

CITY PLANNING COMMISSION

DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, July 17, 1991
10:00 A.M. at 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 900898 PQM	2	Scheduled to be Heard 7/31/91	23	C 900702 PPM	2	Favorable Report Adopted
2	C 910084 HDM	3	" "	24	N 900872 ZAX	8	Authorization Approved
3	C 900277 PPQ	7	" "	25	N 910329 ZAR	2	" "
4	C 900806 PQQ	9	" "	26			
5	C 910150 ZMQ	7	" "	27			
6	C 900875 PQK	6	" "	28			
7	C 910437 HDX	11	" "	29			
8	N 910490 ZRY		" "	30			
9	C 910178 PCR	3	Hearing Closed	31			
10	C 910271 PPR	3	" "	32			
11	C 900629 PCM	2	" "	33			
12	C 910405 HDM	3	" "	34			
13	N 900732 ZRY		" "	35			
14	N 920002 PXX	10	" "	36			
15	C 880326 MMQ	6	" "	37			
16	N 920001 PXQ	8	" "	38			
17	C 890889 MMK	1	" "	39			
18	C 890890 PCK	1	" "	40			
19	C 900636 PQK	5	" "	41			
20	C 910489 PPK	16	" "	42			
21	C 910255 ZMK	12	" "	43			
22	N 910531 HKM	12	Forward Report to City Council	44			

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

MEETING ADJOURNED AT: 2:10 P.M.

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 17, 1991

MEETING AT 10:00 A.M.

in

CITY HALL



David N. Dinkins, Mayor

City of New York

[No. 14]

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

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

JULY 17, 1991

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**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 July 31, 1991, 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 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, July 17, 1991

APPROVAL OF MINUTES OF Regular Meeting of June 26, 1991
and Special Meetings of June 24, 1991 and July 8, 1991

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JULY 31, 1991
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF MANHATTAN

No. 1

CD 2

C 900898 PQM

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 acquisition of property located at 350 Lafayette Street (Block 529, Lot 15), for continued use as a women's shelter.

Resolution for adoption scheduling July 31, 1991 for a public hearing.

No. 2

CD 3

C 910084 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 comprises Block 421, Lots 44, 45, 46 and 48 (located at 174-180 Forsyth Street) and is the site for a six-story, 40 unit project for the deaf and handicapped tentatively known as Tanya Towers II.

The project's financing will be provided by a direct Federal Loan under Section 202 of the National Housing Act of 1957, as amended, with rent subsidy for 100% of the units provided under Section 8 of the National Housing Act of 1937, as amended.

Resolution for adoption scheduling July 31, 1991 for a public hearing.

BOROUGH OF QUEENS

No. 3

CD 7

C 900277 PPQ

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 137-35 Northern Blvd., Block 4960, Lot 1.**

Resolution for adoption scheduling July 31, 1991 for a public hearing.

No. 4

CD 9

C 900806 PQQ

IN THE MATTER OF an application submitted by the Department of Sanitation pursuant to Section 197-c of the New York City Charter for **acquisition of privately-owned property located at 132-05 Atlantic Avenue (Block 9375, Lot 261), for continued use as a district garage.**

Resolution for adoption scheduling July 31, 1991 for a public hearing.

No. 5

CD 7

C 910150 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter, for an **amendment of the Zoning Map, Section No. 10a:**

a) Changing from an R4 district to an R3X district, property bounded by 25th Avenue, a line midway between 125th Street and 126th Street, a line 370 feet southerly of 23rd Avenue, a line midway between 126th Street and 127th Street, a line 205 feet southerly of 23rd Avenue, 127th Street, a line 100 feet southerly of 23rd Avenue, 128th Street, a line 200 feet southerly of 23rd Avenue, and a line 100 feet westerly of 130th Street;

b) Changing from an R4 district to an R5B district, property bounded by College Point Boulevard, 22nd Avenue, a line 100 feet westerly of 123rd Street, and a line 100 feet southerly of 26th Avenue;

c) Changing from an R4 district to an R4-1 district:

1. property bounded by a line 100 feet westerly of 123rd Street, 22nd Avenue, a line midway between 127th Street and 128th Street, a line 100 feet southerly of 23rd Avenue, 127th Street, a line 205 feet southerly of 23rd Avenue, a line midway between 126th Street and 127th Street, a line 370 feet southerly of 23rd Avenue, a line midway between 125th Street and 126th Street, and 25th Avenue; and
2. property bounded by a line 100 feet westerly of 123rd Street, 25th Road, a line midway between 125th Street and 126th Street, 26th Avenue, 124th Street, and a line 100 feet southerly of 26th Avenue; and

d) Changing from an M1-1 district to an R4-1 district, property bounded by 26th Avenue, a line 130 feet easterly of 124th Street, a line 100 feet southerly of 26th Avenue, and 124th Street;

as shown on a diagram dated April 15, 1991.

Resolution for adoption scheduling July 31, 1991 for a public hearing.

BOROUGH OF BROOKLYN

No. 6

CD 6

C 900875 PJK

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 located at 87-93 Van Brunt Street** (Block 335, Lot 1) for continued use as a mechanical broom garage.

Resolution for adoption scheduling July 31, 1991 for a public hearing.

