

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, April 17, 1991
10:00 A.M. in City Hall

Lois McDaniel, Calendar officer
22 Reade Street, Room 2E
New York, New York 1000-1216
(212) 720-3370

CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION
1	C 890702 ZMK	8	Scheduled to be heard on 5/1/91	23	C 910137 ZSX	8	Laid Over
2	C 910108 DLM	3	" " "	24	C 840529 MMQ	7	Favorable Report Adopted
3	C 900518 PCM	9	" " "	25	N 910260 ZAR	2	Authorization Approved
4	C 900519 PPM	9	" " "	26			
5	C 900794 PPX	5	" " "	27			
6	C 910113 HDX	7	" " "	28			
7	C 900217 PCQ	7	" " "	29			
8	C 910005 PCQ	12	" " "	30			
9	PROPOSED RULES		Hearing Continued	31			
10	C 850931 MMK	9	Hearing Closed	32			
11	C 900495 PPK	4	" " "	33			
12	C 900886 POK	1	" " "	34			
13	N 890781 ZRK	13	" " "	35			
14	C 910002 ZMR	3	" " "	36			
15	C 910166 ZSM	15	" " "	37			
16	N 910307 BDM	456	" " "	38			
17	N 910299 BDM	4,5	" " "	39			
18	C 870851 ZSX	11	" " "	40			
19	C 900661 ZMX	8	" " "	41			
20	N 910326 HKM	4	Forward Report to City Council	42			
21	N 910327 HKM	7	" " "	43			
22	N 910328 HKM	7	" " "	44			

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers										In Favor - Y Oppose - N Abstain - AB		
		20	21	22	23	24	25							
Richard L. Schaffer, <i>Chairman</i>	P	Y	Y	Y		Y	Y							
Victor G. Alicea, <i>Vice Chairman</i>	P	Y	Y	Y		Y	Y							
Eugenie L. Birch	P				OVER									
Amanda M. Burden	P	Y	Y	Y	OVER	Y	Y							
Anthony I. Giacobbe	P				OVER									
Maxine Griffith	P	Y	Y	Y	OVER	Y	Y							
James C. Jao, <i>R.A.</i>	P	Y	Y	Y		Y	N							
Brenda Levin	P	Y	Y	Y	ID	Y	Y							
Joel A. Miele, <i>SR., P.E.</i>	P	Y	Y	Y	LID	Y	Y							
Edward T. Rogowsky	A				LID									
Ronald Shiffman	P	Y	Y	Y	LID	Y	Y							
Jacob B. Ward	P	Y	Y	Y		Y	Y							
Deborah C. Wright, <i>Commissioners</i>	P	Y	Y	Y		Y	Y							

MEETING ADJOURNED AT: 6:05 P.M.

**COMPREHENSIVE
CITY PLANNING CALENDAR**
of
The City of New York
—
CITY PLANNING COMMISSION
—
WEDNESDAY, APRIL 17, 1991
—
MEETING AT 10:00 A.M.
in
CITY HALL



David N. Dinkins, Mayor

City of New York

[No. 8]

Prepared by Lois McDaniel, Calendar Officer

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven 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

- RICHARD L. SCHAFFER, Chairman
VICTOR G. ALICEA, Vice-Chairman
EUGENIE L. BIRCH, A.I.C.P.
AMANDA M. BURDEN
ANTHONY I. GIACOBBE
MAXINE GRIFFITH
JAMES C. JAO, R.A.
BRENDA LEVIN
JOEL A. MIELE, Sr., P.E.
EDWARD T. ROGOWSKY
RONALD SHIFFMAN, A.I.C.P.
JACOB B. WARD
DEBORAH C. WRIGHT, Commissioners
LOIS McDANIEL, Calendar Officer

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

ORDER OF BUSINESS AND INDEX

APRIL 17, 1991

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I. Scheduling May 1, 1991 1
II. Public Hearings 5
III. Reports 20

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 May 1, 1991, in the City Hall, Room 16, Manhattan, New York at 11:00 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 20 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, April 17, 1991

APPROVAL OF MINUTES OF Regular Meeting of April 3, 1991
Special Meeting of April 1, 1991

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, MAY 1, 1991
STARTING AT 11:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 8

C 890702 ZMK

IN THE MATTER OF an application submitted by Brooklyn Community Board 8 pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section 17a**, changing from a C1-3 District within an R6 District to a C2-3 District within an R6 District property bounded by Pacific Street, a line 150 feet west of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 100 feet west of Nostrand Avenue, Atlantic Avenue, a line 100 feet east of Nostrand Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 150 feet east of Nostrand Avenue, as shown on a diagram dated February 4, 1991.

