Maximum Floor Area Ratio) shall remain at 15. Any such *development* may provide elective pedestrian circulation improvements or special lot improvements which are designated for the *block* on which the *development* occurs, and receive the additional *floor area* attributable thereto, provided that such *development*:

- (i) provides those mandatory pedestrian circulation improvements and mandatory lot improvements, if any, designated by the District Plan to be constructed on the zoning lot; and
- (ii) complies with the provisions of Section 86-062 (Bonus Floor area limitations ~~regulations~~). Any additional floor area attributable to the provision of elective pedestrian circulation improvements shall be credited as bonus floor area.

86-061

86-062

Bonus floor area limitations

Floor area bonuses for:

- (i) ~~mandatory or preferred lot improvements;~~
- (ii) pedestrian circulation improvements, where the additional floor area attributable to such improvements is credited as bonus floor area as provided in Section ~~86-048~~ 86-06 (Basic maximum floor area ratio) (Floor Area Regulations); or
- (iii) amenities for which bonus floor area is allowed under the provisions of the underlying districts, or under such provisions as modified by the provisions of this Chapter; are limited as follows:
 - (a) Aggregate floor area bonuses for any development in the District shall not exceed 40 percent of the basic or adjusted basic maximum floor area ratio **whichever is greater**, as set forth in Sections 33-12 (Maximum Floor Area Ratio) and 86-048 (Basic maximum floor area ratio), respectively, below.
 - (b) That portion of the aggregate floor area bonuses attributable to improvements or amenities other than ~~mandatory special~~ lot improvements or ~~mandatory pedestrian circulation improvements~~ shall not exceed 20 percent of the basic or adjusted basic maximum floor area ratio, **whichever is greater**.

86-062

~~Floor area ratio limitation~~

- (c) In no event shall the floor area ratio for any development exceed the basic or adjusted basic maximum floor area ratio, **whichever is greater**, by more than 20 percent except that on a zoning lot the permitted floor area ratio may exceed the basic or adjusted basic floor area ratio plus 20 percent if developed in accordance with the provisions of Section 86-10 (Modification of regulations for commercial development extending into

more than one block) or the provisions of Section 74-79 (Transfer of Development Rights from Landmark Sites).

86-063

Conversion of excess bonus floor area into tower coverage

Bonus *floor area ratio* for which a *development* would be eligible under the provisions of this chapter but for the *floor area ratio* limitation set forth in Section 86-062 may be converted into increased tower coverage so that the maximum percent of *lot area* which may be occupied by a tower shall be the sum of 40 percent plus one-half of one percent for every .1 by which the *floor area* for such *development* would exceed *floor area ratio* 18, provided that in no event may tower coverage on a *zoning lot* exceed 55 percent.

86-07

Modification of Height and Setback Regulations

86-071

Increased tower coverage

Tower coverage permitted by the provisions of Section 33-45 (Tower Regulations) may be increased in accordance with the provisions of Section 86-063 (Conversion of excess bonus floor area into tower coverage).

86-072

Building walls along certain street lines

Notwithstanding any other provision of this Chapter, where the District Plan shows a mandatory requirement of a *development* to be build to a *street line*, any such *development* shall have an exterior wall:

- (a) coincident with such *street line*, except that the *streetwall* required on the *street line* of Battery Place may be located within ten feet of that *street line*.
- (b) construct along the entire length of the portion of the *street line* bounding the *zoning lot*; and
- (c) with regard to the block listed below, rising, without setback, for a height above *curb level* of not less than the amount specified below:
 - (1) For Blocks 13N, 20S, 20N and 21, a height of not less than 85 feet.
 - (2) For Block 13S, a height of not less than 85 feet, provided, however, if Block 13S is *developed* as one *development*, such *development*, shall rise at the *street line* of Battery Place and of Broadway, without setback, to a minimum height of 35 feet but not exceeding 85 feet,

except that the tower of such *development* shall rise, without setback, for its full height at the southeast corner of such block.

- (3) For Block 56N, a height of not less than 200 feet above *curb level*, or the full height of the *building*, whichever is less.

Where *building* walls are mandated to be built at the *street line*, such mandated front *building* wall requirements are optional along *streets* that intersect with *streets* having mandated from *building* wall requirements. In no case shall such optional front *building* walls extend for a distance from the intersection more than 1.5 times the width of the *street* along which such optional *building* wall fronts. If an open area is provided along the full length of the portion of the *front lot line*, not subject to optional front *building* wall requirements, the provisions of Section 33-44 (Alternate Front Setbacks) may apply.

86-073

Exemptions from tower setback requirements

Any *development* which contains a ~~mandatory or preferred~~ lot improvement which the ~~developer~~ elects to construct and is developed under the provisions of this Chapter, is exempted from those provisions of Sections 33-451, 33-455, 33-456, or 33-457 which establish tower setback requirements or otherwise restrict the location of a tower on the *zoning lot*.

86-074

Modifications by special permit

For any *development* in the District, the provisions of Section 73-68 (Height and Setback and Yard Modifications) shall not apply. ~~in the District.~~

The City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action, permit modifications of the height and setback regulations of the underlying districts or of such regulations as modified by the provisions of this Chapter.

86-08

Modification of Special Permit Regulations

86-081

86-075

~~Mandatory or preferred~~ Special lot improvements

Special lot improvements are elements of the District Plan which are significant pedestrian circulation improvements meriting floor area bonus. Notwithstanding any provisions to the contrary, a *development's* receipt of a floor area bonus for a **mandatory special** lot improvement ~~or a preferred lot~~

~~improvement~~ shall not require application for, or issuance of, a special permit by the City Planning Commission.

~~86-082~~

~~Elevated plazas in C6-4 District~~

~~For elevated *plazas* not mapped as *mandatory or preferred lot improvements*, the provisions of Section 74-76 (Elevated Plazas) are made applicable in the C6-4 portion of the District in addition to the districts in which they are otherwise applicable.~~

~~86-09~~

86-08

Special Use Regulations

~~86-091~~

86-081

Minimum retail requirement

A minimum of 2½ percent of the total *floor area* of any *development* in the District shall be allocated for occupancy by *uses* listed in Section ~~86-092~~ 86-082 (Use Group G). Only the net floor space for lease and actual physical occupancy by individual *uses* and not including corridors and other space used in common will be counted in determining the amount of space so allocated. For the purposes of meeting the minimum space requirements for such *uses*, space will be counted as qualifying only if accessible to the public and located on one or more of the following levels:

- (a) a level at which access to such space is provided directly from a *street* or indirectly from a *street* through a lobby;
- (b) a mezzanine immediately above the level specified in paragraph (a) above;
- (c) a level other than the street level at which access to such space is provided directly from a *mandatory or preferred lot improvement* or indirectly from such improvement through a lobby; and
- (d) a mezzanine immediately above the level specified in paragraph (c) above.

By special authorization, the City Planning Commission may permit *floor area* not exceeding 20 percent of the total *floor area* required to be allocated for *uses* in Use Group G to be located in an area other than one of the aforementioned areas listed. Alternate areas include, but are not limited to, the top *story* of a *building* for a roof top restaurant open to the public or a *plaza* for an open air cafe. Space devoted to an open air cafe on a *plaza* shall not be included in a

building's floor area. Such alternate areas may qualify under Commission authorization only if the Commission finds that their arrangement and intended use is suitable from the standpoint of service to the public.

86-092

86-082

Use Group G

A. Convenience Retail or Service Establishments

1. Bakeries, provided that *floor area* used for production shall be limited to 750 square feet per establishment
2. Barber shops
3. Beauty parlors
4. Drug stores
5. Eating or drinking places, including those which provide outdoor table service or incidental musical entertainment
6. Food stores, including supermarkets, grocery stores, meat markets, or delicatessen stores
7. Hardware stores
8. Package liquor stores
9. Shoe or hat repair shops
10. Stationery stores
11. Tailor or dressmaking shops, custom
12. Variety stores, limited to 10,000 square feet of *floor area* per establishment
13. Dry cleaning or clothes pressing establishments or receiving stations dealing directly with ultimate consumers, limited to 2,000 square feet of *floor area* per establishment, and provided that only solvents with a flash point or not less than 138.2 degrees Fahrenheit shall be used, and total aggregate dry load capacity of machines shall not exceed 60 pounds

B. Retail or Service Establishments

1. Antique stores
2. Art gallery, commercial
3. Artists' supply stores
4. Automobile supply stores, with no installation or repair services
5. Bookstores
6. Candy or ice cream stores
7. Cigar or tobacco stores
8. Clothing or clothing accessory stores, limited to 10,000 square feet of *floor area* per establishment

9. Dry goods or fabric stores, limited to 10,000 square feet of *floor area* per establishment
10. Florist shops
11. Furniture stores, limited to 10,000 square feet of *floor area* per establishment
12. Furrier shops, custom
13. Gift shops
14. Interior decorating establishments, provided that *floor area* used for processing, servicing or repairs shall be limited to 750 square feet per establishment
15. Jewelry or art metal craft shops
16. Leather goods or luggage stores
17. Locksmith shops
18. Millinery shops
19. Musical instrument repair shops
20. Music stores
21. Newsstands, open or enclosed
22. Optician or optometrist establishments
23. Pawn shops
24. Pet shops
25. Photographic equipment or supply stores
26. Photographic studios
27. Picture framing shops
28. Printing establishments, limited to 2,500 square feet of *floor area* per establishment for production, post offices and telegraph offices, limited to 2,500 square feet of *floor area* per establishment.
29. Record stores
30. Shoe stores
31. Sporting or athletic stores
32. Stamp or coin stores
33. Television, radio, photograph or household appliance stores, limited to 10,000 square feet of *floor area* per establishment
34. Toy stores
35. Typewriter or other small business machine sales, rental or repair stores
36. Umbrella repair shops
37. Watch or clock stores or repair shops
38. Off-track betting establishments

C. Amusements

1. Theaters

86-10**86-09 MODIFICATION OF OFF-STREET PARKING AND LOADING REGULATIONS****86-101****86-091**

Restricted access

Vehicular access or egress for parking facilities shall in no case be located on the *streets* listed below. Vehicular access or egress for permitted or required *accessory* off-street loading berths or for the service entrance to a *building* may not be located on the *streets* listed below unless the Commissioner of Buildings has certified that there is no way to provide such berths on entrances with access or egress on some other *street*.

- (a) The east side of West Street between Liberty Street and Battery Place;
- (b) Greenwich Street between Liberty Street and Edgar Street;
- (c) The west side of Broadway between Cortlandt Street and Battery Place;
- (d) Cedar Street between Broadway and Greenwich Street;
- (e) Rector Street;
- (f) Exchange Alley;
- (g) Morris Street between Broadway and Greenwich Street; and
- (h) Battery Place

86-11**86-10****Modification of Regulations for Commercial Developments Extending Into More than One Block**

For a site located in the District the minimum requirements which must be satisfied before consideration by the Commission of an application for *development* under the provisions of Section 74-74 (Commercial Developments Extending into More Than One Block) are modified to the following extent:

To be included in the site for such *development* a *zoning lot* need not be, for an aggregate distance of at least 190 feet, directly across a *street* from other *zoning lots* included in the site. It must, however, either be across a *street* and opposite to other *zoning lots* included in the site or, in the case of *corner lots*, front on the same *street* intersection as other *zoning lots* included in the site.

The percent of the area of the entire site which the Commission may permit to be occupied by a tower as defined in Section 33-45 (Tower Regulations) is not limited to 40 percent, but shall in no event exceed the coverage that would be permitted by applying the provisions of Section 86-063 (Conversion of excess bonus floor area into tower coverage) to the entire site.

Paragraph (c) in Section 74-742 (Authorizations and findings), relating to the requirement that at least 60 percent of the entire site be *developed* either as *plaza* or open area, etc. or as landmark and historic buildings, etc. is not applicable within the District.

~~86-12~~

86-11

Notice; Certification; Construction of Improvements, etc.

~~86-121~~

86-111

Developer's notice; Chairman's certification

As conditions to the issuance by the Department of Buildings of an excavation permit for *development* of a *zoning lot* in a *block* containing any mandatory or ~~preferred~~ lot improvement or mandatory pedestrian circulation improvement or where a *developer* elects to provide an elective pedestrian circulation improvement,

- (a) the *developer* shall have submitted to the Chairman of the City Planning Commission
 - (i) written notice of its intention to *develop* a *zoning lot*, or portion thereof, in the District, the *floor area* of such intended *development*, and the *lot* and pedestrian circulation improvements, if any, which the *developer* shall construct, or have a private party or a public agency construct on its behalf;

- (ii) plans and outline specifications for those lot improvements and mandatory and elective pedestrian circulation improvements which it shall construct or have a private party or public agency construct on its behalf pursuant to this Chapter;
 - (iii) regarding those pedestrian circulation improvements which the *developer* has a private party or a public agency construct on its behalf, an agreement, satisfactory to the Chairman of the City Planning Commission, obligating such private party or public agency to construct such improvement reasonably coincident with the construction of the *development*; and
 - (iv) waivers, consents, agreements, restrictive declarations or other legal documents obligating the *developer*, its heirs and devisees, successors and assigns, to *develop* its property in accordance with the District Plan and the provisions of this Chapter and, with regard to those *lots* and pedestrian circulation improvements which provide access to a subway station, to permit public passage through such improvements at such times as reasonably required by the New York City Transit Authority; and
- (b) the Chairman of the City Planning Commission shall have certified to the Department of Buildings receipt of the aforesaid documents and the *developer's* compliance with the requirements of the District Plan. Where a *developer* is required to have a private party or public agency construct an elective pedestrian circulation improvement on its behalf (the "third party improvement") and the *developer* is unable to enter into an agreement with such private party or public agency which is satisfactory to the Chairman of the City Planning Commission, the Chairman may allow the *developer* to select the next highest ranked an unconstructed improvement in lieu of the third party improvement and, if necessary, such other listed improvements, in accordance with Section ~~86-049~~ **86-043** (Selection of pedestrian circulation improvements).

Minor deviations in the physical dimensions of *lot* and *pedestrian circulation improvements* required:

- (i) for architectural reasons; and
- (ii) to insure the continuity of the circulation systems contemplated by the District Plan;

shall not prevent such compliance nor require special authorization pursuant to Section 86-13.

86-122

86-112

Developer's construction of improvements; certificate of occupancy

A *development* shall not be issued a certificate of occupancy for the additional bonus *floor area* attributable to those *lot* and pedestrian circulation improvements which

- (a) the *developer* constructs, until such improvements have been completed and have received the approval of the Department of Buildings; or
- (b) The *developer* has a private party or a public agency construct on its behalf, until the agreement referred to in Section ~~86-121~~ 86-111 has been submitted to and approved by the Chairman of the City Planning Commission.

When the construction of such improvements directly affects a facility or subway station of the Transit Authority, such construction shall be accomplished pursuant to construction procedures satisfactory to the Transit Authority.

~~86-123~~

86-113

Maintenance, etc.

The *developer* who constructs, or has a private party or a public agency construct on its behalf, a pedestrian circulation improvements or lot improvement shall be responsible for the maintenance, upkeep and provision of insurance therefore if such improvement is on or connects with such *developer's* zoning lot at or above street level. Regarding any such improvement which is not on or connects with such *developer's* zoning lot at or above street level, the requirements of this Section shall be the responsibility of **the Transit Authority if such improvement directly connects with a subway station and is on public property.**

- (i) ~~The above provisions shall be the responsibility of the Transit Authority if such improvement directly connects with a subway station and either is on public property or replaces a facility which was on public property, and~~
- (ii) ~~in all other cases, the responsibility of the owner or owners of the zoning lot or lots which connect with such improvement~~

~~86-124~~

86-114

Compliance with District Plan

Any *development* in the district shall provide the necessary connection and facilities for receiving and connecting with pedestrian circulation and lot improvements built or to be built pursuant to the District Plan. Where the District Plan requires the provision of an improvement spanning a *street* and such *street* is subsequently closed and the land therein conveyed to an abutting

landowner to consolidate a *zoning lot*, the District Plan requirement shall not apply.