BOROUGH OF BRONX

No. 7

CD 11

C 910437 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 4048, lot 14) comprises a vacant lot on part of the block bounded by Amethyst Street, Rhinelander Avenue, Victor Street and Morris Park Avenue. This property is the site for the construction of a 58 unit (including one superintendent's apartment), 5-story rental housing project for the elderly and handicapped, tentatively known as Monsignor Fiorentino Apartments.

This project's financing is to be provided by a direct Federal loan under Section 202 of the National Housing Act, as amended, with 100% of the units receiving rental subsidy under Section 8.

Resolution for adoption scheduling July 31, 1991 for a public hearing.

CITYWIDE

No. 8

(Amendments to Sections 11-30 through 11-41 and 11-412 of the Zoning Resolution concerning the vesting and continued construction of projects started prior to the adoption of the 1961 Zoning Resolution or prior to the adoption of a zoning amendment.)

N 910490 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 Sections 11-30 through 11-41, and 11-412.

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

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

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

***indicate where unchanged text appears in the Zoning Resolution.

11-30 **BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF RESOLUTION OR AMENDMENT**

11-31

General Provisions

For the purposes of Sections ~~11-32 or~~ 11-33, relating to Building Permits Issued before Effective Date of ~~Resolution or Amendment to this Resolution~~, the following terms and general provisions shall apply;

- (a) A lawfully issued building permit shall be a building permit which is based on an approved application showing complete plans and specifications, authorizes the entire construction and not merely a part thereof, and is issued prior to ~~December 15, 1961 or any applicable amendment thereto to this Resolution~~. In the case of a multiple dwelling for which such a building permit is issued prior to December 15, 1961, such complete plans and specifications shall also comply with the provisions of Sections 26 and 27 of the Multiple Dwelling Law as in full force and effect prior to the enactment of Chapter 1072 of the Laws of 1960 of the State of New York.

~~For the purposes of Section 11-32 (Building Permits Issued before Effective Date of Resolution) only, a lawfully issued building permit shall also include a permit which is issued after the effective date of this Resolution, which permit is based on an approved application showing complete plans and specifications and authorizes the entire construction and not merely a part thereof, provided that the application has been filed before such effective date or, in the case of an application for a variance, exception, or permit pending before the Board of Standards and Appeals as set forth in Section 11-34 (Powers of the Board of Standards and Appeals to Act on Pending Matters after Effective Date of Resolution), within six months after the Board has rendered a final decision thereon. Any such application showing plans for a *building* which is part of a *major development*, the approval of which application has expired by limitation under the provisions of Section C26-177.0 of the Administrative Code, may be reinstated under the provisions of said Section of the Administrative Code within six months after the date of the expiration of the approval, provided that it complies with all other applicable provisions of this Section and that the construction of at least one *building* of the *development* has been completed at the time the application for reinstatement is made. A lawfully issued building permit may be based on an approved application so reinstated.~~

~~In case of dispute as to whether an application includes "complete plans and specifications" as required in this Section or in Section 11-34 (Powers of Board of Standards and Appeals to Act on Pending Matters after Effective Date of Resolution), the Commissioner of Buildings shall determine whether such requirement has been met.~~

- (b) ~~The rights set forth in these Sections shall be retained only if all modifications, relating to zoning made in such plans after December 15, 1961 or the effective date of any applicable amendment thereto to this Resolution, result in compliance or do not create a new *non-compliance* or *non-conformity* or increase the degree of *non-compliance* or *non-conformity* with the provisions of this Resolution, as amended.~~

~~Such rights shall also be retained, in the case of an urban renewal project or other *large scale development* which was approved by the City Planning Commission and the Board of Estimate prior to the effective date of this Resolution and for which a building permit could be lawfully issued under the terms and provisions of this Section, if a modification of plans is made consisting of a change in the siting of a *building* from one portion of the site of the project or *development* to another, provided that such change has been approved by the City Planning Commission and the Board of Estimate, and that any new *non-compliance* or increase in the degree of *non-compliance* with the provisions of this Resolution is the result of such change in siting and is the minimum *non-compliance* necessary to effect such approved change.~~

- (c) As used in Sections ~~11-32 (Building Permits Issued Before Effective Date of Resolution)~~ or 11-33 (Building Permits for Minor or Major Development or Other Construction Issued before Effective Date of Amendment),
- (1) "Minor development" shall include:
- (a) construction of any single *building* which will be *non-conforming* or *non-complying* under the provisions of ~~this Resolution~~ or any applicable amendment ~~thereto to this Resolution~~; or
 - (b) construction of two or more *buildings on a single zoning lot* which under the provisions of ~~this Resolution~~ or any applicable amendment ~~thereto either to this Resolution~~ will be *non-conforming* or, ~~if designed for use as one family or two family detached residences, will be non-complying~~, or
 - (c) construction of two or more *buildings on contiguous zoning lots or zoning lots* which would be contiguous except for their separation by a *street* or *street* intersection and:
 - (i) have been planned as a unit evidenced by a site plan for all such *zoning lots* filed with, and approved by, the Department of Buildings prior to the effective date of the applicable amendment; and
 - (ii) will be *non-conforming* under the provisions of any applicable amendment to the Resolution; or
- (e) (d) A major *enlargement*, which is an *enlargement* requiring the installation of foundations and involving at least 50 percent of the total *floor area* of such *enlarged building*, and which *enlargement* will be *non-conforming* or *non-complying* under the provisions of ~~this Resolution~~ or any applicable amendment ~~thereto to this Resolution~~. For the purposes of Section 11-32 (Building Permits Issued before Effective Date of Resolution) only, a major *enlargement* shall also include any other *enlargement* adding at least 50,000 square feet to the *floor area* of an existing *building*, which *enlargement* will be *non-conforming* or *non-complying* under the provisions of this Resolution.
- (2) "Major development" shall include:
- (a) ~~A development construction~~ of two or more *buildings on a single zoning lot* which will be *non-complying* under the provisions of ~~this Resolution~~ or any applicable amendment ~~thereto to this Resolution~~; or
 - (b) ~~Construction of any single mixed building~~ which will be *non-complying* under the provisions of ~~this Resolution~~ or any applicable amendment ~~thereto, and which building~~:
 - (i) ~~will have a floor area of not less than 1,000,000 square feet; and~~

