

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, NOVEMBER 17, 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 920396 POK | 8 | Scheduled to be Heard 12/1/93 | 23 | C 930159 PCM | 4 | Favorable Report Adopted |
| 2 | C 930329 GFK | 16 | " " | 24 | N 920676 ZAM | 5 | " " |
| 3 | C 930478 PPK | 16 | " " | 25 | C 920302 MMQ | 14 | " " |
| 4 | C 930136 ZMM | 8 | " " | 26 | C 920394 PQQ | 1 | " " |
| 5 | N 940013 ZRY | 2, 4, 6-8, 10, 11 | " " | 27 | C 920679 PCQ | 4 | " " |
| 6 | C 900437 MMQ | 14 | " " | 28 | C 920088 ZMQ | 2 | " " |
| 7 | C 920379 PQQ | 7 | " " | 29 | N 940055 ZAR | 2 | Authorization Approved |
| 8 | C 940054 GFY | All | Hearing Closed | | SUPPLEMENTAL | | |
| 9 | PROPOSED AMENDMENT | | " " | 1 | N 940127(A)ZRM | 7 | Scheduled to be Heard 12/1/93 |
| 10 | C 920569 PQX | 3 | " " | 2 | N 940128(A)ZRM | 7 | " " |
| 11 | C 920457 POK | 9 | " " | | | | |
| 12 | C 930430 ZMK | 6, 8 | " " | | | | |
| * 13 | C 930479 PPK | 5 | " " | | | | |
| 14 | C 920459 PQM | 10 | " " | | | | |
| 15 | N 940127 ZRM | 7 | Hearing Continued | | | | |
| 16 | N 940128 ZRM | 7 | " " | | | | |
| 17 | C 920456 PQQ | 13 | Hearing Closed | | | | |
| 18 | C 920677 PQQ | 13 | " " | | | | |
| 19 | C 930360 DMQ | 12 | " " | | | | |
| 20 | C 930398 ZSR | 3 | " " | | | | |
| 21 | C 920375 PQX | 9 | Favorable Report Adopted | | | | |
| 22 | C 930058 PCM | 4 | " " | | | | |

| COMMISSION ATTENDANCE: | Present (P) Absent (A) | COMMISSION VOTING RECORD: Calendar Numbers | | | | | | | | | | In Favor - Y Oppose - N Abstain - AB | | |
|-------------------------------------------|---------------------------|-----------------------------------------------|----|----|----|----|----|----|----|----|--|--------------------------------------------|--|--|
| | | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | |
| Richard L. Schaffer, <i>Chairman</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | | |
| Victor G. Alcea, <i>Vice Chairman</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | | |
| Eugenie L. Birch, <i>A.I.C.P.</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | | |
| Amanda M. Burden, <i>A.I.C.P.</i> | P | Y | Y | Y | Y | Y | N | Y | Y | Y | | | | |
| Anthony I. Giacobbe, <i>ESQ.</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | | |
| Maxine Griffith | P | 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 | | | | |
| Brenda Levin | P | Y | Y | Y | Y | Y | N | Y | Y | Y | | | | |
| Joel A. Miele, <i>SR., P.E.</i> | P | Y | Y | Y | Y | Y | N | Y | Y | Y | | | | |
| Edward T. Rogowsky | P | Y | Y | Y | Y | Y | N | Y | Y | Y | | | | |
| Ronald Shiffman, <i>A.I.C.P.</i> | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | | |
| Analisa Torres, <i>ESQ.</i> | P | 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 | | | | |

MEETING ADJOURNED AT: 6:20 P.M.

SUPPLEMENTAL
CITY PLANNING CALENDAR
of
The City of New York
—
CITY PLANNING COMMISSION
—
WEDNESDAY, NOVEMBER 17, 1993
—
MEETING AT 10:00 A.M.
in
CITY HALL



David N. Dinkins, Mayor
City of New York
[No. 23]

Prepared by Lois McDaniel, Calendar Officer

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.

I. SCHEDULING

BOROUGH OF MANHATTAN

Nos. 1 and 2

(Applications for modified amendments to reduce the maximum permissible building height on Blocks 1 and 2 from 300 feet to 275 feet)

No. 1

[Amendments to the Zoning Resolution to retain the mandatory arcades and to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District in the Borough of Manhattan]

CD 7

N 940127 (A) ZRM

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 VIII, Chapter 2, Section 82-00, to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District and to reference in other sections, as follows:

Matter in ~~Graytone~~ is new, to be added;

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

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

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

Article VIII

Chapter 2 Special Lincoln Square District

82-00 GENERAL PURPOSES

* * *

82-01

Definitions

* * *

Development

For purposes of this Chapter a "development" includes both #development# and #enlargement# as defined in Section 12-10 (DEFINITIONS).

82-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified #bulk# regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter, and the City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may grant special permits authorizing modifications of specified applicable district #bulk# regulations for any #development# in the #Special

~~Lincoln Square District#~~. In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such ~~#development#~~ shall conform to and comply with all of the applicable district regulations on ~~#use#~~, ~~#bulk#~~, supplementary ~~#use#~~ regulations, regulations applying along district boundaries, ~~#accessory signs#~~, ~~#accessory#~~ off street parking and off street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter.

~~82-03~~

~~Action by the Board of Estimate~~

~~Delete entire section~~

~~82-04~~

~~82-03~~

~~Requirements for Applications~~

~~An application to the City Planning Commission for the grant of a special permit or an authorization respecting any #development# under the provisions of this Chapter shall include a site plan showing the location and the proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and proposed off-street parking spaces, and such other information as may be required by the City Planning Commission for its determination as to whether or not a special permit or an authorization is warranted. Such information shall include, but not be limited to, justification of the proposed #development# in relation to the general purposes of the #Special Lincoln Square District#; (Section 82-00), its relation to public improvements (82-05), its proposed #uses# (Section 82-06), its parking facilities (Section 82-07), and its bulk and height (Section 82-08), as well, in applicable locations, as the inclusion of Mandatory Arcades (Section 82-09), public amenities (Section 82-10) and location of #building# walls in relation to certain #street lines# (Section 82-11).~~

~~82-05~~

~~Relationship to Public Improvement Projects~~

~~Delete entire section~~

~~82-04~~

~~District Plan~~

~~The District Plan for the #Special Lincoln Square District# included as Appendix A identifies specific subdistricts in which special zoning regulations carry out the general purposes of the #Special Lincoln Square District#. These areas are: Subdistrict A, Subdistrict B and Subdistrict C.~~

~~The District Plan also identifies #blocks# with mandatory #front lot line street walls#. The District Plan is hereby incorporated as an integral part of the #Special Lincoln Square District#.~~

~~82-05~~

~~Right to Construct~~

~~For the purpose of this Chapter, the right to continue to construct shall terminate if the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) are not met by the date of approval of this amendment by the City Planning Commission.~~

§2-10

MANDATORY DISTRICT IMPROVEMENTS

The provisions of this Section specify mandatory physical improvements to be provided in connection with #developments# on certain #zoning lots# located within the Special District.

§2-09

§2-11

Mandatory Arcades

Any #development# located on a #zoning lot# with a #lot line# which coincides with any ~~either~~ of the following #street lines#: ~~the north side of 61st Street between Central Park West and Broadway,~~ the east side of Broadway between West 61st and West 65th Streets or the east side of Columbus Avenue between West 65th and West 66th Streets, shall contain an #arcade# as defined in Section 12-10, except that:

- (a) The #arcade# shall extend the full length of the #zoning lot# along the #street lines# described above. However, the required #arcade# along the east side of Columbus Avenue may be terminated at a point 40 feet south of West 66th Street;
- (b) The exterior face of #building# columns shall lie along the #street lines# described above;
- (c) The minimum depth of the #arcade# shall be 15 feet (measured perpendicular to the exterior face of the #building# columns located on the #street line#) and the ~~average~~ ~~minimum~~ height of the #arcade# along the center line of its longitudinal axis shall not be less than 20 feet;
- (d) The #arcade# shall contain no permanent obstruction within the area delineated by the minimum width and height requirements of this Section except for the following:
 - (1) Unenclosed cafes, provided that there is at least a ~~6~~ ~~six-foot~~ feet wide unobstructed pedestrian way adjacent to the #building# #street wall#. In no event may such cafes be enclosed at any time.
 - (2) Structural columns not exceeding 2 feet by 3 feet provided that the longer dimension of such columns is parallel to the #street line#, that such columns are spaced at a minimum of 17 feet on center, and that the space between such columns and the face of the #building# #street wall# is at least 13 feet wide. No other columns shall project beyond the face of the building #street wall#.
- (e) No #signs# may be affixed to any part of the #arcade# or #building# columns except on a parallel to the #building# #street wall# projecting no more than 18 inches therefrom parallel to the #street line# along which the #arcade# lies.
- (f) The #arcade# shall be illuminated only by incandescent lighting to a standard of average ~~8~~ ~~eight~~ foot-candle intensity with a minimum ~~5~~ ~~five~~ foot-candle intensity at any point within the #arcade#.

82-12

Mandatory Off-Street Relocation of a Subway Stair

Where a #development# is constructed on a #zoning lot# that fronts on a sidewalk containing a stairway entrance into the West 59th Street (Columbus Circle) or the West 66th Street subway station and such #zoning lot# contains 5,000 square feet or more of #lot area#, the existing entrance shall be relocated from the #street# onto the #zoning lot# in accordance with the provisions of Section 37-032 (Standards for relocation, design and hours of public accessibility) and 37-033 (Administrative procedure for a subway stair relocation).

82-13

Special Provisions for a Transit Easement

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

82-06

82-20

SPECIAL USE AND SIGN REGULATIONS

~~In order to ensure that a wide variety of consumer and service needs of local residence are met, a special limitation is imposed on the amount of street frontage that can be elevated to any one type of commercial use, and a special incentive is provided to encourage uses compatible with the General Purposes of Section 82-00.~~

In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.

The provisions of this Section shall apply to all a #development# or change of #use# within the Special District.

82-064

82-21

Restrictions on Street Level Uses

~~#Uses# on the ground floor level along Broadway, Amsterdam or Columbus Avenues except lobby space shall be limited to Use Group L uses or #commercial uses# permitted by the underlying district regulations. On any #zoning lot# which abuts Columbus, Amsterdam Avenues or Broadway, the maximum length of street frontage along Broadway or Columbus or Amsterdam Avenues which may be devoted to any permitted #use# shall be 40 feet unless the use also is included in Use Group L (Section 82-062). #Uses# under Use Group L are permitted without #street# frontage limitation.~~

Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to those listed in Use Groups 6A, 6C, 8A, 10A, eating or drinking establishments listed in 12A, or 12B. Within Use Groups 3A or 4B #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. At the ground floor level and within five feet of #curb level# the #floor area# shall be allocated exclusively to such #uses#, except lobby space, building entrance space, #accessory# loading berths where permitted pursuant to Section 82-50, or entrance areas to subway stations.

82-062

Use Group L

Delete entire section

82-22

Location of Floors Occupied by Commercial Uses

The provisions of Section 32-422 (Location of Floors Occupied by Non-Residential Uses) shall not apply to any #commercial use# located in a portion of a #mixed building# that has separate direct access to the #street# and has no access within the #building# to the #residential# portion of the #building# at any #story#. In no event shall such #commercial use# be located directly over any #dwelling units#.

82-23

Special Floor Area Regulations for Use Groups 8 and 12 Uses

Within Subdistrict A or Subdistrict C, the maximum #floor area ratio# that may be used on a #zoning lot# for #uses# listed in Use Groups 8A or 12A shall not exceed 1.0, except that this limitation shall not apply to eating or drinking establishments.

82-24

Street Wall Transparency

When the front building wall or #street wall# of any #development# is located on Broadway, Columbus Avenue or Amsterdam Avenue, at least 50 percent of the total surface area of the #street wall# between #curb level# and 12 feet above #curb level# or to the ceiling of the first #story#, whichever is higher, shall be transparent. Such transparency shall begin not higher than two feet six inches above #curb level#.

82-063

82-25

Supplementary Sign Regulations

No permitted #business sign# shall extend above #curb level# at a height greater than 20 feet or obstruct an #arcade#.

