

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, AUGUST 4, 1993
10:00 A.M. IN CITY HALL

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

CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO.	C.P.C. ACTION
1	C 920368 POK	13	Scheduled to be Heard 8/18/93	23	C 930480 ZSK	2	Favorable Report Adopted
2	C 930222 PPK	5	" "	24	C 930481 ZSK	2	" "
3	C 930147 HOM	3	" "	25	C 930482 ZSK	2	" "
4	C 930462 HAM	3	" "	26	N 940001 PXM	5	" "
5	C 920250 ZSM	2	" "	27	C 930128 ZSM	8	" "
6	C 920251 ZSM	2	" "	28	N 920678 ZRM	8	" "
7	C 930366 PCK N O T I C E	6	Hearing Closed	29	C 920318 PPQ	6	" "
8	C 920310 PPK	5	" "	30	C 930235 PPR	1	" "
9	C 920421 PPK	17	" "	31	N 930073 ZRY		" "
10	C 920193 PPK	17	" "	32			
11	C 930247 ZSM	1	" "	33			
12	C 920279 PQQ	12	" "	34			
13	C 930225 PPQ	3	" "	35			
14	C 920263 PQQ	8	" "	36			
15	C 920489 PQQ	8	" "	37			
16	C 930392 PPR	3	" "	38			
17	C 920149 ZMX	10	Favorable Report Adopted	39			
18	C 920393 PQX	6	Laid Over	40			
19	C 920366 POK	6	" "	41			
20	C 920388 PCK	6	" "	42			
21	C 920382 POK	9	" "	43			
22	C 920380 POK	2	" "	44			

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers											In Favor - Y Oppose - N Abstain - AB					
		17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Richard L. Schaffer, <i>Chairman</i>	P	Y					Y	Y	Y	Y	Y	Y	Y	Y	Y			
Victor G. Allicea, <i>Vice Chairman</i>	A																	
Eugene L. Birch, <i>A.I.C.P.</i>	P	Y	L				Y	Y	Y	Y	Y	Y	Y	Y	Y			
Amanda M. Burden, <i>A.I.C.P.</i>	P	Y		A			Y	Y	Y	Y	Y	Y	Y	Y	Y			
Anthony I. Giacobbe, <i>ESQ.</i>	P	Y			I		Y	Y	Y	Y	Y	Y	Y	Y	Y			
Maxine Griffith	P	Y				D	Y	Y	Y	Y	Y	Y	Y	Y	Y			
James C. Jao, <i>R.A.</i>	A																	
Brenda Levin	P	Y		O			Y	Y	Y	Y	Y	Y	Y	Y	Y			
Joel A. Miele, <i>SR., P.E.</i>	P	Y			V		Y	Y	Y	Y	Y	Y	Y	Y	Y			
Edward T. Rogowsky	P	Y				E	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Ronald Shiffman, <i>A.I.C.P.</i>	P	Y					R	Y	Y	Y	Y	Y	Y	Y	Y			
Analisa Torres, <i>ESQ.</i>	P	Y					Y	Y	Y	Y	Y	Y	Y	Y	Y			
Jacob B. Ward, <i>ESQ., Commissioners</i>	P	Y					Y	Y	Y	Y	Y	Y	Y	Y	Y			

MEETING ADJOURNED AT: 1:35 P.M.

CITY PLANNING COMMISSION

19

Appearance Card

1

I intend to appear and speak on C.P.No. _____ Cal. No. 11

in favor in opposition

Date: 8/4/93

(PLEASE PRINT)

Name: David Frandenthal

Address: 1 Centre

I represent: BP. Ruth Messinger

Address: _____

*Please complete this card and return the original.
Retain the duplicate and present it to the clerk at the speaker's
table when you come forward to address the Commission.*

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York
—
CITY PLANNING COMMISSION
—
WEDNESDAY, AUGUST 4, 1993
—
MEETING AT 10:00 A.M.
in
CITY HALL



David N. Dinkins, Mayor
City of New York
[No. 16]
Prepared by Lois McDaniel, Calendar Officer

A

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 Commission Calendar which consists of the City Planning Commission Public Meeting Calendar, Supplemental Calendar and Special Meeting Calendar, and Community Board Public Hearing Notices. Calendars are also available to the public in the Calendar Information Office, 22 Reade Street, Room 2E, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list may do so by sending a certified check, made out to the City of New York -- Department of City Planning to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216. The fee, including tax, is \$64.95 for a two year subscription.