- (ii) ~~will have not less than 20 percent of its total floor area in the commercial or community facility portion of the building and not less than 20 percent of its total floor area in the residential portion of the building.~~
- (b) **construction of two or more buildings on contiguous zoning lots or zoning lots which would be contiguous except for their separation by a street or street intersection and:**
 - (i) **have been planned as a unit evidenced by a site plan for all such zoning lots filed with, and approved by, the Department of Buildings prior to the effective date of the applicable amendment; and**
 - (ii) **will be non-complying under the provisions of any applicable amendment to this Resolution.**
- (3) **"Other construction" shall include:**
 - (a) any enlargement other than a major enlargement, or
 - (b) any extension, conversion, or structural alteration, or
 - (c) construction of any structure other than a building, which will be non-conforming or non-complying under the provisions of ~~this Resolution or~~ any applicable amendment ~~thereto~~ **to this Resolution.**

11-32

~~Building Permits Issued before Effective Date of Resolution~~

~~— 11-321~~

~~Right to start or continue construction~~

~~If, before December 15, 1961, a building permit authorizing either a minor development or a major development has been lawfully issued to a person with a possessory interest in a zoning lot, except where such building permit has elapsed before December 15, 1961 because of an amendment of the 1916 Zoning Resolution, such construction, if lawful in other respects, may be started or continued after the effective date. In the event that the construction permitted herein has not been completed before December 15, 1963, the building permit shall automatically lapse and the right to continue construction shall terminate unless an application was filed with and accepted by the Board of Standards and Appeals not later than 30 days after December 15, 1963 for an extension of the period to complete such construction in accordance with the provisions of Section 11-322 (Extension of period to complete construction) or Section 11-323 (Extension for development subject to delay).~~

~~In each case, the extension, if granted, shall be as of December 15, 1963. If such application for an extension is denied by the Board, such permit shall lapse on the date of such denial.~~

If a building permit authorizing other construction has been lawfully issued by June 15, 1963 to a person with a possessory interest in a *zoning lot*, such construction may be started or continued. In the event that the construction permitted herein has not been completed by September 15, 1963, the building permit shall automatically lapse and the right to continue construction shall terminate.

11-322

~~Extension of period to complete construction~~

~~The Board may extend such building permit in accordance with the following provisions:~~

- ~~(a) For a minor development, the Board may authorize an extension of time limited to one term of not more than one year, to permit the completion of any *building*, provided that the Board finds that, as of December 15, 1963 substantial construction of foundations had been completed for such *building* (or each such *building*), or, in the case of a major *enlargement* which does not require the installation of foundations, a substantial portion of such *enlargement* had been completed.~~
- ~~(b) For a major development, the Board may authorize an extension of time, limited to one term of not more than two years, to permit the continued construction of such development (including the start of new *buildings*) provided that the Board finds that, as of December 15, 1963:~~
 - ~~(1) for at least one *building* of the development; or~~
 - ~~(2) for the only *building* in the case of a development consisting of a single *mixed building*, substantial construction of foundations had been completed.~~
- ~~(c) For other construction, the Board may authorize an extension of time, limited to one term of not more than three months, to permit the completion of such construction, provided that the Board finds that, on the date the building permit lapsed, a substantial portion of such construction had been completed and substantial expenditures in connection with such construction had been made.~~

11-323

~~Extension for development subject to delay~~

~~The Board may extend such building permit in accordance with the following provisions:~~

~~For minor developments or major developments, the Board may accept applications for extensions of the period to complete construction in accordance with the provisions of this Section. such an application shall state that plans or other requirements for the *building or buildings* were not approved by the Department of Buildings before March 15, 1963 or were not approved by other governmental agencies before March 15, 1963, or that, in the case of developments for which applications for eviction certificates were filed with the Rent and Rehabilitation Administration and were either granted or still pending, the applicant had not gained complete possession of the premises before March 15, 1963 because of possession by tenants against whom eviction proceedings were pending before the Rent and Rehabilitation Administration or in court, or that the start of construction was delayed by an action to enjoin construction of the *building*, which was initiated by service of a summons and complaint before August 1, 1963.~~

~~For such minor or major developments, where approval of plans or other requirements was not obtained before March 15, 1963, or where complete possession of the premises was not gained before March 15, 1963, or where the start of construction was delayed by an action to enjoin construction of the *building*, which was initiated by service of a summons and complaint before August 1, 1963, the Board may authorize extensions of time limited to the maximum number and expiration dates of the respective terms that may be granted for minor or major developments which qualify under the provisions of Section 11-322 (Extension of period to complete construction), provided that of the following findings, the Board makes finding (a) or finding (b) or finding (c), and in every case makes finding (d). These findings shall be based on a showing by the applicant as well as the Board's independent investigation.~~