Resolution for adoption scheduling May 1, 1991 for a public hearing.

BOROUGH OF MANHATTAN

No. 2

CD 3

C 910108 DLM

IN THE MATTER OF the designation and disposition of city-owned property, 323 East Houston Street (Tax Block 345, Lot 13), pursuant to the Urban Development Action Area Act of New York State and Section 197-c of the New York City Charter.

The property is proposed for disposition to a corporation, to be formed pursuant to Section 402 of the Not-For-Profit Corporation Law and Article 75 of the Mental Hygiene Law, **to facilitate the rehabilitation of a vacant five-story building**, located on the southerly side of East Houston Street between Attorney and Ridge streets. The building, as rehabilitated, would provide approximately 16 studio apartments **to house homeless chronically mentally ill adults**. The sponsor of the project, tentatively named Bridge House #6, is The Bridge, Inc., a non-profit multi-service agency. The project's financing is to be provided by a direct Federal loan under Section 202 with rent subsidies to be provided under Section 8.

The application was submitted by the Department of Housing Preservation and Development on October 3, 1990.

Resolution for adoption scheduling May 1, 1991 for a public hearing.

No. 3

CD 9

C 900518 PCM

IN THE MATTER OF an application submitted by the New York City Department of General Services and the New York City Department of Cultural Affairs pursuant to Section 197-c of the New York City Charter **to select and acquire privately-owned property located at 468 West 152nd Street (Block 2066; Lot 59), 474-476 West 152nd Street (Block 2066; Lot 61) and 841-847 St. Nicholas Avenue (Block 2067; Lots 20, 21, 22 and 120) for use by a not-for-profit cultural institution for dance rehearsal, support and office space.**

Resolution for adoption scheduling May 1, 1991 for a public hearing.

No. 4

CD 9

C 900519 PPM

IN THE MATTER OF an application submitted by the New York City Department of General Services and the New York City Department of Cultural Affairs pursuant to Section 197-c of the New York City Charter **for the disposition of city-owned property with community facility restrictions located at 468 West 152nd Street (Block 2066; Lot 59), 474-476 West 152nd Street (Block 2066; Lot 61) and 841-847 St. Nicholas Avenue (Block 2067; Lots 20, 21, 22 and 120).**

Resolution for adoption scheduling May 1, 1991 for a public hearing.

BOROUGH OF BRONX**No. 5****CD 5****C 900794 PPX**

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

Resolution for adoption scheduling May 1, 1991 for a public hearing.

No. 6**CD 7****C 910113 HDX**

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

The property proposed for disposition (Block 3279, lots 25, 29, 30 and 33) **comprises 4 vacant lots** on part of the block bounded by East 199th Street, Webster Avenue, Oliver Street and Decatur Avenue. These lots are the site **for the construction of 69 units of rental housing to be constructed** in a single six story residential development, **for the elderly and the handicapped**, and tentatively known as Edison Arms Apartments. The project's financing is to be provided by a direct Federal loan under Section 202, with 100% of the rent subsidies to be provided under Section 8.

Resolution for adoption scheduling May 1, 1991 for a public hearing.

BOROUGH OF QUEENS**No. 7****CD 7****C 900217 PCQ**

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 **site selection and acquisition of property located at 100-01 Northern Boulevard (Block 1695, Lot 3), for use as a branch library and cultural facility.**

Resolution for adoption scheduling May 1, 1991 for a public hearing.

No. 8

CD 12

C 910005 PCQ

IN THE MATTER OF an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at 175-10 88th Avenue (Block 9833, Lot 4), for use as a shelter for homeless families.**

Resolution for adoption scheduling May 1, 1991 for a public hearing.

II. PUBLIC HEARINGS

CITY WIDE

No. 9

(Proposed Rules for Processing of Plans pursuant to Charter Section 197-a)

PUBLIC HEARING:

IN THE MATTER OF proposed Rules for the Processing of Plans, pursuant to the Authority vested in the City Planning Commission by Section 197-a(b) of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, as shown below. All material is new.

