

# CITY PLANNING COMMISSION

## DISPOSITION SHEET

**PUBLIC MEETING:**  
**WEDNESDAY, NOVEMBER 20, 1991**  
**10:00 A.M. IN SPECTOR HALL**

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

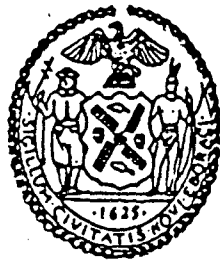
CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION
1	C 880212 MMQ	3	Scheduled to be Heard 12/4/91	23	C 920050 ZMQ	2	Favorable Report Adopted
2	C 890213 ZMQ	3	" "	24			
3	C 920020 HUM	1	" "	25			
4	C 920021 HDM	1	" "	26			
5	C 920022 ZSM	1	" "	27			
6	C 890060 MMQ	1	Hearing Closed	28			
7	C 900078 ZMQ N O T I C E	1	" "	29			
8	C 900874 PQQ	1	" "	30			
9	N 920155 PXQ	12	" "	31			
10	C 900852 PQK	6	" "	32			
11	C 900917 PQK	3	" "	33			
12	N 910556 ZRY		" "	34			
13	C 900676 MMQ	2	Favorable Report Adopted	35			
14	C 900211 ZSQ	2	" "	36			
15	C 910338 ZSQ	2	" "	37			
16	N 910491 ZAR	3	Authorization Approved	38			
17	N 920043 RCR	3	Certification Approved	39			
18	N 920086 ZAR	3	Authorization Approved	40			
19	N 920091 RCR	3	Certification Approved	41			
20	C 910206 ZSM	2	Favorable Report Adopted	42			
21	C 910001 ZSM	2	" "	43			
22	C 910520 ZSM	2	" "	44			

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers											In Favor - Y Oppose - N Abstain - AB				
		13	14	15	16	17	18	19	20	21	22	23					
Richard L. Schaffer, <i>Chairman</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Victor G. Allicea, <i>Vice Chairman</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Eugenie L. Birch	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Amanda M. Burden	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Anthony I. Giacobbe	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Maxine Griffith	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
James C. Jao, <i>R.A.</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Brenda Levin	A																
Joel A. Miele, <i>SR., P.E.</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Edward T. Rogowsky	P				Y	Y	Y	Y	Y	Y	Y						
Ronald Shiffman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Jacob B. Ward	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
Deborah C. Wright, <i>Commissioners</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						

MEETING ADJOURNED AT: 10:40 A.M.

COMPREHENSIVE  
CITY PLANNING CALENDAR  
of  
The City of New York  
—  
CITY PLANNING COMMISSION

S U P P L E M E N T A L   C A L E N D A R



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WEDNESDAY, NOVEMBER 20, 1991

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RICHARD L. SCHAFFER, *Chairman*  
VICTOR G. ALCEA, *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*

**COMPREHENSIVE  
CITY PLANNING CALENDAR**

**of**

**The City of New York**

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, NOVEMBER 20, 1991**

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



**David N. Dinkins, Mayor**

**City of New York**

**[No. 22]**

**Prepared by Lois McDaniel, Calendar Officer**

## CITY PLANNING COMMISSION

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### 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.

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**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. SCHAFER, *Chairman*

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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

NOVEMBER 20, 1991

Roll Call; approval of minutes .....	1
I. Scheduling December 4, 1991 .....	1
II. Public Hearings .....	5
III. Reports .....	17

**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 December 4, 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, November 20, 1991

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APPROVAL OF MINUTES OF Regular Meeting of November 6, 1991  
and Special Meeting of November 4, 1991

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, DECEMBER 4, 1991  
STARTING AT 10:00 A.M.  
IN CITY HALL  
NEW YORK, NEW YORK**

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**BOROUGH OF QUEENS**

**Nos. 1 and 2**

*(Applications for a change in the City Map and an amendment of the Zoning  
Map concerning the Skyway Hotel.)*

**No. 1**

**CD 3**

**C 880212 MMQ**

**IN THE MATTER OF** an application submitted by Broadway-Skyway Laguardia Co., pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for a change in the City Map involving the elimination, discontinuance and closing of 23rd Road between Ditmars Boulevard and 102nd Street and the adjustment of grades necessitated thereby and any acquisition or disposition of property related thereto, all in accordance with Map No. 4843 dated June 29, 1988 and signed by the Borough President.