- ~~(a) (1) That failure to obtain required approval of the plans or other requirements by the Department of Buildings or by other governmental agencies before March 15, 1963 was caused by abnormal delays in the processing of the plans by the Department of Buildings or by other governmental agencies; and~~
- ~~(2) that such delays were incurred in spite of continuous diligence on the part of the applicant or his agents in revising the plans to eliminate objections by the Department of Buildings or to meet the requirements of such governmental agencies.~~

- (b) (1) ~~That failure to gain complete possession of the premises before March 15, 1963 was caused by unforeseeable delays in the processing of applications to the Rent and Rehabilitation Administration for eviction certificates or in court proceedings related thereto, or by a combination of such unforeseeable eviction delays and of abnormal delays in the processing of the plans by the Department of Buildings or by other governmental agencies.~~
- (2) ~~That such delays were incurred in spite of continuous diligence on the part of the applicant or his agents in revising the plans to eliminate objections by the Department of Buildings or to meet the requirements of such governmental agencies and in complying with all regulations and requirements which are conditions precedent to the eviction of tenants.~~
- (c) ~~That the start of construction was delayed by an action to enjoin construction of the *building*, which was initiated by service of a summons and complaint before August 1, 1963.~~
- (d) ~~That there were no other factors or conditions which would have prevented the applicant from obtaining approval of the plans or other requirements before March 15, 1963, or from gaining complete possession of the premises before March 15, 1963, or from being in a position to complete before December 15, 1963 the amount of construction required in order to qualify for an extension of time under the provisions of Section 11-322 (Extension of period to complete construction).~~

~~It shall be a further requirement that the decision or determination of the Board shall set forth each required finding in each specific grant of an extension of time, and in each denial thereof, which of the required findings have not been satisfied. In any case, each finding shall be supported by substantial evidence or other data considered by the Board in reaching its decision, including the personal knowledge of or inspection by the members of the Board.~~

11-324

~~Further extensions~~

~~For minor or major developments for which extensions of time have been authorized in accordance with the provisions of Section 11-322 (Extension of period to complete construction) or Section 11-323 (Extension for development subject to delay), but which have not been completed within the term of the extension, the Board, upon application filed before the expiration date of the term of the preceding extension, may in appropriate cases grant additional extensions of time, each limited to one term not to exceed one year:~~

- (a) ~~for the completion of any *building* for which the Board finds that, on or before the date of expiration of the term of the preceding extension, substantial construction of foundations has been completed, or~~
- (b) ~~for the completion of any *building* for which an extension of time was authorized under the provisions of Section 11-323, but for which substantial construction of foundations has not been completed within the term of the preceding extension, provided that the Board finds that:~~
- (1) ~~the criteria under which the preceding extension was permissible would excuse applicant's failure to complete such amount of construction; or~~
 - (2) ~~applicant was prevented from completing such amount of construction by other hardship or inequity beyond his control, not including real estate market conditions or difficulties in obtaining the necessary financing.~~

~~For any such *building* which is not completed and for which such application for an additional extension of time is not filed before the expiration date of the term of the preceding extension, or is denied, the building permit shall lapse on such expiration date or on the date of such denial.~~

~~For other construction for which an extension of time has been authorized in accordance with the provisions of Section 11-322 (Extension of period to complete construction), but which has not been completed within the term of the extension, the Board, upon application filed no later than 30 days after the expiration date of the term of the preceding extension or 30 days after the effective date of this amendment (June 11, 1964), whichever is the later date, may in appropriate cases grant only one additional extension of time limited to a term not to exceed one year, for completion of any such construction, for which the Board finds that, at the time the application is filed, a substantial portion of such construction has been completed and substantial expenditures in connection with such construction has been made.~~

~~For any such other construction which is not completed and for which such application for an additional extension of time is not filed within such 30-day period after the expiration date of the term of the preceding extension or 30 days after June 11, 1964, whichever is the later date, or is denied, the building permit shall lapse.~~

11-325

Accessory signs

~~If such building permit does not authorize the erection of *accessory signs*, such *signs* may be authorized upon separate *sign* applications filed before or after December 15, 1961. All such *signs* for which *sign* applications were filed before December 15, 1961 shall either:~~

- ~~(a) conform with all the applicable sign regulations of this Resolution; or~~
- ~~(b) conform with all the applicable sign regulations in effect immediately prior to December 15, 1961.~~

~~All such signs for which sign applications are filed after December 15, 1961 shall, if located on a lot which under the provisions of this Resolution is in a Residence District or C3 District, conform with all the sign regulations of this Resolution applicable in C1 Districts as set forth in Sections 32-61 to 32-68 inclusive, relating to sign regulations, or, if located on a lot which under the provisions of this Resolution is in any other district, shall conform with all the applicable sign regulations of this Resolution.~~

~~Erection of any accessory signs which comply in all other respects with the provisions of this Section or with the provisions of Section 11-31 (General Provisions) may be started or continued after December 15, 1961 without limitation on the time for completing the erection of such signs.~~

11-33

Building Permits for Minor or Major Development or **Other Construction** Issued before Effective Date of Amendment

The provisions of this Section shall apply to minor developments, ~~or~~ major developments **or other construction** authorized by building permits lawfully issued before the effective date of an applicable amendment of this Resolution **except as specifically provided elsewhere in this Resolution**, which developments are not subject to the provisions of Section 11-32 (Building Permits Issued before Effective Date of Resolution) or Section 11-34 Powers of Board of Standards and Appeals to Act on Pending Matters after Effective Date of Resolution).