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

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

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

B
CITY PLANNING COMMISSION

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

- RICHARD L. SCHAFFER, *Chairman*
- VICTOR G. ALICEA, *Vice-Chairman*
- EUGENIE L. BIRCH, A.I.C.P.
- AMANDA M. BURDEN, A.I.C.P.
- ANTHONY I. GIACOBBE, *Esq.*
- MAXINE GRIFFITH
- JAMES C. JAO, R.A.
- BRENDA LEVIN
- JOEL A. MIELE, SR., P.E.
- EDWARD T. ROGOWSKY
- RONALD SHIFFMAN, A.I.C.P.
- ANALISA TORRES, *Esq.*
- JACOB B. WARD, *Esq., 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

WEDNESDAY, AUGUST 4, 1993

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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 August 18, 1993, in 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 Hearing" 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, August 4, 1993

APPROVAL OF MINUTES OF Regular Meeting of July 21, 1993
and Special Meeting of August 2, 1993

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, AUGUST 18, 1993
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 13

C 920368 POK

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at 2864 West 21st Street (Block 7017, Lot 35), for continued use as a day care center. (La Puerta Abierta Day Care Center).

Resolution for adoption scheduling August 18, 1993 for a public hearing.

No. 2

CD 5

C 930222 PPK

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of:

- 1. Two (2) city-owned properties pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning; and**

2. **One (1) city-owned property restricted to community facility use.**

A list and description of the properties can be seen at the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, New York 11201.

Resolution for adoption scheduling August 18, 1993 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 3 and 4

(Applications for a plan and project, the designation of property as an Urban Development Action Area Project and the disposition of such property for a housing development)

No. 3

CD 3

C 930147 HOM

IN THE MATTER OF an application submitted by the Housing Authority, pursuant to Section 197-c of the New York City Charter and Section 150 of the Public Housing Law of New York State, for **a plan and project for a housing development** for low-income persons with disabilities, including AIDS, to be located on the southerly side of Stanton Street, between Attorney and Ridge streets (189-191 Stanton Street, Block 344, Lots 10 and 12).

The proposed project, tentatively known as the Stanton Street project, would contain approximately 13 new dwelling units in a five story building.

Resolution for adoption scheduling August 18, 1993 for a public hearing.

No. 4

CD 3

C 930462 HAM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law for:
 - a) **the designation of 189-191 Stanton Street**, on the southerly side of Stanton Street, between Attorney and Ridge Streets (Block 344, Lots 10 and 12) **as an Urban Development Action Area;**
 - b) **an Urban Development Action Area Project** for such area; and
- 2) pursuant to Section 197-c of the New York City Charter, **the disposition of such property** to a developer to be selected by HPD.

The proposed actions would **facilitate the construction of a housing development**, tentatively known as the Stanton Street project, containing approximately 13 dwelling units in a five story building, for low-income persons with disabilities, including AIDS.

Resolution for adoption scheduling August 18, 1993 for a public hearing.

Nos. 5 and 6

(Applications for the grant of a special permit to allow retail use (Use Group 6) in the cellar and on the first floor and first floor mezzanine of a loft building)

No. 5

CD 2

C 920250 ZSM

IN THE MATTER OF an application submitted by DSL Realty 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 Zoning Resolution to modify the use regulations of Section 42-14D 2(b) **to allow retail use (Use Group 6) in the cellar and on the first floor and first floor mezzanine of a loft building located at 450-452 Broome Street, on the northeasterly corner of Mercer Street (Block 484, Lot 32), in 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, NY 10007.

Resolution for adoption scheduling August 18, 1993 for a public hearing.

CD 2

C 920251 ZSM

IN THE MATTER OF an application submitted by DSL Realty 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 Zoning Resolution to modify the use regulations of Section 42-14D 2(b) **to allow retail use (Use Group 6) in the cellar and on the first floor and first floor mezzanine of a loft building located at 448 Broome Street, between Mercer Street and Broadway** (Block 484, Lot 31), in 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, NY 10007.