82-07

Modification of Parking and off street Loading Requirements

Delete entire section

82-08

Modification of Bulk and Height and Setback Requirements

Delete entire section

82-40

PUBLIC AMENITIES

Delete entire section

82-30

SPECIAL BULK REGULATIONS

82-31

Floor Area Ratio Regulations for Commercial Uses

Within Subdistrict A, for any #development# in a C4-7 District the maximum permitted #commercial floor area ratio# on a #zoning lot# shall be 3.4.

82-311

Floor area increase by special permit

The City Planning Commission may by special permit allow the #commercial floor area ratio# permitted on a #zoning lot# within Subdistrict A to be increased from 3.4 to 10.0 for #commercial uses#. As a condition for such special permit, the Commission shall find that:

- (a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;
- (b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;
- (c) the additional #bulk# devoted to #commercial uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and
- (d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

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

82-32

Special Provisions for Increases in Floor Area

The provisions of Sections 23-16, 24-14 or 33-13 (Floor Area Bonus for a Plaza), Sections 23-17, 24-15 or 33-14 (Floor Area Bonus for a Plaza-Connected Open Area), Sections 23-18, 24-16, or 33-15 (Floor Area Bonus for Arcades), or Section 23-23 (Density Bonus for a Plaza-Connected Open Area or Arcade) shall not apply. In lieu thereof the following provisions shall apply, which may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0:

(a) Floor Area Increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90 (INCLUSIONARY HOUSING).

(b) Floor Area Bonus for Public Amenities

(1) For any #development# to which the provisions of Section 82-11 (Mandatory Arcades) are applicable, the maximum permitted #floor area ratio# may be increased by a maximum of 10 percent. For a mandatory #arcade#, there shall be not more than three square feet of bonus #floor area# for every square foot of #arcade# space.

(2) When a #development# is located on a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, with no tracks intervening to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

(i) the direct construction cost of the public amenity;

(ii) the cost of maintaining the public amenity; and

(iii) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators.

82-33

Modification of Bulk Regulations

The Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot# and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines# for any #development# provided the City Planning Commission finds that such modifications are necessary to:

- (a) facilitate good design; or
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section 82-10 are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section 82-32 (Special Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

The #lot area# requirements for the non-#residential# portion of a #building# which is eligible for a #floor area# allowance under the provisions of paragraph (b) of Section 82-32 may be reduced or waived by the Commission provided that the Commission makes the additional finding that such modification will not adversely affect the #uses# within the #building# or the surrounding area.

82-34

Bulk Distribution

Within the Special District, not more than 40 per cent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located entirely above a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

82-35

Height and Setback Regulations

Within the Special District, all #developments# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) Paragraph (a) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and
- (b) Paragraphs (b), (c) and (d) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#.

82-36

Special Tower Coverage and Setback Regulations

The requirements set forth in Sections 33-45 (Tower Regulations) or 35-63 (Special Tower Regulations for Mixed Buildings) for any #building# or portion thereof that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:
- (i) not more than 40 per cent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the per cent set forth in Section 23-651 (Tower on small lots); and
 - (ii) not less than 30 per cent of the #lot area# of a #zoning lot#. However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 per cent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 per cent of the gross area of the #story# directly below it.
- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required set back of the #street wall# of a tower shall be at least 15 feet from the street line of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.
- (c) In Subdistrict A, the provisions of paragraph (a) of Section 35-63, as modified by paragraphs (a) and (b) above, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3 as indicated on the District Plan, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

~~82-11~~

~~Building Walls Along Certain Street Lines~~

Delete the entire section

~~82-37~~

~~Street Walls along Certain Street Lines~~

- (a) For any #development# on a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:
- (1) the east side of Broadway between West 61st Street and West 65th Street;
 - (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
 - (3) the east side of Broadway between West 67th Street and West 68th Street;

(4) the west side of Broadway between West 66th Street and West 68th Street; and

(5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20-foot setback at a height of 85 feet above #curb level# as required in Section 33-432 (In Other Commercial Districts).

(b) For any #development# on a #zoning lot# in Block 1 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

(1) the west side of Broadway between West 62nd Street and West 63rd Street;

(2) the south side of West 63rd Street between Broadway and Columbus Avenue; and

(3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to a height of 150 feet above #curb level# before a setback of not less than 10 feet and extend on Columbus Avenue and/or Broadway for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(c) For any #development# on a #zoning lot# in Block 2 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:

(1) the east side of Broadway between West 67th Street and West 66th Street;

(2) the north side of West 66th Street between Broadway and Columbus Avenue; and

- (3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to a height of 150 feet above the #curb level# before a setback of not less than 10 feet and extend on Broadway and/or Columbus Avenue for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

- (d) For any #development# on a #zoning lot# in Block 3 with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

32-38

Recesses in the Street Wall of a Building

Recessed fenestration and special architectural expression lines in the #building# facade of a #development# are required as follows:

- (a) Except as set forth in paragraph (b) below, the aggregate length of all recesses in the #street wall# along Broadway of a #development# shall be between 15 per cent and 30 per cent of the entire length of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.
- (b) In Block 1, for any #development# that fronts on the #street line# of the south side of West 63rd Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate length of all recesses in the #street walls# along each such #street# frontage shall be between 15 percent and 30 per cent of the entire length of each #street wall# at any story between ground floor and 85 feet above curb level and shall be between 30 percent and 50 percent of the entire length of each #street wall# at any #story# between 85 feet and 150 feet above #curb level#.

(c) In Block 2 the requirement of #street wall# recesses in paragraph (b) above shall also apply to a #development# that fronts on the #street line# of the north side of West 66th Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 per cent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. No recesses deeper than one foot shall be permitted in the #street wall# of a #building# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street, within Blocks 1 and 2, the #street wall# shall provide at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

§2-39

Dormer

A dormer may be allowed as a permitted obstruction within the required setback distance of the #street wall# of a #building# at all setback levels. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required setback level shall not exceed 60 per cent of the length of the #street wall# of a #building#. For each foot of height above the required setback level, the aggregate width of all dormers shall be decreased by one per cent of its maximum permissible width at the required setback level. All dormers shall count as #floor area# but not as #lot coverage#.

§2-40

SPECIAL HEIGHT LIMITATION

For #developments# located in Block 1 or Block 2, the maximum height of a #building or other structure# or portion thereof shall not exceed 275 feet above #curb level#, except that a penthouse may be located above such height, provided that such penthouse:

- (1) contains not more than four #stories# or 40 feet, whichever is less; and
- (2) the gross area of each #story# does not exceed 80 per cent of the gross area of that #story# directly below it.

~~82-121~~

~~82-50~~

~~OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS~~

~~The regulations of Article I, Chapter 3 (COMPREHENSIVE OFF-STREET PARKING REGULATIONS IN COMMUNITY DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN THE BOROUGH OF MANHATTAN) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section.~~

~~(a) Accessory Off-Street Parking Spaces~~

~~#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-461 (Accessory off-street parking spaces).~~

~~(b) Curb Cuts~~

~~The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets#, where such curb cuts are needed exclusively for required off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-453 (Curb Cuts) and the loading berths are arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.~~

~~(c) Waiver of Loading Berth Requirements~~

~~The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:~~

- ~~(i) be hazardous to traffic safety; or~~
- ~~(ii) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement, or~~
- ~~(iii) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.~~

~~The Commission shall refer these applications to the Department of Transportation for its comments.~~

~~82-122~~

~~Public parking garages~~

~~Delete entire section~~

~~82-60~~

~~PUBLIC PARKING GARAGES~~

~~In that portion of the Special Lincoln Square District located within a C4-7 District, the Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

~~§2-13~~

~~Special Regulations for Zoning Lots Divided by District Boundaries~~

Delete entire section

~~§2-14~~

~~§2-70~~

EXISTING PLAZAS OR OTHER PUBLIC AMENITIES

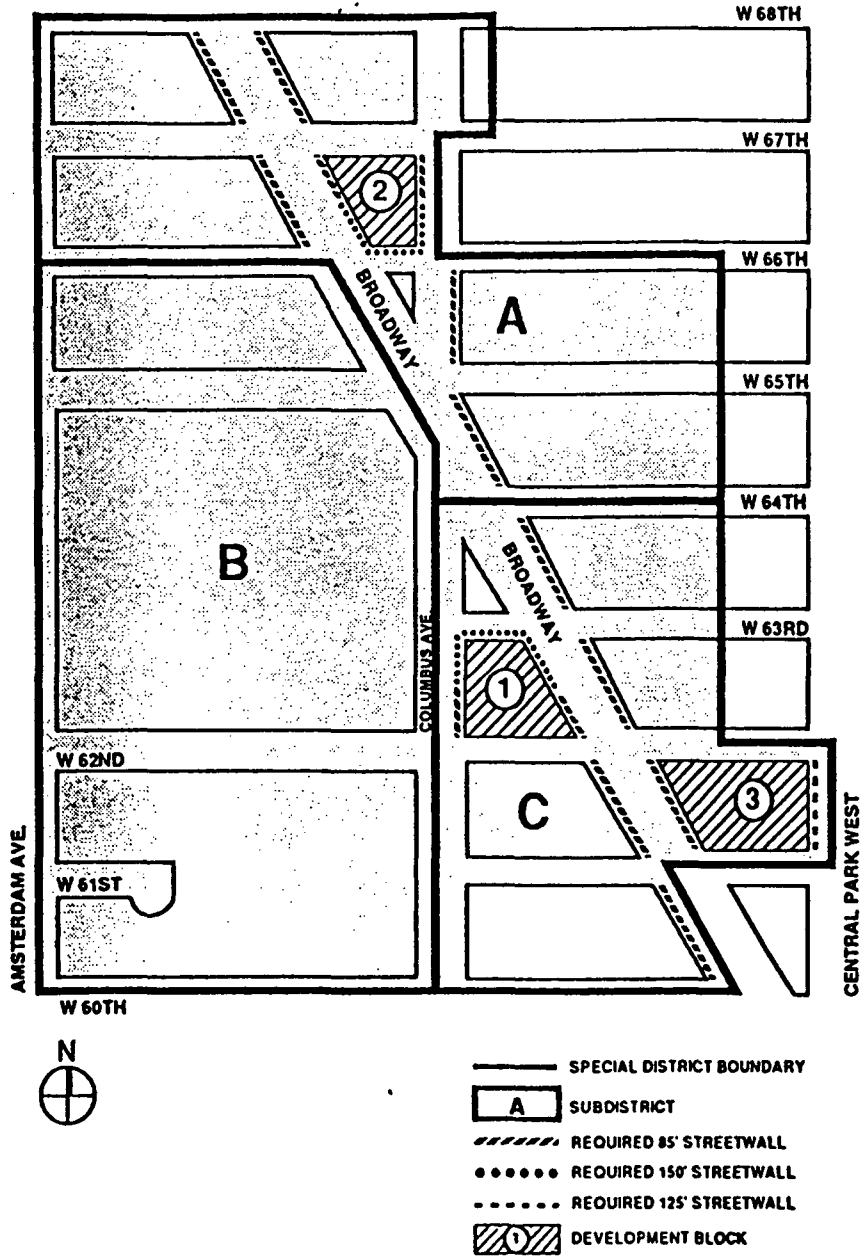
No existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating May 24, 1984 shall be eliminated or reduced in size anywhere within the #Special Lincoln Square District#, without a corresponding reduction in the #floor area of the building# or the substitution of equivalent complying areas for such amenity elsewhere on the #zoning lot#.

Any elimination or reduction in size or volume of such an existing public amenity in #developments# which include prior approved #bulk modifications#, shall be permitted in the #Special Lincoln Square District# only by ~~special permit of an authorization, after public notice and hearing,~~ by the City Planning Commission and by the Board of Estimate. As a condition for such ~~permit authorization,~~ the Commission shall find that the proposed change will provide a greater benefit in light of the public amenity's purposes and the purposes of the #Special Lincoln Square District#.

An application for such ~~special permit authorization~~ shall contain exact and detailed plans, drawings, and other description as to fully explain the use and quality of all features of the proposed public amenity revisions and any other information and documentation as may be required by the Commission.