11-331

Right to construct if foundations completed

If, before the effective date of an applicable amendment of this Resolution, ~~a~~ **all** building permits ~~has~~ **have** been lawfully issued to a person with possessory interest in a zoning lot, authorizing a minor development or a major development, such construction, if lawful in other respects, may be continued provided that:

- (a) in the case of a minor development, all work on foundations has been completed prior to such effective date; or
- (b) in the case of a major development, the foundations for
 - (1) at least one *building* of the development, ~~or~~
 - (2) ~~the only building in the case of a development consisting of a single mixed building.~~

had been completed prior to such effective date.

In the event that such required foundations have been commenced but not completed before such effective date, the building permits shall automatically lapse on the effective date and the right to continue construction shall terminate. An application to renew the building permits may be made to the Board, not more than 30 days after the lapse of such building permits. The Board may renew the building permits and authorize an extension of time limited to one term of not more than six months to permit the completion of the required foundations, provided that the Board finds that, on the date the building permits lapsed, excavation had been completed and substantial progress made on foundations.

11-332

Extension of period to complete construction

In the event that the construction permitted in Section 11-331 (Right to construct if foundation completed) has not been completed and a certificate of occupancy issued therefore within two years after the effective date of any applicable amendment, **or for other construction if construction has not been completed on the effective date of any applicable amendment**, the building permit shall automatically lapse and the right to continue construction shall terminate. Such building permit, may however, be renewed by the Board ~~in the same manner and under the same conditions as set forth in Section 11-332 (Extension of period to complete construction)~~ **for two terms of not more than two years each for a minor development, or three terms of not more than two years each for a major development, or one term of not more than three months for other construction. In granting such an extension, the Board shall find substantial construction has been completed and substantial expenditures made, subsequent to the granting of the permit or previous extension granted, for work required by an applicable law for the use or development of the property pursuant to the permit.**

11-333

Residential developments which pre-date June 30, 1989

~~If before August 1, 1968, building plans for a development claiming certain mechanical space deductions from floor area affected by the final ruling of the Board of Standards and Appeals in the matter of 953-67 BZ have been filed with the Department of Buildings or a special permit has been approved in connection therewith by the Board of Standards and Appeals or by the City Planning Commission and the Board of Estimate, construction may commence or continue on the basis of floor area ratio computations acceptable to the Department of Building prior to such final ruling of the Board of Standards and Appeals, upon which computations such plans were predicated.~~

If on or before June 30, 1989, the foundations of a *residential* major or minor development have been completed and permits issued pursuant to the requirements of Section 11-331, and a certificate of occupancy has not been issued by June 30, 1991, construction may continue until June 30, 1995 for a minor development, or until June 30, 1997 for a major development provided the Commissioner of Buildings determined that 30 percent of the *floor area* of the major or minor development was roofed and enclosed by walls by June 30, 1991. Applications to continue construction under this section must be filed with the Commissioner of Buildings within 30 days of (the effective date of this amendment). A major or minor development utilizing this Section may not seek an extension to complete construction pursuant to Section 11-332.

11-34

~~Powers of Board of Standards and Appeals to Act on Pending Matters after December 15, 1961~~

~~(a) On or before December 15, 1961, the Board of Standards and Appeals may, subject to the provisions of the New York City Charter and other applicable provisions of law:~~

- ~~(1) Hear or decide pending appeals from, and make interpretations of, the Zoning Resolution of July 25, 1916, as amended (including the comprehensive amendment of June 28, 1940, and subsequent amendments thereto adopted prior to December 15, 1961 but not including the comprehensive amendment adopted by the City Planning Commission on October 18, 1960) in accordance with the provisions of this Section. (Such amended resolution shall hereinafter in this Chapter be referred to as the 1916 Zoning Resolution as amended.)~~
- ~~(2) Hear, decide, or determine, in pending applications alleging practical difficulties or unnecessary hardships, whether to vary the application of the provisions of the 1916 Zoning Resolution as amended, in accordance with the provisions of this Section.~~
- ~~(3) Hear or decide pending applications for exceptions or permits under the provisions of the 1916 Zoning Resolution as amended, in accordance with the provisions of this Section.~~
- ~~(4) Hear or decide requests for amendment of the terms or conditions of a variance, exception, or permit previously granted by the Board, provided that no such amendments shall permit a new *noncompliance*, increase the degree of *noncompliance* with the provisions of this Resolution beyond that originally granted, or extend the time period to complete construction beyond that set forth in Section 11-322 (Extension of period to complete construction).~~