Resolution for adoption scheduling August 18, 1993 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 7

CD 6

C 930366 PCK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Police Department and the Department of General Services for **site selection and acquisition of property on the Erie Basin Breakwater** (Block 612, part of Lot 200) located at the foot of Columbia Street, **for use as evidence vehicle storage.**

(On July 21, 1993, Cal. No. 1, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On August 4, 1993 at 10:00 a.m. in City Hall, New York, a public hearing is being held by the Police Department to receive comments related to the Draft Environmental Impact Statement concerning the proposed Police Department's Evidence Vehicle Facility, pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review Act (CEQR No. NYPD 92-001K.)

No. 8

CD 5

C 920310 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter for **the disposition of nine (9) city-owned properties**, pursuant to zoning.

A list and description of the properties can be seen at the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, New York 11201.

(On July 21, 1993, Cal. No. 2, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

CD 17

C 920421 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter for the disposition of two (2) city-owned properties, pursuant to zoning.

A list and description of the properties can be seen at the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, New York 11201.

(On July 21, 1993, Cal. No. 3, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 10

CD 17

C 920193 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of two (2) city-owned properties, pursuant to zoning.

A list and description of the properties can be seen at the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, New York 11201.

(On July 21, 1993, Cal. No. 4, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN**No. 11****CD 1****C 930247 ZSM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by Warehouse Square Associates pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-782 of the Zoning Resolution to permit modification of the requirements of Section 111-103(b) of the Zoning Resolution to allow loft dwellings **on the third through ninth floors** of a loft building **located at 429-433 Greenwich Street**, on the northeasterly corner of Laight Street (Block 219, Lot 7), in an M1-5 district, within Area B2 of the Special Lower Manhattan Mixed Use District (LMM).

(On July 21, 1993, Cal. No. 5, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS**No. 12****CD 12****C 920279 PQQ****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 117-16 Sutphin Boulevard** (Block 12022, Lot 20), **for continued use as a day care center.** (Afro-American Parents Day Care Center).

(On July 21, 1993, Cal. No. 6, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 3

C 930225 PPQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of:

1. **One (1) city-owned property pursuant to zoning; and**
2. **One (1) city-owned property pursuant to AHOP.** If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.

A list and description of the properties can be seen at the Queens Office of the Department of City Planning, 29-27 41st Avenue, 9th floor, Long Island City, New York 11101.

(On July 21, 1993, Cal. No. 7, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 14

CD 8

C 920263 PQQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services, pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 198-17 Foothill Avenue (Block 10532, Lot 163) for continued use as an Agency Operated Boarding Home.**

(On July 21, 1993, Cal. No. 8, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 8

C 920489 PQQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services, for **acquisition of property located at 160-12 73rd Avenue (Block 6833, Lot 28) for continued use as an Agency Operated Boarding Home.**

(On July 21, 1993, Cal. No. 9, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 16

CD 3

C 930392 PPR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of General Services, 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 on the west side of Kingdom Avenue, 185.58 feet north of Hylan Boulevard (Block 6548, Lot 112), pursuant to zoning.**

(On July 21, 1993, Cal. No. 10, the Commission scheduled August 4, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 17

CD 10

C 920149 ZMX

IN THE MATTER OF an application submitted by Peter Tsibidis pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 4b**, establishing within an existing R4 district a C2-2 district bounded by Bruckner Boulevard, a line midway between East Tremont Avenue and Revere Avenue, a line 100 feet south of Bruckner Boulevard, and Revere Avenue, as shown on a diagram (for illustrative purposes only) dated March 15, 1993.

(On June 23, 1993, Cal. No. 1, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 15, the hearing was closed.)

For consideration.

No. 18

CD 6

C 920393 PQX

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 2260 Crotona Avenue (Block 3101, part of lot 23), for continued use as a day care center.** (Friendship Day Care Center).

(On June 23, 1993, Cal. No. 2, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN**No. 19****CD 6****C 920366 PQK**

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 80 Lorraine Street (Block 580, Lot 16), for continued use as a day care center.** (Salvation Army Fiesta Day Care Center).

(On June 23, 1993, Cal. No. 3, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 17, the hearing was closed.)

For consideration.

No. 20**CD 6****C 920388 PCK**

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 172 Franklin Avenue (Block 1912, Lot 41), and site selection of city-owned property (Block 1912, parts of lots 9,10,14,17 and 19) for continued use as a day care center.** (David T. Bradley Day Care Center).