86-125

86-115

Franchises; partial street conveyances

The Board of Estimate may make any grant of a franchise, right, contract or consent pursuant to Chapter 14 of the New York City Charter and any conveyance of a portion of a closed *street*, or the **Manhattan tunnel approaches**, whether the air space thereover or space thereunder, pursuant to Chapter 15 of the Administrative Code of the City of New York for such consideration as it deems to be in the best interest of the public upon a finding that:

- (i) such grant or conveyance is necessary to provide a **pedestrian circulation or lot improvement** identified in the District Plan;
- (ii) such **pedestrian circulation or lot improvement** is provided for public use, constructed and maintained in accordance with the provisions of this Chapter and does not contain any stores or other facilities yielding economic gain to the *developer* **except for developments and enlargements approved pursuant to Section 86-14 (Special Permit for Development over the Manhattan Tunnel Approaches)** and,
- (iii) in the case of the conveyance of a portion of a closed *street*, or **Manhattan tunnel approaches** the *developer* receives no *floor area* or *lot coverage* attributable to such conveyed portion or **bonused amenities except as provided for in Section 86-14 (Special Permit for Development Over the Manhattan Tunnel Approaches)**. In cases where such **pedestrian circulation or lot improvement** contains stores or other facilities yielding economic gain, the Board of Estimate may consider the public benefit accruing from, and costs incurred by the *developer* in providing and maintaining, such improvement in determining the fair consideration for such grant or conveyance.

86-126

86-116

Lapse of Authorization, Certification or Special Permit

Such authorizations, certifications or special permits granted under the provisions of this Chapter shall automatically lapse if substantial construction in accordance with the plans for which such approval was granted thereunder has not been completed within two years from the date of granting such authorization, certifications or permits, or, if judicial proceedings to review the decision to make such grant shall be

instituted, from the date of entry of the final order in such proceedings including all appeals.

86-12

Off-street Relocation of a Subway Stair

Where a *development* or *enlargement* is constructed on a *zoning lot* of at least 5000 sq.ft. which fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station, the existing entrance or entrances shall be relocated from the *street* onto the *zoning lot*. The new entrance or entrances shall be provided in accordance with the provisions of this Section and Section 37-033 (Administrative procedure for a subway stair relocation).

86-121

Standards for location, design and hours of public accessibility

(a) Location

The relocated entrance shall be immediately adjacent to, and accessible without any obstruction from a public sidewalk or at least one public space, as shown on the District Plan (Appendix A), which shall have a minimum horizontal dimension equal to the width of the relocated stairs.

The relocated entrance may be provided within a *building* shall not be enclosed by any doors. The area occupied by a relocated entrance within a *building* shall not be counted toward the *floor area* of the *development* or *enlargement*.

(b) Design Standards

The following standards are taken from the current New York City Transit Authority's station planning guidelines:

The relocated entrance shall have a stair width of at least 8 feet for each run.

No stairway shall have more than 14 risers without a landing, and each landing shall have a minimum width equal to the width of the stairs, and a minimum length of 5 feet.

Throughout the entire stairway entrance, including passageways, the minimum clear, unobstructed height shall be at least 7 feet 6 inches from finished floor to finished ceiling, including all fixtures and *signs*.

The relocated stairway entrance shall meet Transit Authority guidelines on the following: riser and trend relationship, handrails, passageways, ramps, lighting, finish material, ventilation, information signage, and (where provided) weather protection.

In addition, the following standards shall apply: the relocated entrance shall have a queuing space at the top and bottom of the stairs at least 8 feet wide and 15 feet long. The queuing space may overlap with a public space as shown on the District Plan.

Where two or more existing stairway entrances are being relocated as part of the same *development*, the new entrance or entrances shall have a total stair width or widths equal to or greater than the sum of the stair widths of the stairway entrances being relocated. The entire entrance area, including passageways, shall be free of obstructions of any kind, except for projecting information signage. The relocated entrance shall connect to an existing or proposed subway passageway, or shall connect, via an underground passageway, to a mezzanine area of the subway station.

The below-grade portion of a relocated entrance may be constructed within the *street*.

These standards may be modified or waived by certification by the Chairperson of the City Planning Commission upon a finding that their enforcement would not contribute to good site planning.

(c) Hours of Public Accessibility

The relocated entrance shall be accessible to the public during the hours when the connected mezzanine area is open to the public or as otherwise approved by the Transit Authority.

86-13

~~Special~~ Authorization by Commission

On application, the City Planning Commission may grant ~~special~~ authorizations for ~~minor~~ modifications of the provisions of the Chapter upon a *developer's* showing of compelling necessity. Such authorizations, however, may in no event include modification of:

- (a) permitted *floor area ratio* regulations;
- (b) height and setback regulations;
- (c) *use* regulations of the underlying district; or
- (d) *accessory* off-street parking and loading regulations of the underlying district.

The Commission may also grant upon application special authorizations;

- (i) exempting an *enlargement* from any or all of the requirements of this Chapter upon a showing that such requirements would impose an unreasonable burden,

- (ii) modifying the provisions of this Chapter in accordance with the provisions of Section ~~86-091~~ **86-081** (Minimum retail requirement), **Section 86-092 (Use Group G)** and ~~86-0510~~ **86-054** (Permitted obstructions in plazas); and
- (iii) modifying the proportionality and elevation of *urban plaza* requirements as defined in Section 12-10, where such modifications would enhance the pedestrian circulation system.

~~All such applications shall be granted in whole or in part or denied by the Commission within 45 days after receipt thereof. The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such special authorizations.~~

86-14

Special Permit for Developments over the Manhattan Tunnel Approaches

In the District the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate approval, allow the air space above the *Manhattan tunnel approaches* to be considered a *zoning lot* and may allow on such unmapped air space the *development or enlargement of a building*. As a condition for granting a permit for such *building* on the unmapped air space which is designated as a district parcel, the Commission shall find that

- (a) the *zoning lot* for such *development or enlargement* includes only that portion of the area above the *Manhattan tunnel approaches* and contiguous areas of land or property that are not designated as the *Manhattan tunnel approaches* that are covered by a permanent platform;
- (b) adequate access and *street frontage* to one or more *streets* is provided;
- (c) the proposed *development or enlargement* will further the District Plan for improved pedestrian circulation; and
- (d) such *development* in unmapped air space is essential to the *development* of this *block* to foster and promote the orderly expansion of commercial office *development* in the District.

86-141

Pedestrian Decks

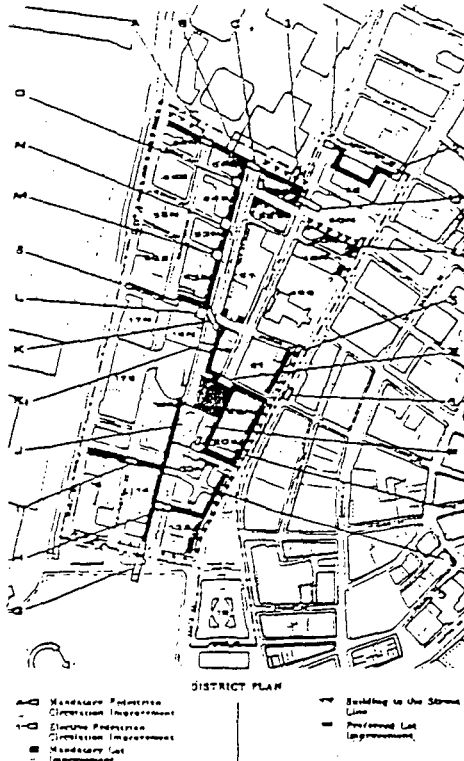
The *development* permitted on the unmapped air space may include areas for pedestrian decks. A "pedestrian deck" is continuous open platform which extends above a *street* from a *zoning lot* and connects to adjacent elevated pedestrian circulation systems. The pedestrian deck:

- (a) is located at the same level as the elevated pedestrian circulation systems to which it connects;
- (b) provides for pedestrian facilities including, but not limited to, benches, outdoor cafe, and kiosks for *uses* from Use Group G;
- (c) has not less than one tree per 700 square feet of pedestrian deck, each tree being a minimum caliper of 4 inches and being watered by an automatic watering system, the measurement of caliper and the specifications for planting being in accordance with the standards and specifications of the American Society of Nurserymen; and
- (d) may have amenities such as fountains and sculptures.

The floor area allowance for a pedestrian deck shall be 10 square feet of floor area per linear foot of deck. For each tree provided on the pedestrian deck 300 square feet of bonus floor area may be granted.

APPENDIX A

DISTRICT PLAN MAP

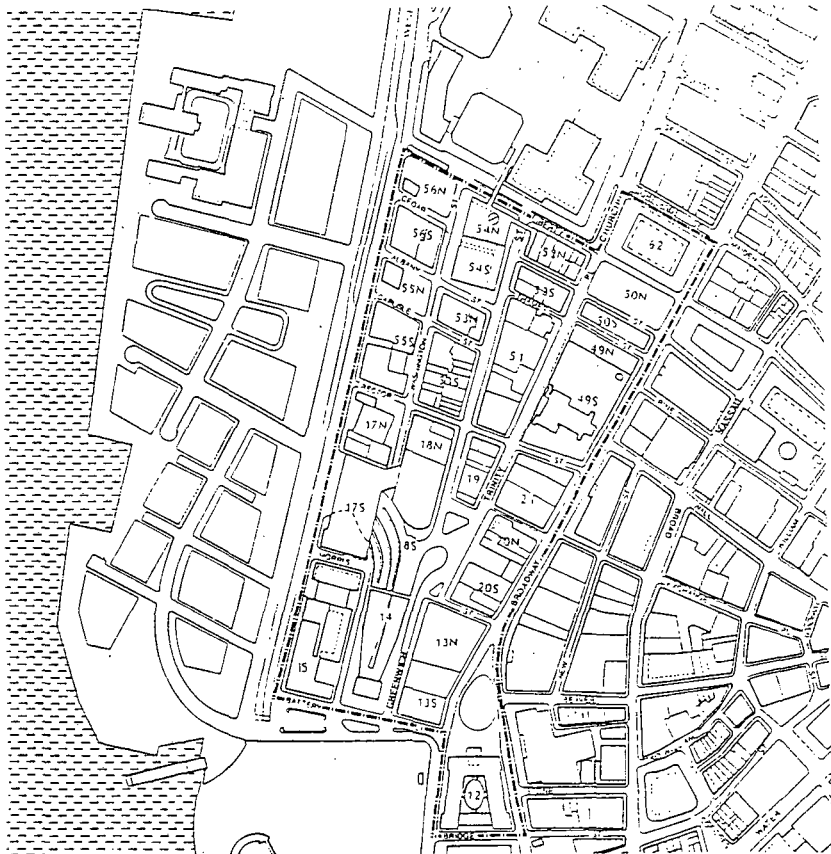


APPENDIX B

DESCRIPTION OF IMPROVEMENTS BY BLOCK

This appendix lists the *mandatory pedestrian circulation improvements* ("PCI's"), *mandatory lot improvements* and *preferred lot improvements* which are designated *block improvements* on the District Plan (Appendix A) for the *Special Greenwich Street Development District*. The appendix refers to the text for the requirements and bonus rates for the following improvements:

- (a) *elevated shopping bridge* (Section 36-042)
- (b) *enclosed pedestrian bridge* (Section 36-043)
- (c) *open pedestrian bridge* (Section 36-044)
- (d) *pedestrian deck* (Section 36-045)
- (e) *shopping arcade* (Section 36-052)
- (f) *elevated shopping way* (Section 36-053)
- (g) *shopping way* (Section 36-054)
- (h) *loggia* (Section 36-055)
- (i) *pedestrian connection* (Section 36-056)
- (j) *covered pedestrian space* (Section 36-059(a))
- (k) *elevated plaza* (Section 36-059(b))
- (l) *elevated block arcade* (Section 36-059(c))
- (m) *requirement to build to street lines* (Section 36-072)



DISTRICT PLAN : APPENDIX A

APPENDIX B
DESCRIPTION OF IMPROVEMENTS BY BLOCK

This appendix lists the ~~mandatory~~ pedestrian circulation improvements ("PCI"s), ~~mandatory and special~~ lot improvements ~~and preferred lot improvements~~ which are designated *block* improvements ~~on the District Plan (Appendix A) for the Special Greenwich Street Development District. The appendix refers to the text for the requirements and bonus rates for the following improvements:~~ The requirements listed below are applicable to this section (Appendix B) only. Those elements of the District Plan that have been approved and constructed must be maintained according to the agreements accepted at the time of their approval.

- ~~(a) elevated shopping bridge (Section 86-042)~~
- ~~(b) enclosed pedestrian bridge (Section 86-043)~~
- ~~(e)(a) open pedestrian bridge (Section 86-044)~~

An open pedestrian bridge is a continuous open bridge which spans a street between two *zoning lots* and connects with elevated shopping ways or pedestrian connections in each of such *zoning lots*. The open pedestrian bridge

- (a) is located at the same level as the floors of the elevated shopping ways or pedestrian connections to which it connects; and
- (b) has a minimum width of 15 feet.

- ~~(d) pedestrian deck (Section 86-045)~~
- ~~(e)(b) shopping arcade (Section 86-052)~~

A shopping arcade is a continuous covered space which extends along the front lot line of a *zoning lot* for the entire distance shown on the District Plan and described in Appendix B and which

- (a) has a minimum continuous width, unobstructed except for building columns, measured from and perpendicular to the lot line, of 15 feet;
- (b) has a minimum continuous height of 15 feet;
- (c) is open to the street and has its floor at the same level and continuous with with the sidewalk;
- (d) is open to the public at all hours; and
- (e) has fronting uses as described in Section 86-052 (Frontage allocated for Use Group G).

- ~~(f) elevated shopping way (section 86-053)~~

- (g) shopping way (Section 86-054)
- (h) loggia (Section 86-055)
- (i)(c) pedestrian connection (Section 86-056) The pedestrian connections described in this appendix may also be performed as mandatory stair relocations if no escalators are to be provided. They would not then be eligible for bonus *floor area* but would satisfy the mandatory lot improvement requirement for the *block*.

Pedestrian connections as shown in the District Plan are connections between two clearly separate levels. The connection shall not be less than a pair of 32 inch wide escalators. Bonus floor area shall be allowed at the rate specified in Section 86-053 (Floor area bonus for special lot improvements) and shall be attributed to the provision of a special lot improvement as this term is used in Section 86-061 (Bonus floor area limitations).

- (j)(d) covered pedestrian space (Section 86-0593(a))
- (k)(e) elevated plaza (Section 86-0593(b))
- (l)(f) through *block* arcade (Section 86-0593(e))
- (m)(g) requirement to build to lot street line (Section 86-072)

Block 12

No designated improvements.

Block 13S

Mandatory Pedestrian Circulation Improvements

PCI:II. An open pedestrian bridge spanning Greenwich Street between the east lot line of *block* 14 and the west lot line of *block* 13S and providing pedestrian access between the public pedestrian circulation system required in *block* 13S and the elevated shopping way required in *block* 14. Not required of *block* 14 has not been redeveloped to provide the elevated shopping way.

Mandatory Lot Improvements

- (a) A pedestrian connection in the northerly portion of the site between street level at Broadway and PCI:II (above the level of Greenwich Street).
- (b)(a) A pedestrian connection open to the public at all hours between the mezzanine of the Lex IRT Bowling Green Station (on the south lot line) and street level at Broadway (about midway on the east lot line), open to the public at the same hours as the adjacent mezzanine open to the air with generous provision

of light and air and with commodious, and obviously public, access from Broadway.

(e)(b) Build to lot street line on Broadway and Battery Place.

Preferred Lot Improvements

(a)(c) A covered pedestrian space along the southern portion of the east lot line. This covered pedestrian space may qualify for bonus floor area ~~under the provisions of Section 86-075 (Modification of Special Permit Regulations)~~ if, in addition to meeting the requirements set forth in Section 12-10 (DEFINITIONS) as modified by Section ~~86-059~~ **86-053**, the covered pedestrian space provides:

- (1) a public space in which the stairs from the sidewalk on Battery Place are placed by a pedestrian connection, including not less than one pair of 32 inch wide escalators, and a **minimum 8 wide stair** between the Lex IRT Bowling Green Station and street level at Broadway;
- (2) for the penetration of daylight into the subway station or concourse; and
- (3) by such means as an arcade, a greater sidewalk width along the west side of Broadway while preserving the solid corner by building to the lot line at the southeast corner of the *zoning lot*.