~~The Chairman of the City Planning Commission shall furnish a copy of the application for such authorization to Community Board No. 7, Manhattan for 30 days and will give due consideration to their opinion as to the appropriateness of such a facility to the area. The Commission shall act within 45 days from the date of receipt of the Community Board recommendations or within 45 days of the date on which the Community Board review period expires, whichever is earlier. The Board of Estimate shall act on the application within 45 days of receipt of the Commission recommendations.~~

NEW - To be Added **APPENDIX A - DISTRICT PLAN**
SPECIAL LINCOLN SQUARE DISTRICT



Other Related Amendments

1. The following definitions are hereby deleted in their entirety in Section 12-10:
 #Covered Plaza#
 #Pedestrian Mall#

2. All references to Section 82-08 (Modification of Bulk and Height and Setback Requirements) are hereby deleted in the following sections:

 Section 23-15 (Maximum Floor Area Ratio in R10 Districts)
 Section 33-131 (Commercial buildings in certain specified Commercial Districts)
 Section 33-133 (Community facility buildings in certain other specified Commercial Districts)
 Section 33-141 (Commercial buildings in certain specified Commercial Districts)
 Section 33-151 (Commercial buildings in certain specified Commercial Districts)
 Section 33-153 (Commercial facility buildings in certain other specified Commercial Districts)
 Section 35-35 (Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in connection with Mixed Buildings)
 Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks)
 Section 33-44 (Alternate Front Setbacks)
 Section 33-455 (Alternate regulations for towers on lots bounded by two or more streets)
 Section 33-456 (Alternate setback regulations on lots bounded by two or more streets)
 Section 35-41 (Lot Area Requirements for Non-residential Portions of Mixed Buildings)
 Section 35-62 (Maximum Height of Front Wall in Initial Setback Distance)
 Section 74-87 (Covered Pedestrian Space)

3. All reference to Section 82-11 (Building Walls Along Certain Street Lines) is hereby deleted in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks).

4. All references to Section 82-07 (Modification of Parking and Off-street Loading Requirements) are hereby deleted in the following sections:

- Section 36-11 (General Provisions)
- Section 36-21 (General Provisions)
- Section 36-31 (General Provisions)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-61 (Permitted Accessory Off-street Loading Berths)

Resolution for adoption scheduling December 1, 1993 for a public hearing.

No. 2

[Amendments to the Zoning Resolution to eliminate the mandatory arcades and to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District in the Borough of Manhattan]

CD 7

N 940128 (A) ZRM

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 VIII, Chapter 2, Section 82-00, to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District and to reference in other sections, as follows:

- Matter in **Graytone** is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter in italics or within # # is defined in Section 12-10;
- *** indicate where unchanged text appears in the Zoning Resolution.

Article VIII

Chapter 2 Special Lincoln Square District

82-00 GENERAL PURPOSES

* * *

82-01

Definitions

* * *

Development

For purposes of this Chapter a "development" includes both #development# and #enlargement# as defined in Section 12-10 (DEFINITIONS).

82-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified #bulk# regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter, and the City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may grant special permits authorizing modifications of specified applicable district #bulk# regulations for any #development# in the #Special Lincoln Square District#. In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such #development# shall conform to and comply with all of the applicable district regulations on #use#, #bulk#, supplementary #use# regulations, regulations applying along district boundaries, #accessory signs#, #accessory# off street parking and off street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter.

82-03

Action by the Board of Estimate

Delete entire section

82-04

82-03

Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or an authorization respecting any #development# under the provisions of this Chapter shall include a site plan showing the location and the proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and proposed off-street parking spaces, and such other information as may be required by the City Planning Commission for its determination as to whether or not a special permit or an authorization is warranted. Such information shall include, but not be limited to, justification of the proposed #development# in relation to the general purposes of the #Special Lincoln Square District#; (Section 82-00), its relation to public improvements (82-05), its proposed #uses# (Section 82-06), its parking facilities (Section 82-07), and its bulk and height (Section 82-08), as well, in applicable locations, as the inclusion of Mandatory Arcades (Section 82-09), public amenities (Section 82-10) and location of #building# walls in relation to certain #street lines# (Section 82-11).

82-05

Relationship to Public Improvement Projects

Delete entire section

82-04

District Plan

The District Plan for the #Special Lincoln Square District# included as Appendix A identifies specific subdistricts in which special zoning regulations carry out the general purposes of the #Special Lincoln Square District#. These areas are: Subdistrict A, Subdistrict B and Subdistrict C.

The District Plan also identifies #blocks# with mandatory #front lot line street walls#. The District Plan is hereby incorporated as an integral part of the #Special Lincoln Square District#.

82-05

Right to Construct

For the purpose of this Chapter, the right to continue to construct shall terminate if the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) are not met by the date of approval of this amendment by the City Planning Commission.

82-10

MANDATORY DISTRICT IMPROVEMENTS

The provisions of this Section specify mandatory physical improvements to be provided in connection with #developments# on certain #zoning lots# located within the Special District.

82-09

Mandatory Areades

Delete entire section

82-11

Mandatory Off-Street Relocation of a Subway Stair

Where a #development# is constructed on a #zoning lot# that fronts on a sidewalk containing a stairway entrance into the West 59th Street (Columbus Circle) or the West 66th Street subway station and such #zoning lot# contains 5,000 square feet or more of #lot area#, the existing entrance shall be relocated from the #street# onto the #zoning lot# in accordance with the provisions of Section 37-032 (Standards for relocation, design and hours of public accessibility) and 37-033 (Administrative procedure for a subway stair relocation).

82-12

Special Provisions for a Transit Easement

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the

subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

~~82-06~~

~~82-20~~

~~SPECIAL USE AND SIGN REGULATIONS~~

~~In order to ensure that a wide variety of consumer and service needs of local residence are met, a special limitation is imposed on the amount of street frontage that can be elevated to any one type of commercial use, and a special incentive is provided to encourage uses compatible with the General Purposes of Section 82-00.~~

~~In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.~~

~~The provisions of this Section shall apply to all a #development# or change of #use# within the Special District.~~

~~82-061~~

~~82-21~~

~~Restrictions on Street Level Uses~~

~~#Uses# on the ground floor level along Broadway, Amsterdam or Columbus Avenues except lobby space shall be limited to Use Group L uses or #commercial uses# permitted by the underlying district regulations. On any #zoning lot# which abuts Columbus, Amsterdam Avenues or Broadway, the maximum length of street frontage along Broadway or Columbus or Amsterdam Avenues which may be devoted to any permitted #use# shall be 40 feet unless the use also is included in Use Group L (Section 82-062) #Uses# under Use Group L are permitted without #street# frontage limitation.~~

~~Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to those listed in Use Groups 6A, 6C, 8A, 10A, eating or drinking establishments listed in 12A, or 12B. Within Use Groups 3A or 4B #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. At the ground floor level and within five feet of #curb level# the #floor area# shall be allocated exclusively to such #uses#, except lobby space, building entrance space, #accessory# loading berths where permitted pursuant to Section 82-50, or entrance areas to subway stations.~~

~~82-062~~

~~Use Group L~~

~~Delete entire section~~

82-22

Location of Floors Occupied by Commercial Uses

The provisions of Section 32-422 (Location of Floors Occupied by Non-Residential Uses) shall not apply to any #commercial use# located in a portion of a #mixed building# that has separate direct access to the #street# and has no access within the #building# to the #residential# portion of the #building# at any #story#. In no event shall such #commercial use# be located directly over any #story# containing #dwelling units#.

82-23

Special Floor Area Regulations for Use Groups 8 and 12 Uses

Within Subdistrict A or Subdistrict C, the maximum #floor area ratio# that may be used on a #zoning lot# for #uses# listed in Use Groups 8A or 12A shall not exceed 1.0, except that this limitation shall not apply to eating or drinking establishments

82-24

Street Wall Transparency

When the front building wall or #street wall# of any #development# is located on Broadway, Columbus Avenue or Amsterdam Avenue, at least 50 percent of the total surface area of the #street wall# between #curb level# and 12 feet above #curb level# or to the ceiling of the first #story#, whichever is higher, shall be transparent. Such transparency shall begin not higher than two feet six inches above #curb level#.

82-063

82-25

Supplementary Sign Regulations

No permitted #business sign# shall extend above #curb level# at a height greater than 20 feet.

82-07

Modification of Parking and off street Loading Requirements

Delete entire section

82-08

Modification of Bulk and Height and Setback Requirements

Delete entire section

82-10

PUBLIC AMENITIES

Delete entire section

82-30

SPECIAL BULK REGULATIONS

82-31

Floor Area Ratio Regulations for Commercial Uses

Within Subdistrict A, for any #development# in a C4-7 District the maximum permitted # commercial floor area ratio# on a #zoning lot# shall be 3.4.

§2-311

Floor area increase by special permit

The City Planning Commission may by special permit allow the #commercial floor area ratio# permitted on a #zoning lot# within Subdistrict A to be increased from 3.4 to 10.0 for #commercial uses#. As a condition for such special permit, the Commission shall find that:

- (a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;
- (b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;
- (c) the additional #bulk# devoted to #commercial uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and
- (d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

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

82-32

Special Provisions for Increases in Floor Area

The provisions of Sections 23-16, 24-14 or 33-13 (Floor Area Bonus for a Plaza), Sections 23-17, 24-15 or 33-14 (Floor Area Bonus for a Plaza-Connected Open Area), Sections 23-18, 24-16, or 33-15 (Floor Area Bonus for Arcades), or Section 23-23 (Density Bonus for a Plaza-Connected Open Area or Arcade) shall not apply. In lieu thereof the following provisions shall apply, which may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0:

(a) Floor Area Increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90 (INCLUSIONARY HOUSING).

(b) Floor Area Bonus for Public Amenities

(1) When a #development# is located on a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, with no tracks intervening to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

- (i) the direct construction cost of the public amenity;
- (ii) the cost of maintaining the public amenity; and
- (iii) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators.

82-33

Modification of Bulk Regulations

The Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot# and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines# for any #development# provided the City Planning Commission finds that such modifications are necessary to:

- (a) facilitate good design; or
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section 82-12 are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section 82-32 (Special

Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

The #lot area# requirements for the non-#residential# portion of a #building# which is eligible for a #floor area# allowance under the provisions of paragraph (b) of Section 82-32 may be reduced or waived by the Commission provided that the Commission makes the additional finding that such modification will not adversely affect the #uses# within the #building# or the surrounding area.

82-34

Bulk Distribution

Within the Special District, not more than 40 per cent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located entirely above a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

82-35

Height and Setback Regulations

Within the Special District, all #developments# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) Paragraph (a) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and
- (b) Paragraphs (b), (c) and (d) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#.

82-36

Special Tower Coverage and Setback Regulations

The requirements set forth in Sections 33-45 (Tower Regulations) or 35-63 (Special Tower Regulations for Mixed Buildings) for any #building# or portion thereof that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:

- (i) not more than 40 per cent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the per cent set forth in Section 23-651 (Tower on small lots); and
 - (ii) not less than 30 per cent of the #lot area# of a #zoning lot#. However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 per cent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 per cent of the gross area of the #story# directly below it.
- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required set back of the #street wall# of a tower shall be at least 15 feet from the street line of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.
- (c) In Subdistrict A, the provisions of paragraph (a) of Section 35-63, as modified by paragraphs (a) and (b) above, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3 as indicated on the District Plan, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

82-11

~~Building Walls Along Certain Street Lines~~

Delete the entire section

82-37

Street Walls along Certain Street Lines

- (a) For any #development# on a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:
- (1) the east side of Broadway between West 61st Street and West 65th Street;
 - (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
 - (3) the east side of Broadway between West 67th Street and West 68th Street;

(4) the west side of Broadway between West 66th Street and West 68th Street; and

(5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20-foot setback at a height of 85 feet above #curb level# as required in Section 33-432 (In Other Commercial Districts).