**Resolution for adoption scheduling December 4, 1991 for a public hearing.**

## No. 2

CD 3

C 890213 ZMQ

**IN THE MATTER OF** an application submitted by Joseph P. Morsellino, P.C. on behalf of Broadway-Skyway LaGuardia Co., pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 9c and 10a**, changing from an R3-2 district to a C4-2 district property bounded by Ditmars Boulevard, 23rd Road\*, a line perpendicular to 23rd Road\* distant 69 feet northeasterly from the intersection of the southerly line of the southerly line of 23rd Road\* and the easterly line of 102nd Street, a line perpendicular to 102nd Street distant 44 feet southeasterly from the intersection of the easterly line of 102nd Street and the southerly line of 23rd Road\*, and 102nd Street, as shown on a disgram dated August 12, 1991 and subject to the conditions of Restrictive Declaration D-139.

\*Note: 23rd Road is proposed to be eliminated by a related application for an amendment of the City Map C 880212 MMQ.

**Resolution for adoption scheduling December 4, 1991 for a public hearing.**

**BOROUGH OF MANHATTAN****Nos. 3, 4 and 5**

*(Applications for an amendment to the Washington Street Urban Renewal Area, disposition of city-owned property and the grant of a special permit to allow an attended public parking garage to permit the construction of the New York Exchange development.)*

## No. 3

CD 1

C 920020 HUM

**IN THE MATTER OF** an amendment to the Washington Street Urban Renewal Plan for the Washington Street Urban Renewal Area, pursuant to Section 505, Article 15 of the General Municipal Law (Urban Renewal Law) of the New York State and pursuant to Section 197-c of the New York City Charter.

The proposed amendment provides for various changes in the Washington Street Urban Renewal Plan, as previously approved. The changes relate to **Site 5B**, the site for this proposed Exchanges project, and **Site 5C**, the last site remaining to be developed within the Urban Renewal Area.

**Site 5B**—comprising the block bounded by Warren Street, Greenwich Street, the northerly line of Murray Street (as formerly mapped), and West Street.



Site 5B—is to be developed as a commercial building in a manner substantially consistent with site plans annexed to the Urban Renewal Plan as Exhibit E-1 (Site Plan) and E-2 (Ground Floor Plan). In addition to a maximum floor area control of 1,200,000 square feet, a height limit of 47 stories or 730 feet above the average curb level of Site 5B, the urban renewal plan also requires the developer of Site 5B to develop a public grade level plaza of approximately 9,600 square feet on the adjacent site, identified as Public Plaza on the Land Use Plan; and to maintain Site 4 (Public Open Space) for a period of 40 years, beginning from the time Site 5B is disposed, and in accordance with specific standards contained in Exhibit C E-3.

**Site 5C**—comprising the westerly part of the block bounded by Chambers Street, Greenwich Street, Warren Street and West Street.

Any development on Site 5C is limited to a maximum floor area of 300,000 square feet and a height of 135 feet. If developed for residential use, the minimum lot area per zoning room shall be 30 square feet.

The above provisions and various others related to the development of Sites 5B and 5C are contained in the urban renewal plan, with associated exhibits. In addition, the requirement for pedestrian easements running north-south through Sites 5B and 5C has been deleted.

**Resolution for adoption scheduling December 4, 1991 for a public hearing.**

#### No. 4

CD 1

C 920021 HDM

**IN THE MATTER OF the disposition of city-owned property, Parcel 5B and the adjacent Public Plaza Parcel, within the Washington Street Urban Renewal Area, pursuant to Section 197-c of the New York City Charter.**

The property to be disposed comprises the major part of the block bounded by Warren Street, Greenwich Street, Murray Street and West Street (part of lot 1 in Block 142, and excluding Parcel 5A).

The property is to be disposed to the Urban Development Corporation and subsequently leased to entities comprised of major commodities exchanges and their developer.

**Resolution for adoption scheduling December 4, 1991 for a public hearing.**

CD 1

C 920022 ZSM

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development, the New York City Economic Development Corporation, the Coffee, Sugar and Cocoa Exchange, Inc., the Commodities Exchange, Inc., the New York Cotton Exchange, and the New York Mercantile Exchange and Tishman-Speyer Properties pursuant to Sections 197-c and 201 of the New York City Charter and pursuant to for **the grant of a special permit** pursuant to Sections 13-462 and 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 400 spaces on property located within the block bounded by Greenwich Street, Murray Street, West Street and Warren Street** (Block 142, part of Lot 1).