(b) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~

(c) ~~A pedestrian connection between the mandatory through-block pedestrian connection (see (a) above) and PCI:9 (the covered pedestrian space in block 13N).~~

Block 13N

Mandatory Lot Improvements

- (a) Build to lot street line on Broadway.
- (b) ~~An arcade along Broadway (the east lot line).~~

Block 14

Mandatory Pedestrian Circulation Improvements

~~PCI:1. An open pedestrian bridge spanning Washington Street between the east lot line, near its midpoint, of Block 15 and the west lot line, near its midpoint, of Block 14 and providing pedestrian access between the elevated public pedestrian circulation systems required in both blocks.~~

PCI:G. An open pedestrian bridge spanning Battery Place between and the east end of the south lot line of Block 14 and Battery Park and a stair or ramp from the south end of the bridge down to the level of Battery Park and providing pedestrian access between Battery Park and the elevated shopping way required in *block 14*.

PCI:H. An open pedestrian bridge spanning Greenwich Street between the east lot line of Block 14 and the west lot line of Block 13S and providing pedestrian access between the public pedestrian circulation system required in Block 13S and the elevated shopping way required in Block 14. Not required if Block 13S has not been redeveloped to provide the required public pedestrian circulation system.

Mandatory Lot Improvements

- (a) An elevated shopping way along Greenwich Street.
- (b) A pedestrian connection between PCI:I (above the level of Washington Street) and (a) above.

Mandatory Lot Improvements

- (a) An open pedestrian bridge spanning the Manhattan tunnel approaches between Greenwich Street and Washington Street on the center line of Morris Street, and, if deemed necessary by the Commission, demolition and removal of the existing bridge.
- (b) Build to street line on Battery Place.

Block 15

Mandatory Lot Improvements

- (a) A pedestrian connection between PCI:I (above the level of Washington Street) and West Street (above street level about midway on the west lot line).
- (b)(a) Build to lot street line on Battery Place.
- (c)(b) Build to lot street line on West Street.

Block 17S

Mandatory Lot Improvements

- (a) Build to lot street line on West Street.
- (b) An open pedestrian bridge spanning the Manhattan tunnel approaches between Greenwich Street and Washington street on the center line of Morris Street and, if deemed necessary by the Commission, demolition and removal of the existing bridge.

Block 17N

Mandatory Lot Improvements

- (a) Build to lot street *line* on West Street.

Block 18S

Mandatory Pedestrian Circulation Improvements

~~PCI.J. A pedestrian deck above Greenwich Street from Morris Street to a point 75 feet south of Edgar Street extending, at its southern end, 90 feet east of the east lot line of *block* 18S and, at its northern end, 120 feet east of the east lot line of *block* 18S and being at the same level and having direct pedestrian access from the elevated shopping way required in *block* 18S. The pedestrian deck shall also provide for pedestrian facilities including but not limited to benches, outdoor cafe, and kiosks for uses from Use Group G.~~

~~PCI.G. A pedestrian deck above Greenwich Street and the Manhattan Tunnel Approaches that begins as a connection to the mandatory lot improvement below and also provides a pedestrian access to grade to curb level at Edgar Street and Trinity Place.~~

Mandatory Lot Improvements

An elevated shopping way along Greenwich Street south from a point 75 feet south of Edgar Street.

Preferred Lot Improvements

A shopping way **Retail continuity** along Greenwich Street north from a point 75 feet south of Edgar Street.

Block 18N

Mandatory Pedestrian Circulation Improvements

~~PCI.K. An enclosed pedestrian bridge spanning Greenwich Street between the east lot line of *block* 18N and the west lot line of *block* 19 and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block* 19 has not been redeveloped to provide the elevated shopping way or if PCI.K1 has been accomplished.~~

PCI:L. An elevated shopping bridge spanning Rector Street between the east end of the south lot line of *block 53S* and the east end of the north lot line of *block 18N* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block 53S* has not been redeveloped to provide the elevated shopping way.

Preferred Mandatory Lot Improvements

- (a) A shopping way **Retail continuity** along Greenwich Street.
- (b) A pedestrian connection between the 7th Avenue IRT Rector Street Station (at the northern end of the east lot line) and street level at Greenwich Street.

Block 19. (Note that Section 86-11 makes it possible to develop this *block* in conjunction with *block 20N* or *block 53S*.)

Mandatory Pedestrian Circulation Improvements

PCI:E. An enclosed pedestrian bridge spanning Trinity Place between the southeast corner of *block 19* and the northwest corner of *block 20N* and providing pedestrian access between the elevated public pedestrian circulation systems required in both *blocks*. Not required if PCI:10 is accomplished, or if *block 20N* has not been redeveloped to provide the pedestrian connection.

PCI:K1. An enclosed pedestrian bridge spanning Greenwich Street between the east lot line of *block 18N* and the west lot line of *block 19* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block 18N* has not been redeveloped to provide the elevated shopping way.

PCI:K. An enclosed pedestrian bridge spanning the intersection of Rector and Greenwich Streets between the southeast corner of *block 53S* and the northwest corner of *block 19* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if PCI:L is accomplished or if *block 53S* has not been redeveloped to provide the elevated shopping way.

Mandatory and Special Lot Improvements

- (a) a shopping way **Retail continuity** along Greenwich Street.
- (b) A pedestrian connection along the south lot line between street level at Trinity Place and street level at Greenwich Street.
- (c) A pedestrian connection along the south lot line between the elevated shopping way along Greenwich Street and PCI:E.

Preferred Lot Improvements

- (b)(a) **A special lot improvement consisting of a pedestrian connection between the 7th Avenue IRT Rector Street Station (at the north end of the west lot line) and street level at Greenwich Street.**
- (c)(b) **A special lot improvement consisting of a pedestrian connection between the Bdwy BMT Rector Street Station (at the north end of the east lot line) and the street level at Trinity Place.**
- (d)(e) **A covered pedestrian space at the north end of the *block* with a view toward Trinity Church. This covered pedestrian space may qualify for bonus floor area under the provisions of Section 86-075 (Modification of Special Permit Regulations) if, in addition to meeting the requirements set forth in Section 12-10 (DEFINITIONS) as modified by Section ~~86-059~~ **86-053**, the covered pedestrian space**
- (1) has direct pedestrian access from Greenwich Street, Rector Street and Trinity Place,
 - (2) provides a public space in which a pedestrian connection, including not less than one pair of 32-inch wide escalators, **and an 8' stair** is accomplished between street level and the 7th Avenue IRT and Broadway BMT Rector Street stations and
 - (3) provides for the penetration of daylight into both subway stations or concourses.

Block 20S

~~Mandatory Pedestrian Circulation Improvements~~

~~PCI-F A pedestrian deck spanning Trinity place between the west lot line of Block 20S and the east edge of PCI-J, extending the full length of the west lot line of Block 20S and having direct pedestrian access from the elevated shopping way required in Block 20S. The pedestrian deck shall also provide for pedestrian facilities including but not limited to benches, outdoor cafe, and kiosks for uses from Use Group G.~~

Mandatory Lot Improvements

- (a) Build to ~~lot street line~~ on Broadway
- (b) ~~An elevated shopping way along Trinity Place.~~
- (c) ~~A pedestrian connection along Exchange Alley (the north lot line) between street level at Broadway the the elevated shopping way at Trinity Place.~~
- (d) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~

Block 20N

Note that Section 86-11 makes it possible to develop this block in conjunction with block 19)

Mandatory Pedestrian Circulation Improvements

PCI:E An enclosed pedestrian bridge spanning Trinity Place between the southeast corner of Block 19 and the northeast corner of Block 20N and providing pedestrian access between the elevated public pedestrian systems required in both blocks. Not required if Block 19 has not been redeveloped to provide the pedestrian connection.

Mandatory Lot Improvements

- (a) Build to ~~lot street line~~ on Broadway (east lot line)
- (b) ~~An elevated shopping way along Trinity Place (the west lot line).~~
- (c) ~~A pedestrian connection along Exchange Alley (the north lot line) between street level at Broadway and the elevated shopping way at Trinity Place.~~
- (d) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~
- (e) ~~An elevated plaza spanning Trinity Place between the west lot line of *block* 20N and the east lot line of Greenwich Street and extending from PCI:J and PCI:F on the south to *Block* 19 and PCI:E on the north. This elevated plaza may qualify for bonus floor area under the provisions of Section 86-08 (Modification of Special Permit Regulations) if, in addition to meeting the requirements for plazas set forth in Section 12-10 (DEFINITIONS) as modified by Section 86-059, the elevated plaza.~~
 - (1) ~~provides commodious, and obviously public, pedestrian access from street level on Greenwich Street near the intersection with Edgar Street as well as from PCI:F, PCI:J, the elevated shopping way in *Block* 20N and the elevated pedestrian circulation system in *block* 19, and~~
 - (2) ~~provides for pedestrian facilities including but not limited to benches, outdoor cafe, and kiosks for uses from Use Group G.~~

~~This elevated plaza is not required if the triangular property south of Edgar Street and between Greenwich Street and Trinity Place is not available for development with *Block* 20N.~~

Block 21

Mandatory and Special Lot Improvements

- (a) Build to ~~lot street line~~ on Broadway.
- (b) **As a special lot improvement**, a pedestrian connection between the Lex IRT Wall Street Station and street level at Trinity Place.
- (c) **As a special lot improvement**, a pedestrian connection between the Lex IRT Wall Street Station and street level at Broadway.

- (d) **As a special lot improvement**, a pedestrian connection between the Bdwy BMT Rector Street Station (at the northern end of the west lot line) and street level at Trinity Place.
- (e) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~

Preferred Lot Improvements

- (e) A covered pedestrian space at Broadway and Rector Street (the north and east lot lines) with a view of Trinity Church. This may qualify for bonus floor area under the provisions of Section 86-075 (Modification of Special Permit Regulations) if, in addition to meeting the requirements set forth in Section 12-10 (DEFINITIONS) ~~as modified by Section 86-0593~~, the covered pedestrian space
 - (1) provides a public space in which a pedestrian connection, including not less than one pair of 32 inch wide escalators, **and an 8-foot wide stair** is accomplished between the Lex IRT Wall Street Station and street level at Broadway,
 - (2) provides for the penetration of daylight into the subway station or concourse, and
 - (3) provides, by such means as an arcade, a greater sidewalk width along the west side of Broadway while preserving the street wall by building to the east lot line.

Block 49S

No designated improvements.

Block 49N

Mandatory **and Special** Lot Improvements

- (a) Build to ~~lot~~ **street line** on Broadway.
- (b) **As a special lot improvement**, a pedestrian connection between the Lex IRT Wall Street Station and street level at Trinity Place.
- (c) **As a special lot improvement**, a pedestrian connection between the Lex IRT Wall Street Station and street level at Broadway.
- (d) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~

Block 50S

Mandatory Lot Improvements

- (a) Build to lot street line on Broadway and Cedar Street.
- (b) ~~An arcade with a minimum width of 15 feet along Broadway (the east lot line).~~

Preferred Lot Improvements

~~A shopping arcade along Cedar Street (the north lot line).~~

Block 50N

No designated improvements

Mandatory Lot Improvements

- (a) ~~Provision to accept PCI:4.~~
- (b) ~~Provision to accept PCI:D.~~

Block 51

Mandatory and Special Lot Improvements

- (a) ~~As a special improvement, a pedestrian connection between the Bdwy BMT Rector Station (at the south end of the east lot line) and street level at Trinity Place.~~
- (b) ~~As a special lot improvement, a pedestrian connection between the 7th Avenue IRT Rector Street Station (at the south end of the west lot line) and street level at Greenwich Street.~~
- (c) ~~A shopping arcade~~ **Retail continuity** along Greenwich Street (the west lot line).

Preferred lot Improvements

~~A shopping arcade along Greenwich Street (the west lot line).~~

Block 52S

Preferred Mandatory Lot Improvements

~~A shopping arcade~~ **Retail continuity** along Greenwich Street and Cedar Street.

Block 52N

Mandatory Pedestrian Circulation Improvements

PCI:C. Mandatory Lot Improvements

- (a) An open pedestrian bridge spanning Greenwich Street between the north end of the east line of *block 54N* and the north end of the west lot line of *block 52N* and providing pedestrian access between the elevated public pedestrian systems required in both *blocks*. Not required if *block 54N* has not been re-developed to provide the pedestrian connection.

PCI:D.

- (b) An open pedestrian bridge spanning Trinity Place between the east lot line, near its middle, of *block 52N* and the west lot line, near its middle, of *block 50N* and a stair or ramp from the east of the bridge down to the level of Liberty Plaza and providing pedestrian access between Liberty Plaza and the elevated public pedestrian circulation system required in *block 52N*.

Mandatory Lot Improvements

- (a)(c) Build to lot street line on Trinity Place and Liberty Street.
- ~~(b) A pedestrian connection open to the public at all hours, with commodious, and obviously public, access from Trinity Place, between PCI:3 and street level near the corner of Liberty Street and Trinity Place.~~
- ~~(c) A pedestrian connection between PCI:D and street level near the corner of Liberty Street and Trinity Place.~~
- ~~(d) A pedestrian connection between PCI:D and PCI:C.~~

Preferred Lot Improvements

- ~~(d)(a) A shopping arcade Retail continuity along Greenwich Street and Cedar Street.~~
- (e)(b) A covered pedestrian space along Trinity Place (the east lot line). This covered pedestrian space may qualify for bonus floor area under the provisions of Section 86-075 (Modification of Special Permit Regulations) if, in addition to meeting the requirements set forth in Section ~~86-059~~ **86-055**, the covered pedestrian space provides:
- (1) a public space in which the stairs from the sidewalk on Liberty Street are replaced by a pedestrian connection, including one pair of 32 inch wide escalators, between ~~PCI:3~~ (the pedestrian tunnel under Liberty Street to the World Trade Center concourse) and street level.
 - ~~(2) a pedestrian connection, including one pair of 32 inch wide escalators between the elevated system of pedestrian connection. (PCI:D the open pedestrian bridge across Trinity Place and the pedestrian connection between PCI:D and PCI:C) and street level;~~

- (3) for the penetration of daylight down to the level of PCI:D, and
 - (4) by such means as an arcade, a greater sidewalk width along the west side of Trinity Place while preserving the street wall by building to the east lot line.
- (e) An open loggia along Liberty Street (the north lot line) providing a pedestrian connection between PCI:D and PCI:C.

Block 53S (Note that Section 86-11 makes it possible to develop this *block* in conjunction with *block* 19.)

Mandatory Pedestrian Circulation Improvements

PCI:L. An elevated shopping bridge spanning Rector Street between the east end of the south lot line of Block 53S and the east end of the north lot line of Block 18N and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if Block 18N has not been redeveloped to provide the elevated shopping way.

PCI:K. An elevated pedestrian bridge spanning the intersection of Rector Street and Greenwich Streets between the southeast corner of Block 53S and the northwest corner of Block 19 and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if PCI:L is accomplished or if Block 19 has not been redeveloped to provide the elevated shopping way.

PCI:M. An elevated shopping bridge spanning Carlisle Street between the east end of the south lot line of Block 53N and the east end of the north lot line of Block 53S and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if Block 53N has not been redeveloped to provide the elevated shopping way.

Mandatory and Special Lot Improvements

- (a) A shopping way **Retail continuity** along Greenwich Street.
- (b) A pedestrian connection between the 7 Avenue IRT Rector Street Station (at the south end of the east lot line) and the street level at Greenwich Street.
- (c) A pedestrian connection (along the south lot line) between the elevated shopping way along Greenwich Street and PCI:8 (at the south end of the west lot line.)

Preferred Lot Improvements

An elevated plaza along Rector Street (the south lot line). This elevated plaza may qualify for bonus floor area under the provisions of Section 86-08 (Modification of Special Permit Regulations) if, in addition to meeting the requirements for plazas as set forth in Section 12-10 (DEFINITIONS) as modified by Section 86-059, the elevated plaza

- (1) provides commodious, and obviously public, pedestrian access from the street level on Greenwich Street at the southeast corner of the *block* as well as from the adjacent *blocks*, as provided by PCI-L or PCI-K and PCI-8, and
- (2) provides for pedestrian facilities including, but not limited to benches, outdoor cafe, and kiosks for uses from Use Group G.

Block 53N

Mandatory Pedestrian Circulation Improvements

PCI-M. An elevated shopping bridge spanning Carlisle Street between the east end of the south lot line of *block 53S* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block 53S* has not been redeveloped to provide the elevated shopping way.