(b) For any #development# on a #zoning lot# in Block 1 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

(1) the west side of Broadway between West 62nd Street and West 63rd Street;

(2) the south side of West 63rd Street between Broadway and Columbus Avenue; and

(3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to a height of 150 feet above #curb level# before a setback of not less than 10 feet and extend on Columbus Avenue and/or Broadway for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(c) For any #development# on a #zoning lot# in Block 2 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:

(1) the east side of Broadway between West 67th Street and West 66th Street;

(2) the north side of West 66th Street between Broadway and Columbus Avenue; and

- (3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to a height of 150 feet above the #curb level# before a setback of not less than 10 feet and extend on Broadway and/or Columbus Avenue for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

- (d) For any #development# on a #zoning lot# in Block 3 with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

32-38

Recesses in the Street Wall of a Building

Recessed fenestration and special architectural expression lines in the #building# facade of a #development# are required as follows:

- (a) Except as set forth in paragraph (b) below, the aggregate length of all recesses in the #street wall# along Broadway of a #development# shall be between 15 per cent and 30 per cent of the entire length of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.
- (b) In Block 1, for any #development# that fronts on the #street line# of the south side of West 63rd Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate length of all recesses in the #street walls# along each such #street# frontage shall be between 15 percent and 30 per cent of the entire length of each #street wall# at any #story# between ground floor and 85 feet above #curb level# and shall be between 30 percent and 50 percent of

the entire length of each #street wall# at any #story# between 85 feet and 150 feet above #curb level#.

- (c) In Block 2 the requirement of #street wall# recesses in paragraph (b) above shall also apply to a #development# that fronts on the #street line# of the north side of West 66th Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 per cent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. No recesses deeper than one foot shall be permitted in the #street wall# of a #building# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street within Blocks 1 and 2, the #street wall# shall provide at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

§2-39

Dormer

A dormer may be allowed as a permitted obstruction within the required setback distance of the #street wall# of a #building# at all setback levels. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required setback level shall not exceed 60 per cent of the length of the #street wall# of a #building#. For each foot of height above the required setback level, the aggregate width of all dormers shall be decreased by one per cent of its maximum permissible width at the required setback level. All dormers shall count as #floor area# but not as #lot coverage#.

§2-40

SPECIAL HEIGHT LIMITATION

For #developments# located in Block 1 or Block 2, the maximum height of a #building# or other structure# or portion thereof shall not exceed 275 feet above #curb level#, except that a penthouse may be located above such height, provided that such penthouse:

- (1) contains not more than four #stories# or 40 feet, whichever is less; and
- (2) the gross area of each #story# does not exceed 80 per cent of the gross area of that #story# directly below it.

~~82-121~~

~~82-50~~

~~OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS~~

~~The regulations of Article I, Chapter 3 (COMPREHENSIVE OFF-STREET PARKING REGULATIONS IN COMMUNITY DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN THE BOROUGH OF MANHATTAN) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section.~~

~~(a) Accessory Off-Street Parking Spaces~~

~~#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-461 (Accessory off-street parking spaces).~~

~~(b) Curb Cuts~~

~~The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets#, where such curb cuts are needed exclusively for required off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-453 (Curb Cuts) and the loading berths are arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.~~

~~(c) Waiver of Loading Berth Requirements~~

~~The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:~~

- ~~(i) be hazardous to traffic safety; or~~
- ~~(ii) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement, or~~
- ~~(iii) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.~~

~~The Commission shall refer these applications to the Department of Transportation for its comments.~~

~~82-122~~

~~Public parking garages~~

~~Delete entire section~~

~~82-60~~

~~PUBLIC PARKING GARAGES~~

~~In that portion of the Special Lincoln Square District located within a C4-7 District, the Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

82-13

Special Regulations for Zoning Lots Divided by District Boundaries

Delete entire section

82-14

~~82-70~~

EXISTING PLAZAS OR OTHER PUBLIC AMENITIES

No existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating May 24, 1984 shall be eliminated or reduced in size anywhere within the #Special Lincoln Square District#, without a corresponding reduction in the #floor area of the building# or the substitution of equivalent complying areas for such amenity elsewhere on the #zoning lot#.

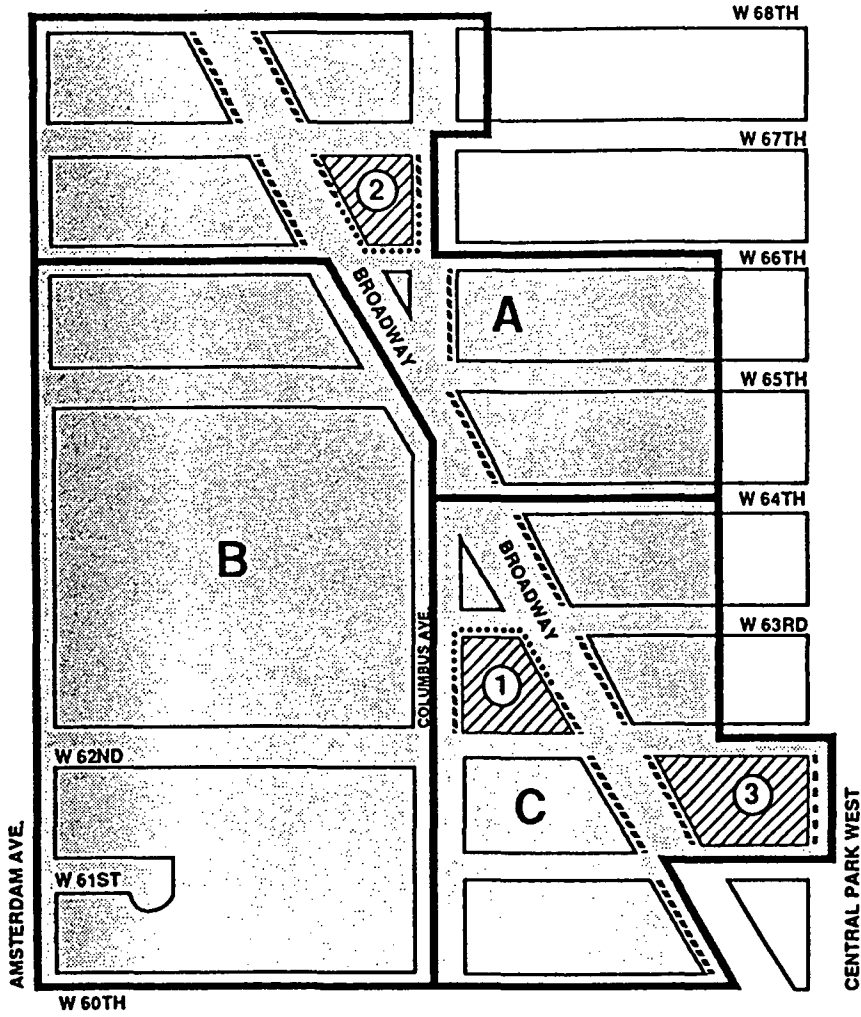
Any elimination or reduction in size or volume of such an existing public amenity in #developments# which include prior approved #bulk modifications#, shall be permitted in the #Special Lincoln Square District# only by ~~special permit of an authorization, after public notice and hearing, by the City Planning Commission and by the Board of Estimate.~~ ~~permit authorization,~~ the Commission shall find that the proposed change will provide a greater benefit in light of the public amenity's purposes and the purposes of the #Special Lincoln Square District#.







An application for such ~~special permit authorization~~ shall contain exact and detailed plans, drawings, and other description as to fully explain the use and quality of all features of the proposed public amenity revisions and any other information and documentation as may be required by the Commission.

~~The Chairman of the City Planning Commission shall furnish a copy of the application for such authorization to Community Board No. 7, Manhattan for 30 days and will give due consideration to their opinion as to the appropriateness of such a facility to the area. The Commission shall act within 45 days from the date of receipt of the Community Board recommendations or within 45 days of the date on which the Community Board review period expires, whichever is earlier. The Board of Estimate shall act on the application within 45 days of receipt of the Commission recommendations.~~

NEW - To be Added

APPENDIX A - DISTRICT PLAN SPECIAL LINCOLN SQUARE DISTRICT



-  SPECIAL DISTRICT BOUNDARY
-  SUBDISTRICT
-  REQUIRED 85' STREETWALL
-  REQUIRED 150' STREETWALL
-  REQUIRED 125' STREETWALL
-  DEVELOPMENT BLOCK

Other Related Amendments

1. The following definitions are hereby deleted in their entirety in Section 12-10:
#Covered Plaza#
#Pedestrian Mall#

2. All references to Section 82-08 (Modification of Bulk and Height and Setback Requirements) are hereby deleted in the following sections:

| | |
|----------------|-------------------------------------------------------------------------------------------------------|
| Section 23-15 | (Maximum Floor Area Ratio in R10 Districts) |
| Section 33-131 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-133 | (Community facility buildings in certain other specified Commercial Districts) |
| Section 33-141 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-151 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-153 | (Commercial facility buildings in certain other specified Commercial Districts) |
| Section 35-35 | (Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in connection with Mixed Buildings) |
| Section 33-43 | (Maximum Height of Front Wall and Required Front Setbacks) |
| Section 33-44 | (Alternate Front Setbacks) |
| Section 33-455 | (Alternate regulations for towers on lots bounded by two or more streets) |
| Section 33-456 | (Alternate setback regulations on lots bounded by two or more streets) |
| Section 35-41 | (Lot Area Requirements for Non-residential Portions of Mixed Buildings) |
| Section 35-62 | (Maximum Height of Front Wall in Initial Setback Distance) |
| Section 74-87 | (Covered Pedestrian Space) |

3. All reference to Section 82-11 (Building Walls Along Certain Street Lines) is hereby deleted in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks).

4. All references to Section 82-07 (Modification of Parking and Off-street Loading Requirements) are hereby deleted in the following sections:

Section 36-11 (General Provisions)
Section 36-21 (General Provisions)
Section 36-31 (General Provisions)
Section 36-33 (Requirements Where Group Parking Facilities Are
Provided)
Section 36-34 (Modification of Requirements for Small Zoning Lots)
Section 36-61 (Permitted Accessory Off-street Loading Berths)

Resolution for adoption scheduling December 1, 1993 for a public hearing.

•

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, NOVEMBER 17, 1993

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



David N. Dinkins, Mayor
City of New York
[No. 23]
Prepared by Lois McDaniel, Calendar Officer

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: first in Section I, (Scheduling Dates for Future Public Hearings), second in Section II, (Public Hearings), and third in Section III, (Reports). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

CALENDARS: Any member of a Community Board, any civic association or non-profit organization may write the Calendar Officer of the Commission to be placed on the mailing list to receive the Comprehensive City Planning 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, NOVEMBER 17, 1993

| | |
|------------------------------------------|----|
| Roll Call; approval of minutes | 1 |
| I. Scheduling December 1, 1993 | 1 |
| II. Public Hearings. | 28 |
| III. Reports | 74 |

**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 1, 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, November 17, 1993

**APPROVAL OF MINUTES OF Regular Meeting of November 3, 1993
and Special Meeting of November 15, 1993**

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, DECEMBER 1, 1993
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 8

C 920396 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 1085 Sterling Place (Block 1243, Lot 48) for continued use as an Agency Operated Boarding Home.

Resolution for adoption scheduling December 1, 1993 for a public hearing.

No. 2

CD 16

C 930329 GFK

IN THE MATTER OF an application submitted by Amboy Properties Corporation pursuant to Sections 197-c and 364-d of the New York City Charter, for a Revocable Consent for a period of ten years to construct, maintain and use a pedestrian bridge over and across Amboy Street between Linden Boulevard and Hegeman Avenue, approximately 170.56 feet southerly of Hegeman Avenue to connect the

Linroc Nursing Home on the westerly side of Amboy Street to a parking garage on the easterly side of Amboy Street (Block 3631, Tentative Lot 30 and Block 3632, Lot 19).

Resolution for adoption scheduling December 1, 1993 for a public hearing.

No. 3

CD 16

C 930478 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 two (2) city-owned properties, located at 22-26 Tapscott Street (Block 3510, Lots 39, 42) and 30-46 Tapscott Street (Block 3510, Lots 44, 46, 52) restricted to community facility use.

Resolution for adoption scheduling December 1, 1993 for a public hearing.