(On June 23, 1993, Cal. No. 4, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 18, the hearing was closed.)

For consideration.

No. 21**CD 9****C 920382 PQK**

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 36 Ford Street (Block 1420, Lot 51), for continued use as a day care center.** (Friends of Crown Heights Day Care Center).

(On June 23, 1993, Cal. No. 5, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 19, the hearing was closed.)

For consideration.

No. 22

CD 2

C 920380 PQK

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for **acquisition of property located at 143 Waverly Avenue** (Block 1889, Lot 1), for **continued use as a day care center.** (Willoughby-Waverly Day Care Center).

(On June 23, 1993, Cal. No. 6, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 20, the hearing was closed.)

For consideration.

Nos. 23, 24 and 25

(Applications for the grant of special permits: (1) to modify height and setback regulations, (2) to allow the distribution of floor area without regard for zoning lot lines, (3) to extend the boundaries of the general large scale development, and (4) to allow an increase in the capacity of the attended public parking garage concerning the MetroTech general large-scale development.)

No. 23

CD 2

C 930480 ZSK

IN THE MATTER OF an application submitted by the Economic Development Corporation, Forest City MetroTech Associates, the Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** to modify a previously approved special permit (C 860693 ZSK) pursuant to Sections 74-52 and 74-721 of the Zoning Resolution to allow:

- o pursuant to Section 74-721, further modification of the height and setback regulations of Section 33-432 of the Zoning Resolution; and,

- pursuant to Section 74-52, a minor modification involving the reduction in the size and capacity of the attended public parking garage from 250 spaces to 198 spaces, including 76 accessory spaces;

to facilitate the development of an office building (Building H) on Zoning Lot C (bounded by Bridge Street, Tillary Street, Flatbush Avenue Extension, and Johnson Street/Tech Place), in a C6-1A District, within a general large scale development (generally bounded by Flatbush Avenue Extension, Gold Street, Willoughby Street, Jay Street, Johnson Street/Tech Place, Bridge Street and Tillary Street) and the MetroTech Urban Renewal Area.

Note: Special Permit C 860693 ZSK was approved by the City Planning Commission on May 6, 1987 (Cal. No. 27) and was subsequently approved by the Board of Estimate with modifications on June 30, 1987 (Cal. No. 15).

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 July 7, 1993, Cal. No. 5, the Commission scheduled July 21, 1993 for a public hearing. On July 21, 1993, Cal. No. 15, the hearing was closed.)

For consideration.

No. 24

CD 2

C 930481 ZSK

IN THE MATTER OF an application submitted by the Economic Development Corporation, Forest City MetroTech Associates, the Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** to modify a previously approved special permit (C 890650 ZSK) pursuant to Section 74-74 of the Zoning Resolution and a previously approved modification (M 890650 (A) ZSK) to allow:

- pursuant to Section 74-743(a)(1), the distribution of 105,040 square feet of zoning floor area from Building H on Zoning Lot C (bounded by Bridge Street, Tillary Street, Flatbush Avenue Extension, and Johnson Street/Tech Place) to Building C/G on Zoning Lot A (generally bounded by Flatbush Avenue Extension, Myrtle Avenue, Duffield Street, Willoughby Street, Jay Street and Johnson Street/ Tech Place) without regard for zoning lot lines to facilitate the development of Building C/G; and,

- o pursuant to Section 74-74, the extension of the boundaries of the general large scale development to include Zoning Lot C;

within a general large-scale development (generally bounded by Flatbush Avenue Extension, Gold Street, Willoughby Street, Jay Street, Johnson Street/Tech Place, Bridge Street and Tillary Street) and the MetroTech Urban Renewal Area.

Note: Special Permit C 890650 ZSK was approved by the City Planning Commission on June 21, 1989 (Cal. No. 76) and was subsequently approved by the Board of Estimate on July 20, 1989 (Cal. No. 12).

Modification M 890650 (A) ZSK was approved by the City Planning Commission on August 12, 1991.

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 July 7, 1993, Cal. No. 6, the Commission scheduled July 21, 1993 for a public hearing. On July 21, 1993, Cal. No. 16, the hearing was closed.)

For consideration.