Written comments regarding the proposed rules may be sent to the office of William Valletta, Counsel, Department of City Planning, 22 Reade Street, Room 2N, New York, New York 10007, on or before April 29, 1991. A Notice of Opportunity to Comment and Public Hearing was published in the City Record on March 18, 1991 for a public hearing to take place on April 17, 1991 at 10:00 a.m. in the Chamber of the Board of Estimate, City Hall, Borough of Manhattan. Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 a.m. and 5:00 p.m., at the office of the Counsel.

Rules for the Processing of Plans Pursuant to Charter Section 197-a

Article 1

PURPOSE AND AUTHORITY

These rules of procedure and minimum standards are established for the review of plans proposed by the Mayor, the City Planning Commission, the Department of City Planning, and any Borough President, borough board or community board, pursuant to Section 197-a(b) of the New York City Charter.

Article 2

PLAN SUBMISSION

Section 2.010 Submission

Thirty (30) copies of all proposed plans shall be submitted to the Department of City Planning, Intake Office, 22 Reade Street, New York, N.Y. If a plan has been initiated by a community board, borough board or Borough President, this initial submission shall include a summary record of the public hearing held by the board or Borough President.

Article 3

THRESHOLD REVIEW AND DETERMINATION

Section 3.010 Department Review

Each plan shall be reviewed by the Department staff who shall report to the Commission whether the plan appears to meet the standards for form and content and for consistency with sound planning, as set forth in Article 7 of these rules. Prior to making the report, the staff shall inform the sponsoring agency of all deficiencies with respect to form and content and any changes, additions or deletions which, in the opinion of the staff, may correct such deficiencies. The sponsoring agency may, thereupon, indicate its willingness to make such changes, additions or deletions, or it may request that the plan be presented without change to the Commission for its threshold findings of form and content and sound planning policy.

Section 3.011 City Planning Commission Determination

The Commission shall determine, in accordance with the standards set forth in Sections 7.010 and 7.020 of these rules, whether the proposed plan is of appropriate form and sufficient content, and whether it is in accordance with sound planning policy.

If the Commission has determined that a proposed plan does not meet the standards for form or content or for sound planning policy, it shall direct the plan back to the sponsoring agency with any appropriate statement explaining its deficiencies.

If there previously has been filed a ULURP, CEQR or zoning application for a specific site or area and, subsequently, a plan is presented with proposes an alternative scenario of use or development of the same site or area, then the Commission may, in its sole discretion, decide that both the plan and the application shall be reviewed simultaneously. In such a case it shall withhold transmittal of the plan pursuant to Article 5 of these rules until such time as certification of the specific application takes place.

Article 4

ENVIRONMENTAL REVIEW

Section 4.010 Lead Agency

The City Planning Commission shall be the lead agency for all 197-a plans in accordance with the City Environmental Quality Review Regulations. For a plan sponsored by the Mayor, the Commission may transfer the lead status to another city agency if it determines that the proposed plan is part of a broader set of actions for which the sponsoring agency is principally responsible. For a plan sponsored by a borough president or borough board, the Commission shall make the determination of consistency with the standards for form and content and sound planning policy as set forth in Article 7 of these rules prior to beginning its review as lead agency. The sponsoring agency shall prepare any forms, statements or analyses and shall contract for the services of any consultant needed to complete the environmental review.

Section 4.011 Community Board Plans

Upon determination of consistency with the minimum standards set forth in Article 7 of these rules, the Department of City Planning shall within its resources conduct or cause to be conducted the required environmental review subject to oversight by the Office of Environmental Coordination.

Article 5

PLAN DISTRIBUTION AND REVIEW

Section 5.010 Plan Distribution

When environmental review has been completed by the issuance of a determination of exemption, a negative declaration, or notice of completion of a draft EIS, the Commission shall transmit copies of the plan to all affected community boards and Borough Presidents in whose district or borough the land included in the plan is located (other than the sponsoring agency). The plan shall also be transmitted to the affected borough board if land in two or more community boards are involved. The Department shall also circulate the plan for review and written comment to any city or state agency or other entity whose jurisdiction or interests may be affected by the substance of the plan. The Department shall give notice by mail to the sponsoring agency or official that the plan has been so referred.