BOROUGH OF MANHATTAN

No. 4

CD 8

C 930136 ZMM

IN THE MATTER OF an application submitted by the Manhattan Borough President and Manhattan Community Board 8 pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6b, 8c, 8d, and 9a:

1. eliminating from an existing R10 District a C1-5 District bounded by East 80th Street, a line 125 feet east of York Avenue, East 81st Street, and a line 100 feet east of York Avenue;
2. eliminating from an existing R10A District a C1-5 District bounded by East 78th Street, a line 125 feet east of York Avenue, East 80th Street, and a line 100 feet east of York Avenue;
3. changing from a C1-9 District to an R8 District property bounded by:

- a) East 66th Street, a line 125 feet east of First Avenue, East 68th Street, and a line 100 feet east of First Avenue; and
 - b) East 62nd Street, a line 125 feet east of First Avenue, a line midway between East 63rd and East 64th streets, and a line 100 feet east of First Avenue;
4. changing from a C1-9 District to an R8B District property bounded by:
- a) a line midway between East 87th and East 88th streets, a line 125 feet west of Third Avenue, East 93rd Street, and a line 100 feet west of Third Avenue;
 - b) a line midway between East 79th and East 80th streets, a line 125 feet west of Third Avenue, East 85th Street, and a line 100 feet west of Third Avenue;
 - c) a line midway between East 72nd and East 73rd streets, a line 125 feet west of Third Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet west of Third Avenue;
 - d) East 66th Street, a line 125 feet west of Third Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet west of Third Avenue;
 - e) East 87th Street, a line 125 feet east of Third Avenue, East 90th Street, and a line 100 feet east of Third Avenue;
 - f) a line midway between East 79th and East 80th streets, a line 125 feet east of Third Avenue, East 85th Street, and a line 100 feet east of Third Avenue;
 - g) a line midway between East 72nd and East 73rd streets, a line 125 feet east of Third Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet east of Third Avenue;
 - h) East 63rd Street, a line 125 feet east of Third Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet east of Third Avenue;
 - i) a line midway between East 79th and East 80th streets, a line 125 feet west of Second Avenue, East 85th Street, and a line 100 feet west of Second Avenue;

- j) a line midway between East 72nd and East 73rd streets, a line 125 feet west of Second Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet west of Second Avenue;
- k) East 66th Street, a line 125 feet west of Second Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet west of Second Avenue;
- l) a line midway between East 79th and East 80th streets, a line 125 feet east of Second Avenue, East 85th Street, and a line 100 feet east of Second Avenue;
- m) a line midway between East 72nd and East 73rd streets, a line 125 feet east of Second Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet east of Second Avenue;
- n) East 66th Street, a line 125 feet east of Second Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet east of Second Avenue;
- o) a line midway between East 79th and East 80th streets, a line 125 feet west of First Avenue, East 85th Street, and a line 100 feet west of First Avenue;
- p) East 78th Street, a line 125 feet west of First Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet west of First Avenue;
- q) a line midway between East 72nd and East 73rd streets, a line 125 feet west of First Avenue, East 75th Street, and a line 100 feet west of First Avenue;
- r) a line midway between East 79th and East 80th streets, a line 125 feet east of First Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet east of First Avenue;
- s) a line midway between East 72nd and East 73rd streets, a line 125 feet east of First Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet east of First Avenue;
and

- t) a line midway between East 63rd and East 64th streets, a line 125 feet east of First Avenue, East 66th Street, and a line 100 feet east of First Avenue;
5. changing from a C1-9 District to a C1-7 District property bounded by East 87th Street, a line 125 feet west of Third Avenue, a line midway between East 87th and East 88th streets, and a line 100 feet west of Third Avenue;
 6. changing from a C2-8 District to an R8 District property bounded by:
 - a) a line midway between East 94th and East 95th streets, a line 125 feet east of Third Avenue, a line midway between East 95th and East 96th streets, and a line 100 feet east of Third Avenue;
 - b) a line midway between East 94th and East 95th streets, a line 125 feet west of Second Avenue, a line midway between East 95th and East 96th streets, and a line 100 feet west of Second Avenue;
 - c) East 93rd Street, a line 125 feet west of Second Avenue, East 94th Street, and a line 100 feet west of Second Avenue;
 - d) East 95th Street, a line 125 feet east of Second Avenue, a line midway between East 95th and East 96th streets, and a line 100 feet east of Second Avenue; and
 - e) East 68th Street, a line 125 feet east of First Avenue, East 71st Street, and a line 100 feet east of First Avenue;
 7. changing from a C2-8 District to an R8B District property bounded by:
 - a) East 93rd Street, a line 125 feet west of Third Avenue, a line midway between East 95th and East 96th streets, and a line 100 feet west of Third Avenue;
 - b) a line midway between East 86th and East 87th streets, a line 125 feet west of Second Avenue, East 90th Street, and a line 100 feet west of Second Avenue;
 - c) East 63rd Street, a line 125 feet west of Second Avenue, East 66th Street, and a line 100 feet west of Second Avenue;

- d) East 59th Street, a line 125 feet west of Second Avenue, East 61st Street, and a line 100 feet west of Second Avenue;
 - e) a line midway between East 86th and East 87th streets, a line 125 feet east of Second Avenue, a line midway between East 93rd and East 94th streets, and a line 100 feet east of Second Avenue;
 - f) East 62nd Street, a line 125 feet east of Second Avenue, East 66th Street, and a line 100 feet east of Second Avenue;
 - g) East 88th Street, a line 125 feet west of First Avenue, a line midway between East 93rd and East 94th streets, and a line 100 feet west of First Avenue;
 - h) East 75th Street, a line 125 feet west of First Avenue, East 78th Street, and a line 100 feet west of First Avenue;
 - i) East 68th Street, a line 125 feet west of First Avenue, East 71st Street, and a line 100 feet west of First Avenue;
 - j) East 62nd Street, a line 125 feet west of First Avenue, a line midway between East 64th and East 65th streets, a line 100 feet west of First Avenue, a line midway between East 62nd and East 63rd streets, and a line 112 feet west of First Avenue; and
 - k) East 88th Street, a line 125 feet east of First Avenue, a line midway between East 89th and East 90th streets, and a line 100 feet east of First Avenue;
8. changing from a C2-8 District to a C8-4 District property bounded by:
- a) a line midway between East 93rd and East 94th streets, a line 125 feet east of Second Avenue, East 95th Street, and a line 100 feet east of Second Avenue;
 - b) East 59th Street, a line 125 feet east of Second Avenue, East 62nd Street, and a line 100 feet east of Second Avenue;
 - c) a line midway between East 93rd and East 94th streets, a line 125 feet west of First Avenue, East 94th Street, and a line 100 feet west of First Avenue; and

- d) a line midway between East 89th and East 90th streets, a line 125 feet east of First Avenue, East 92nd Street, and a line 100 feet east of First Avenue;
9. changing from a C2-8A District to an R8B District property bounded by:
- a) a line midway between East 86th and East 87th streets, a line 125 feet east of Third Avenue, East 87th Street, and a line 100 feet east of Third Avenue;
 - b) East 85th Street, a line 125 feet east of Third Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet east of Third Avenue;
 - c) East 85th Street, a line 125 feet west of Second Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet west of Second Avenue;
 - d) East 85th Street, a line 125 feet east of Second Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet east of Second Avenue;
 - e) East 87th Street, a line 125 feet west of First Avenue, a line midway between East 86th and East 87th streets, and a line 100 feet west of First Avenue; and
 - f) East 85th Street, a line 125 feet west of First Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet west of First Avenue;
10. changing from a C4-7 District to a C6-2 District property bounded by a line midway between East 60th and East 61st streets, a line 125 feet east of First Avenue, East 61st Street, and a line 100 feet east of First Avenue;
11. changing from a C4-7 District to a C6-3 District property bounded by East 60th Street, a line 125 feet east of First Avenue, a line midway between East 60th and East 61st streets, and a line 100 feet east of First Avenue;
12. changing from a C8-4 District to a C6-2 District property bounded by a line midway between East 60th and East 61st streets, a line 500 feet east of First Avenue, East 61st Street, and a line 100 feet west of York Avenue;

13. changing from a C8-4 District to a C6-3 District property bounded by East 60th Street, a line 500 feet east of First Avenue, a line midway between East 60th and East 61st streets, and a line 100 feet west of York Avenue;
14. changing from an R10 District to an R8 District property bounded by:
 - a) East 92nd Street, a line 488 feet east of First Avenue, the Service Street of Franklin D. Roosevelt Drive, and a line 513 feet east of First Avenue;
 - b) East 90th Street, a line 125 feet west of York Avenue, East 92nd Street, and a line 100 feet west of York Avenue;
 - c) East 66th Street, a line 125 feet west of York Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet west of York Avenue; and
 - d) East 62nd Street, a line 125 feet west of York Avenue, a line midway between East 63rd and East 64th streets, and a line 100 feet west of York Avenue;
15. changing from an R10 District to an R8B District property bounded by:
 - a) East 87th Street, a line 125 feet west of First Avenue, East 88th Street, and a line 100 feet west of First Avenue;
 - b) East 87th Street, a line 125 feet east of First Avenue, East 88th Street, and a line 100 feet east of First Avenue;
 - c) East 87th Street, a line 125 feet west of York Avenue, a line midway between East 89th and East 90th streets, and a line 100 feet west of York Avenue;
 - d) East 80th Street, a line 125 feet west of York Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet west of York Avenue;
 - e) a line midway between East 72nd and East 73rd streets, a line 125 feet west of York Avenue, East 78th Street, and a line 100 feet west of York Avenue;

- f) a line midway between East 63rd and East 64th Streets, a line 125 feet west of York Avenue, East 66th Street, and a line 100 feet west of York Avenue;
 - g) East 87th Street, a line 125 feet east of York Avenue, East 90th Street, and a line 100 feet east of York Avenue;
 - h) East 80th Street, a line 125 feet east of York Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet east of York Avenue; and
 - i) East 76th Street, a line 125 feet east of York Avenue, East 78th Street, and a line 100 feet east of York Avenue;
16. changing from an R10 District to a C8-4 District property bounded by a line midway between East 89th and East 90th streets, a line 125 feet west of York Avenue, East 90th Street, and a line 100 feet west of York Avenue;
17. changing from an R10A District to an R8 District property bounded by East 71st Street, a line 125 feet east of First Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet east of First Avenue;
18. changing from an R10A District to an R8B District property bounded by:
- a) East 71st Street, a line 125 feet west of First Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet west of First Avenue;
 - b) a line midway between East 86th and East 87th streets, a line 125 feet east of First Avenue, East 87th Street, and a line 100 feet east of First Avenue;
 - c) a line midway between East 86th and East 87th streets, a line 125 feet west of York Avenue, East 87th Street, and a line 100 feet west of York Avenue;
 - d) a line midway between East 79th and East 80th streets, a line 125 feet west of York Avenue, East 80th Street, and a line 100 feet west of York Avenue;

- e) East 78th Street, a line 125 feet west of York Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet west of York Avenue;
 - f) a line midway between East 86th and East 87th streets, a line 125 feet east of York Avenue, East 87th Street, and a line 100 feet east of York Avenue;
 - g) a line midway between East 79th and East 80th streets, a line 125 feet east of York Avenue, East 80th Street, and a line 100 feet east of York Avenue;
 - h) East 78th Street, a line 125 feet east of York Avenue, a line midway between East 78th and East 79th streets, and a line 100 feet east of York Avenue;
 - i) East 87th Street, a line 125 feet west of East End Avenue, East 90th Street, and a line 100 feet west of East End Avenue;
 - j) a line midway between East 79th and East 80th streets, a line 125 feet west of East End Avenue, a line midway between East 85th and East 86th streets, and a line 100 feet west of East End Avenue; and
 - k) East 78th Street, the southerly prolongation of a line 125 feet west of East End Avenue, a line midway between East 78th and East 79th streets, and the southerly prolongation of a line 100 feet west of East End Avenue;
19. establishing within a proposed R8B District a C1-5 District bounded by East 59th Street, a line 125 feet west of Second Avenue, a line midway between East 59th and East 60th streets, and a line 100 feet west of Second Avenue;
20. establishing within a proposed R8B District a C2-5 District bounded by:
- a) a line midway between East 75th and East 76th streets, a line 125 feet east of Second Avenue, a line midway between East 76th and East 77th streets, and a line 100 feet east of Second Avenue;
 - b) East 62nd Street, a line 125 feet east of Second Avenue, a line midway between East 64th and East 65th streets, and a line 100 feet east of Second Avenue;

- c) a line midway between East 75th and East 76th streets, a line 125 feet west of First Avenue, a line midway between East 76th and East 77th streets, and a line 100 feet west of First Avenue;
- d) East 62nd Street, a line 125 feet west of First Avenue, a line midway between East 64th and East 65th streets, a line 100 feet west of First Avenue, a line midway between East 62nd and East 63rd streets, and a line 112 feet west of First Avenue;
- e) a line midway between East 79th and East 80th streets, a line 125 feet east of York Avenue, a line midway between East 80th and East 81st streets, and a line 100 feet east of York Avenue; and
- f) a line midway between East 79th and East 80th streets, a line 125 feet west of East End Avenue, a line midway between East 80th and East 81st streets, and a line 100 feet west of East End Avenue; and

21. establishing within a proposed R8B district an LH-1A District bounded by East 69th Street, a line 125 feet west of Third Avenue, East 71st Street, a line 150 feet west of Third Avenue, a line midway between East 71st and East 72nd streets, and a line 100 feet west of Third Avenue;

as shown on a diagram (for illustrative purposes only) dated August 16, 1993.