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.

**Resolution for adoption scheduling December 4, 1991 for a public hearing.**

## II. PUBLIC HEARINGS

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### BOROUGH OF QUEENS

Nos. 6 and 7

*(Applications for a change in the City Map and an amendment of the Zoning Map concerning the West Queens Housing site)*

No. 6

CD 1

C 890060 MMQ

#### **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing, Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for **a change in the City Map involving the elimination, discontinuance and closing of 33rd Avenue between 13th and 21st streets, 14th Place between Broadway and 33rd Avenue and a portion of 14th Street between Broadway and 34th Street; the establishment of a turnaround between 33rd and 34th avenues, the delineation of a sewer easement and the adjustment of grades necessitated thereby and any acquisition or disposition of property related thereto**, all in accordance with Map No. 4854 dated February 10, 1989 and signed by the Borough President.

(On November 6, 1991 Cal. No. 1, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 7

CD 1

C 900078 ZMQ

#### **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 9a:**

a) changing from an R5 district to an R6 district property bounded by Broadway, a line 150 feet westerly of 21st Street, 33rd Avenue\*, 21st Street, the westerly prolongation of the northerly street line of 33rd Road, 14th Street, 34th Avenue, 13th Street, 33rd Avenue, and a line 175 feet easterly of 12th Street; and

b) establishing within the existing and proposed R6 districts a C1-4 district bounded by Broadway, 21st Street, the westerly prolongation of the northerly street line of 33rd Road, and a line 100 feet westerly of 21st Street, as shown on a diagram dated August 12, 1991.

\*NOTE: 33rd Avenue is proposed to be eliminated by a related application for an amendment of the City Map C 890060 MMQ.

(On November 6, 1991 Cal. No. 2, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

**N O T I C E**

**On November 20, 1991 at 10:00 a.m. in City Hall, New York, a public hearing is being held by the Departments of City Planning and Environmental Protection to receive comments related to the Draft Environmental Impact Statement concerning the proposed West Queens Housing site, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review Act (CEQR No. 88-201Q.)**

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**No. 8**

**CD 1**

**C 900874 PQQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 38-11 27th Street** (Block 386, Lot 7), **for continued use as a day care center.**

(On November 6, 1991 Cal. No. 3, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 9****CD 12****N 920155 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 8,000 square feet of space located on the sixth floor of 80-02 Kew Gardens Road** (Block 3348, Lot 37), (Department of Law, Tort Division Offices).

(On November 8, 1991, the Commission duly advertised November 20, 1991 for a public hearing.)

**Close the hearing.**

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**BOROUGH OF BROOKLYN****No. 10****CD 6****C 900852 PQK****PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter **for acquisition of property located at 242 Hoyt Street** (Block 409, Lot 38), **for continued use as a day care center.**

(On November 6, 1991 Cal. No. 4, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 11****CD 3****C 900917 PQK****PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Human Resources Administration pursuant to Section 197-c of the New York City Charter **for acquisition of property located at 265 Marcus Garvey Boulevard** (Block 1624, Lot 1), **for continued use as a day care center.**

(On November 6, 1991 Cal. No. 5, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**CITYWIDE**

**No. 12**

*(Amendments to Article I Chapter 5 of the Zoning Resolution (Residential Loft Conversions) to permit flexibility in meeting elevator comparability and other requirements, and to clarify language.)*

**N 910556 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter, for **amendment of the Zoning Resolution** of the City of New York, relating to Article I Chapter 5, as follows:

Matter in **bold** is new, to be added

Matter in ~~strikeout~~ is old, to be deleted

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

Chapter 5

Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens

\* \* \*

15-012

M1-5A, M1-5B or the LMM Districts

Except as specifically set forth in Sections ~~15-41~~, **15-013**, **15-026** and 15-50, ~~and except for the provisions of Section 15-013~~, the provisions of this Chapter are not applicable in M1-5A, M1-5B or LMM Districts.

\* \* \*

15-026

Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists, and loft dwellings

\* \* \*

(B) *The minimum size of a dwelling unit, joint living-work quarters for artists, or loft dwelling may be no less than 600 square feet of floor area, provided that all of the following requirements are met:*

- (i) the unit or quarters shall contain one or more windows that open onto either

\* \* \*

- (c) a *court* with a minimum dimension of fifteen feet perpendicular to such required window and 375 square feet or more in area ; , or

- (d) a *street*.