No. 25

CD 2

C 930482 ZSK

IN THE MATTER OF an application submitted by the Economic Development Corporation, Forest City MetroTech Associates, the Department of Housing Preservation and Development and the Polytechnic University pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** to modify a previously approved special permit (C 860692 ZSK) pursuant to Sections 74-52 and 74-721 of the Zoning Resolution and a previously approved modification (M 860692 (A) ZSK) involving the merger of Buildings C and G into Building C/G **to allow, pursuant to Section 74-52, an increase in the capacity of the attended public parking garage from 400 spaces to 452 spaces, including 204 accessory spaces, to facilitate the development of an office building (Building C/G) on Zoning Lot A (generally bounded by Johnson Street/Tech Place, Flatbush Avenue Extension, Myrtle Avenue, Duffield Street, Willoughby Street, and Jay Street), in a C6-1A District, within a general large scale development (generally bounded by Flatbush Avenue Extension, Gold Street, Willoughby Street, Jay Street, Johnson Street/Tech Place, Bridge Street, and Tillary Street) and the MetroTech Urban Renewal Area.**

Note: Special Permit C 860692 ZSK was approved by the City Planning Commission on May 6, 1987 (Cal. No. 26) and was subsequently approved by the Board of Estimate with modifications on June 30, 1987 (Cal. No. 15).

Modification M 860692 (A) ZSK was approved by the City Planning Commission on October 12, 1989.

Plans for the 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 July 7, 1993, Cal. No. 7, the Commission scheduled July 21, 1993 for a public hearing. On July 21, 1993, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 26

CD 5

N 940001 PXM

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 1,775 square feet of space located on the 8th floor of 230 Park Avenue, Block 1300, Lot 1.**

(On July 9, 1993, the Commission duly advertised July 21, 1993 for a public hearing. On July 21, 1993, Cal. No. 19, the hearing was closed.)

For consideration.

Nos. 27 and 28

(Applications for the grant of a special permit for the Hotel Pierre and an amendment to the Zoning Resolution to allow conversion of uses)

No. 27

CD 8

C 930128 ZSM

IN THE MATTER OF an application submitted by the 795 Fifth Avenue Corporation pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-80 of the Zoning Resolution to allow the conversion of up to 240,645 square feet of zoning floor area from residential use to transient hotel use without regard to floor area, supplementary use and lot area per room regulations otherwise applicable in a C5-1 District and to allow any subsequent conversion of such floor area to and from residential use or transient hotel use to occur without further Commission approval **on property located at 795 Fifth Avenue** (known as the Hotel Pierre) (Block 1375, Lot 67).

(On June 9, 1993, Cal. No. 5, the Commission scheduled June 23, 1993 for a public hearing. On June 23, 1993, Cal. No. 13, the hearing was closed.)

For consideration.

No. 28

(Amendment to Section 74-80 of the Zoning Resolution concerning Transient Hotels)

CD 8

N 920678 ZRM

IN THE MATTER OF an application submitted by the 795 Fifth Avenue Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for **amendment of the Zoning Resolution of the City of New York**, relating to Section 74-80 concerning Transient Hotels, as follows:

Matter in ~~Gray-tone~~ is new, to be added;

Matter in ~~strikeout~~ is old, to be omitted;

Matter within # # is defined in Section 12-10;

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

74-80

TRANSIENT HOTELS

* * *

In R10-H Districts or in the case of an existing #building# located on a #zoning lot# a substantial portion of which is located in an R10-H District, the City Planning Commission may permit #transient hotels# provided the Commission finds that such #use# will not impair the essential character of the #Residence District#. Where a #building# in existence on December 15, 1961, is located on a #zoning lot#, a substantial portion of which is located in an R10-H District and the remainder in a #Commercial District#, the Commission may also permit the conversion of specified #floor area# within such #building# from #residential use# to #transient hotel use# without regard to the #floor area#, #supplementary use#, #lot area per room# or #floor area per room# regulations otherwise applicable in the #Commercial District#. The Commission may also allow any subsequent conversion of such specified #floor area# to and from #residential# or #transient hotel use# to occur without further Commission approval, subject to the conditions of the special permit. The City Planning Commission may also permit the location of #residential# units within the #transient hotel# and modify the limitations on the location of floors occupied by non-#residential uses#, the #lot area per room# and the #lot area# requirement for non-#residential uses#; provided, that for every 300 sq. ft. of #gross residential floor area# in the #building# there shall be no more than one #room#. In no event shall the total #residential floor area ratio# on the #zoning lot# exceed 10. The City Planning Commission may permit no more than 225 #accessory# off street parking spaces to be located on the same #zoning lot# as the hotel provided that the following findings are made:

- (a) That such spaces are needed or, and will be used by, the occupants, visitors, customers, or employees of the #use# to which they are #accessory#.
- (b) That such spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow.
- (c) That adequate reservoir space is provided at the vehicular entrances.
- (d) That the #streets# providing access to such spaces will be adequate to handle the traffic generated thereby.