PCI-N. An elevated shopping bridge spanning Albany Street between the east end of the south lot of *block 54S* and the east end of the north lot line of *block 53N* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block 54S* as not been redeveloped to provide the elevated shopping way.

Mandatory Lot Improvements

A shopping way **Retail continuity** along Greenwich Street.

Block 54S

Mandatory Pedestrian Circulation Improvements

PCI-N. An elevated shopping bridge spanning Albany Street between the east end of the south lot of *block 54S* and the east end of the north lot line of *block 53N* and providing pedestrian access between the elevated shopping ways required in both *blocks*. Not required if *block 54S* as not been redeveloped to provide the elevated shopping way.

PCI-O. An elevated shopping bridge spanning Cedar Street between the east end of the south lot line of *block 54N* and the east end of the north lot line of *block 54S* and providing pedestrian access between the elevated shopping ways required in *block 54S* and the elevated public pedestrian circulation system required in *block 54S*. Not required if *block 54N* as not been redeveloped to provide the pedestrian connection.

Mandatory Lot Improvements

~~A shopping way~~ **Retail continuity** along Greenwich Street.

Block 54N

Mandatory Pedestrian Circulation Improvements

The improvements described below have been provided and are given here for information only.

~~PCI-B:~~ An open pedestrian bridge spanning Liberty Streets between the north lot line, near its middle, of Block 54N and the World Trade Center plaza and providing pedestrian access between the World Trade Center plaza and the elevated public pedestrian circulation system required in Block 54N.

~~PCI-C:~~ An open pedestrian bridge spanning Greenwich Street between the north end of the east lot line of Block 54N and the north end of the west lot line of Block 52N and providing pedestrian access between the elevated public pedestrian circulation systems required in both *blocks*. Not required if Block 52N has not been redeveloped to provide the pedestrian connection.

~~PCI-A:~~ An open pedestrian bridge spanning Washington Street between the north end of the east lot line of Block 56N to the north end of the west lot line of Block 54N and providing pedestrian access between the elevated public pedestrian circulation systems required in both *blocks*. Not required if Block 54N has not been redeveloped to provide the pedestrian connection.

~~PCI-O:~~ An elevated shopping bridge spanning Cedar Street between the east end of the south lot line of Block 54N and the east end of the north lot line of Block 54S and providing pedestrian access between the elevated shopping way required in *block 54S* and the elevated public pedestrian circulation system required in *block 54N*. Not required if Block 54S has not been redeveloped to provide the elevated shopping way.

Mandatory Lot Improvements

- (a) ~~A shopping arcade~~ **Retail continuity** along Greenwich Street.
- (b) ~~A pedestrian connection among~~ PCI:A, PCI:B and PCI:C and PCI:O.

Preferred Lot Improvements

- (c) ~~An elevated plaza along~~ Liberty Street (the north lot line). This elevated plaza may qualify for bonus floor area under the provisions of Section 86-08 (Modifications of Special Permit Regulations) if, in addition to meet the requirements for plazas set forth in Section 12-10 (DEFINITIONS) as modified by Section 85-0595, the elevated plaza also, in order to serve adequately as the northern entrance to the elevated shopping way:

- (1) ~~provides commodious, and obviously public, pedestrian access from street level on Greenwich Street at the northeast corner of the block as well as from the adjacent blocks, as provided by PCI:A, PCI:B and PCI:C, and PCI:O and~~
- (2) ~~provides for pedestrian facilities including, but not limited to, benches, outdoor cafe, or kiosks for uses from Use Group G.~~

Block 55S

Mandatory Lot Improvements

- (a) Build to ~~lot~~ street line on West Street.

Block 55N

Mandatory Lot Improvements

- (a) Build to ~~lot~~ street line on West Street.

Block 56S

Mandatory Lot Improvements

- (a) Build to ~~lot~~ street line on West Street.

Block 56N

Mandatory and Special Pedestrian Circulation Improvements

Mandatory Lot Improvements

- PCI:A(a) As a special lot improvement**, an open pedestrian bridge spanning Washington Street between the north end of the east lot line of Block 56N to the north end of the west lot line of Block 54N and providing pedestrian access between the elevated public pedestrian circulation systems required in both Blocks. Not required if Block 54N has not been redeveloped to provide the pedestrian connection.

Mandatory Lot Improvements

- (a)(b) Build to ~~lot~~ street line on Liberty Street, and West Street.
- (b)(c) **As a special lot improvement**, a pedestrian connection between ~~PCI:A lot improvement a~~ and West Street (above street level near the north end of the west lot line).
- (c)(d) **As a special lot improvement**, a pedestrian connection between the west end of ~~b c~~ above and street level near the corner of West Street and Liberty Street.
- (d)(e) Acceptance of the second level (+ 32'-0") pedestrian bridge from Battery Park City.

Preferred Lot Improvements

A loggia along Liberty Street (the north lot line) providing a pedestrian connection between PCI:A and West Street (above street level near the north end of the west lot line).

Block 62**Mandatory Lot Improvements**

- (a) A pedestrian connection (below grade) between PCI:1 and PCI:2, between pedestrian tunnels connecting *Block 62* and the World Trade Center, and, *Block 62* and the Lex. IRT Fulton Street Station
- (b) A pedestrian connection between PCI:1 the pedestrian tunnel under Church Street between *Block 62* and the World Trade Center and street level near the corner of Church Street and Cortlandt Street.
- (c) A pedestrian connection between PCI:2 the pedestrian tunnel between *Block 62* and the Lex. IRT Fulton Street Station and street level near the corner of Cortlandt Street and Broadway.

APPENDIX C**ELECTIVE PEDESTRIAN CIRCULATION IMPROVEMENTS ("PCI'S")****Ranked List of Elective Pedestrian Circulation Improvements**

Priority Improvement	Additional floor area (square feet)
PCI:1 Stairway to southbound BMT platform from expanded mezzanine across BMT station on Trinity Place.	
PCI:2 Stairway to northbound platform of IRT Rector Street station from new mezzanine connecting with BMT Rector Street station platform	
PCI:3 Stairway to southbound platform of IRT Rector Street station from new mezzanine connecting with BMT Rector Street station platform	
PCI:4 Entrance, control area and stairs to street level and mezzanine connecting south end of IRT Rector Street station platforms. Connection to BMT and IRT Rector Street Station if PCI:3 has been constructed.	
*PCI:15 Pedestrian tunnel under Church Street between Block 62 and the World Trade Center.	303,500

*PCI:26	Pedestrian tunnel between Block 62 and the Lex IRT Fulton Street Station. ²	74,000
*PCI:37	Pedestrian tunnel under Liberty Street between Block 52N and the World Trade Center.	222,000
PCI:48	Pedestrian tunnel under Cedar Street between the concourse from the Lex. IRT Wall Street Station and Block 50N and a stair to street level in Block 50N. ⁴	222,000
*PCI:59	Modernization of the entrance and control area and provisions of an escalator to street level from the southbound platform of the Lex IRT Wall Street Station (near Rector Street and Broadway). ⁵	134,000
*PCI:610	Entrance and control area and stairs to street level from the northbound platform of the Lex IRT Wall Street Station (near Exchange Place and Broadway). ⁶	77,000
*PCI:711	Entrance and control area and stairs to street level from the northbound platform of the Bdwy BMT Rector Street Station (near Morris Street and Trinity Place). ⁷	129,000
*PCI:812	Rector Street pedestrian bridge. Not required unit the pedestrian connection is provided from Battery Park City to the east side of West Street. ⁸	31,000
*PCI:913	<i>Open pedestrian bridge across Greenwich Street connection Cunard Building (25 Broadway) to the development on Block 15. The modification of the Great Hall of the Cunard Building to create a covered pedestrian space with access from both Broadway and the elevated shopping say along the west side of Greenwich Street</i> ⁹	15,000
*PCI:1014	Reconstruction of Exchange Alley between Broadway and Trinity Place ¹⁰	3,800
*PCI:1115	The renovation of existing easements leading into the Lexington Avenue The Wall Street Station; the renovation of the underpass that connects the 111 and 120 Broadway easements below platform level; the renovation of the underpass connection the northbound and southbound platforms, below platform level, north of Exchange Place and south of Rector Street; the renovation of the stairs leading directly to the street on the west side of Broadway, in front of Trinity Church. ¹¹	51,000
*PCI:1216	Renovation of BMT Rector Street station. ¹²	109,400

PCI:13	Design and construction of a new stair into the Fulton Street IRT Lexington Avenue station to replace existing stairs located on the south side of Dey Street, near Broadway. ¹³	72,900
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Elective pedestrian circulation improvements 10, 11, 12 and 13 above have a special priority ahead of the numerical order and equal to each other.

***included for information; improvement has been completed**

Descriptions of Elective Pedestrian Circulation Improvements

(1) PCI:1. A pedestrian tunnel not less than 15 feet wide by 10 feet high by approximately 50 feet long running beneath Church Street, directly beneath the tracks of the Bwy BMT subway, beneath the lower end of the access and escalator enclosure from 1 Liberty Plaza (block 62) (approximately under the east curb line of Church Street) and the pedestrian concourse system of the World Trade Center and the installation of an escalator in the enclosure provided in the access to 1 Liberty Plaza.

(2) PCI:2. Lengthening the south end of the southbound platform of the Lex IRT Fulton Street Station to a point approximately 15 feet south of the south street line (extended) of Cortlandt Street, the construction of a pedestrian tunnel, not less than 15 feet wide by 10 feet high by approximately 12 feet long between the extended platform and the north end of the east lot line of block 62 and the provision of a change booth and turnstiles in the tunnel and providing pedestrian access between the Lex IRT Fulton Street Station and the public pedestrian circulation system proposed for block 62.

(3) PCI:3. A pedestrian tunnel not less than 10 feet wide by 10 feet high by approximately 173 feet long running beneath Liberty Street between the east end of the north lot line of block 52N and the basement of the World Trade Center and providing pedestrian access between the pedestrian concourse system of the World Trade Center and the public pedestrian circulation system required by block 52N. If at the time PCI:3 is constructed block 52N has not been redeveloped so as to provide the required pedestrian circulation system, PCI:3 shall include access to the sidewalk at the south end of the tunnel by two stairs each 5 feet wide.

(4) PCI:4. A pedestrian tunnel not less than 10 feet wide by 10 feet high by approximately 75 feet long running beneath the sidewalk on the west side of Broadway and beneath Cedar Street between a point approximately 15 feet north of the north street line (extended) of Cedar Street and adjacent to the east lot line of block 50N (Liberty Park) to the north end of the pedestrian concourse from the north end of the southbound platform of the Lex IRT Wall Street Station, about halfway between Thames Street and Cedar Street and a stair not less than 12 feet wide between the north end of the pedestrian tunnel and ground level in block 50N and

providing pedestrian access between the Lex IRT Wall Street Station and ground level in Liberty Park adjacent to Broadway.

(5) PCI:5. The modernization of the central portion of the southbound platform of the Lex IRT Wall Street Station (at Rector Street and Broadway), including (a) the provision of a 48 inch wide escalator between platform level and street level, (b) the replacement of the old turnstiles with modern turnstiles, (c) the provision of a new change booth and (d) relocation of fences, in order to improve access to and control of the station.

(6) PCI:6. A new entrance to the southern portion of northbound platform of the Lex IRT Wall Street Station at (Exchange Place and Broadway), including (a) two stairways, each six feet wide, between platform level and street level on the northeast corner of Broadway and Exchange Place, (b) the provision of a control area, (c) the provision of turnstiles, mechanical entrances and gates and (d) the provision of a change booth, in order to improve access to the station, especially from Exchange Place.

(7) PCI:7. A new entrance to the south end of the northbound platform of the Bwy BMT Rector Street Station (on Trinity Place near Morris Street), including (a) a six foot wide stairway between platform level and street level, (b) the provision of a control area at the south end of the platform, (c) the provision of turnstiles, mechanical entrances and gates and (d) the provision of a change booth, in order to improve access to the station from the south.

(8) PCI:8. A *pedestrian deck* not less than 15 feet wide by approximately 230 feet long located at an average height of 24 feet above the center of Rector Street running between the east edge of West Street and the west end of the south *lot line* of block 53S and providing pedestrian access between the pedestrian bridge which is to be built by Battery Park City as far as the east *street line* of West Street and the elevated pedestrian circulation system required in block 53S.

(9) PCI:9. An *open pedestrian bridge*, spanning Greenwich Street, between the west end of the Great Hall of the Cunard Building (25 Broadway) and the *elevated shopping way* required on the east side of block 14. The renovation of the Great Hall of the Cunard Building shall be in accordance with a plan prepared in consultation with the Landmarks Commission and approved by the City Planning Commission. Above not required if block 14 has not been developed.

(10) PCI:10. Reconstruction of Exchange Alley for its full width between Broadway and Trinity Place.

(11) PCI:11. Renovate or repair walls, ceiling and floor surface, improve lighting in accordance with T.A. standards, and provide and install graphics and signage in four easements leading into Lexington Avenue IRT Wall Street Station, at 61 Broadway, 71 Broadway, 111-115 Broadway and at 120 Broadway. Renovate or repair walls, ceiling and floor surface, improve lighting in accordance with T.A.

standards, provide and install graphics on the stairs and in the underpass that connects the 111 Broadway and 120 Broadway easements, below the platform level, and on the stairs and underpass connecting the northbound and southbound platforms of the Lexington Avenue IRT Wall Street Station, below platform level, and north of Exchange Place and south of Rector Street. Renovate or repair two stairways leading from Lexington Avenue IRT Wall Street Station directly to street level on west side of Broadway, north of Rector Street, in front of Trinity Church; renovate or repair stairway kiosks at street level, subject to review by Landmarks Preservation Commission; improve lighting in accordance with T.A. standards and provide and install graphics and signage in both stairway kiosks.

(12) PCI:12. Renovation of BMT Rector Street Station. Rehabilitate the two existing control areas and the high turnstile exit area, including new gates and railings, new wall tile (existing mosaic strip is to be preserved) and painting (including patching and repairing as required) of ceilings. Renovate eight street stairs, including new treads, wall tile, painting of ceilings and provision of new railings and light poles, at street level. Provide new floor tile throughout the station along with requisite scrubber rooms and scrubbing machines, paint remaining ceilings, all columns and miscellaneous surfaces. Replace existing incandescent light fixtures with new fluorescent fixtures and add supplemental platform lighting; upgrade electrical service as required. Provide acoustical treatment including acoustical block between the trackways and, if required, acoustic treatment under the platform edge and above the platform or track area. Provide new platform furnishings including benches and trash receptacles. Provide artwork in the station. Provide graphics and signage as required. All work is to be done in accordance with T.A. standards.

(13) PCI:13. Design and construction of a new stair into the Fulton Street IRT Lexington Avenue station to replace existing stairs located on the south side of Dey Street, near Broadway. Demolish existing narrow staircases, excavate required area, relocate utilities as required and construct a new 120 foot wide stair and landings. Reconstruct and widen the adjacent sidewalk and make necessary modifications to roadway, in accordance with NYC Department of Transportation requirements, to accommodate the new stairway. The stair shall be designed in accordance with T.A. standards and shall include new floors, wall and ceiling finishes, new lighting and graphics to match and be contiguous with work proposed under the T.A.'s Station Modernization Plan.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

CITYWIDE

No. 13

N 900248 ZRY

(Proposed amendment of the Zoning Resolution relating to Community facilities in C8 and M1 districts)

IN THE MATTER OF amendments of various sections of the Zoning Resolution of the City of New York pursuant to Section 200 of the New York City Charter regarding:

- (a) the transfer of government authorized facilities for the temporary lodging of adults, children or families from Use Group 3A, to Use Group 4A community facilities;
- (b) the establishment of requirements for a special permit for government authorized facilities for the temporary lodging of adults, children or families in M1 and C8 districts; and
- (c) the modification of special permit requirements for schools in M1 and C8 districts and for Use Group 4A community facility uses in M1 districts.

Matter in **bold** type is new;

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

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

74-921

Use Group 4A community facilities

In M1 Districts, the City Planning Commission may permit *uses* listed in Use Group 4A Community Facilities. **In addition, in C8 Districts the City Planning Commission may permit government authorized facilities for the temporary lodging of adults, children or families.**

As a condition of granting a special permit for such community facilities, the Commission shall find[:] **that:**

- (a) [That] within the neighborhood primarily to be served by the proposed facility there is no practical possibility of obtaining a site of adequate size located in a district wherein it is permitted as-of-right, because appropriate sites in such districts are occupied by substantial improvements;
- (b) [That] an adequate separation from noise, traffic, and other adverse effects of the surrounding *non-residential districts* is achieved through the use of sound-attenuating exterior wall and window construction or by the provision of adequate open areas along *lot lines* of the *zoning lot* [.]