- (b) ~~For the purposes of this Section a "pending" appeal or application shall be limited to an appeal or application upon which the Board has not rendered a final decision as of December 15, 1961 and which:~~
- (1) ~~in the case of an appeal for interpretation, arises out of or is based on an application for a building permit which shows complete plans and specifications, includes the entire construction and not merely a part thereof, and was filed with the Department of Buildings before December 15, 1961; or~~
 - (2) ~~in the case of an application for a variance, exception, or permit was filed with the Board before December 15, 1961 and is based on one or more of these sections of the City Charter or of the 1916 Zoning Resolution as amended which are set forth in Section 11-341 (pending matters specified).~~
- (c) ~~Any appeal or application decided by the Board either prior to December 15, 1961 or on or after December 15, 1961 and subsequently remitted to the Board by a Court, upon which the Board has not rendered a final decision in accordance with the determination of the Court, shall also be deemed to be "pending."~~

11-341

Pending matters specified

~~The powers of the Board set forth in Section 11-34 (Powers of Board of Standards and Appeals to Act on Pending Matters after December 15, 1961) may be exercised in connection with any of the types of appeals or application set forth in this Section, subject to the conditions and limitations set forth therein:~~

- (a) ~~Pending appeals for interpretations or review of any rule or regulation, order, requirement, decision, or determination of the Commissioner of Buildings, or any duly authorized officer of the Department of Buildings, under the provisions of Section 666, paragraph 6 of the New York City Charter.~~
- (b) ~~Pending appeals or applications remitted to the Board by a Court.~~
- (c) ~~Pending appeals for variances from the strict letter of the provisions of the Resolution, under the provisions of Section 21 of the 1916 Zoning Resolution as amended, provided that:~~
 - (1) ~~No two-family dwelling shall be permitted on any lot which under the provisions of this resolution is in an R1 or R2 District.~~
 - (2) ~~No multiple dwelling shall be permitted on any lot which under the provisions of this Resolution is in an R1, R2 or R3-1 District.~~

- ~~(3) No increase in the area, height, or floor area ratio of a multiple dwelling beyond that permitted as of right under the provisions of the 1916 Zoning Resolution, as amended, shall be permitted on any lot which under the provisions of this Resolution is in a Residence District.~~
- ~~(d) Pending applications under the provisions of Section 7(a), 7(b), 7(c), 7(f), 7(g), 7(h), or 7 A(d), of the 1916 Zoning Resolution as amended, provided that:~~
- ~~(1) In connection with applications under the provisions of Section 7(f), no such permit for a gasoline service station or an oil selling station shall be granted on any lot which, under the provisions of this Resolution, is in a Residence District or in a C1, C3, or C5 District, and provided further that no such permit for a garage shall be granted on any lot which, under the provisions of this Resolution, is in a Residence of C3 District.~~
- ~~(2) In connection with applications under the provisions of Section 7(g) or 7(h), no such permit shall be granted on any lot which, under the provisions of this Resolution, is in a Residence or C3 District.~~
- ~~(e) Pending applications under the provisions of Section 7(e) of the 1916 Zoning Resolution as amended, provided that no new use which would have been prohibited in a Restricted Retail District under the provisions of Section 4 B of the 1916 Zoning Resolution as amended, shall be permitted on any lot which under the provisions of this Resolution is in a Residence District.~~
- ~~(f) Pending applications under Section 19 A(j) or 19B(c) of the 1916 Zoning Resolution as amended.~~
- ~~(g) Pending applications under Section 9 A of the 1916 Zoning Resolution as amended, provided that no such permit shall be granted which would authorize the projection of any building or other structure to a height in excess of that permitted under the provisions of Article VI of this Resolution.~~

11-342

Modification of Plans after the Board or Court Action

The rights set forth in Section 11-32 (Building Permits Issued before December 15, 1961) shall be deemed to exist and shall be retained in connection with a building permit lawfully issued pursuant to any appeal or application pending before the Board, provided that all modifications relating to zoning made after December 15, 1961 in the plans submitted to the Board either:

- ~~(a) result in compliance or do not increase the degree of non-compliance with the provisions of this Resolutions; or~~

- ~~(b) are in conformity with a decision of determination of the Board or a Court relating to such appeal of Resolution; or~~
- ~~(c) in cases in which the board of Court did not act favorably on a pending appeal of application, result in compliance with the height and area provisions of the 1916 Zoning Resolution as amended and do not involve a change in the use set forth in the appeal or application.~~

11-40 EXCEPTIONS, VARIANCES, OR PERMITS PREVIOUSLY AUTHORIZED

11-41

General Provisions

Whenever under the provisions of the 1916 Zoning Resolution as amended, either the Board of Standards and Appeals, or the City Planning Commission with the approval of the Board of Estimate, has authorized any use to locate in a district in which it is not permitted as-of-right by issuing a variance, exception, or permit, such existing use established pursuant to such grant may be continued, changed, *extended, enlarged,* or structurally altered only as provided in this Section or in Article VII, Chapter 3 or 4, **provided that the lot area of the zoning lot occupied by such existing use is not increased.** These provisions shall also apply to any variance, exception, or permit issued under the provisions of Section 11-34 (Powers of Board of Standards and Appeals To Act on Pending Matters after December 15, 1961).

* * *

11-412

Alterations, extensions, or enlargements

Repairs or *incidental alterations* may be made and in appropriate cases the authorizing agency may permit structural alterations, *extensions* or *enlargements* **limited to the zoning lot that was granted a variance, exception or permit prior to December 15, 1961.** However, the use of any building or other structure shall not be *extended,* and the *building or other structure* shall not be *enlarged,* in excess of 50 percent of the floor area of such building (or size of such structure) occupied or utilized by the use on December 15, 1961, and, except as otherwise provided in Article VII, no structural alterations, *extensions,* or *enlargements* shall be authorized for a new *non-conforming use* authorized under the provisions of Section 11-413 (Change of use).