Section 5.020 Community Board Review

Each community board which has received from the Department of City Planning a plan affecting land in its district, shall conduct a public hearing on the plan. The public hearing shall take place within a period of sixty (60) days following its receipt of the plan, the community board shall transmit its written recommendation to the City Planning Commission with copies to the Borough President, City Council and the sponsoring agency.

The community board which is the sponsor of a plan and which held a hearing on it prior to filing with the Department, need not hold a second hearing.

Section 5.021 Request for Review

Any community board or borough board may make a written request to the Department to receive and review a copy of a plan which does not involve land within its district. In its request the community board shall state the reason why the plan significantly affects the welfare of its district. Upon receipt of the plan, the community board may conduct a public hearing and may make any recommendation to the City Planning Commission. When it transmits such a plan, the Department shall notify the community board or borough board of the time period during which it may review and comment on the plan.

Section 5.030 Borough President Review

The Department shall transmit to the Borough President any plan which affects land in the borough. The Borough President shall have sixty (60) days in which to review the plan and submit written recommendation to the City Planning Commission.

Section 5.031 Borough Board Review

Each borough board which has received from the Department of City Planning a plan affecting land in its borough, shall conduct a public hearing on the plan. The Department in consultation with the Borough President may provide that the public hearing shall take place simultaneously with, or subsequent to, the period for review by the community board(s) affected; or it may in the case of a plan affecting the entire borough provide that a single borough-wide public hearing be held. The time period for review and any public hearing shall be sixty (60) days after receipt of the plan, except where such hearing is to occur after the community board(s) have acted, in which case the review and hearing shall take place within sixty (60) days after receipt of the community board recommendation.

Notice of the public hearing shall be given and the hearing conducted in accordance with the ULURP rules governing borough board hearings. Subsequent to the public hearing but within the period of sixty (60) days following its receipt of the plan, the borough board shall transmit its written recommendation to the City Planning Commission with copies to the City Council and the sponsoring agency.

Article 6

CITY PLANNING COMMISSION REVIEW

Section 6.010 Schedule for Review

When the affected community board(s), Borough President(s) and/or borough boards shall have completed their review of any plan involving land in their respective districts, the City Planning Commission shall commence its review and schedule a public hearing. Such hearing shall take place within a period of sixty (60) days following receipt of the last affected community board's, borough board's or Borough President's recommendation, or the final day of the time period provided for their respective review(s), whichever is later.

Section 6.011 Public Hearing

Notice of the public hearing shall be given and the hearing conducted in accordance with the ULURP rules governing Commission hearings.

Section 6.012 Report and Recommendation

Following its public hearing, the Commission shall vote by resolution to approve, approve with modifications or disapprove the plan. In addition to its review of the substance of the plan, the Commission shall give consideration to the community and borough impacts and to the citywide and long-term effects that could result from the actions or policies recommended by the plan. It may also give consideration to the budgetary implication of the plan. It shall further consider the fair share criteria adopted pursuant to Section 203 of the City Charter in weighing any recommendation with respect to proposed city facilities or the use of city-owned land.

The Commission shall accompany its resolution with a report which sets forth its considerations and any explanation for its determination. The report may identify any environmental issues which may arise in conjunction with any actions recommended by the plan, and it may set forth proposals for additional study and consideration that the Commission deems necessary to carry out any recommendations made by the plan. The report and resolution shall be transmitted to the Mayor, the affected community board(s) and Borough President(s) and the City Council.

Article 7

STANDARDS

Section 7.010

The form and content of all plans shall be consistent with the following:

- a. Plans shall be concerned with issues of the use, development or improvement of land including the provision of systems of infrastructure or other city actions to support such use, development or improvement of land. Plans may make reference to agency service programs or budgetary issues to the extent that they are related to the use, development or improvement of land.
- b. A plan shall not be limited to a single zoning lot or block, but shall encompass a broader area.
- c. Plans shall be presented in clear language and coherent form with elements, chapters or sections that are organized in logical sequence.
- d. Plans shall state their goals, objectives or purposes clearly and succinctly. Policy statements or recommendations shall contain documentation and explanation of the data, analysis or rationale underlying each.
- e. Plans shall contain a thorough explanation of, or reference to, the data, methods of data collection, analyses, projections, studies, models, methodologies and/or theoretical assumptions used in their preparation, sufficient for members of the public to understand, and persons with technical qualifications to assess, their accuracy and validity. Such information may be contained in the form of narrative, maps, charts, tables, technical appendices or the like, and their sources shall be clearly identified.