- (c) [That] such facility is so located as to draw a minimum of vehicular traffic to and through local *streets* and that the *streets* providing access to such *use* will be adequate to handle the traffic generated thereby;
- (d) [That] adequate reservoir space at the vehicular entrance and sufficient vehicular entrances and exits are provided to prevent congestion;
- (e) [That] in selecting the site due consideration has been given to the proximity and adequacy of bus and rapid transit facilities; **and**
- [(f) That such community facility is not located more than 400 feet from the boundary of a district wherein such facility is permitted as of right; and
- (g) that] (f) such *use* will not produce traffic congestion or other adverse effects which interfere with the appropriate *use* of land in the district or in any adjacent district.

In the case of government authorized facilities for the temporary lodging of adults, children or families, the Commission shall make findings (b) through (f) above and shall also find that:

- (g) adequate space and facilities are provided on site to accommodate necessary communal social, health, recreational and administrative support services;**
- (h) support services, including but not limited to, local schools, local recreational facilities, parks or open space, and local retail shopping and services exist nearby, and have sufficient capacity to serve the additional need created by the facility;**
- (i) the facility has a security plan to assure the safety of facility residents and the surrounding area;**
- (j) the movement of traffic and equipment through the *street* on which the facility is located can be regulated so as to not present an unsafe situation for the inhabitants of the facility. The Commission shall refer the application to the Department of Traffic for its report with respect to vehicular hazards to the inhabitants of the facility within the block and in the immediate vicinity of the proposed site; and**
- (k) adequate measures will be taken to minimize the effects from noise, traffic or other adverse impacts.**

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

In C8 or M1 Districts, the Board may permit *schools* which have no *residential* accommodations except *accessory* accommodations for a caretaker, provided that the following findings are made:

- (a) That within the neighborhood to be served by the proposed *schools* there is no practical possibility of obtaining a site of adequate size located in a district wherein it is permitted as-of-right, because appropriate sites in such districts are occupied by substantial improvements.
- [(b) That such *school* is located not more than 400 feet from the boundary of a district wherein such *school* is permitted as-of-right.
- (c) (b) That an adequate separation from noise, traffic, and other adverse effects of the surrounding *non-residential districts* is achieved through the use of sound-attenuating exterior wall and window construction or by the provision of adequate open areas along *lot lines* of the *zoning lot*.
- [[d)] (c) That the movement of traffic through the *street* on which the *school* is located can be controlled so as to protect children going to and from the *school*. The Board shall refer the application to the Department of Traffic for its report with respect to vehicular hazards to the safety of children within the block and in the immediate vicinity of the proposed site.

* * *

22-14
Use Group 4

* * *

A. Community Facilities

* * *

Community centers or settlement houses

Government authorized facilities for the temporary lodging of adults, children or families

* * *

24-11
Maximum floor area ratio for certain community facility uses

* * *

(b) In the districts indicated, for any zoning lot containing nursing homes, health related facilities or domiciliary care facilities for adults each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, or government authorized facilities for the temporary lodging of adults, children or families, the allowable floor area ratio shall not exceed the maximum floor area ratio as set forth in the table below, except where the permissible floor area ratio is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

* * *

32-13

Use Group 4

Use Group 4, as set forth in Section 22-14

C1 C2 C3 C4 C5 C6 C8

Government authorized facilities for the temporary lodging of adults, children or families are only allowed in C-8 districts subject to the special permit provisions of Section 74-921.

* * *

32-32

By the City Planning Commission

C1 C2 C3 C4 C5 C6 C7 C8

In the districts indicated, the following uses are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

C7 C8

Drive in theatres, with a maximum capacity of 500 automobiles

C8

Government authorized facilities for the temporary lodging of adults, children or families

C6 C8

Heliports

* * *

33-121

In districts with bulk governed by Residence District bulk regulations

* * *

In C1 and C2 Districts mapped within R3, R4, R5, R6, R7, R8 and R9 districts, for any *zoning lot* containing nursing homes, health related facilities, domiciliary care facilities for adults, sanitariums, [and] philanthropic or non-profit institutions with sleeping accommodations, **or government authorized facilities for the temporary lodging of adults, children or families**, the total *floor area* used for *community facility use* shall not exceed the amount as set forth in paragraph (b) of Section 24-111 unless modified pursuant to Section 74-902.

The maximum *floor area ratio* for any building used partly for *commercial* and partly for nursing homes, health related facilities, domiciliary care facilities for adults, sanitariums, [and] philanthropic or non-profit institutions with sleeping accommodations, **or government authorized facilities for the temporary lodging of adults, children or families**, shall not exceed the amount permitted for a *commercial building* by the applicable district regulations. However, the districts in which the allowable *floor area* as set forth in paragraph (b) of Section 24-111 exceeds the amount permitted for a *commercial building*, the provisions of paragraph (b) in Section 24-111 shall be used to compute the maximum *floor area* permissible for the *building* unless modified pursuant to Section 74-902.

33-123

Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

* * *

In *buildings* used for both *commercial uses* and *community facility uses*, the total *floor area* used for *commercial use* shall not exceed the amount permitted for *commercial buildings* in Section 33-122.

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6

In [all Commercial Districts] **the districts** [except C7 and C8 Districts] **indicated**, for any *zoning lot* containing nursing homes, health related facilities, domiciliary care facilities for adults, sanitariums, [and] philanthropic or non-profit institutions with sleeping accommodations, **or government authorized facilities for the temporary lodging of adults, children or families**, the total *floor area* used for the *community facility use* shall not exceed the amount as set forth in paragraph (b) of Section 24-111 (Maximum floor area ratio for certain community facility uses) applying the equivalent residential district (indicated in Section 34-112) for the Commercial District in which such *use* is located unless modified pursuant to Section 74-902.

The maximum *floor area ratio* for any *building* used partly for *commercial* and partly for nursing homes, health related facilities, domiciliary care facilities for adults, sanitariums, [and] philanthropic or non-profit institutions with sleeping accommodations, **or government authorized facilities for the temporary lodging of adults, children or families**, shall not exceed the amount permitted for a *commercial building* by the applicable district regulations. However, the districts in which the allowable *floor area* as set forth in paragraph (b) of Section 24-111 exceeds the amount permitted for a *commercial building* the provisions of paragraph (b) in Section 24-111 shall be used to compute the maximum *floor area* permissible for the *building* unless modified pursuant to Section 74-902.

74-902

Certain Community Facility Uses in R3 to R9 Districts and Certain Commercial Districts

In R3, R4, R5, R6, R7, R8, R9 Districts, and in all *Commercial Districts* except C7 or C8 Districts, the City Planning commission may permit the allowable community facility *floor area ratio* of Section 24-11 (Maximum Floor Area Ratio and Percent of Lot Coverage) to apply to any *development, extension, [or] enlargement [of]* **or change of use involving government authorized facilities for the temporary lodging of adults, children or families as listed in Use Group 4**; nursing homes, [and] health related facilities, sanitariums, or philanthropic or non-profit institutions as listed in Use Group 3[;], each of which have secured certification by the appropriate government agency; and in R3, R4, R5, R6 and R7 Districts and in Commercial Districts with the equivalent *residential floor area ratio* of Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts)

to apply to domiciliary homes for adults which have secured certification by the appropriate governmental agency provided the following findings are made:

* * *

Resolution for adoption scheduling November 8, 1989 for a public hearing.

No. 14

N 890808 (A) ZRY

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter, for **amendments of the Zoning Resolution** of the City of New York relating to amending language which refers to "incidental music" which has been declared unconstitutional by the State Supreme Court, to easing restriction on clubs with no dancing with capacities under 200 people and to imposing more restrictive regulations on larger entertainment establishments and those with dancing, 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

32-15

Use Group 6

C1 C2 C4 C5 C6 C8

A. **CONVENIENCE RE-
TAILOR
SERVICE ESTAB-
LISHMENTS**

* * *

Eating or drinking [places] **establishments**, including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime**, [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar, or any string instrument], and those which have *accessory* drive-through facilities. (2)

* * *

Parking
Requirement

	<u>Category</u>	<u>C1</u>	<u>C2</u>	<u>C4</u>	<u>C5</u>	<u>C6</u>	<u>C8</u>
C. RETAIL OR SERVICE ESTABLISHMENTS							

* * *

Dry goods or fabric stores, limited to 10,000 square feet if *floor area* per establishment

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less ***

B

* * *

***** Permitted in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3 and C5 Districts only as provided in Section 73-241**

* * *

32-21 C4 C6 C7 C8
Use Group 12

* * *

A. Amusements

* * *

****Eating or drinking [places without restriction on entertainment or dancing] establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing.**

In C6-1, C6-2, C6-3 and C6-4 districts a minimum of four square feet of waiting area within the zoning lot shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. In these districts the entrance to such use shall be a minimum of

100 feet from the nearest residential district boundary.

* * *

[Public dance halls]

* * *

****Permitted in C4 districts only as provided in Section 73-244**

32-30 USES PERMITTED BY SPECIAL PERMIT

32-31

By the Board of Standards and Appeals

* * *

Parking Requirement
Category

C1 C2 C3 C4 C5 C6 C7 C8

Eating or drinking [places] **establishments**, including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime**, [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar or any string instrument] and those which have *accessory* drive through facilities

	C1-1							
	C1-2							
B	C1-3		C3					

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less

B

C1-1	C2-1			
C1-2	C2-2			
C1-3	C2-3			
C1-4	C2-4	C3		C5

Eating or drinking [places where there is entertainment or dancing] establishments with entertainment and a capacity of 200 persons or establishments of any capacity with dancing

D

C2 C3 C4

* * *

42-13

Use Groups 6C, 9A, and 12B

M2 M3

Use Groups 6C, 9A and 12B as set forth in Sections 32-15, 32-18, and 32-21. Use Group 6C shall be limited to Antique stores; Art galleries, commercial; Artists' supply stores; Automobile supply stores; Banks; Bicycle sales; Candy or ice cream stores; Cigar or tobacco stores; Custom furrier shops; **Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less**; Frozen food lockers; Fishing tackle or equipment, rental or

sales; Jewelry or art metal craft shops; Locksmith shops; Meeting Halls; Millinery shops; Music stores; Newsstands, open or closed; Paint stores; Picture framing shops; and Watch or clock repair shops.

* * *

42-132

M1-5M and M1-6M Districts

* * *

In M1-5M and M1-6M Districts, eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing are permitted only by special permit of the Board of Standards and Appeals in accordance with Section 73-244.

* * *

42-14

Use Group 17

* * *

D. Special Uses in M1-5A and M1-5B Districts

M1 M2 M3
M1-5A
M1-5B

* * *

3. In addition to the above restrictions, the following *uses* are not permitted as-of-right in any *building or other structure* or on any tract of land in M1-5A or M1-5B Districts:

- (a) All eating or drinking places as listed in Use Groups 6A, 10A, or 12A of more than 5,000 square feet of floor space, except that any eating or drinking place which is listed in Use Group 6A, which had obtained an Alteration Permit prior to July 14, 1976 is permitted.
- (b) Eating or drinking places of less than 5,000 square feet with[out restriction on] entertainment or dancing as listed in Use Groups 6C, 10A, or 12A. However, such *uses* are permitted [only by special permit of the Board of Standards and Appeals in accordance with standards set forth in Section 73-241.].

- (i) provided that there is entertainment but not dancing, with a capacity of 200 persons or less as listed in Use Group 6C, only by special permit of the Board of Standards and Appeals in accordance with Section 73-241; or
- (ii) with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing as listed in Use Group 12A only by special permit of the Board of Standards and Appeals in accordance with Section 73-244.

* * *

(f) All other uses listed in Use Group 12A.

	Parking			
	Requirement			
	<u>Category</u>	<u>M1</u>	<u>M2</u>	<u>M3</u>

42-30 USES PERMITTED
BY SPECIAL PERMIT

42-31

By the Board of Standards
and Appeals

* * *

Children's amusement parks, with sites of not less than 10,000 square feet nor more than 75,000 square feet per establishment

Eating and drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less

M1-5A
M1-5B

Eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing.

D

M1-5A
M1-5B
M1-5M
M1-6M

* * *

73-241

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4 [C2], C3, C5, M1-5A or M1-5B Districts

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4 [C2], C3, C5, M1-5A or M1-5B Districts, the Board may permit eating or drinking [places] **establishments**, [where there is] **with entertainment but not dancing, with a capacity of 200 persons or less** for a term not to exceed five years, provided that the following findings are made:

- (a) That such *use* will not impair the character or the future use or development of the surrounding *residential* or mixed-use neighborhood.
- (b) That such *use* will not cause undue congestion in local *streets*.
- (c) In M1-5A and M1-5B Districts eating and drinking places shall be limited to not more than 5,000 square feet of floor space.
- (d) [In M1-5A and M1-5B Districts dancing shall be limited to a clearly defined area of not more than 300 square feet.] **That in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, M1-5A and M1-5B Districts such use shall take place in completely enclosed building.**
- (e) **That the application is made jointly by the owner of the building and the operators of such eating or drinking establishment.**

The Board may modify the regulations relating to *accessory business signs* in C3 Districts to permit a maximum total *surface area* of 50 square feet of *non-illuminated* or illuminated *non-flashing* signs, in C3 Districts to permit a maximum total *surface area* of 50 square feet of *non-illuminated* or illuminated *non-flashing signs*, provided that any *illuminated sign* shall not be less than **150 feet** from the boundary of any Residence District. The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows; provision of sound-lock vestibules; specification of acoustical insulation; maximum size of establishment; [number,] kinds of amplification of musical instruments or voices; shielding of flood lights; adequate screening, curb cuts, or parking.

73-242

In C3 Districts

In C3 Districts, the Board may permit eating or drinking [places] **establishments** (including those which provide *accessory music for which there is no cover charge and no specified showtime*) [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion

or any string instrument)] for a term not to exceed five years, provided that the following findings are made:

* * *

73-243

In C1-1, C1-2 and C1-3 Districts

In C1-1, C1-2 and C1-3 Districts, (except in Special Purpose Districts) the Board may permit eating or drinking places (including those which provide outdoor table service) [or incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, or any string instrument)] with *accessory* drive-through facilities for a term not to exceed five years, provided that the following findings are made:

* * *

73-244

In C2, C3, C4, M1-5A, M1-5B, M1-5M, M1-6M and the Special Lower Manhattan Mixed-Use District

In C2, C3, C4, M1-5A, M1-5B, M1-5M, M1-6M and Special Lower Manhattan Mixed-Use District the Board may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing for a term not to exceed three years, provided that the following findings are made:

- (a) That a minimum of four square feet of waiting area within the *zoning lot* shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to insure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the *street*.
- (b) That the entrance to such *use* shall be a minimum of 100 feet from the nearest *residential* district boundary.
- (c) That such *use* will not cause undue vehicular or pedestrian congestion in local *streets*.
- (d) That such *use* will not impair the character or the future use or development of the surrounding *residential* or mixed-use neighborhoods.
- (e) That such *use* will not cause the sound level in any affected conforming *residential use, joint-living work quarters for artists, or loft dwelling* to exceed the limits set forth in any applicable provision of the New York City Noise Control Code.

- (f) That the application is made jointly by the owner of the *building* and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows; provision of sound-lock vestibules; specification of acoustical insulation; maximum size of establishment; kinds of amplification of musical instruments or voices; shielding of flood lights; adequate screening; curb cuts, or parking.

Any violation of the terms of a special permit shall be grounds for its revocation.

81-722

Use Group T

* * *

Eating or drinking [places] establishments with [restrictions on] entertainment **but not [or] dancing, with a capacity of 200 persons or less** in C5 Districts, without restrictions in C6 or M1 Districts.

* * *

81-82

Special Regulations on Permitted and Required Uses

* * *

(c) Use Group F

* * *

Department stores

Eating or drinking [places] establishments including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime** [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion or any string instrument].