\* \* \*

15-10

REGULATIONS GOVERNING CONVERSIONS TO DWELLING UNITS OF NON-RESIDENTIAL BUILDINGS IN RESIDENTIAL AND COMMERCIAL DISTRICTS, EXCEPT C6-2M AND C6-4M DISTRICTS

\* \* \*

15-111

Number of permitted dwelling units

\* \* \*

- (a) Floor area which does not exceed the maximum *residential floor area* permitted by the provisions of the applicable district may be converted to *dwelling units*. The number of *dwelling units* attributable to the *floor area* permitted under the provisions of the applicable district shall be determined by the following tables:

MINIMUM AVERAGE FLOOR AREA PER DWELLING UNIT IN SPECIFIC ZONING DISTRICTS

	Maximum <i>Residential</i>	Minimum Average <i>Floor Area</i>
Applicable District	<i>Floor Area Ratio Permitted</i>	<i>Per Dwelling Unit Permitted</i>
	* * *	

- (b) In existing non-*residential buildings* the *residential floor area* which exceeds the *residential floor area* permitted by the provisions of the applicable district may be converted to *dwelling units* provided that there shall ~~not be less than~~ a **minimum average of 1,800 square feet of gross floor area per dwelling unit** in such excess *residential floor area*.

However, for *floor area* converted to public or publicly assisted housing or *non-profit residences for the elderly* as described in Section 25-25 there shall be ~~not less than~~ a **minimum average of 1,500 square feet of gross floor area per dwelling unit** in such excess *floor area*.

\* \* \*

15-20

REGULATIONS GOVERNING CONVERSIONS TO DWELLING UNITS OF NON-RESIDENTIAL BUILDINGS IN C6-2M, C6-4M, M1-5M and M1-6M DISTRICTS

\* \* \*

15-21

Use Regulations; Transfer of Preservation Obligations and Conversion Rights

In C6-2M, C6-4M, M1-5M and M1-6M Districts, the conversion of *floor area* to *dwelling units* in existing *non-residential buildings*, or portions thereof, is permitted subject to the certification by the Chairman of the City Planning Commission that *floor area* has been preserved for *commercial* or *manufacturing uses* in accordance with the provisions of this Section. The applicant shall provide a copy of any application for a certification under this Section to the *Industrial Loft Advisory Council* c/o Mayor's Office of Economic Development. For the purposes of this Section only, the following mixed use areas are defined:

Southeast Chelsea - All C6-2M, C6-4M, M1-5M and M1-6M Districts between 13th Street and 23rd Street, and Park and Eighth Avenues.

Garment Center East - The C6-2M and C6-4M Districts located between West 33rd Street and West 35th Street, and between Seventh Avenue and Tenth Avenue.

15-211

Floor Area Preservation

The amount **or configuration** of *floor area* to be preserved may be ~~reduced~~ **modified** in accordance with the provisions of Section 15-215 (**Modification for existing ~~non-conforming~~ dwelling units**).

The amount of *floor area* to be preserved for permitted *commercial* or permitted *manufacturing uses* shall be in accordance with Table I below if the *floor area* to be converted is located in a C6-2M or C6-4M District, and in accordance with Table II below if the *floor area* to be converted is located in a M1-5M or M1-6M District, unless modified by the City Planning Commission pursuant to Section 15-41. Such *floor area* shall be comparable to the *floor area* to be converted, as required by Section 15-213.

Such *floor area* may be preserved in the *building* to be converted, or in any other *building* within the same mixed-use area as defined in Section 15-21 above.

**Except as provided in Section 15-215 (Modification for existing dwelling units), ~~F~~floor area may not be preserved on portions of floors.**



\* \* \*

All requirements for preservation of *floor area* shall be determined by the entire *lot area* of the *zoning lot*, and by the total *floor area* of the *building* to be converted, regardless of the amount of *floor area* being converted within the *building*. For the purposes of this Section, any portion of the *building* to be converted that has a *residential* certificate of occupancy shall be excluded from the *building's* total *floor area*.

Any *building* that has been partially converted pursuant to Section 15-21 and complied with the preservation requirements of such Section, shall not be required to preserve additional *floor area* for any subsequent conversion.