- f. If a plan proposes government actions which shall be necessary to effectuate its goals, objectives, purposes, policies or recommendations, the plan shall contain a clear statement that such implementing actions will not be legally effective until they are enacted in accordance with Charter or statutory procedures.

Section 7.020 Sound Planning Policy

- a. All plans, no matter what their form and content, shall be formulated with reference to their long-range consequences, their impact on economic and housing opportunity for all persons, their provision of future growth and development opportunities, their ability to improve the physical environment and their effect on the fair geographic distribution of city facilities. A plan may take the form of a comprehensive neighborhood or area wide plan in which elements of housing, transportation, land use, open space and recreation, community facilities and socio-economic conditions affecting the use, development or improvement of land are interrelated. A plan may, instead, target one or a small number of issues, but such a targeted plan must also give evidence that it has been considered in relation to the broader planning elements stated above.
- b. A plan must be prepared using generally accepted methods of data collection, analysis or study and it shall set forth goals, objectives, purposes, policies or recommendations that are within the legal authority of the city to undertake.

Article 8

MODIFICATIONS

Section 8.010

If the City Council, acting pursuant to the City Charter Section 197-d(d) has transmitted to the Commission a proposed modification of a plan, the Commission shall, within fifteen (15) days, review the proposed modification and transmit back to the Council its findings and recommendations, as provided. In determining whether the modification must be subject to additional environmental review, the Commission may consult appropriate staff of the Office of Environmental Coordination, and it must consult with the lead agency if the lead has not been the Commission itself.

In determining whether the modification requires a new process of community, borough and Commission review, the Commission shall apply the following criteria:

- a. A proposed modification which would incorporate new elements, analyses or policies that were not a part of the plan as it was previously reviewed, will require a new review.

- b. A proposed modification which would delete elements, analyses, or policies will require a new review if the deletions result in the elimination of whole areas of subject matter or remove from the plan consideration of long-range consequences, impacts on economic and housing opportunity for all persons, provision of future opportunities for growth and development, ability to improve the physical environmental, or effects on the fair geographic distribution of city facilities.

DRAFTERS' COMMENTS:

The rules for form and content are intended to allow flexibility with respect to the subject matter of plans and the form in which they are presented. They are also intended to limit plans to those issues and analyses which are within the jurisdiction and expertise of the City Planning Commission and Department. Thus, plans should focus primarily on those aspects of community, borough and city life that are land related, and concerned with physical or capital improvements or the spatial distribution of services to support changing populations. Analyses of social needs and service needs may appropriately be included as part of the basis of a plan, but the plan should have as its primary focus the ways in which such needs may be met by the use or regulation of land, the establishment of capital facilities, and the siting of services. For example, a plan could properly consider the need for the siting of increased medical care facilities to meet an area need. It would not be appropriate, however, for a plan to make recommendations with respect to medical technologies or patient care.

The rules for sound planning policy are intended to insure that plans are based on methods of study and analysis which would be recognized as legitimate by the planning profession, and that in formulating plans, consideration is given to long-range consequences and issues of efficiency and equity.

It should be noted that the goal of planning under Section 197-a is to provide a public process in which concepts and recommendations may be formulated to guide city actions which relate to the growth, improvement and development of the city, its boroughs and communities. It is not intended that the planning process be used to advance proposals or counter-proposals for specific sites or projects. The rules for form and content and sound planning policy are intended to insure that proposed plan is soundly based and is the result of careful deliberation. If a plan is proposed to advance a scenario of use or development that is alternative to a site or area proposal already under consideration in a ULURP, CEQR or zoning application, the Commission is given authority by these rules to adjust the time period for review of the plan so that it may be considered simultaneously with the relevant site or area application.

Statement of Basis and Purpose

Section 197-a of the Charter authorizes the City Planning Commission to create the rules of procedure by which plans for the development, growth or improvement of areas of the city may be considered. The rules are to contain the standards for form and content of such plans and also include the standards for sound planning policy.