* * *

82-062

Use Group L

* * *

F. Amusements

* * *

4. Eating or drinking places, including those which provide outdoor table service without restrictions on entertainment, [or] dancing, or capacity.

5. [Public dance halls]

[6.] 5. Theaters

* * *

83-03

Use Group "LC"

* * *

D. Convenience Retail or Service Establishments

* * *

6. Eating [and] or drinking [places] establishments including those [establishments] which provide *accessory music for which there is no cover charge and no specified showtime* [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion guitar, or any string instrument].

* * *

85-03

Modifications of Use Regulations

* * *

(c) Eating or drinking [places without restriction] establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing.

* * *

86-092

Use Group G

* * *

5. Eating or drinking [places] establishments, including those which provide outdoor table service or *accessory music for which there is no cover charge and no specified showtime* [incidental musical entertainment].

* * *

95-081

Use Group T

* * *

B. Convenience Retail or Service Establishments

* * *

6. Eating or drinking [places] **establishments**, including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime**, [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar, or any string instrument].

99-031

Use Group MP

* * *

2. RETAIL OR SERVICE ESTABLISHMENTS

* * *

18. Eating or drinking [places] **establishments**, including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime**, [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar, or any string instrument].

* * *

109-211

Use Group [A1] LI

* * *

- (6) Eating or drinking [places] **establishments**, including those which provide outdoor table service or **have accessory music for which there is no cover charge and no specified showtime** [entertainment without dancing].
- (7) **Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less.**
- [7](8) Food stores, including supermarkets, grocery stores, meat markets, delicatessen stores limited to 5,000 square feet of floor area per establishment on the ground floor.
- [8](9) Hardware stores
- [9](10) Package liquor stores
- [10](11) Post offices
- [11](12) Stationery stores
- [12](13) Tailor or dressmaking shops, custom
- [13](14) Variety stores, limited to 5,000 square feet of *floor area* per establishment on the ground floor.

* * *

111-102

Use restrictions

Except in Areas A2 and A3, use of the ground floor in *buildings* constructed prior to March 10, 1976 shall be restricted to *uses* listed in Use Groups 7, 9, 11, 16, 17a, 17b, 17c, or 17e, except that:

- (a) In *buildings* having frontage on Chambers Street, Greenwich Street, West Street, Hudson Street, West Broadway or Canal Street, ground floor *uses* shall be permitted in conformance with the underlying districts **except as provided in Section 111-103 (c); or**

* * *

111-103

Additional use restrictions

* * *

- (c) **In all areas of the LMM District, eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing as listed in Use Group 12A in any location within a *building* shall be permitted only by special permit of the Board of Standards and Appeals as provided in Section 73-244.**

118-11

Ground Floor Uses

* * *

Eating or drinking [places] **establishments** including those which provide outdoor table service or **have *accessory* music for which there is no cover charge and no specified showtime** [incidental musical entertainment either by mechanical device or by not more than three persons playing piano, organ, accordion, guitar or any string instrument].

Eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less.

Resolution for adoption scheduling November 8, 1989 for a public hearing.

BOROUGH OF QUEENS

Nos. 15 and 16

(Applications for site selection and acquisition, and Street Closing for the Corona Heights Branch Library)

No. 15

CD 4

C 890445 PSQ

IN THE MATTER OF an application submitted by the Queens Borough Public Library pursuant to Section 197-c of the new York City Charter **for the selection and acquisition of city-owned and privately owned property** (Block 1954, Lots 19, 21, 24) in the Corona Heights area of Queens **at the intersection of 108th Street and Martense Avenue, to build a new branch library.**

Resolution for adoption scheduling November 8, 1989 for a public hearing.

 No. 16

CD 4

N 890446 MMQ

IN THE MATTER OF an application submitted by the Queens Borough Public Library pursuant to Section 5-430 *et seq.* of the New York City Administrative Code **involving the discontinuance and closing of Makarower Street, a subdivision street, between Martense Avenue and 108th Street, in connection with the Corona Heights branch library, in accordance with map number 4859 dated June 29, 1989 and signed by the borough president.**

Resolution for adoption scheduling November 8, 1989 for a public hearing.

 No. 17

CD 12

C 890986 PLQ

IN THE MATTER OF an application submitted by the Human Resources Administration for a **lease of private property for five years, located at 114-58 175th Place (Block 12397, Lot 113), for use as an Agency Operated Boarding Home.**

Resolution for adoption scheduling November 8, 1989 for a public hearing.

**II. PUBLIC HEARINGS
BOROUGH OF BROOKLYN**

Nos. 18, 19 and 20

(Applications for the grant of a zoning special permit, UDAAP disposition and an amendment to the Zoning Map concerning the Metropolitan Jewish Geriatric Center)

No. 18

CD 13

C 880723 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Metropolitan Jewish Geriatric Center pursuant to Sections 197-c and 200 of the New York City Charter for the **grant of a special permit** pursuant to Section 74-90 of the Zoning Resolution **to permit the development of a 360-bed skilled nursing home** on property located at 2802-2830 Surf Avenue (Block 7068, Lots 14, 20 and 30), on the south side of Surf Avenue, between West 28th Street and West 29th Street.

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

(On October 2, 1989 Cal. No. 5, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CD 13

C 890247 HAK

PUBLIC HEARING:

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

Approval of three separate matters is required:

1. The **designation, as an Urban Development Action Area**, property on the southerly side of Surf Avenue, between West 28 and West 29 Streets (block 7068, Lots 14 and 20)
2. The **approval of an Urban Development Action Area Project** for such property; and
3. The **disposition of such property** to the developer selected by The Department of Housing Preservation and Development (HPD).

The proposed disposition is to facilitate the construction of a 360 bed nursing home, replacing an existing facility.

(On October 2, 1989 Cal. No. 6, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 20

CD 13

C 890248 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment of the Zoning Map**, Section 28d, changing from an R5 District to an R6 District, property bounded by West 28th Street, the northerly boundary line of Coney Island Beach, West 29th Street and Surf Avenue, as shown on a diagram dated August 7, 1989.

(On October 2, 1989 Cal. No. 7, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 17

C 890833 PLK

PUBLIC HEARING:

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 **leasing of up to ten years of private property** located at **116 Linden Boulevard** (Block 5087, Lot 27), for use as an Agency Operated Group Home.

(On October 2, 1989 Cal. No. 8, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 22

CD 3

C 890742 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 1 city-owned property, 689 Hancock Street, (Block 1657, Lot 58).**

(On October 2, 1989 Cal. No. 9, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 23

CD 6

C 890743 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 1 city-owned property, 535 5th Avenue, (Block 1042, Lot 10).**

(On October 2, 1989 Cal. No. 10, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 24

CD 7

C 890871 HDK

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, **88 16th Street** (Tax Block 1051, Lot 24) is a four-story new law walk-up building with 16 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 11, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

• **Close the hearing.**

No. 25

CD 11

C 890874 HDK

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, **1513-1515 West 7th Street** (Tax Block 6600, Lot 86) is a four-story new law walk-up building with 16 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 12, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 26

CD 2

C 891003 HDK

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, **12 St. Marks Place** (Tax Block 395, Lot 6) is a four-story new law walk-up building with 8 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 13, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 27

CD 2

C 891004 HDK

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, **342 Lafayette Avenue** (Tax Block 1948, Lot 14) is a four-story old law walk-up building with 16 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 14, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 28

CD 1

C 891006 HDK

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, **728 Driggs Avenue** (Tax Block 2406, Lot 26) is a six-story new law walk-up building with 30 residential units and 6 commercial units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 15, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 29

CD 1

C 891008 HDK

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, **218 Scholes Street** (Tax Block 3045, Lot 17) is a five-story exempt class walk-up building with 16 residential units and 3 commercial units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 16, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 30

CD 1

C 891009 HDK

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, **265 Lee Avenue** (Tax Block 2264, Lot 5) is a four-story old law walk-up building with 6 residential units and 1 commercial unit. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 18, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 31

CD 1

C 891010 HDK

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, **330 South 3rd Street** (Tax Block 2437, Lot 7) is a six-story new law walk-up building with 27 residential units and 2 commercial units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 18, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 32

CD 8

C 900083 HDK

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, **340 St. Marks Avenue** (Tax Block 1153, Lot 25) between Underhill and Washington Avenues is a three-story new law walk-up building with 6 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 30, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

Nos. 33, 34 and 35

(Proposed Zoning Map Amendments, request for the grant of special permits and amendments to the City Map concerning the Princes' Point development)

No. 33

CD 3

C 870057 ZMR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Muss Development Company pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment of the Zoning Map**, Section 35c:

a) changing from an M1-1 District to an R3-2 District, property bounded by Purdy Place, Holten Avenue, Johnston Terrace, the easterly boundary line of the proposed park addition (which boundary line is also the easterly street line of Seguine Avenue; portions of Holten Avenue, Johnston Terrace and Seguine Avenue are proposed to be eliminated and a portion of Seguine Avenue is proposed for a park addition and are the subject of related application C 870059 MMR), the northerly boundary line of the **proposed park addition**, and Seguine Avenue;

b) changing from an M1-2 District to an R3-2 District, property bounded by Johnston Terrace, Holten Avenue, the southeasterly prolongation of the centerline of Holten Avenue, the U.S. Pierhead Line, the easterly boundary line of the proposed park addition (which boundary line is also the easterly street line of Seguine Avenue) and its southwesterly prolongation (portions of Holten Avenue, Johnston Terrace and Seguine Avenue are proposed to be eliminated, and a portion of Seguine Avenue is proposed for a **park addition**, and are the subject of related application C 870059 MMR); and

c) changing from an M1-2 District to a C3 District property bounded by the U.S. Bulkhead Line, the southwesterly prolongation of the easterly boundary line of the **proposed park addition** (which boundary line is also the easterly street line of Seguine Avenue), the U.S. Pierhead Line, and the southwesterly prolongation of the centerline of Seguine Avenue; as shown on a diagram dated August 7, 1989.

(On October 2, 1989 Cal. No. 20, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 34

CD 3

C 870058 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Muss Development Company pursuant to Sections 197-c and 200 of the New York City Charter **for the grant of special permits** pursuant to the following sections of the Zoning Resolution: **Section 78-34** to allow modifications in the open space ratio, floor area ratio, and lot area per room requirements for a large scale residential development pursuant to the special bonus provisions of Sections 78-351 and 78-352; **Section 78-42** to allow the waiver of the requirement for off-street parking spaces accessory to the commercial use in the large scale residential development authorized pursuant to Section 78-22; **Section 78-312(d)** to allow minor variations in the front height and setback regulations on the periphery of the development; **Section 78-312(f)** to allow modifications of the minimum spacing requirements consistent with the intent of the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot); **Section 74-731** to permit a private sewage disposal plant; **Section 74-732** to permit a private sewage pumping station; and **Section 74-53** to permit an accessory group parking facility with a capacity of 725 spaces; for authorizations pursuant to the following sections of the Zoning Resolution: **Section 78-22** to allow as accessory uses in a large scale residential development 3,000 square feet of commercial uses listed in Use Group 6A or 6F; **Section 78-311** to allow the modifications of the height and setback regulations set forth in Section 23-631 and Section 78-31(b) for buildings wholly within the development; **Section 78-44** to allow the modification of the curb cut width requirements set forth in Section 25-631(b)(3) for a curb cut located on Purdy Place which exceeds the 30 foot maximum width; and **Section 107-65** to allow the modification of existing topography; and for certifications by the City Planning Commission pursuant to the following sections of the Zoning Resolutions: **Section 107-22** that the designated open space shall be preserved in its natural state by the owner of the zoning lot, that the applicant has complied with the provisions of Section 107-222 (Public Pedestrian Ways) if applicable, and that the applicant has complied with Section 107-23 (Waterfront Esplanade); **Section 107-222** as to whether or not the applicant shall be required to provide a public pedestrian way through a portion of the designated open space; **Section 107-23** of the location and design of the waterfront esplanade; and

Section 107-323 to allow the substitution of other plant material for the trees required by Section 107-322(a); for a large scale residential development on property bounded by Purdy Place, Wolfe's Pond Park, Raritan Bay and Lemon Creek Park (Block 6660, Lot 1; Block 6662, Lot 1, 90 and 99; Block 6655, Lot 1), mainly within an R3-2 District, in the Special South Richmond Development District.

Plans for this proposed large scale residential development are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street; New York, New York 10007.

(On October 2, 1989 Cal. No. 21, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 35

CD 3

C 870059 MMR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Muss Development Company pursuant to sections 197-c and 199 of the New York City Charter and section 5-430 (et. seq.) of the New York City Administrative Code for an **amendment to the City Map** involving: the elimination of Holten Avenue between Johnston Terrace and the U.S. bulkhead line; the elimination, discontinuance and closing of Seguine Avenue between Purdy Place and the U.S. bulkhead line, Johnston Terrace between Seguine Avenue and Holten Avenue, Holten Avenue between Purdy Place and Johnston Terrace and a small triangular portion in the intersection of Purdy Place and Holten Avenue; the establishment of a park addition to Lemon Creek Park in the proposed to be eliminated, discontinued and closed portion of Seguine Avenue; the establishment of a park addition to Wolfe's Pond Park in the proposed to be eliminated, discontinued and closed triangular portion of Purdy Place; the delineation of a 30-foot-wide pedestrian easement along the shore front between Lemon Creek Park and Wolfe's Pond Park; and the delineation of a pedestrian easement connecting the east end of the shore front pedestrian easement to Purdy Place **to facilitate residential and commercial development** in accordance with Map No. 4094, dated April 26, 1989 and signed by the Borough President.

(On October 2, 1989 Cal. No. 22, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On October 18, 1989 at 10:00 a.m. in City Hall, New York, a public hearing is being held by the Department of City Planning and the Department of Environmental Protection to receive comments related to the Draft Environmental Impact Statement concerning the proposed Prince's Point zoning map amendment, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) 86-064R.

No. 36

CD 2

C 880888 ZMR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Advance Publications, Inc. pursuant to Sections 197-c and 200 of the New York City Charter for **an amendment of the Zoning Map**, Section No. 27c, changing from an R3-2 district to an M1-1 district property bounded by a line 115 feet easterly of Glendale Avenue and its southerly prolongation, a line at right angles to the westerly boundary line of the New York City right-of-way (leased by the Staten Island Transit Operating Authority (SIRTOA)) distant 750 feet southerly of the intersection of West Fingerboard Road with the westerly boundary line of said New York City right-of-way, and the westerly boundary line of the New York City right-of-way, as shown on a diagram dated August 7, 1989 and subject to the conditions of Restrictive Declaration D-130.

(On October 2, 1989 Cal. No. 23, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 37

CD 4

C 900079 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, **352-54 West 48th Street** (Tax Block 1038, Lots 58 and 59) between Eighth and Ninth avenues, is a five-story old law walk-up building with 30 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 24, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 38

CD 3

C 891036 PSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of Correction pursuant to Section 197-c of the New York City Charter for the **selection of property for use as a detention facility** to be temporarily located at Pier 36, (Block 241, Part of Lot 13), located at South Street at the foot of Clinton Street.

(On October 2, 1989 Cal. No. 25, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 39

CD 9

C 890676 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 twelve (12) 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 October 2, 1989 Cal. No. 26, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 40

CD 7

C 900080 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, **176-178 West 81st Street** (Tax Block 1211, Lots 61 and 62) is a five-story old law walk-up building with 21 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

(On October 2, 1989 Cal. No. 27, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 41

CD 3

C 891014 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, **519 E. 11th Street** (Tax Block 405, Lot 51) between Avenue A and B, is a five-story old law walk-up building with 11 residential units and 2 community facility units. The Department of Housing Preservation and Development (HPD) Housing intends to sell the property 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.**

(On October 2, 1989 Cal. No. 28, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 42

CD 5

C 880703 ZMM

CONTINUED PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Museum of American Folk Art pursuant to Sections 197-c and 200 of the New York City Charter, for an **amendment of the Zoning Map**, Section No. 8c:

- a) changing from a C5-P district to a C5-2.5 district property bounded by a line 225 feet east of Avenue of the Americas, a line midway between West 54th Street and West 53rd Street, a line 150 feet west of Fifth Avenue, and West 53rd Street;
 - b) changing from a C5-2 district to a C5-2.5 district property bounded by a line 150 feet east of Avenue of the Americas, a line midway between West 54th Street and West 53rd Street, a line 225 feet east of Avenue of the Americas, and West 53rd Street; and
 - c) establishing within a portion of the proposed C5-2.5 district a Special Midtown District (MiD) bounded by a line 150 east of Avenue of the Americas, a line midway between West 54th Street and West 53rd Street, a line 225 feet east of Avenue of the Americas, and West 53rd Street;
- as shown on a diagram dated July 17, 1989.