TABLE I  
FOR CONVERSION IN C6-2M OR C6-4M DISTRICTS  
Floor Area Preserved for Permitted Commercial or Permitted  
Manufacturing Use <sup>1</sup>

Lot Area of <i>Zoning Lot</i> containing <i>Floor Area</i> to be Converted	Percentage of <i>Building's</i> Total <i>Floor Area</i> to be Preserved Amount of <i>Floor Area</i> to be Preserved as a Percentage of <i>Floor Area</i> of the <i>Building</i> to be Converted
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\* \* \*

TABLE II  
FOR CONVERSION IN M1-5M OR M1-6M DISTRICTS  
Floor Area Preserved for Permitted Commercial or Permitted  
Manufacturing Use <sup>1</sup>

Lot Area of <i>Zoning Lot</i> containing <i>Floor Area</i> to be Converted	Percentage of <i>Building's</i> Total <i>Floor Area</i> to be Preserved Amount of <i>Floor Area</i> to be Preserved as a Percentage of <i>Floor Area</i> of the <i>Building</i> to be Converted
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<sup>1</sup> All requirements for preservation of *floor area* shall be determined by the entire *lot area* of the *zoning lot*, and by the total *floor area* of the *building* to be converted, regardless of the amount of *floor area* being converted within the *building*.

\* \* \*

\* \* \*

TABLE I  
 FOR CONVERSION IN C6-2M OR C6-4M DISTRICTS  
 Reduced Floor Area and Floors Preserved  
 for Permitted Commercial or Permitted  
 Manufacturing Use <sup>1</sup>

<i>Lot Area of Zoning Lot containing Floor Area to be Converted</i>	<i>Percentage of Building's Total Floor Area to be Preserved Amount of Floor Area to be Preserved as a Percentage of Floor Area of the Building to be Converted</i>
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\* \* \*

TABLE II  
 FOR CONVERSION IN M1-5M OR M1-6M DISTRICTS  
 Reduced Floor Area and Floors Preserved  
 for Permitted Commercial or Permitted  
 Manufacturing Use <sup>1</sup>

<i>Lot Area of Zoning Lot containing Floor Area to be Converted</i>	<i>Percentage of Building's Total Floor Area to be Preserved Amount of Floor Area to be Preserved as a Percentage of Floor Area of the Building to be Converted</i>
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<sup>1</sup>All requirements for preservation of *floor area* shall be determined by the entire *lot area* of the *zoning lot*, and by the total *floor area* of the *building* to be converted, regardless of the amount of *floor area* being converted within the *building*.

\* \* \*

15-213

Comparability

Where the *floor area* to be preserved is not located within the *building* to be converted, such *floor area* must be comparable to *floor area* in the *building* to be converted. Comparability, shown by an affidavit from a professional engineer or a registered architect, licensed under the laws of the State of New York, shall exist where the *floor area* to be preserved meets the following criteria:

- (1) Elevators: Load and Number

The load and number requirements of this paragraph shall not apply when the *floor area* to be preserved is located on the ground floor or has level access to a *street* or loading facility.

(a) Load

Each elevator shall have a minimum load of 2,000 pounds. The total load of all elevators servicing the *floor area* to be preserved shall be in accordance with the following ratio:

<u>Total Load</u>		<u>Total Load</u>
gross floor area of building to be preserved	is greater than or equal to 80% of	gross floor area of building to be converted

(b) Number

There shall be a minimum of two elevators. The number of elevators servicing the *floor area* to be preserved shall be in accordance with the following ratio:

<u>Number of Elevators</u>		<u>Number of Elevators</u>
Gross <i>floor area</i> of the building to be preserved	is greater than or equal to 80% of	Gross <i>floor area</i> of building to be converted

Notwithstanding the above, where there is only one elevator servicing the *floor area* to be converted, there may be one elevator servicing the *floor area* to be preserved if the following exist:

- (i) the *floor area* to be serviced by the elevator in the *building* to be preserved does not exceed the *floor area* serviced by the elevator in the *building* to be converted by more than 10%; and
- (ii) the ratio of the volume of the elevator servicing the *floor area* to be preserved to the *floor area* to be preserved is at least 90% of the ratio of the volume of the elevator servicing the *floor area* to be converted to the *floor area* to be converted.

If the number of elevators required pursuant to the above ratio includes a fraction of an elevator, this fraction shall be rounded to the nearest whole number.

(2) Floor Load

The floors shall have a minimum live load capacity of 100 pounds per square foot (100 psf).

(3) Size of Floors

(a) The *floor area* shall be located on floors of not less than 3,000 square feet or 50% of the size of the floors in the *building* to be converted, whichever is greater.

(b) *Floor area* may not be preserved on portions of floors.