As drafted the rules are intended to provide an efficient procedure through which a variety of types of plans may be presented, and a thorough public review may be conducted.

(On March 18, 1991, the Commission published in the City Record a notice of opportunity to comment on Proposed New Rules of Procedure, pursuant to Section 197-a of the New York City Charter.)

Continue the hearing.

BOROUGH OF BROOKLYN

No. 10

CD 9

C 850931 MMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of Parks and Recreation 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 **Fenimore Street, a dead-end street, from Brooklyn Avenue to its easterly terminus, the establishment of a park within the demapped street bed, and any acquisition or disposition of property related thereto**, in accordance with Map Nos. X-2395 and X-2392 dated November 14, 1988, revised June 5, 1990, and signed by the Borough President.

(On April 3, 1991 Cal. No. 1, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 11

CD 4

C 900495 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 one (1) city-owned property located at 179 Wilson Avenue, Block No. 3246, Lot No. 5.**

(On April 3, 1991 Cal. No. 2, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 12

CD 1

C 900886 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation pursuant to Section 197-c of the New York City Charter for **the acquisition of property at 50 Kent Avenue (Block 2287, Lot 1), for continued use as a district garage and parking lot.**

(On April 3, 1991 Cal. No. 3, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

(Amendments to Section 23-146 of the Zoning Resolution for floor area ratio and front and side yard requirements for corner lots in the R5 district and grammatical changes.)

No. 13

CD 12

N 890781 ZRK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Borough Park Builders Association, pursuant to Section 201 of the New York City Charter, for **amendments of the Zoning Resolution** of the City of New York, relating to Section 23-146, as follows:

Matter in **Bold** is new, to be added;

Matter in ~~Strikeout~~ is old, to be deleted;

Matter in *Italic* is defined in Section 12-10;

*** indicates where unchanged text appears in the Zoning Resolution

23-146

Optional Provisions for Certain R5 and R6 Districts in Brooklyn.

Within the area bounded by 39th Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61st Street, and Fort Hamilton Parkway in Community District #12 in the borough of Brooklyn, special optional regulations as set forth in this section are applicable for ~~the a development or enlargement, on a interior or through lot involving~~ a *building* used exclusively as a one, two or three family residence, **provided if such development or enlargement complies with all of the provisions of this Section. Except as modified by the express provisions of this section the underlying district regulations of R5 and R6 Districts remain in effect.**

- (a) Floor Area, Lot Coverage, Open Space, Lot Area Per Dwelling Unit or Room and Height Factor Regulations

The regulations of Article II, Chapter 3, relating to *floor area ratio, open space, lot area per dwelling unit, lot area per room, and height factor* are hereby made inapplicable. In lieu thereof, the maximum *floor area ratio* for a *corner lot* shall not exceed 1.65 and the maximum *floor area ratio* for an *interior or through lot* shall not exceed 1.8 in R5 Districts and 1.95 in R6 Districts. Notwithstanding the definition of *floor area* in Section 12-10, the lowest *story* of a *residential building* shall be included in the definition of *floor area* and floor space used for *accessory* off-street parking spaces shall be included in the definition of *floor area* unless such spaces are located in a *cellar*. The *lot coverage* of *buildings* for a *corner lot* shall not exceed 55 percent and the *lot coverage* for an *interior or through lot* shall not exceed 60 percent in R5 Districts and 65 percent in R6 Districts.

~~The regulations of Article II, Chapter 3, relating to *floor area ratio, open space ratio, lot area per room and height factor* are hereby made inapplicable.~~

(b) Building Height

No *residential building* shall exceed a height of 35 feet above *curb level*, or three *stories*, whichever is less. The regulations of Article II, Chapter 3 relating to height and setback are hereby made inapplicable.

(c) Front Yards

In R5 Districts the following *front yard* regulations are applicable. A *front yard* shall be provided with a depth of not less than 5 feet , **provided that for corner lots, one front yard with a depth of not less than 10 feet is required.** However, if the depth of the *front yard* exceeds 10 feet, such *front yard* shall have a depth of not less than 18 feet. In R6 Districts a *front yard* is not required. However, if there is a balcony which projects into a *front yard*, such *front yard* shall have a minimum depth of 5 feet.