(On September 2, 1989, Cal. No. 11, the Commission scheduled October 4, 1989 for a public hearing. On October 4, 1989 Cal. No. 11, the hearing was continued to October 18, 1989.)

Close the hearing.

NOTICE

On October 18, 1989 at 10:00 a.m. in City Hall, New York, a public hearing is being held by the Departments of City Planning and Environmental Protection to receive comments related to the Draft Environmental Impact Statement concerning the proposed American Museum of Folk Art zoning map amendment, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) 87-012M.

BOROUGH OF THE BRONX**No. 43****CD 11****C 880136 MMX****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Albert Einstein College of Medicine of Yeshiva University pursuant to Sections 197-c and 199 of the new York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for a **change in the City Map** involving the elimination, discontinuance and closing of Tenbroeck Avenue between Pierce and Sacket Avenues, Community Board 11, Borough of the Bronx, to facilitate the construction of an enlargement of an existing boiler plant, all in accordance with Map. 13032, dated August 31, 1988 and signed by the Borough President.

(On October 2, 1989 Cal. No. 29, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 44**CD 6****C 890792 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 1 city-owned property, 4259 3rd Avenue, Block 3044, Lot 94.**

(On October 2, 1989 Cal. No. 30, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS**No. 45***(Amendment to the City Map to eliminate a paper street)***CD 14****C 890236 MMQ****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Yeshiva of Far Rockaway pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the elimination of Beach 8th Street — a paper street — from Frisco Avenue to Hicksville Road in order to remove an encumbrance on the applicant's title and to facilitate construction of a new building for the existing Yeshiva located in Far Rockaway, in accordance with Map No. 4858 dated April 28, 1989 and signed by the Borough President. The map was referred to the City Planning Commission by the Board of Estimate on May 23, 1989 (Calendar No. 417).

(On October 2, 1989 Cal. No. 1, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 46
CD 13**C 890787 PLQ****PUBLIC HEARING:**

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 leasing of up to ten years of private property** located at **225-30 104th Avenue** (Block 11174, Lot 70), **for use as an Agency Operated Boarding Home.**

(On October 2, 1989 Cal. No. 2, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 47

CD 13

C 890987 PLQ

PUBLIC HEARING:

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 leasing of up to ten years of private property** located at **80-18 232nd Street** (Block 7916, Lot 21), **for use as an Agency Operated Boarding Home.**

(On October 2, 1989 Cal. No. 3, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

No. 48

CD 9

C 890968 PPQ

PUBLIC HEARING:

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the **disposition of one (1) City owned property** located at **10120 103rd Street**, Block No. 9420, Lot No. 12.

(On October 2, 1989 Cal. No. 4, the Commission scheduled October 18, 1989 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS
BOROUGH OF BROOKLYN

Nos. 49 and 50

(A disposition of City-owned property and a Zoning Map change in the Caribe Village Urban Renewal Area)

No. 49

CD 1

C 870982 HDK

IN THE MATTER OF the disposition of city-owned property, located in the Caribe Village Urban Renewal Area, pursuant to Section 197-c of the New York City Charter.

The property proposed for disposition for residential redevelopment is located on the block bounded by South 3rd Street, Berry Street, South 4th Street and Wythe Avenue, Tax Block 2429, and specifically as follows:

<u>Address</u>	<u>Block</u>	<u>Lot</u>
345 Wythe Ave.	2429	1
343 Wythe Ave.	2429	2
341 Wythe Ave.	2429	3
339 Wythe Ave.	2429	4
68 South 3rd St.	2429	6
72 South 3rd St.	2429	8
74 South 3rd St.	2429	9
80 South 3rd St.	2429	12
82 South 3rd St.	2429	13
83 South 3rd St.	2429	14
92 South 3rd St.	2429	18
94 South 3rd St.	2429	19
89 South 4th St.	2429	21
71 South 4th St.	2429	31
69 South 4th St.	2429	32
67 South 4th St.	2429	33
65 South 4th St.	2429	34

(On September 20, 1989, Cal. No. 8, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 6 the hearing was closed.)

For consideration.

No. 50

CD 1

C 870983 ZMK

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 an **amendment of the Zoning Map**, Section 12d, changing from a M1-1 District to an R6 District, property bounded by Wythe Avenue, South 3rd Street, Berry Street, and South 4th Street, as shown on a diagram dated July 24, 1989.

(On September 20, 1989, Cal. No. 9, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 7 the hearing was closed.)

For consideration.

 BOROUGH OF STATEN ISLAND

No. 51

CD 1

C 890238 ZMR

IN THE MATTER OF an application submitted by Gordon Grove Corporation, pursuant to Sections 197-c and 200 of the New York City Charter, **for an amendment of the Zoning Map**, Section No. 21d, changing from an M1-1 district to an R4 district, property bounded by Gordon Street, Grove Street, Hygeia Place, Boyd Street, and Gray Street, as shown on a diagram dated July 17, 1989.

(On September 20, 1989, Cal. No. 10, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 10 the hearing was closed.)

For consideration.

 BOROUGH OF MANHATTAN

No. 52

CD 4

C 890733 PLM

IN THE MATTER OF an application submitted by the Department of General Services pursuant to Section 197-c of the New York City Charter for a **ten-year lease of property located on the fourth floor of 410 West 16th Street** (Block 713, Lot 1), for the Department of Cultural Affairs Materials for the Arts warehouse.

(On September 20, 1989, Cal. No. 12, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989 Cal. No. 12 the hearing was closed.)

For consideration

No. 53

CD 2

C 890865 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, **19 Bedford Street** (Tax Block 528, Lot 42) between Downing Street and West Houston Street is a five-story old law walk-up building with 5 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenants association since April 1, 1988, under HPD's Tenant Interim Lease Program.

(On September 20, 1989, Cal. No. 13, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 13 the hearing was closed.)

For consideration.

No. 54

CD 3

C 890866 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, **219 East 7th Street** (Tax Block 390, Lot 42) between Avenues B and C is a six-story new law walk-up building with 24 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenants association since May 1, 1982, under HPD's Tenant Interim Lease Program.

(On September 20, 1989, Cal. No. 14, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 14 the hearing was closed.)

For consideration.

Nos. 55, 56 and 57

(Amendments to the Zoning Resolution and the City Map and grant of a special permit to facilitate the construction of a laboratory building for the Rockefeller University).

No. 55

CD 8

N 880669 ZRM

IN THE MATTER OF amendments pursuant to Section 200 of the New York City Charter, of the **Zoning Resolution** of the City of New York, relating to Section 74-682, as follows:

Matter in **bold** is new;

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

Matter in italics is defined in Section 12-10.

74-682

Developments Over Streets

[When a portion of a *street* is covered by a platform authorized by the Board of Estimate connecting adjoining *zoning lots* in the same ownership, the Commission may permit the entire platform area to be considered as a part of the adjoining *zoning lots* for purposes of *lot coverage* and *open space* requirements for a *development*, provided that sufficient separation of pedestrian and vehicular traffic is provided in the area, and the platform is located at a principal level of pedestrian circulation with easy access from the level below.

The *development* shall not be entitled to any *floor area* attributable to such platform, except that any portion of the platform area developed as a *plaza*, not less than 8,000 square feet, with adequate lighting, sitting facilities and landscaping shall be eligible for a *floor area bonus* equivalent to that permitted by Section 23-16, Section 24-14 or Section 33-13.]

In R9 or R10 districts when the air-space above a *street* or portion thereof is closed, demapped and conveyed by the City to the owner of an adjoining *zoning lot* owned by a non-profit institution pursuant to state enabling legislation enacted in 1971, the City Planning Commission may, by special permit, after public notice and hearing, and subject to Board of Estimate action, allow in such demapped air-space, considered as part of the adjoining *zoning lot*, the *development* or *enlargement* of *buildings* which are an expansion of an existing hospital, college, university or functionally-related facility. In connection therewith, the Commission may also permit modification of *bulk* regulations, except *floor area ratio* regulations, under the applicable district regulations. In addition to the requirements set forth in the 1973 Agreement among the City of New York, The Society of the New York Hospital, New York Society for the Relief of the Ruptured and Crippled,

maintaining the Hospital for Special Surgery, and the Rockefeller University, the Commission shall find:

- (a) That, in relation to the existing *buildings* on the site and in the area, the location and distribution of new *bulk* result in a good site plan;
- (b) That any *building* located in demapped air-space utilizes only unused *floor area* from the portion of the adjoining *zoning lot* not within the demapped air-space;
- (c) That any *building* located in the demapped air-space shall comply with the *accessory off-street parking and loading requirements* of the applicable district.

The Commission may impose additional conditions and safeguards, consistent with the requirements set forth in the 1973 Agreement, to improve the quality of the *development* and minimize adverse effects on the character of the surrounding area.

The *curb level* of a *zoning lot* of which the demapped air-space is a part shall not be affected by the closing and demapping of air-space above such *street*. However, the Commission may establish an appropriate level or levels instead of *curb level* as the reference plane for the applicable regulations relating to *open space, yards, level of yards, equivalent rear yards, rear yard setback, minimum distance between buildings, and the front height and setback*.

(On August 21, 1989 Cal. No. 3, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989, Cal. No. 29 the hearing was closed.)

For consideration.

No. 56

CD 8

C 880670 MMM

IN THE MATTER OF an application submitted by the Rockefeller University pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq* of the New York City Administrative Code for an **amendment to the City Map** involving the elimination, discontinuance and closing of volumes of the Franklin Delano Roosevelt Drive, the elimination of a public easement, and the delineation of pedestrian walkway easements in connection with the construction of a laboratory building for the Rockefeller University in accordance with Map No. ACC 30119 dated May 11, 1989, revised June 2, 1989, and signed by the Borough President. The map was referred to the City Planning Commission by the Board of Estimate on May 23, 1989 (Calendar No. 416).

(On August 21, 1989 Cal. No. 4, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989, Cal. No. 30 the hearing was closed.)

For consideration.

No. 57

CD 8

C 880671 ZSM

IN THE MATTER OF an application submitted by The Rockefeller University pursuant to Sections 197-c and 200 of the New York City Charter and Section 74-682 of the Zoning Resolution **for the grant of a special permit** to allow the development of a building in the demapped air-space over Franklin D. Roosevelt Drive, including the modification of the rear setback requirements of Section 24-552 of the Zoning Resolution, as part of an expansion of the existing university, in a large scale community facility development bounded by York Avenue, the easterly prolongation of East 68th Street, U.S. Pierhead and Bulkhead Line and East 62nd Street (Block 1475, Lot 5 and Block 1480, Lot 10), within R9 and R10, districts.

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

(On August 21, 1989 Cal. No. 5, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989, Cal. No. 31 the hearing was closed.)

For consideration.

No. 58

CD 1

N 900219 HKM

IN THE MATTER OF a communication dated September 5, 1989 from the Executive Director of the Landmarks Preservation Commission, submitting, pursuant to the provisions of Section 25-303 of the Administrative Code designated by the Landmarks Preservation Commission on August 29, 1989 (List No. 220), for the **proposed landmarking of the 287 Broadway building** located at **287 Broadway**, Block No. 149, Lot. No. 29.

For consideration.

No. 59**CD 1****N 900220 HKM**

IN THE MATTER OF a communication dated September 5, 1989 from the Executive Director of the Landmarks Preservation Commission, submitting, pursuant to the provisions of Section 25-303 of the Administrative Code designated by the Landmarks Preservation Commission on August 29, 1989 (List No. 220), for the **proposed landmarking of the 319 Broadway building** located at **319 Broadway**, Block No. 152, Lot. No. 31.

For consideration.

No. 60**CD 1****N 900223 HKM**

IN THE MATTER OF a communication dated September 5, 1989 from the Executive Director of the Landmarks Preservation Commission, submitting, pursuant to the provisions of Section 25-303 of the Administrative Code designated by the Landmarks Preservation Commission on August 29, 1989 (List No. 220), for the **proposed landmarking of the West 71st Street Historic Dist.** located at **310-340, 305-351 West 71st Street**, Block No. 1183, Lot Nos. 14-15, 17-22, 24-28, 115, 118, 120, 124, 127, and Block 1182, Lot. Nos. 38-48, 138, 140, 142, 145, and 147.

For consideration.

No. 61**CD 7****N 900224 HKM**

IN THE MATTER OF a communication dated September 5, 1989 from the Executive Director of the Landmarks Preservation Commission, submitting, pursuant to the provisions of Section 25-303 of the Administrative Code designated by the Landmarks Preservation Commission on August 29, 1989 (List No. 220), for the **proposed landmarking of the N.Y. Free Circulating Library** located at **206 West 100th Street**, Block No. 1871, Lot. No. 138.

For consideration.

No. 62

CD 1

N 891087 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning on behalf of the Battery Park City Authority, pursuant to Section 200 of the New York City Charter for an amendment of the **Special Battery Park City District of the Zoning Resolution**, to make hotels a permitted use on the zoning lot south of First Place and east of Battery Place in Battery Park City, to allow accessory off-street parking for the hotel, to add required off-street loading berths for the hotel, to change Appendices 1 & 2 to modify the Zone A-1 configuration, and to add commercial overlay to the proposed hotel site in Appendix 2.3.

Matter in **Bold** is new;

Matter in [] is old, to be deleted;

Matter in *italics* is defined in Section 12-10 or Section 84-00;

Matter denoted by *** is unchanged.

* * *

84-041

Zone A

Zone A is designed generally to provide for *residential development* with ancillary retail and service *uses*, and **hotels (Use Group 5) as permitted pursuant to Section 84-12**. Zone A is divided into six sub-zones: A-1, A-2, A-3, A-4, A-5 and A-6. The location and boundaries of the sub-zones are shown on the Zone A District Plan in Appendix 2 and Appendix 3.

* * *

84-12

Use Regulations

In the areas indicated as commercial overlay in the Zone A District Plan in Appendix 2.3 and Appendix 3.3, the *use* regulations applying in a C2 District shall apply, except as provided in Sections 84-121 (Special permit use), 84-122 (Uses not permitted), 84-123 (Uses along Esplanade), and this Section.

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

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

- (a) in any *development* containing an *arcade* required in Section 84-13 (Mandatory Arcades), any permitted *use* may be located above the first *story* ceiling and below the second *story* ceiling;

- (b) supermarkets are permitted with no limitation on *floor area*. Theatres shall comply with waiting space requirements set forth in Section 32-17; and
- (c) automobile rental establishments are permitted with a capacity of up to 100 cars.

Notwithstanding any other provisions of this Resolution, the zoning lot south of First Place and east of Battery Place may be developed either with residential uses, transient hotel uses, or as a building containing both residential and hotel uses. In the case of a building or portion of a building occupied by residential uses non-residential uses may be located only on a story below the lowest story containing dwelling units.

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

- (1) that the non-residential uses are located in a portion of the *mixed building* which has separate access to the outside with no opening of any kind to the residential portion of the *building* at any story;
- (2) that the non-residential uses are not located directly over any *story* containing *dwelling units*; and
- (3) that the modifications shall not adversely affect the *residential* character of the area.

* * *

84-122

Uses not permitted

The following *uses* shall not be permitted:

A. Transient Accommodations

Hotels, transient, except as provided in Section 84-12

Motel or tourist cabins or boatels

B. Retail or Service Establishments

Electrical glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments

Exterminators

Funeral establishments

Lumber stores

Monument sales establishments

Moving or storage offices

Pawn shops

Printing establishments

Refreshments stands, drive-in
 Sign painting shops
 Taxidermist shops
 Trade embalmers
 upholstering shops
 Window cleaning contractors' establishments, including floor waxing
 and other similar building maintenance services

C. Wholesale Establishments

Wholesale establishments

D. Automobile Service Establishments

Automotive service stations

Automotive glass and mirror shops

Automotive seat cover or convertible top establishments

Tire sales establishments

E. Public Service Establishments

Prisons

* * *

84-31

Accessory Off-Street Parking Spaces

Except as provided in Section 84-311, [Accessory] accessory off-street parking spaces may be provided only for *residential uses* subject to the provisions of this Section. The ownership requirement for *accessory* off-street parking is satisfied by an interest commensurate with the interest of the principal *use*. Such *accessory* parking spaces shall be *completely enclosed*. No portion of any *accessory* parking facility may be constructed at a height of more than 23 feet above *curb level*. Except as otherwise provided in this Section no *accessory* off-site parking shall be permitted.