Resolution for adoption scheduling December 1, 1993 for a public hearing.

No. 5

[Amendments to the Zoning Resolution to clarify the applicability of the residential plaza provisions to certain buildings occupied by residential uses and to require towers with specific base heights in certain districts]

CD 2,4,6,7,8,10,11

N 940013 ZRM

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 23-15, 24-11, 27-01, 34-11, 35-35, 37-02, 23-64, 23-65, 24-53, 24-54, 33-44, 35-63, 74-88, 74-96, 78-31, 79-21, as follows:

Matter in **Graytone** is new, to be added;
Matter in ~~Strikeout~~ is old, to be deleted;
Matter in italics or within # # is defined in Section 12-10;
*** indicate where unchanged text appears in the Zoning Resolution.

23-10 OPEN SPACE AND FLOOR AREA REGULATIONS

* * *

23-15
Maximum Floor Area Ratio in R10 Districts

* * *

In R10 Districts, except in R10 equivalent C4, C5 or C6 Districts, the bonus provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area) or 23-18 (Floor Area Bonus for Arcades), shall not apply to any #development# or #enlargement# with more than 25 percent of its total floor area in #residential use# after July 31, 1993.

In R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

* * *

24-10 FLOOR AREA AND LOT COVERAGE REGULATIONS

* * *

24-11
Maximum Floor Area Ratio and Percentage of Lot Coverage

* * *

In R9 or R10 Districts, the bonus provisions of Sections 24-14 (Floor Area Bonus for a Plaza), 24-15 (Floor Area Bonus for a Plaza-Connected Open Area) or 24-16 (Floor Area Bonus for Arcades), shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# after July 31, 1993.

In R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

* * *

Chapter 7 Special Urban Design Guidelines - Residential Plazas

* * *

27-01

Applicability of this Chapter

The provisions of this Chapter shall apply to all #developments# constructed after April 21, 1977 containing a #plaza# which that qualifies for a #floor area# bonus under the provisions of Sections 23-16 (Floor Area Bonus for a Plaza) and 24-14 (Floor Area Bonus for a Plaza), except that after July 31, 1993, these provisions shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# located in R9, R10, C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts.

A #development# that contains a #residential plaza# and that has been granted a special permit by the City Planning Commission prior to July 31, 1993, may be started or continued pursuant to that special permit.

* * *

33-10 FLOOR AREA REGULATIONS

* * *

34-11

General Provisions

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the bonus provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area), 23-18 (Floor Area Bonus for Arcades), 24-14 (Floor Area Bonus for a Plaza), 24-15 (Floor Area Bonus for a Plaza-Connected Open Area) or 24-16 (Floor Area Bonus for Arcades), shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# after July 31, 1993.

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

* * *

35-30 APPLICABILITY OF FLOOR AREA AND OPEN SPACE REGULATIONS

* * *

35-35

Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in connection with Mixed Buildings.

* * *

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the bonus provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area), 23-18 (Floor Area Bonus for Arcades), 24-14 (Floor Area Bonus for a Plaza), 24-15 (Floor Area Bonus for a Plaza-connected Open Area) or 24-16 (Floor Area Bonus for Arcades), shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# after July 31, 1993.

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

* * *

Chapter 7 Special Regulations

37-02

Applicability of Article II, Chapter 7 - Special Urban Design Guidelines - Residential Plazas

In ~~C1-9, C2-8, C4-6, C4-7, C5-1, C5-2, C5-4, C6-4, C6-5 and C6-8 districts and C1 or C2 districts, mapped within an R10 district,~~ the regulations of ARTICLE II, CHAPTER 7 (SPECIAL URBAN DESIGN GUIDELINES - RESIDENTIAL PLAZAS) shall apply to any #residential development# or to any #development# occupied by #predominantly residential use# which obtains a #floor area# bonus pursuant to Section 23-16 (Floor Area Bonus for a Plaza) or 24-14 (Floor Area Bonus for a Plaza), except as modified by the provisions of Section 37-021 to 37-026, inclusive, relating to Modifications to Applicability of ARTICLE II, CHAPTER 7.

In C1-8, C1-9, C2-7, or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the provisions of this Section shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# after July 31, 1993.

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

In the Special Midtown District (Article VIII, Chapter 1), the provisions of this section shall not apply.

* * *

23-60 HEIGHT AND SETBACK REGULATIONS

* * *

23-64 Alternate Front Setbacks

* * *

In R9 or R10 Districts, the provisions of this Section shall be inapplicable to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use#.

* * *

Supplementary Regulations

23-65

Tower Regulations

R9, R10

In the districts indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in Section 23-651 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower).

At all levels, such tower shall be located not less than 15 feet from the #street line# of a #narrow street#, and not less than 10 feet from the #street line# of a #wide street#.

Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies) are permitted to project into or over open areas not occupied by towers.

The provisions of this Section shall not apply to any #building#, located wholly or partly in a #Residence District#, that which is within 100 feet of (a) a #public park# with an area of one acre or more, or (b) a #street line# opposite such a #public park#.

However, the provisions of Section 23-652 (Tower-on-a-base) shall apply to any #development# or #enlargement# that:

- (1) is located on a #wide street# and either within 125 feet from such #wide street# frontage along the short dimension of the #block# or within 100 feet from such #wide street# frontage along the long dimension of the #block#; and
- (2) contains more than 25 percent of its total #floor area# in #residential use#.

23-651

Towers on small lots

R9, R10

* * *

23-652

Tower-on-a-base

R9, R10

In the districts indicated, any #development# or #enlargement# that will contain more than 25 per cent of the total #floor area# for #residential use# may be constructed as a tower-on-a-base, in accordance with the following regulations:

- (a) Tower regulations
 - (1) At any level above a building base (referred to hereinafter as a "base"), any portion of a #building# (referred to hereinafter as a "tower") shall occupy in the aggregate:
 - (i) not more than 40 percent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the percentage set forth in Section 23-651 (Towers on small lots); and
 - (ii) not less than 30 percent of the #lot area# of a #zoning lot#. However, the highest four stories of the tower or 40 feet, whichever is less, may cover less than 30 percent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 percent of the gross area of that #story# directly below it.
 - (2) Any tower located above a base shall not be subject to the provisions of Sections 23-63 (Maximum Height of Walls and Required Setbacks).
 - (3) Within any #building# that includes a tower, at least 55 percent of the total #floor area# shall be located in #stories# partially or entirely below a height of 150 feet above the #base plane#.

When the #lot coverage# of the tower portion is less than 40 percent, the required 55 percent of the total #floor area# distribution, within a height of 150 feet above the #base plane#, shall be increased in accordance with the requirement set forth below:

| Percent of #lot coverage# of the tower portion | Minimum percent of total building #floor area# distribution below 150 feet level |
|------------------------------------------------------|-------------------------------------------------------------------------------------------|
| 40.0 or greater | 55.0 |
| 39.0 to 39.9 | 55.5 |
| 38.0 to 38.9 | 56.0 |
| 37.0 to 37.9 | 56.5 |
| 36.0 to 36.9 | 57.0 |
| 35.0 to 35.9 | 57.5 |
| 34.0 to 34.9 | 58.0 |
| 33.0 to 33.9 | 58.5 |
| 32.0 to 32.9 | 59.0 |
| 31.0 to 31.9 | 59.5 |
| 30.0 to 30.9 | 60.0 |

- (4) At all levels, such tower shall be set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions shall include the depth of any permitted recesses in the #street wall#.
- (5) No tower or portion thereof shall be located on a #narrow street#, at a distance that is more than 100 feet from the intersection with a #wide street#.

Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies) are permitted to project into or over open areas not occupied by towers.

(b) Building base regulations

The base of a tower shall be governed by the following regulations:

(1) Street wall location

- (i) the #street wall# shall occupy the entire #street frontage# of a #zoning lot# not occupied by existing #buildings#. At any height, at least 70 percent of the #street wall# of a base shall be located within eight feet of the #street line#, and the remaining 30 percent

of the #street wall# may be recessed beyond eight feet from the #street line# to provide #outer courts#, or balconies. Also, to allow for articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection. However, on a #narrow street#, beyond 125 feet from its intersection with a #wide street#, no #street wall# of a base is required nor shall any #street wall# provided beyond 125 feet count toward the computation of any recesses on such wall. For #outer courts#, the provisions of Section 23-84 (Outer Court Regulations) shall not apply. In lieu thereof, the width of any such #court# shall be at least one and one third times its depth.

- (i) Where the #street wall# of an abutting #building#, fronting on the same #street line#, is located within 10 feet of the #street line#, the #street wall# of the base shall be located either at the #street line# or shall be aligned with the #street wall# of the abutting #building# for a distance of not less than 20 feet measured horizontally from the side wall of such existing #building#.
- (ii) When a base of a tower abuts an existing #building#, fronting on the same #street line#, no #outer court# or any recess of the #street wall# of the base shall be permitted within a distance of 20 feet measured horizontally from the side wall of such existing #building#.

(2) Height of Street Wall

All #street walls# of a base shall rise vertically without setback to a height of not less than 60 feet nor more than 85 feet above the #base plane# except as provided below:

- (i) On a #wide street#, if the height of the #street wall# of an abutting #building# fronting on the same #street line# exceeds 60 feet and if such #street wall# is located within 10 feet of the #street line#, the #street wall# of the base shall match the height of the #street wall# of the abutting #building# to a maximum height of 100 feet and for a distance of not less than 20 feet measured horizontally from the side wall of such existing #building#. Such #street wall# of the base fronting on a #wide street# may be extended along a #narrow street# within 70 feet of its intersection with the #wide street#.
- (ii) the height of that portion of the base located on a #narrow street# beyond 100 feet from its intersection with a #wide street#, shall:
 - (a) be at least 60 feet in height when the adjoining #building# is less than 60 feet; or

(b) match the height of the adjoining #building# when the height of such #building# is between 60 feet and 85 feet.

(3) Dormer

A "dormer" may be allowed as a permitted obstruction above the base of a tower within a required front setback area. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of such base. A dormer may be located anywhere on a #wide street#, and on a #narrow street# within 70 feet of its intersection with a #wide street#.

On any #street# frontage the aggregate width of all dormers at the required initial setback level shall not exceed 60 percent of the length of the #street wall# of a base. At any height above the required initial setback level of a base, the length of the #street wall# of a dormer shall be decreased by one percent for every additional foot of its height above the initial setback level.

Such dormer shall count as #floor area# but not as tower coverage.

(4) Open areas

All open areas at ground level, located between the #street line# and the #street wall# of a base shall be landscaped except in front of entrances and exits to the #building#.