(d) Side Yards

* * *

(v) Notwithstanding the provisions of paragraphs (d) (ii) and (d) (iii) above, *detached* one, two and three family residences on *corner lots* shall provide *side yards* of 5 feet and 20 feet. A *semi-detached* one, two and three family residence on *corner lots* shall provide one *side yard* of 20 feet.

(e) Outer Court and Minimum Distance between Legally Required Windows and Walls or Lot Lines

In R6 Districts the *outer court* provisions of ~~See Section 23-84~~ are modified as follows: ~~An~~ an *outer court* shall have a minimum width of 10 feet and a depth of not more than twice the width.

* * *

(f) Balconies.

Unenclosed balconies shall comply with the provisions of Section 23-13 and 23-44 except to the extent modified in this Section. Balconies may project a maximum of 5 feet into the *front yard* and a maximum of 6 feet into the *rear yard* -, **provided that for corner lots a balcony may project a maximum of 6 feet into the 20 foot side yard..** ~~They~~ **Such a balcony** may be located at or higher than the floor level of the second *story* provided that ~~such balcony~~ it is located not lower than 7 feet above *curb level* or 7 feet above the adjacent natural grade, whichever is higher.

* * *

(On April 3, 1991 Cal. No. 4, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 14

CD 3

C 910002 ZMR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Oakwood Civic Association pursuant to Sections 197-c and 200 of the New York City Charter for an **amendment of the Zoning Map, Section No. 27b**, changing from an R3-2 District to an R3-1 District, property bounded by Tysens Lane, Amboy Road, a line 100 feet north of Cedarview Avenue, a line 200 feet west of North Railroad Avenue, Windemere Avenue and its easterly prolongation, South Railroad Avenue and Willowbrook Parkway, as shown on a diagram dated January 28, 1991.

(On April 3, 1991 Cal. No. 5, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN**No. 15****CD 2****C 910166 ZSM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Landmarks Preservation Commission on behalf of Walden House Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the **grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-14D 2(b) to allow Use Group 6 uses on the first floor and Use Group 8 uses **in the cellar of a building located at 47-49 Mercer Street** (Block 474, Lot 16), in an M1-5B district, within the SoHo-Cast Iron Historic District.

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

(On April 3, 1991 Cal. No. 6, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 16**CD 4, 5, 6****N 910307 BDM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Office of Business Development on behalf of the 34th Street District Management Association, pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning **the establishment of the 34th Street Business Improvement District**. The preparation of the plan was authorized by resolution of the Board of Estimate on June 21, 1990, Calendar No. 596.

The district plan is on file at the City Planning Commission and may be seen in Room 4N, 22 Reade Street, New York 10007.

(On April 3, 1991 Cal. No. 7, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 17**CD 4, 5****N 910299 BDM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Office of Business Development on behalf of the Times Square Business Improvement District Committee, Inc., pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning the **establishment of the Times Square Business Improvement District**. The preparation of the plan was authorized by resolution of the Board of Estimate on July 19, 1990, Calendar No. 322.

The district plan is on file at the City Planning Commission and may be seen in Room 4N, 22 Reade Street, New York 10007.

(On April 3, 1991 Cal. No. 8, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

BOROUGH OF BRONX**No. 18****CD 11****C 870851 ZSX****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Alfred Schonberger pursuant to Sections 197-c and 200 of the New York City Charter for **the grant of special permits** pursuant to Sections 74-902 and 74-904 of the Zoning Resolution **to permit the allowable floor area ratio of Section 23-144** (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts) of the Zoning Resolution to apply to, **and to permit the enlargement of, the Judith Lynn Home for Adults**, (a domiciliary care facility for adults) on property located on the south side of Waring Avenue between Delaney Avenue and Bruner Avenue (Block 4410, Lot 21) within an R3-2 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 April 3, 1991 Cal. No. 9, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 19**CD 8****C 900661 ZMX****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Community Board 8 pursuant to Sections 197-c and 200 of the New York City Charter for **an amendment to the Zoning Map, Section Nos. 1b and 1d**, changing from an R6 district to an R5 district **property bounded by Terrace View Avenue, West 228th Street, Marble Hill Avenue**, a line perpendicular to, and passing through a point on, the northwesterly street line of Marble Hill Avenue distant 450 feet northeasterly from the northwesterly intersection of West 225th Street and Marble Hill Avenue, a line 100 feet northwesterly of Marble Hill Avenue, and a line perpendicular to Jacobus Place passing through the point of intersection of Jacobus Place and Van Corlear Place, as shown on a diagram dated February 4, 1991.