## (4) Loading Facilities

The loading facilities shall be at least equal in number to those in the *building* to be converted. In addition, if such *building* has an off-street loading dock, the *building* containing the *floor area* to be preserved must have such off-street loading facilities.

## (5) Column Spacing

There shall be a minimum distance between columns of 15 feet, measured on center. In addition, the average distance between columns shall not be less than 90% of the average distance between columns in the *building* to be converted.

## (6) Height of Stories

The *stories* shall have an average minimum height of ten feet.

**The Chairman of the City Planning Commission may authorize a modification of the requirements listed in paragraphs (1), (3)(a) or (4) above pursuant to the regulations of 15-30(c) (MINOR MODIFICATIONS).**

15-214

Certification and other requirements of preservation and conversion

\* \* \*

- (b) The *floor area* to be preserved shall not already have been preserved by a legal commitment under the provisions of Section 15-21, as evidenced by the report from the title company issued pursuant to (a) above.
- (c) **When preservation obligations pursuant to Section 15-211 or 15-212 are transferred between *buildings*, the amount of *floor area* required to be preserved in any *building* pursuant to Section 15-211 or 15-212 shall not be reduced by the existence of a previously issued legal commitment for preservation on a portion of the *floor area* in the *building*.**
- (d) **Any *building* that has been partially converted pursuant to Section 15-21 and complied with the preservation requirements of such Section, shall not be required to preserve additional *floor area* for any subsequent conversion.**

\* \* \*

15-215

**Modification for existing non-conforming dwelling units**

The requirements of Section 15-211 or 15-212 regarding the amount or configuration of *floor area* to be preserved for permitted *commercial* or permitted *manufacturing uses* may be ~~waived~~ **modified** by the Chairman of the City Planning Commission **if provided that:**

- (a) Such *floor area* has a *residential* certificate of occupancy, or consists of registered Interim Multiple Dwellings, or is found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law, or was occupied as *dwelling units* as of September 1, 1980 and ~~provided that~~ a complete application for a determination of occupancy has been filed with the Department of City Planning by the owner of the *building* or the occupant of a *dwelling unit* in the *building* not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of *residential* occupancy shall be deemed to permit *residential use* as-of-right for such *floor area*; and
- (b) As a result of such *residential* occupancy, the remaining amount of *floor area* in the *building* is less than the amount required to be preserved for permitted *commercial* or *manufacturing uses* pursuant to Section 15-211 or 15-212, or consists of portions of floors.

Such modification of the preservation requirement shall be the minimum necessary in order to permit the legalization of existing *dwelling units* for which a determination of occupancy has been made.

Notwithstanding the above, the Chairman of the City Planning Commission shall not issue a certification pursuant to Section 15-21 until an application for such certification and ~~waiver~~ modification is submitted by the owner of the *building*.

\* \* \*

### 15-30 MINOR MODIFICATIONS

On application, the Chairman of the City Planning Commission may grant minor modifications to the following provisions of this Chapter:

\* \* \*

- (c) The requirements of paragraphs (1) or (4) of Section 15-213 (Comparability) relating to comparability of elevators or loading facilities may be modified provided that the Chairman of the City Planning Commission has administratively certified to the Department of Buildings that the elevators or loading facilities serving the *floor area* to be preserved provide facilities for *manufacturing* or *commercial uses* that are equivalent or superior to those serving the *floor area* to be converted.

The requirements of paragraph (3)(a) of Section 15-213 (Comparability) relating to comparability of size of floors may be modified provided that the Chairman of the City Planning Commission has administratively certified to the Department of Buildings that the *floor area* to be preserved consists of floors that are of equivalent or larger size than the floors in the *building* to be converted.

\* \* \*

## 15-40 SPECIAL PERMIT

15-41

Residential Conversion in **C6-1G, C6-2G, C6-2M, C6-4M, M1-5M, and M1-6M, M1-5A, M1-5B and LMM** Districts

In **C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M** Districts, the City Planning Commission may permit modification of the requirements of Sections **15-021 (e) or 15-21**; in **M1-5A and M1-5B** districts the City Planning Commission may permit the modification of the requirements of Section **42-14D1(b)** and in the **LMM Special Purpose District** the City Planning Commission may permit the modification of the requirements of Section **111-103**, in accordance with the provisions of Section **74-711 or 74-782**.