For the purposes of determining the permitted tower coverage and the required minimum distance between #buildings# or portions thereof, that portion of a #development# located within 125 feet from the #wide street# frontage along the short dimension of a #block# shall be treated as if it were a separate #zoning lot#.

A #development# that contains a tower proposed pursuant to Section 23-65 (Tower Regulations) and that has been granted a special permit by the City Planning Commission prior to July 31, 1993, may be started or continued pursuant to that special permit.

* * *

24-50 HEIGHT AND SETBACK REGULATIONS

* * *

24-53

Alternate Front Setbacks

* * *

In R9 or R10 Districts, the provisions of this Section shall be inapplicable to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use#.

* * *

Supplementary Regulations

24-54

Tower Regulations
R7-2, R8, R9, R10

In the districts indicated, except as set forth herein, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in Section 24-541 (Towers on small lots), may penetrate an established #sky exposure plane#. (Such #building# or portion thereof is hereinafter referred to as a tower.)

At all levels, such tower shall be located not less than 15 feet from the #street line# of a #narrow street#, and not less than 10 feet from the #street line# of a #wide street#.

Unenclosed balconies, subject to the provisions of Section 24-175 (Balconies) are permitted to project into or over open areas not occupied by towers.

The provisions of this Section shall not apply to any building, located wholly or partly in a #Residence District#, that which is within 100 feet of (a) a #public park# with an area of one acre or more or (b) a #street line# opposite such a public park.

However, in R9 or R10 Districts, the provisions of Section 23-652 (Tower-on-a-base) shall apply to any #development# or #enlargement# that:

- (1) is located on a #wide street# and either within 125 feet from such #wide street# frontage along the short dimension of the #block# or within 100 feet from such #wide street# frontage along the long dimension of the #block#; and
- (2) contains less than 75 percent of its total #floor area# in #community facility use#.

* * *

33-44

Alternate Front Setbacks

* * *

In C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the provisions of this Section shall be inapplicable to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use#.

* * *

35-60 MODIFICATION OF HEIGHT AND SETBACK REGULATIONS FOR MIXED BUILDINGS

* * *

35-63

Special Tower Regulations for Mixed Buildings

In the districts as indicated, when a #mixed building# is subject to tower regulations, the #residential# tower regulations of paragraphs (a) and (b) or the commercial tower regulations of paragraph (b) (c) of this Section shall apply to the entire #building#.

- (a) In C1 or C2 Districts mapped within R9 or R10 Districts, or in C1-8, C1-9, C2-7 or C2-8 Districts, a #mixed building# that meets the requirements of a tower-on-a-base set forth in Section 23-65 (Tower Regulations), shall be governed by the provisions of Sections 23-652 (Tower-on-a-base), except as set forth below:

- (i) On a #wide street#, the entire length of the #street wall# of a base shall be located at the #street line#. No recesses shall be permitted on the ground floor of the #street wall# of a base except for openings that are required to provide access to the #building#. Such recesses shall be not more than three feet in depth from the #street line#. Also, to allow for articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

At any level above a ground floor, recesses are permitted in the #street wall# for #outer courts#, balconies or #street wall# articulation at intersections but in no event shall such recesses be located at a height less than 12 feet above the #base plane# nor the aggregate length of such recesses exceed 30 percent of the length of the entire #street wall# at that level.

(2) On all #stories# along a #narrow street#, at least 70 percent of the #street wall# of a base shall be located at the #street line#, and the remaining 30 percent of the #street wall# may be recessed to provide #outer courts#, balconies or #street wall# articulation at intersections.

(b) In ~~C1 or C2 Districts mapped within R9 or R10 Districts, or in C1-8, C1-9, C2-7, C2-8, C4-6, C5-1 or C6-3 Districts~~, the #residential# portion of a #mixed building# which ~~that~~ in the aggregate occupies not more than 40 percent of the #lot area# of a #zoning lot# or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in Section 23-651 (Towers on small lots), may be constructed in conformance with the provisions of Section 23-65 (Tower Regulations), provided the following conditions are met:

- (1) at least 65 percent of the total allowable #floor area# on a #zoning lot# under the applicable district regulations is occupied by #residential uses#;
- (2) all non-#residential uses# within such #mixed building# shall comply with the provisions of Section 32-42 (Location within Buildings); and
- (3) no non-#residential# portion of a #mixed building# penetrates the #sky exposure plane# as set forth in ~~Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks) or 33-44 (Alternate Front Setbacks) Sections 33-432 (In other Commercial Districts) or 33-442 (In other Commercial Districts)~~.

(c)(b) In C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5, C6-6, C6-7, C6-8 or C6-9 Districts, the tower regulations applicable to any #mixed building# shall be the regulations set forth in Section 33-45 (Tower Regulations).

However, ~~In~~ in C4-7, C5-2, C5-4, C6-4, C6-5 or C6-8 Districts, when no more than two #stories# of a #mixed building# are occupied by non-#residential uses#, the tower regulations applicable to the #residential# portion of such #mixed building# may be governed by the provisions of Sections 23-65 (Tower Regulations) or 23-651. (Towers on small lots).

All non #residential uses# within such #mixed building# shall comply with the provisions of Section 32-42 (Location Within Buildings);

74-88

Special Tower Regulations

[Delete the entire text of Section 74-88]

74-88

Modification of Height and Setback and Street Wall Regulations

Upon application, the City Planning Commission may permit the modification of height and setback and #street wall# regulations of Sections 23-652 (Tower-on-a-base), paragraph (b) of Section 24-54 (Tower Regulations) and paragraph (a) of Section 35-63 (Special Tower Regulations for Mixed Buildings), except for the permitted tower coverage or the required #floor area# distribution below a height of 150 feet above the #base plane#, provided the Commission makes the following findings:

- (a) that such modification will enhance the contextual relationship of the new #building# to nearby #buildings# and improve the overall scale, site design and architectural harmony among #buildings# in the neighborhood; and
- (b) that such modification will not unduly obstruct access of light and air to the detriment of the occupants or users of the #buildings# in the #block# or nearby #blocks# or of people using the public #street#.

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

74-96

Special Urban Design Guidelines - Residential Plaza Modifications

In R10, C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

78-31

Location of Buildings, Distribution of Bulk and Open Space, and Modification of Height and Setbacks.

* * *

(e) In R9, R10, C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the bonus provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area), 23-18 (Floor Area Bonus for Arcades), 24-14 (Floor Area Bonus for a Plaza), 24-15 (Floor Area Bonus for a Plaza-Connected Open Area), 24-16 (Floor Area Bonus for Arcades) or 27-00 (GENERAL PURPOSES) shall not apply to any #development# or #enlargement# with more than 25 percent of its total #floor area# in #residential use# after July 31, 1993.

In R9, R10, C1-8, C1-9, C2-7 or C2-8 Districts or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

79-21

General Provisions

* * *

In R9, R10, C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, the bonus provisions of Sections 23-16 (Floor Area Bonus for a Plaza), 23-17 (Floor Area Bonus for a Plaza-Connected Open Area), 23-18 (Floor Area Bonus for Arcades), 24-14 (Floor Area Bonus for a Plaza), 24-15 (Floor Area Bonus for a Plaza-Connected Open Area), 24-16 (Floor Area Bonus for Arcades), or 27-00 (GENERAL PURPOSES) shall not apply to any #development# or #enlargement# with more than 25 percent of its total floor area in #residential use# after July 31, 1993.

In R9, R10, C1-8, C1-9, C2-7 or C2-8 Districts, or in C1 or C2 Districts mapped within R9 or R10 Districts, no existing #plaza#, plaza-connected open area, #residential plaza#, #arcade# or other public amenity, open or enclosed, for which a #floor area# bonus has been received pursuant to regulations antedating July 31, 1993, shall be eliminated or reduced in size without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#.

Resolution for adoption scheduling December 1, 1993 for a public hearing.

BOROUGH OF QUEENS

No. 6

CD 14

C 900437 MMQ

IN THE MATTER OF an application submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map involving:**

- the elimination of an approximately 256 square foot portion of park, along the southerly boundary of Gene Gray Playground and
- the elimination of an approximately 49 square foot portion of park, along the easterly boundary of Gene Gray Playground,

changes in grade necessitated thereby, and any acquisition or disposition of property related thereto, all in accordance with Map No. 4816, dated June 19, 1986 and signed by the Borough President.

Resolution for adoption scheduling December 1, 1993 for a public hearing.

CD 9

C 920379 PQQ

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 111-17 103rd Avenue (Block 9429, Lot 37) for continued use as an Agency Operated Boarding Home.**

Resolution for adoption scheduling December 1, 1993 for a public hearing.

II. PUBLIC HEARINGS

CITYWIDE

No. 8

CD All

C 940054 GFY

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Transportation pursuant to Section 197-c and Section 363 e(2) of the New York City Charter for a franchise involving the construction, operation and maintenance of automatic public toilets (APT,s) and public service kiosks (PSK,s) to be located in all five Boroughs.

(On November 3, 1993, Cal. No. 12, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

(Proposed Amendment to the City Planning Commission's Rule governing the Natural Feature Restoration Fee)

PUBLIC HEARING:

IN THE MATTER OF a proposed Amendment to the Rules of the City Planning Commission to amend an existing rule regarding the natural feature restoration fee, pursuant to Section 1043 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter and by Sections 105-45, 107-321 and 119-40 of the Zoning Resolution of the City of New York.

Written comments regarding this amendment may be sent to the Office of William Valletta, General Counsel, Department of City Planning, 22 Reade Street, New York, N.Y. 10007 or before November 30, 1993. A public hearing on the proposed amendment to the rule shall be held on November 17, 1993 beginning at 10:00 a.m. at City Hall, New York, N.Y. 10007. Written comments and a summary of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt, between the hours of 9:00 a.m. and 5:00 p.m. at the Office of the Counsel, 22 Reade Street, Room 2N, New York, New York 10007.

Dated: October 18, 1993

Richard L. Schaffer, Chairman

Amended Rule

Matter in underlining is new, to be added;
Matter in [bracketing] is old, to be deleted;

Section 1-07 of Chapter 1 of Title 62 of the Rules of the City of New York is amended to change the provisions relating to the natural feature restoration fee as follows:

§1-07 Natural Feature Restoration Fee. [a] In the event that an application, pursuant to §§105-~~40~~45, 107-~~30~~321, 107-65 and 119-40 of the Zoning Resolution, for the [removal of trees six inches caliper or more] restoration of trees that have been removed or topography that has been altered without the prior approval of the City Planning Commission pursuant to §§ 105-40, 107-60, 119-10, 119-20 or 119-30 of the Zoning Resolution is filed [for work completed prior to the filing of such application and/or approval thereof], the following fees for such application shall apply:

- 1. Zoning lot area of up to 20,000 square feet.....\$.40 per square foot
- 2. Zoning lot area of 20,001 square feet to 4 acres.....\$.20 per square foot
- 3. Zoning lot area greater than 4 acres.....\$.10 per square foot

[A fee shall be payable equal to one dollar (\$1.00) less than the cost of replacing removed trees in accordance with a restoration plan and appraisal prepared by a licensed architect and, which conforms to the surrounding tree and growth of an estimate of the original site conditions.

(b) In the event that an application, pursuant to §§105-40 and 107-30 for the modification of existing natural topography is filed for work completed prior to the filing of such application and/or approval thereof:

A fee shall be payable equal to one dollar (\$1.00) less than the cost of restoring such topography to original elevations in accordance with an estimate prepared by a licensed landscape architect or professional engineer.]

This section shall not apply to developments for which zoning applications have been approved by the City Planning Commission prior to January 6, 1983 and for which an application for a building permit has been filed prior to January 6, 1983.

Statement of Basis and Purpose:

The City Planning Commission believes that it is in the best interests of City of New York and its natural areas to bring this restoration fee into conformity with the fees for other City Planning actions. Such fee calculations are generally based upon the size of the affected zoning lot. This amended rule will bring the present rule into conformity with such standard method of fee calculation.

(On October 18, 1993, the City Planning Commission published in the City Record a Notice of Public Hearing and Opportunity to Comment on the proposed Rule to Amend the Natural Feature Restoration Fee.)

Close the hearing.