As a condition precedent to the granting of such #use# or #bulk# modifications the Commission shall find that such modifications will not impair the essential character of the #Residence District#.

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

* * *

(On June 9, 1993, Cal. No. 6, the Commission scheduled June 23, 1993 for a public hearing. On June 23, 1993, Cal. No. 14, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 29

CD 6

C 920318 PPQ

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of fifteen (15) condominium parking spaces located in a building at 92-29 Queens Boulevard, restricted to use as accessory residential parking in accordance with Section 25-40 of the Zoning Resolution.

A list and description of these parking spaces can be seen in the Queens Office of the Department of City Planning, 29-27 41st Avenue, 9th Floor, Long Island City, New York 11101.

(On June 23, 1993, Cal. No. 7, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 22, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 30

CD 1

C 930235 PPR

IN THE MATTER OF an application submitted by the Department of General Services, Division of Real Property, pursuant to Section 197-c of the New York City Charter, for the disposition of eight (8) city-owned properties, pursuant to zoning.

A list and description of these properties can be seen in the Staten Island Office of the Department of City Planning, 56 Bay Street, 6th Floor, Staten Island, New York 10301.

(On June 23, 1993, Cal. No. 8, the Commission scheduled July 7, 1993 for a public hearing. On July 7, 1993, Cal. No. 23, the hearing was closed.)

For consideration.



CITYWIDE

No. 31

[An amendment of the Zoning Resolution to permit recessed balconies in R6 through R10 districts and to change the dimensions of projecting balconies in R2X, R3, R4 and R5 districts.]

N 930073 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 **amendment of the Zoning Resolution** of the City of New York relating to Sections 12-10, 23-131, 23-132, 23-133, 23-146, 24-175, 24-176, as follows:

Matter in ~~Greytone~~ is new to be added;

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

Matter in italics or # # is defined in Section 12-10

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

12-10 DEFINITIONS

* * *

Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

* * *

- (f) floor space in open or roofed terraces, ~~exterior balconies~~, bridges, breezeways or porches, if more than 50 percent of the perimeter of such terrace, ~~balcony~~, breezeway, or porch is enclosed, and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure;

* * *

- (n) floor space in exterior balconies if more than 67 percent of the perimeter of such balcony is enclosed and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure.
- (o) any other floor space not specifically excluded.

However, the #floor area# of a #building# shall not include:

* * *

- (e) floor space in open or roofed terraces, ~~exterior balconies~~, bridges, breezeways or porches, provided that no more than 50 percent of the perimeter of such terrace, ~~balcony~~, breezeway, or porch is enclosed, and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure;

* * *

- (j) floor space in exterior balconies provided that not more than 67 percent of the perimeter of such balcony is enclosed and provided that a parapet not higher than three feet, eight inches, or a railing not less than 50 percent open and not higher than four feet, six inches, shall not constitute an enclosure.

* * *

12-10 DEFINITIONS

Lot coverage

"Lot coverage" is that portion of a #zoning lot# which, when viewed directly from above, would be covered by a #building# or any part of a #building#. However, for purposes of computing a #height factor#, any portion of such #building# covered by a roof which qualifies as #open space#, or any terrace, balcony, breezeway, or porch or portion thereof not included in the #floor area# of a #building#, shall not be included in #lot coverage#. ~~In R2X, R3, R4 or R5 Districts, obstructions permitted pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in #lot coverage#.~~

When a #height factor# is not computed for a #residential building# or #residential# portion of a #building#, the portion of any balcony which does not project from the face of the #building# shall be counted as #lot coverage#, but other obstructions permitted pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not be included in #lot coverage#.