Resolution for adoption scheduling July 31, 1991 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF STATEN ISLAND

Nos. 9 and 10

(Applications for site selection and acquisition of privately owned property and the disposition of city-owned property for use as a museum with ancillary space.)

No. 9

CD 3

C 910178 PCR

PUBLIC HEARING:

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 **site selection and acquisition of privately-owned property located at 3672 Richmond Road (Block 4437, Lot 26), for use as a museum with ancillary space.**

(On June 26, 1991 Cal. No. 9 the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 10

CD 3

C 910271 PPR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of Cultural Affairs and the New York City Department of General Services pursuant to Section 197-c of the New York City Charter for **the disposition of city-owned property with community facility restrictions located at 3672 Richmond Road (Block 4437, Lot 26).**

(On June 26, 1991 Cal. No. 10, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 11

CD 2

C 900629 PCM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Police Department pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located on Pier 40** on West Street at the foot of Houston Street (Block 656, Lot 1), **for use by the Police Department Barrier Section.**

(On June 26, 1991 Cal. No. 6 the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 12

CD 3

C 910405 HDM

PUBLIC HEARING:

IN THE MATTER OF the disposition of city-owned property, **80-92 Ridge Street** (Tax Block 343, Lots 43, 45, 47, 48 and 49), located on the easterly side of Ridge Street between Delancey and Rivington streets, pursuant to Section 197-c of the New York City Charter and the Uniform Land Use Review Procedure.

The property is proposed for disposition **to facilitate the development of a new seven-story elevator building with approximately 99 units for the elderly and handicapped, and one apartment for the superintendent.** Financing for the development, tentatively named Ridge Street Senior Citizens Housing, is to be provided by a direct Federal Loan under Section 202 of the National Housing Act of 1959, as amended, with rent subsidy for all units to be provided under Section 8 of the United States Housing Act of 1937, as amended.

The disposition application was submitted by the Department of Housing Preservation and Development on April 3 and April 10, 1991.

(On June 26, 1991 Cal. No. 7 the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

CITYWIDE

(Amendments to Sections 32-31 and 73-36 of the Zoning Resolution concerning physical culture or health establishments)

No. 13

N 900732 ZRY

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Zoning Advisory Council pursuant to Section 201 of the New York City Charter, for **amendments of the Zoning Resolution** of the City of New York, relating to Sections 32-31 and 73-36, as follows:

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

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

*** indicates where unchanged text appears in the Zoning Resolution
32-31

By the Board of Standards and Appeals

C1 C2 C4 C5 C6 C8

Physical culture or health establishments, including gymnasiums (not permitted under Use Group 9), massage establishments.

Parking Requirement Category B

73-36

Physical Culture or Health Establishments

In **C1, C2, C4, C5, C6, C8, M1, M2, or M3** Districts, and in certain special districts as specified in the provisions of such special district, the Board may permit *physical culture or health establishments* as defined in Section 12-10 including gymnasiums (not permitted under Use Group 9), massage establishments, other than *adult physical culture establishments*, for a term not to exceed ten years, provided the following findings are made:

- (a) That such *use* is so located as not to impair the essential character or the future use or development of the surrounding area, and

- (b) That such *use* contains: (i) one or more of the following regulation size sports facilities; handball courts, basketball courts, squash courts, paddleball courts, racketball courts, tennis courts; or (ii) a swimming pool of a minimum 1,500 square feet; or (iii) facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics or martial arts; or (iv) facilities for the practice of massage by New York State licensed masseurs or masseuses.

Therapeutic or relaxation services may be provided only as *accessory* to programmed facilities as described in (i) through (iv) above.

- (c) **In C1 Districts, the site for such *use* is so located as to cause minimum interruption of the continuity of the frontage devoted to retail shopping uses. In determining whether the *use* will cause only minimum interruption of such retail frontage, the Board may make a favorable finding on the ground that there exists a substantial number of other incompatible uses interrupting such frontage within 200 feet on either side of the proposed site (not including land in *streets*).**

No special permit shall be issued pursuant to this Section unless:

- (1) The Board shall have referred the application to the Department of Investigation for a background check of the owner, operator and all principals having an interest in any application filed under a partnership or corporate name and shall have received a report from the Department of Investigation which the Board shall determine to be satisfactory.
- (2) The Board in any resolution granting a special permit shall specify how each of the findings required by this Section are made.

The Board shall retain the right to revoke the special permit, at any time, if it determines that the nature or manner of operation of the permitted *use* has been altered from that authorized.

The Board may prescribe appropriate conditions and safeguards including location of signs and limitations on the manner and/or hours of operation in order to minimize adverse effects on the character of the surrounding community.

(On June 26, 1991 Cal. No. 8 the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

BOROUGH OF BRONX**No. 14****CD 10****N 920002 PXX****PUBLIC HEARING:**

IN THE MATTER OF A Notice of Intent to Acquire Office Space submitted by the Department of General Services, Division of Real Property, pursuant to Section 195 of the New York City Charter **for use of 1,064 square feet of space located on the ground floors of 3190 Westchester Avenue, Block 4239, Lot 6.**

(On July 5, 1991, the City Planning Commission duly advertised July 17, 1991 for a public hearing.)