\* \* \*

74-78

Conversions of Non-Residential Buildings

\* \* \*

74-782

Residential conversion in **C6-1G, C6-2G, C6-2M, C6-4M, M1-5M, M1-6M, M1-5A, M1-5B and LMM** Districts

In **C6-1G, C6-2G, C6-2M, C6-4M, M1-5M, and M1-6M** Districts, the City Planning Commission, ~~subject to the approval of the Board of Estimate,~~ may permit modification of the requirements of Sections **15-021 (e) or 15-21**; in **M1-5A and M1-5B** Districts the City Planning Commission, ~~subject to the approval of the Board of Estimate,~~ may permit the modification of the requirements of Section **42-14D 1(b)**; and in the **LMM Special Purpose District** the City Planning Commission, ~~subject to the approval of the Board of Estimate,~~ may permit the modification of the requirements of Section **111-103**, provided that the Commission finds that:

(On November 6, 1991 Cal. No. 6, the Commission scheduled November 20, 1991 for a public hearing which has been duly advertised.)

**Close the hearing.**

## III. REPORTS

## BOROUGH OF QUEENS

No. 13

CD 2

C 900676 MMQ

**IN THE MATTER OF** an application filed by the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Sections 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 a portion of Thomson Avenue between Jackson Avenue and Court Square and the establishment of Albert E. Short Square Park**, in accordance with Map No. 4880 dated February 14, 1991 and signed by the Borough President.

(On October 9, 1991 Cal. No. 6, the Commission scheduled October 23, 1991 for a public hearing. On October 23, 1991, Cal. No. 17 the hearing was closed.)

**For consideration.**

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No. 14

CD 2

C 900211 ZSQ

**IN THE MATTER OF** an application submitted by the Korean Church of Eternal Life pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-921 of the Zoning Resolution **to allow a church (Use Group 4A) in an existing building on property located at 37-05 54th Street, on the southeast corner of 37th Avenue and 54th Street, (Block 1209, Lot 11), within an M1-1 district.**

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

(On September 25, 1991 Cal. No. 8, the Commission scheduled October 9, 1991 for a public hearing on October 9, 1991 Cal. No. 16 the hearing was continued. On October 23, 1991 Cal. No. 18 the hearing was closed.)

**For consideration.**

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No. 15

CD 2

C 910338 ZSQ

**IN THE MATTER OF** an application submitted by Margaret M. Weiri pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 103-06 of the Zoning Resolution to allow a **one-story enlargement of an existing one-family residential building at 39-20 45th Street** (Block 155, Lot 68), within the Special Planned Community Preservation District.

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

(On September 25, 1991 Cal. No. 9, the Commission scheduled October 9, 1991 for a public hearing. On October 9, 1991, Cal. No. 17 the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**Nos. 16, 17, 18 and 19**

*(Applications for the grant of authorizations, the grant of certifications and site plan approval concerning the St. Michaels development project.)*

No. 16

CD 3

N 910491 ZAR

**IN THE MATTER OF** an application, submitted by MWWW Realty, for **the grant of an authorization** pursuant to Section 23-631 (h) to **modify the height requirements for existing residential buildings on property located on the south side of Arthur Kill Road between the 183 acre proposed Arden Woods Park and Arden Avenue to the west** (Block 5720, Lot 1), in the Arden Heights community within the Special South Richmond District.

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.**



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No. 17

CD 3

N 920043 RCR

**IN THE MATTER OF** an application, submitted by MWWW Realty, for the **grant of a certification** pursuant to Section 107-123 for the **availability of school seats for the remaining 1000 dwelling units on property located on the south side of Arthur Kill Road between the 183 acre proposed Arden Woods Park and Arden Avenue to the west** (Block 5720, Lot 1), in the Arden Heights community within the Special South Richmond District.

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.**

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No. 18

CD 3

N 920086 ZAR

**IN THE MATTER OF** an application, submitted by MWWW Realty, for the **grant of an authorizations** pursuant to Section 23-631 (h) and Section 107-64 to modify the height requirements for the proposed residential development buildings and to **allow the removal of trees on property located on the south side of Arthur Kill Road between the 183 acre proposed Arden Woods Park and Arden Avenue to the west** (Block 5720, Lot 1), in the Arden Heights community within the Special South Richmond District.

\*NOTE: A related application has been submitted for site plan approval by the City Planning Commission (N 920046 CMR) and is being approved concurrently with Cal. Nos. 16, 17, 18 and 19.