* * *

**R1 R2 R6 R7 R8 R9 R10
23-131**

Balconies in R1, R2, and R6 through R10 Districts

In the districts indicated, except R2X Districts, balconies which:

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height;
- (b) are located at or higher than the floor level of the third #story# of a #building# or at least 20 feet above #curb level# and except that in the case of a #residential building# not more than 32 feet in height, such balconies may be located at or above the floor level of the second #story# provided that such balcony is located not lower than seven feet above #curb level#, or seven feet above adjacent natural grade, whichever is higher;
- (c) have an aggregate length, at the level of any #story#, not exceeding 50 percent of the length at that level of the plane surface of the building wall from which they project; and
- (d) have an aggregate area of projection at the level of any #story#, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface, may, by a distance not exceeding nine feet, penetrate any #sky exposure plane# or project into or over any required open area set forth in the following sections:
 - (1) #open space#, as defined in Section 12-10 (DEFINITIONS);
 - (2) #plazas#, as defined in Section 12-10 (DEFINITIONS);
 - (3) #rear yards#, as defined in Section 12-10 (DEFINITIONS);
 - (4) #initial setback distances#, or #sky exposure planes#, as set forth in Section 23-63 (Maximum Height of Frontal Walls and Required Front Setbacks);
 - (5) alternate front setbacks or #sky exposure planes#, as set forth in Section 23-64 (Alternate Front Setbacks);
 - (6) open areas not occupied by towers, as set forth in Section 23-65 (Tower Regulations);

- (7) required side and rear setbacks, as set forth in Section 23-66 (Required Side and Rear Setbacks);
- (8) required distances between #buildings#, as set forth in Section 23-71 (Minimum Distance Between Buildings on a Single Zoning Lot);
- (9) #pedestrian mall#.

In addition, balconies may be enclosed by building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height. The portion of a balcony enclosed by building walls shall not exceed six feet in depth.

However, for #residential buildings developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program the provisions of Section 23-132 (Balconies in R6A through R10A Districts) shall apply.

R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A 23-132

Balconies in R6A through R10A Districts

(a) In the districts indicated, balconies may be provided as set forth in Section 23-131 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height. The portion of a balcony enclosed by building walls shall not exceed six feet in depth. ~~The portion of such balcony enclosed by #building# walls shall be counted as #lot coverage# but shall be excluded from the definition of #floor area#.~~

(b) In no event shall balconies:

- (1) project by a distance greater than seven feet as measured from the plane surface of the building wall from which it projects;
- (2) penetrate the #front or rear sky exposure planes#;
- (3) project into the minimum required distance between #buildings# on the same #zoning lot#;
- (4) cover more than 10 percent of the area designated as outdoor recreation space pursuant to Section 28-30 (RECREATION SPACE AND PLANTING AREAS).

R2X R3 R4 R5**23-133****Balconies in R2X, R3, R4 and R5 Districts**

In the districts indicated, balconies which:

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height; and
- (b) are located at or above the floor level of the second #story# provided that such balcony is not lower than seven feet above #curb level# or adjacent natural grade, whichever is higher;
- ~~(c) have an aggregate length, at the level of any #story#, not exceeding 50 percent of the length at the level of the plane surface of the #building# wall from which they project; and~~
- ~~(d) have an aggregate area of projection at the level of any #story# not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface, may, by a distance not exceeding six feet, project into any required #front yard# except that where a #front yard# of 12 feet or less is provided, such projection shall not exceed one half the depth of such #front yard#; and may, by a distance not exceeding nine feet, project into any #rear yard#, #rear yard equivalent#, required distance between #buildings# as set forth in Section 23-71 (Standard minimum distance between buildings), or other #open space# as defined in Section 12-10 (DEFINITIONS).~~

may, as permitted in this Section, project into or over any required open area set forth in the following sections:

- (1) #front yards# as defined in Section 12-10 (DEFINITIONS);
- (2) #rear yards# or #rear yard equivalents# as defined in Section 12-10;
- (3) #open space# as defined in Section 12-10, excluding:
 - (i) #side yards# as defined in Section 12-10;
 - (ii) required minimum dimensions of #courts# as defined in Section 12-10; and as set forth in Section 23-80 (COURT REGULATIONS AND MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES);
 - (iii) required distances between #buildings# as set forth in Section 23-71 (Minimum Distance Between Buildings on a Single Zoning lot).

If the depth of the #front yard# is greater than 12 feet, balconies may project six feet into such #front yard# provided that in R2X or R3 Districts, the aggregate length of such balconies does not exceed 50 percent of the length at that level of the plane surface of the building wall from which they project, and in R4 or R5 Districts, such aggregate length does not exceed 67 percent.