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

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

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

- (a) that the *accessory* off-street parking spaces and required curb cuts are located within sub-zones A-1, A-2, or A-3 for *zoning lots* within sub-zones A-1, A-2, or A-3 or within sub-zones A-5 or A-6, for *zoning lots* in sub-zones A-5 or A-6, as indicated in the Zone A District Plans in Appendix 2 and Appendix 3, Permitted Parking Locations in Appendix 2.5 and 3.4 and Permitted Curb Cut Locations in Appendix 2.6 and 3.5 of the *Special Battery Park City District*;
- (b) that such *accessory* off-street parking spaces will be conveniently located in relation to the *residential buildings* to which such off-street spaces are *accessory*, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the *zoning lot* occupied by the *residences* to which they are *accessory*;
- (c) that such location of *accessory* off-street parking spaces will permit better site planning;
- (d) that the *accessory* off-street parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement; [and]
- (e) that the *accessory* off-street parking facility is located so as to draw a minimum of additional vehicular traffic to and through local *residential streets*[.]; and
- (f) that such *accessory* off-street parking facility shall contain parking spaces *accessory to residential uses only*.

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

84-311

Accessory off-street parking spaces for buildings containing hotel uses

For the *zoning lot* south of First Place and east of Battery Place, *accessory* off-street parking spaces for hotel uses may be provided only in accordance with this Section. Such *accessory* parking facility shall contain no more than 15 percent of the number of *transient hotel* rooms or 225 spaces, whichever is less.

In the case of a *building* containing both *residential* and *hotel uses*, the number of *accessory* off-street parking spaces shall not exceed the number of spaces permitted for each *use* in accordance with this Section and Section 84-31; however, in no event may the maximum number of *accessory* off-street parking spaces exceed 225 spaces.

84-32

Off-Street Loading

Enclosed *accessory* off-street loading berths shall be provided in conformity with the requirements set forth in the following table and under rules and regulations promulgated by the Commissioner of Buildings, for the *uses* listed in the table.

REQUIRED OFF-STREET LOADING BERTHS

Type of Use	For Floor Area (in square feet)	Required Berths
Supermarkets	First 8,000	None
	Next 17,000	1
	Next 15,000	1
	Each additional 15,000 or fraction thereof	1
	Hotels	First 100,000
	Next 200,000	1
	Each additional 300,000 or fraction thereof	1

All required off-street loading berths shall have a minimum length of 33 feet, a minimum width of 12 feet, and a minimum vertical clearance of 14 feet[.], **except that required off-street loading berths for hotels as permitted in Section 84-12 shall be allowed to have a minimum vertical clearance of 12 feet.**

84-33

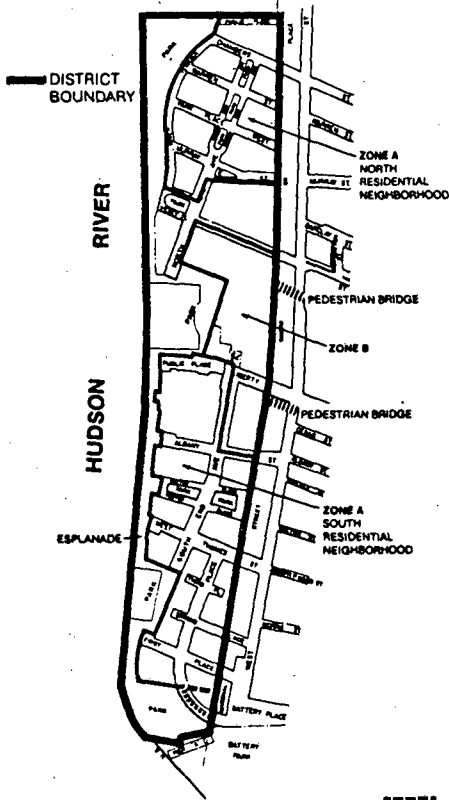
Location of Curb Cuts

Curb cuts are permitted only in the areas or locations indicated in the Zone A District Plan in Appendix 2.6 and Appendix 3.5. The aggregate width of all curb cuts provided for any *development* shall not exceed 20 feet, except that:

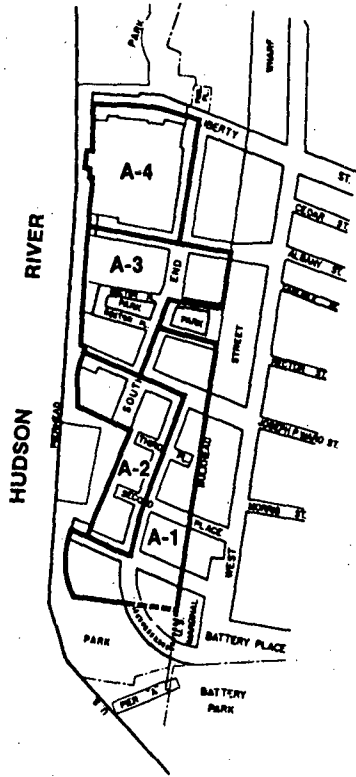
- (a) for the *zoning lot* bounded to the north by mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet,
- (b) for the *zoning lot* bounded by Warren Street in the north, River Terrace in the west, North End Avenue in the east and Park Place West in the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15-foot curb cuts,

- (c) for the *zoning lot* bounded by Murray Street in the north, River Terrace in the west, North End Avenue in the east and Vesey Place in the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25-foot-wide curb cut as access to the *accessory* off-street parking facility,
- (d) **For the *zoning lot* south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet.**

APPENDIX 1:
SPECIAL BATTERY PARK CITY DISTRICT- PLAN



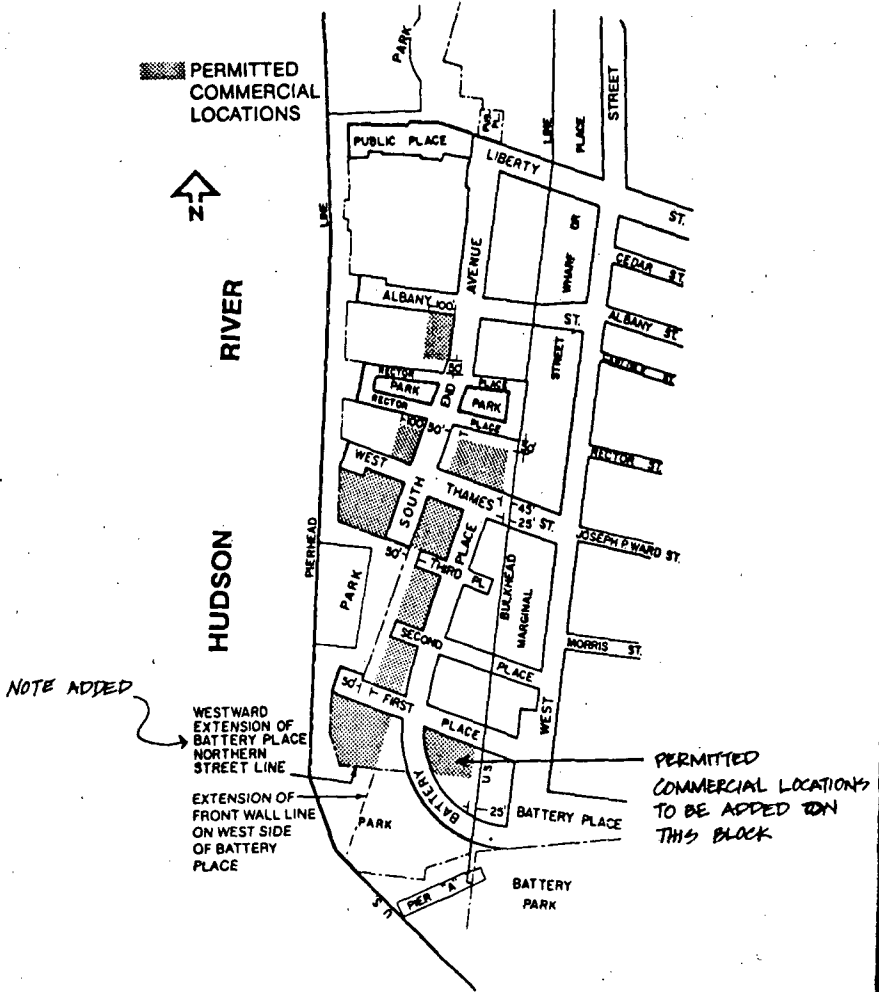
APPENDIX 2:
SPECIAL BATTERY PARK CITY DISTRICT-
ZONE A SOUTH RESIDENTIAL NEIGHBORHOOD



----- TO BE DELETED

----- TO BE ADDED

APPENDIX 2.3:
SPECIAL BATTERY PARK CITY DISTRICT-PERMITTED
COMMERCIAL LOCATIONS



(On August 21, 1989 Cal. No. 6, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989 Cal. No. 32 the hearing was continued to September 20, 1989. On September 20, 1989, Cal. No. 34 the hearing was closed. On October 4, 1989, Cal. No. 49 the item was laid over.)

For consideration.

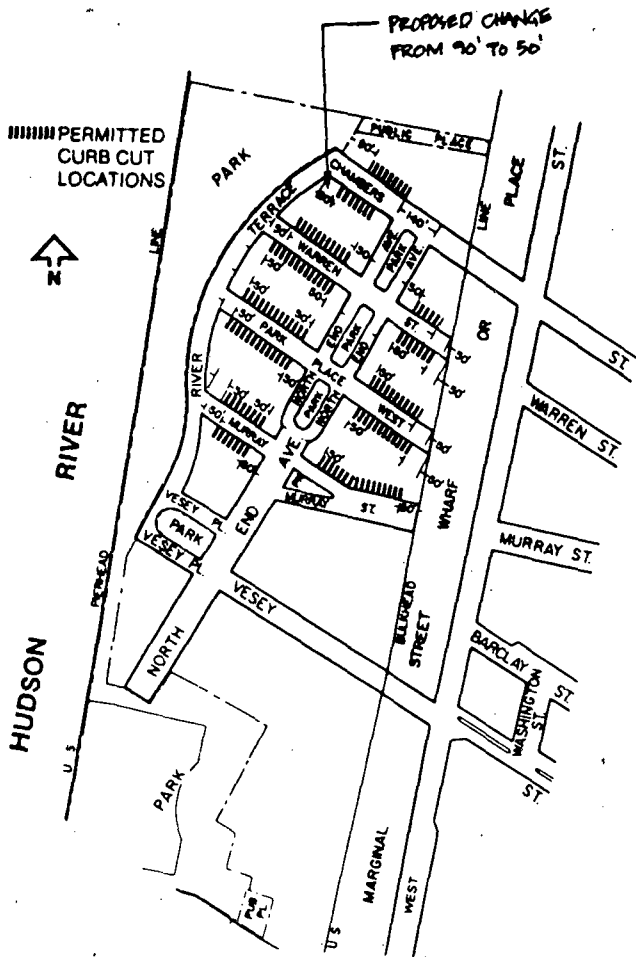
No. 63

CD 1

N 891088 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning on behalf of the Battery Park City Authority, pursuant to Section 200 of the New York City Charter for **an amendment of the Special Battery Park City District of the Zoning Resolution** (Appendix 3.5), changing the minimum 90' dimension for the location of a curb cut zone on the south side of Chambers Street, from the intersection of Chambers Street and River Terrace, to a minimum 50', thereby increasing the length of the curb cut zone by 40'.

APPENDIX 3.5 :
SPECIAL BATTERY PARK CITY DISTRICT - CURB CUT
LOCATIONS



(On August 21, 1989 Cal. No. 7, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989 Cal. No. 33 the hearing was continued to September 20, 1989. On September 20, 1989, Cal. No. 35 the hearing was closed. On October 4, 1989, Cal. No. 50 the item was laid over.)

For consideration.

BOROUGH OF BRONX**No. 64****CD 6****C 891024 HDX**

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, **2386 Arthur Avenue** (Tax Block 3073, Lot 41) between East 186th and East 187th Streets, is a four-story new law walk-up building with 13 residential units and 2 commercial units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a tenants association since September 1, 1988, under HPD's Tenant Interim Lease Program.

(On September 20, 1989, Cal. No. 1, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 20 the hearing was closed.)

For consideration.

No. 65**CD 6****C 891025 HDX**

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, **490 East 181st Street** (Tax Block 3047, Lot 14) between Bathgate Avenue and Washington Avenue is a six-story new law walk-up building with 29 residential units. The Department of Housing Preservation and Development (HPD) intends to sell the property 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.**

The property has been managed and maintained by a Community Group since August 1, 1985, under HPD's Community Group Program.

(On September 20, 1989, Cal. No. 2, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 21 the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 66

CD 4

C 850523 MMQ

IN THE MATTER OF an application submitted by Harmen Investment Company pursuant to sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an **amendment to the City Map** involving the elimination, discontinuance and closing of an irregular portion of the northerly side of Queens Boulevard between 57th Avenue and 90th Street to facilitate commercial development in accordance with Map No. 4809 dated June 30, 1986 and signed by the Borough President.

(On September 20, 1989, Cal. No. 3, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 1 the hearing was closed.)

For consideration.

 No. 67

CD 8

C 890783 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 leasing of up to ten years of property, located at 198-17 Foothill Avenue (Block 10532, Lot 163), for use as an Agency Operated Boarding Home.**

(On September 20, 1989, Cal. No. 4, the Commission scheduled October 4, 1989, for a public hearing. On October 4, 1989, Cal. No. 2 the hearing was closed.)

For consideration.

Nos. 68 & 69

(Proposed City Map Amendment and grant of special permits to facilitate a large scale residential development in Kew Gardens)

No. 68

CD 8

C 880040 MMQ

IN THE MATTER OF an application, submitted by the Kew Gardens Hills Development Co. c/o Rabco Development, Inc., pursuant to Sections 197-c and 199 of the New York City Charter **for an amendment to the City Map** involving:

1. The elimination of 75th Road from 153rd Street to Parsons Boulevard;
2. The elimination of 76th Avenue from 150th Street to Parsons Boulevard;

3. The elimination of 153rd Street from 75th Road to 76th Road and;
4. The delineation of a 40 foot-wide sewer easement in the bed of the proposed-to-be-eliminated 153rd Street from 75th Road to 76th Road

to facilitate the construction of a residential development all in accordance with Map 4841, dated March 9, 1988 and signed by the Borough President.

(On August 21, 1989 Cal. No. 9, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989, Cal. No. 35 the hearing was closed. On September 20, 1989, Cal. No. 46 the item was laid over. On October 4, 1989, Cal. No. 25 the item was laid over.)

For consideration.

No. 69

CD 8

C 880041 ZSQ

IN THE MATTER OF an application submitted by Kew Gardens Hills Development Co., pursuant to Sections 197-c and 200 of the New York City Charter for the **grant of special permits** pursuant to Sections 78-312(c), 78-312(d), 78-312(f), 78-34, and 78-35 of the Zoning Resolution involving the modification of regulations for front and rear yards, height and setback, distance between buildings, open space ratio and floor area ratio and for authorizations pursuant to Section 23-463 of the Zoning Resolution involving the modification of regulations for aggregate width of building street walls and Section 78.44 of the Zoning Resolution to allow the modification of the requirements set forth in Section 25-631 (b)(4), **for a large scale residential development of 664 dwelling units on property generally bounded by 150th Street, 75th Road, 153rd Street**, (portions of 75th Road and 153rd Street are proposed for elimination under related application C 880040 MMQ), **Parsons Boulevard and 76th Road**. (Block 6705, Lot 1; Block 6706 Lot 1, Block 6808, Lot 2; Block 6809, Lots 1 and 12, Block 6810, Lots 1 and 12), within an R4 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, New York 10007.

(On August 21, 1989 Cal. No. 10, the Commission scheduled September 6, 1989 for a public hearing. On September 6, 1989, Cal. No. 36 the hearing was closed. On September 20, 1989, Cal. No. 47 the item was laid over. On October 4, 1989, Cal. No. 26, the item was laid over.)

For consideration.