(On April 3, 1991 Cal. No. 10, the Commission scheduled April 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF BROOKLYN

No. 20

CD 4

N 910326 HKM

IN THE MATTER OF a communication, dated *February 28, 1991*, from the Executive Director of the Landmarks Preservation Commission regarding the following landmarks designated by the Landmarks Preservation Commission on *February 19, 1991*. (List No. 232) for the **proposed landmarking of the Actors Studio located at 432 West 44th Street, Block 1053, Lot 49.**

For consideration.

No. 21

CD 7

N 910327 HKM

IN THE MATTER OF a communication, dated *February 28, 1991*, from the Executive Director of the Landmarks Preservation Commission regarding the following landmarks designated by the Landmarks Preservation Commission on *February 19, 1991*. (List No. 232) for the **proposed landmarking of the William Baumgarten Residence located at 294 Riverside Drive, Block 1889, Lot 76.**

For consideration.

No. 22

CD 7

N 910328 HKM

IN THE MATTER OF a communication, dated *February 28, 1991*, from the Executive Director of the Landmarks Preservation Commission regarding the following landmarks designated by the Landmarks Preservation Commission on *February 19, 1991*. (List No. 232) for the **proposed landmarking of the Charles A. Vissani Residence located at 143 W. 95th Street, Block 1226, Lot 15.**

For consideration.

BOROUGH OF BRONX
No. 23**CD 8****C 910137 ZSX**

IN THE MATTER OF an application submitted by the Riverdale Country School pursuant to Sections 197-c and 200 of the New York City Charter for the **grant of (1) a special permit pursuant to Section 105-433** of the Zoning Resolution to allow alteration of natural features (a steep slope) **and (2) authorizations pursuant to Sections 105-421 and 105-423 to allow the modification of existing topography and the removal of trees in relation to the construction of a gymnasium building on property located on the north side of Spaulding Lane between Palisade Avenue and Independence Avenue (Block 5937, Lot 1), within Special Natural Area District 2 (NA-2).**

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

(On March 6, 1991 Cal. No. 4, the Commission scheduled March 20, 1991 for a public hearing. On March 20, 1991, Cal. No. 6 the hearing was closed.)

For consideration.

BOROUGH OF QUEENS
No. 24**CD 7****C 840529 MMQ**

IN THE MATTER OF an application submitted by Flushing Triple G. & F. Storage Corp., pursuant to Sections 197-c and 199 of the New York City Charter and Sections 5-430 *et seq.* and 4-105 of the New York City Administrative Code for a **change in the City Map** involving the elimination of 30th Avenue between 119th Street and 120th Street, the elimination, discontinuance and closing of a portion of 119th Street between 29th Avenue and 30th Avenue, and the discontinuance and closing of 10th Street south of 119th Street, **and any acquisition or disposition of property related thereto**, all in accordance with Map No. 4852, dated June 7, 1990 and signed by the Borough President.

(On March 6, 1991 Cal. No. 5, the Commission scheduled March 20, 1991 for a public hearing. On March 20, 1991, Cal. No. 7 the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND**No. 25****CD 2****N 910260 ZAR**

Request for the grant of authorizations to allow the construction of three single family homes and a private street on a parcel of property in the Special Natural Area District (NA-1) of Staten Island.)

IN THE MATTER OF an application, submitted by Oakwell Building Corporation and Orda Maintenance and Construction Corporation, for the **grant of authorizations** pursuant to Sections 105-421 (modification of existing topography), 105-423 (alteration of botanic environment or removal of trees), 105-424 (alteration of other natural features) and 105-45 (special review procedures) of the Zoning Resolution **to allow the construction of three single-family homes** and a private street on property located east of the intersection of St. George Road and Richmond Hill Road (Block 839, Lots 200, 210 and 220) within the Special Natural Area District (NA-1).

Plans for the proposal are on file with the City Planning Commission and may be seen at 56 Bay Street, 6th floor, Staten Island, New York 10301.

For consideration.