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.**

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**No. 19****CD 3****N 920091 RCR**

**IN THE MATTER OF** an application, submitted by MWWW Realty, for the **grant of a certification** pursuant to Section 107-323, **involving the substitution of plant material for property located on the south side of Arthur Kill Road between the 183 acre proposed Arden Woods Park and Arden Avenue to the west (Block 5720, Lot 1), in the Arden Heights community within the Special South Richmond District.**

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.**

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**BOROUGH OF MANHATTAN****No. 20****CD 2****C 910206 ZSM**

**IN THE MATTER OF** an application submitted by 3 Great Jones Street Tenants Corp., pursuant to Sections 197-c and 201 of the New York City Charter for the **grant of a special permit** pursuant to Section 74-781 of the New York City Zoning Resolution to permit modification of Section 42-14 (D) 2(b) **to allow retail use (Use Group 6) on the ground floor with accessory storage space in the cellar in a loft building located at 3 Great Jones Street** between Lafayette Street and Shinbone Alley (Block 530, Lot 9) within an M1-5B 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, N.Y. 10007.

(On October 9, 1991 Cal. No. 5, the Commission scheduled October 23, 1991 for a public hearing. On October 23, 1991, Cal. No. 14 the hearing was closed.)

**For consideration.**

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**No. 21****CD 2****C 910001 ZSM**

**IN THE MATTER OF** an application submitted by Joseph Pell Lombardi, pursuant to Sections 197-c and 201 of the New York City Charter, for **the grant of a special permit** pursuant to Section 74-781 of the New York City Zoning Resolution to permit modification of Section 42-14D 2(a) of the Zoning Resolution to **allow retail use (Use Group 6) on the ground floor and cellar of a loft building located at 104-110 Greene Street (Block 499, Lot 7),** within an M1-5A district.

Plans for this proposal are on file with the City Planning Commission and may be seen at 2 Lafayette Street, Room 1400, New York, N.Y. 10007.

(On October 23, 1991 Cal. No. 2, the Commission scheduled November 6, 1991 for a public hearing. On November 6, 1991 Cal. No. 17, the hearing was closed.)

**For consideration.**

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**No. 22****CD 2****C 910520 ZSM**

**IN THE MATTER OF** an application submitted by Spring and Wooster Company, pursuant to Section 197-c and 201 of the New York City Charter, for **the grant of a special permit** pursuant to Section 74-781 of the New York City Zoning Resolution to permit modification of Section 42-14D 2(a) of the Zoning Resolution to **allow retail use (Use Group 6) on the ground floor and cellar in a loft building located at 139 Spring Street (Block 500, Lot 40)** within an M1-5A zoning district.

Plans for this proposal are on file with the City Planning Commission and may be seen at 2 Lafayette Street, Room 1400, New York, N.Y. 10007

(On October 23, 1991 Cal. No. 3, the Commission scheduled November 6, 1991 for a public hearing. On November 6, 1991 Cal. No. 18, the hearing was closed.)

**For consideration.**

## I. REPORTS

### BOROUGH OF QUEENS

No. 23

CD 2

C 920050 ZMQ

**IN THE MATTER OF** an application submitted by the New York City 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. 9d:

1. establishing within an existing R5 District a C2-2 District bounded by Queens Boulevard, 64th Street, a line 100 feet north of Queens Boulevard, and 65th Street; and
2. eliminating from the existing R5 District a C2-2 District bounded by:
  - a. a line 100 feet north of Queens Boulevard, 65th Street, a line 150 feet north of Queens Boulevard, and 65th Place;
  - b. a line perpendicular to the easterly street line of 68th Street, distant 60 feet north of the northeast intersection of the northerly street line of Queens Boulevard and the easterly street line of 68th Street, 68th Street, a line 150 feet north of Queens Boulevard, and 69th Street;
  - c. 44th Avenue, a line 150 feet north of Queens Boulevard, a line 100 feet north of 45th Avenue, a line 100 feet north of Queens Boulevard, a line 50 feet south of 44th Avenue, and 69th Street; and
  - d. 45th Avenue, a line 200 feet east of the intersection of the northerly street lines of Queens Boulevard and 45th Avenue, a line 100 feet north of 45th Avenue, and a line 300 feet east of the intersection of the northerly street lines of Queens Boulevard and 45th Avenue;

as shown on a diagram dated September 16, 1991.

(On October 23, 1991 Cal. No. 9, the Commission scheduled November 6, 1991 for a public hearing, On November 6, 1991 Cal. No. 11, the hearing was closed.)

**For consideration.**