Close the hearing.

BOROUGH OF QUEENS**No. 15****CD 6****C 880326 MMQ****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the New York City Department of General Services, Division of Real Property 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 69th Avenue from Austin Street to its southerly terminus at the Long Island Railroad right-of-way, and any acquisition or disposition of property related thereto**, in accordance with Map No. 4844 dated June 27, 1988, and signed by the Borough President. The map was referred to the City Planning Commission by the Board of Estimate on August 11, 1988 (Calendar No. 437).

(On June 26, 1991 Cal. No. 11, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 16

CD 8

N 920001 PXQ

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, Division of Real Property, pursuant to Section 195 of the New York City Charter for use of up to 14,000 square feet of space located on the first and second floors of 166-01 Hillside Avenue, Block 9838, Lot 62.

(On July 5, 1991, the City Planning Commission duly advertised July 17, 1991 for a public hearing.)

Close the hearing.

BOROUGH OF BROOKLYN**Nos. 17 and 18**

(Applications for a change in the City Map, site selection and acquisition of property for the upgrading of the Newtown Creek Water Pollution Control Plant.)

No. 17

CD 1

C 890889 MMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Department of Environmental Protection pursuant to Section 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 of Green Street between Provost Street and the marginal wharf area of the Whale Creek Canal, the discontinuance and closing of Green Street between Provost Street and the Whale Creek Canal, and any acquisition or disposition of property related thereto, in accordance with Map No. Y-2565 and Map No. N-2566, dated March 28, 1991 and signed by the Borough President.

(On June 26, 1991 Cal. No. 1, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 18**CD 1****C 890890 PCK****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the New York City Department of Environmental Protection and the New York City Department of General Services pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at 320 Freeman Street** (Block 2515, Lots 1, 13 and 25), **for the upgrading of the Newtown Creek Water Pollution Control Plant.**

(On June 26, 1991 Cal. No. 2, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 19**CD 5****C 900636 PCK****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 **acquisition of property located at 606 Milford Street** (Block 4562, Lot 1), **for continued use as a sanitation garage.**

(On June 26, 1991 Cal. No. 3, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 20**CD 16****C 910489 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 three (3) 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 June 26, 1991 Cal. No. 4, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

No. 21

CD 12

C 910255 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 22c and 22d** changing from an R3-2 district to an R2X district property bounded by the southerly boundary line of the Long Island Rail Road (Bay Ridge Division) right-of-way, a line midway between East 9th Street and East 10th Street, a line 100 feet south of Avenue K, and a line midway between East 7th Street and Ocean Parkway, in the Special Ocean Parkway District, as shown on a diagram dated May 6, 1991.

(On June 26, 1991 Cal. No. 5, the Commission scheduled July 17, 1991 for a public hearing which was duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF MANHATTAN

No. 22

CD 12

N 910531 HKM

IN THE MATTER OF a communication, dated May 24, 1991, from the Executive Director of the Landmarks Preservation Commission regarding the following landmark designated by the Landmarks Preservation Commission on May 14, 1991. (List No. 237) for the **landmarking of the Jeffrey's Hook Lighthouse ("The Little Red Lighthouse")** located at Fort Washington Park, Block 2178, p/o Lot 3.

For consideration.

No. 23

CD 2

C 900702 PPM

IN THE MATTER OF an application by the Division of Real Property, pursuant to Section 197-c of the New York City Charter, for **the disposition of one (1) city-owned property located at 688-690 Broadway, Block 531, Lot 4.**

(On May 15, 1991 Cal. No. 3, the Commission scheduled May 29, 1991 for a public hearing. On May 29, 1991 Cal. No. 16, the hearing was continued. On June 12, 1991 Cal. No. 14, the hearing was closed. On June 26, 1991, Cal. No. 31, the item was laid over.)

For consideration.

BOROUGH OF BRONX**No. 24****CD 8****N 900872 ZAX**

IN THE MATTER OF an application submitted by the Riverdale Yonkers Society for Ethical Culture pursuant to Sections 105-421 and 105-423 of the Zoning Resolution for **the grant of authorizations involving the modification of existing topography and alteration of botanic environment requiring the removal of eighteen trees on property located at 4450 Fieldston Road** (Block 5808, Lot 301), within the Special Natural Area District-2 (NA-2) of Riverdale.

Plans for this proposal are on file and may be seen at Room 3N, 22 Reade Street, New York, New York. 10007.

For consideration.

BOROUGH OF STATEN ISLAND**No. 25****CD 2****N 910329 ZAR**

(Request for the grant of authorizations to allow the construction of a gabion wall and to legalize the as-built conditions on a parcel of property in the Special Natural Area District [NA-1] of Staten Island.)

IN THE MATTER OF an application, submitted by Consolacian A. Magdangal, for **the grant of authorizations** pursuant to Section 105-421 and 105-423 of the Zoning Resolution, involving modification of existing topography and alteration of the botanic environment including the removal of one (1) tree, to allow the construction of a gabion wall; and authorizations pursuant to Section 105-421, 105-424 and 105-45 for modification of existing topography, alteration of the botanic environment and compliance with special review provisions on property located at a point on the southeasterly side of the most southerly leg of Ridge Loop and known as **20 Ridge Loop** (Block 860, Lot 52) 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.