If the depth of the #front yard# is 12 feet or less, balconies may project to a distance equal to one-half the depth of such #front yard# provided the aggregate length of such balconies does not exceed 50 percent of the length at that level of the plane surface of the building wall from which they project.

Balconies may, by a distance not to exceed eight feet, project into a #rear yard# or other #open space# not specifically excluded above. At the level of the second #story# the aggregate length of such balconies is not limited but at the level of the third #story# or higher such aggregate length shall not exceed 50 percent of the length at that level of the plane surface of the building wall from which the balconies project.

In addition, balconies may be enclosed by building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height. ~~The portion of a balcony enclosed by building walls shall not exceed six feet in depth. The portion of such balcony enclosed by #building# walls shall be included as #lot coverage# but shall not be included as floor area as defined in Section 12-10.~~

* * *

23-146

Optional provisions for certain R5 and R6 Districts in Brooklyn

R5 R6

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

* * *

~~(f)~~ **Balconies**

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

~~(g)~~ **Off-Street Parking in R5 and R6 Districts**

No #accessory# off-street parking is required in R5 and R6 Districts.

* * *

**R3 R4 R5 R6 R7 R8 R9 R10
24-175****Balconies in R3 through R10 districts**

In the districts indicated, the regulations set forth in this Section shall apply to the #residential# portion of a #building# used partly for #residential use# and partly for #community facility use# or to any portion of a #building# used for living or sleeping accommodations.

Balconies which:

- (a) are unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height;
- (b) are located at or higher than the floor level of the fourth #story# of a #building#;
- (c) have an aggregate length, at the level of any #story#, not exceeding 50 percent of the length at that level of the plane surface of the building wall from which they project; and
- (d) have an aggregate area of projection at the level of any #story#, not exceeding, in square feet, 1.8 times the length in feet at that level of such plane surface; may, by a distance not exceeding nine feet, penetrate any #sky exposure plane# or project into or over any required open area set forth in the following Sections:
 - (1) #open space#, as defined in Section 12-10 (DEFINITIONS);
 - (2) #plazas#, as defined in Section 12-10 (DEFINITIONS);
 - (3) #rear yards#, as defined in Section 12-10 (DEFINITIONS);

- (4) #initial setback distances# or #sky exposure planes#, as set forth in Section 24-52 (Maximum Height of Front Wall and Required Front Setbacks);
- (5) alternate front setbacks or #sky exposure planes#, as set forth in Section 24-53 (Alternate Front Setbacks);
- (6) open area not occupied by towers, as set forth in Section 24-25 (Tower Regulations);
- (7) required side and rear setbacks, as set forth in Section 24-55 (Required Side and Rear Setbacks);
- (8) #pedestrian mall#.

In addition, balconies may be enclosed by building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height. The portion of a balcony enclosed by building walls shall not exceed six feet in depth.

However, for #buildings# in which the #residential# portion is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program, the regulations for balconies shall be as set forth in Section 24-176 (Balconies in R6A through R10A Districts).

R6A R6B R7A R7B R7X R8A R8X R9A R9X R10A
24-176

Balconies R6A through R10A Districts

- (a) In the districts indicated, the regulations set forth in this Section shall apply to the #residential# portion of a #building# used partly for #residential use# and partly for #community facility use# or to any portion of a #building# used for living or sleeping accommodations. Balconies may be provided as set forth in Section 24-175 paragraphs (a) through (d) except that projections shall conform to the provisions of paragraph (b) below. In addition, balconies may be enclosed by the building walls provided that at least 33 percent of the perimeter of such balcony is unenclosed except for a parapet not exceeding three feet, eight inches in height or a railing not less than 50 percent open and not exceeding four feet, six inches in height. The portion of a balcony enclosed by building walls shall not exceed six feet in depth. ~~and such balcony is counted as #Quality Housing lot coverage#. The area of such balcony shall be excluded from the definition of #floor area#. The portion of such balcony enclosed by #building# walls shall be included as #lot coverage#.~~

(On May 10, 1993, Cal. No. 1, the Commission scheduled May 26, 1993 for a public hearing. On May 26, 1993, Cal. No. 20, the hearing was closed.)

For consideration.