BOROUGH OF THE BRONX

No. 10

CD 3

C 920569 PQX

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 417-421 East 161st Street (Block 2383, Lot 12), for continued use as a day care center. (Iola Jordan Day Care Center).

(On November 3, 1993, Cal. No. 1, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 11

CD 9

C 920457 POK

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 771 Crown Street (Block 1414, Lot 51), for continued use as a day care center. (Ohel Sarah Day Care Center).

(On November 3, 1993, Cal. No. 2, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 12

CD 6, 8

C 930430 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c and 16d:

1. changing from an R8 district to an R6 district property bounded by a line 150 feet west of Prospect Park West, 1st Street, a line 100 feet west of Prospect Park West, and Union Street;
2. changing from an R6 district to an R6A district property bounded by Bergen Street, a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet east of Washington Avenue, Park Place, Grand Avenue, Prospect Place, and a line 100 feet east of Washington Avenue;
3. changing from an M1-1 district to an R6A district property bounded by Bergen Street, a line 100 feet east of Washington Avenue, a line midway between Atlantic Avenue and Pacific Street, Underhill Avenue, and a line 100 feet west of Washington Avenue;

4. changing from an R6 district to an R6B district property bounded by:
 - a) a line 100 feet east of Flatbush Avenue, a line 100 feet north of Bergen Street, 6th Avenue, Bergen Street, a line 100 feet east of Flatbush Avenue, Carlton Avenue, Park Place, a line 100 feet east of Flatbush Avenue, Sterling Place, a line 100 feet west of Vanderbilt Avenue, Bergen Street, a line 210 feet east of Carlton Avenue, a line 80 feet north of Bergen Street, a line 100 feet east of Carlton Avenue, Dean Street, Carlton Avenue, Pacific Street, a line 100 feet west of Carlton Avenue, a line midway between Pacific Street and Dean Street, 6th Avenue, and Dean Street;
 - b) a line 100 feet east of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Underhill Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet west of Washington Avenue, Bergen Street, Underhill Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 120 feet east of Vanderbilt Avenue, and Pacific Street; and
 - c) a line 100 feet east of Washington Avenue, Prospect Place, Grand Avenue, and Bergen Street;

5. changing from an M1-1 district to an R6B district property bounded by:
 - a) a line 100 feet east of Flatbush Avenue, Dean Street, 6th Avenue, and a line midway between Pacific Street and Dean Street;
 - b) a line 100 feet east of Vanderbilt Avenue, Pacific Street, a line 120 feet east of Vanderbilt Avenue, and a line midway between Atlantic Avenue and Pacific Street;
 - c) Underhill Avenue, Bergen Street, and a line 100 feet west of Washington Avenue; and
 - d) a line 100 feet east of Washington Avenue, Bergen Street, a line 100 feet west of Grand Avenue, and a line midway between Atlantic Avenue and Pacific Street;

6. changing from an R6 district to an R7A district property bounded by a line 100 feet west of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Vanderbilt Avenue, Pacific Street, Vanderbilt Avenue, and Dean Street;

7. changing from an M1-1 district to an R7A district property bounded by:

- a) 5th Avenue, Flatbush Avenue, Dean Street, a line 100 feet east of Flatbush Avenue, and Pacific Street; and
 - b) a line 100 feet west of Vanderbilt Avenue, Dean Street, Vanderbilt Avenue, and Pacific Street;
8. changing from an R7-1 district to an R7A district property bounded by a line 100 feet east of Underhill Avenue, a line 60 feet south of Lincoln Place, Washington Avenue, Eastern Parkway, a line 100 feet east of Washington Avenue, and a line midway between Sterling Place and St. Johns Place;
 9. changing from an R8 district to an R7B district property bounded by 8th Avenue, Union Street, a line 100 feet east of 8th Avenue, and Lincoln Place;
 10. changing from an R8 district to an R8X district property bounded by 8th Avenue, Lincoln Place, a line 100 feet east of 8th Avenue, Union Street, a line 100 feet west of Prospect Park West, 1st Street, Prospect Park West, a line passing through two points: one at the intersection of the prolonged center lines of Prospect Park West and Plaza Street West and the other at the intersection of the prolonged center lines of Eastern Parkway and Plaza Street East, Eastern Parkway, Washington Avenue, a line 60 feet south of Lincoln Place, a line 100 feet east of Underhill Avenue, Sterling Place, and Flatbush Avenue;
 11. eliminating within an existing R6 district a C1-3 district bounded by:
 - a) St. Marks Place, a line 150 feet west of Vanderbilt Avenue, Park Place, and a line 150 feet east of Vanderbilt Avenue; and
 - b) Park Place, a line 150 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, and a line 150 feet east of Washington Avenue;
 12. eliminating within an existing R6 district a C2-3 district bounded by Bergen Street, a line 150 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet east of Washington Avenue, St. Marks Place, and a line 150 feet east of Washington Avenue;
 13. eliminating within an existing R7-1 district a C1-3 district bounded by a line midway between Sterling Place and St. Johns Place, a line 150 feet west of Washington Avenue, St. Johns Place, and a line 150 feet east of Washington Avenue;

14. eliminating within an existing R8 district a C2-3 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 150 feet east of Flatbush Avenue;
15. establishing within a proposed R6A district a C1-4 district bounded by a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet east of Washington Avenue, and Park Place;
16. establishing within a proposed R7A district a C1-4 district bounded by:
 - a) a line 100 feet west of Vanderbilt Avenue, Park Place, a line 100 feet east of Vanderbilt Avenue, and Pacific Street; and
 - b) a line 100 feet west of Washington Avenue; Lincoln Place, Washington Avenue, a line midway between Lincoln Place and Eastern Parkway, a line 100 feet east of Washington Avenue, and a line midway between Sterling Place and St. Johns Place;
17. establishing within a proposed R6A district a C2-4 district bounded by Underhill Avenue, a line 100 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet east of Washington Avenue, and a line midway between Atlantic Avenue and Pacific Street;
18. establishing within a proposed R7A district a C2-4 district bounded by 5th Avenue, Flatbush Avenue, Dean Street, a line 100 feet east of Flatbush Avenue, and Pacific Street; and
19. establishing within a proposed R8X district a C2-4 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 100 feet east of Flatbush Avenue;

as shown on a diagram (for illustrative purposes only) dated August 2, 1993 and subject to the conditions of CEQR Declaration E-51.

(On November 3, 1993, Cal. No. 3, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

CD 5

C 930479 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 one (1) city-owned property located at 2626-2636 Pitkin Avenue (Block 4229, Lots 16, 17, 18, 19) restricted to community facility use.

(On November 3, 1993, Cal. No. 4, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

CD 10

C 920459 PQM

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 151-157 West 136th Street (Block 1921, Lot 10), for continued use as a day care center. (James Varick Day Care Center).

(On November 3, 1993, Cal. No. 5, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 15 and 16

(Applications for amendments to the Zoning Resolution to retain/eliminate mandatory arcades and to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District)

No. 15

[Amendments to the Zoning Resolution to retain the mandatory arcades and to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District in the Borough of Manhattan]

CD 7

N 940127 ZRM

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 VIII, Chapter 2, Section 82-00, to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District and to reference in other sections, as follows:

Matter in ~~Graytone~~ is new, to be added;

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

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

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

Article VIII

Chapter 2 Special Lincoln Square District

82-00 GENERAL PURPOSES

* * *

82-01

Definitions

* * *

~~Development~~

~~For purposes of this Chapter a "development" includes both #development# and #enlargement# as defined in Section 12-10 (DEFINITIONS).~~

82-02**General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified #bulk# regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter, and the City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may grant special permits authorizing modifications of specified applicable district #bulk# regulations for any #development# in the #Special Lincoln Square District#. In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such #development# shall conform to and comply with all of the applicable district regulations on #use#, #bulk#, supplementary #use# regulations, regulations applying along district boundaries, #accessory signs#, #accessory# off-street parking and off street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter.

82-03**Action by the Board of Estimate**

Delete entire section

82-04**82-03****Requirements for Applications**

An application to the City Planning Commission for the grant of a special permit or an authorization respecting any #development# under the provisions of this Chapter shall include a site plan showing the location and the proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and proposed off-street parking spaces, and such other information as may be required by the City Planning Commission for its determination as to whether or not a special permit or an authorization is warranted. Such information shall include, but not be limited to, justification of the proposed #development# in relation to the general purposes of the #Special Lincoln Square District#, (Section 82-00), its relation to public improvements (82-05), its proposed #uses# (Section 82-06), its parking facilities (Section 82-07), and its bulk and height (Section 82-08), as well, in applicable locations, as the inclusion of Mandatory Areeades (Section 82-09), public amenities (Section 82-10) and location of #building# walls in relation to certain #street lines# (Section 82-11).

82-05**Relationship to Public Improvement Projects**

Delete entire section

82-04**District Plan**

The District Plan for the #Special Lincoln Square District# included as Appendix A identifies specific subdistricts in which special zoning regulations carry out the general purposes of the #Special Lincoln Square District#. These areas are: Subdistrict A, Subdistrict B and Subdistrict C.

The District Plan also identifies #blocks# with mandatory #front lot line street walls#. The District Plan is hereby incorporated as an integral part of the #Special Lincoln Square District#.

82-05**Right to Construct**

For the purpose of this Chapter, the right to continue to construct shall terminate if the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) are not met by the date of approval of this amendment by the City Planning Commission.

82-10**MANDATORY DISTRICT IMPROVEMENTS**

The provisions of this Section specify mandatory physical improvements to be provided in connection with #developments# on certain #zoning lots# located within the Special District.

82-09**82-11****Mandatory Arcades**

Any #development# located on a #zoning lot# with a #lot line# which coincides with any either of the following #street lines#: ~~the north side of 61st Street between Central Park West and Broadway~~, the east side of Broadway between West 61st and West 65th Streets or the east side of Columbus Avenue between West 65th and West 66th Streets, shall contain an #arcade# as defined in Section 12-10, except that:

- (a) The #arcade# shall extend the full length of the #zoning lot# along the #street lines# described above. However, the required #arcade# along the east side of Columbus Avenue may be terminated at a point 40 feet south of West 66th Street;

- (b) The exterior face of #building# columns shall lie along the #street lines# described above;
- (c) The minimum depth of the #arcade# shall be 15 feet (measured perpendicular to the exterior face of the #building# columns located on the #street line#) and the average minimum height of the #arcade# along the center line of its longitudinal axis shall not be less than 20 feet;
- (d) The #arcade# shall contain no permanent obstruction within the area delineated by the minimum width and height requirements of this Section except for the following:
 - (1) Unenclosed cafes, provided that there is at least a 6 six-foot feet wide unobstructed pedestrian way adjacent to the #building# #street wall#. In no event may such cafes be enclosed at any time.
 - (2) Structural columns not exceeding 2 feet by 3 feet provided that the longer dimension of such columns is parallel to the #street line#, that such columns are spaced at a minimum of 17 feet on center, and that the space between such columns and the face of the #building# #street wall# is at least 13 feet wide. No other columns shall project beyond the face of the building #street wall#.
- (e) No #signs# may be affixed to any part of the #arcade# or #building# columns except on a parallel to the #building# #street wall# projecting no more than 18 inches therefrom parallel to the #street line# along which the #arcade# lies.
- (f) The #arcade# shall be illuminated only by incandescent lighting to a standard of average 8 eight foot-candle intensity with a minimum 5 five foot-candle intensity at any point within the #arcade#.

82-12

Mandatory Off-Street Relocation of a Subway Stair

Where a #development# is constructed on a #zoning lot# that fronts on a sidewalk containing a stairway entrance into the West 59th Street (Columbus Circle) or the West 66th Street subway station and such #zoning lot# contains 5,000 square feet or more of #lot area#, the existing entrance shall be relocated from the #street# onto the #zoning lot# in accordance with the provisions of Section 37-032 (Standards for relocation, design and hours of public accessibility) and 37-033 (Administrative procedure for a subway stair relocation).

82-13**Special Provisions for a Transit Easement**

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

82-06**82-20****SPECIAL USE AND SIGN REGULATIONS**

~~In order to ensure that a wide variety of consumer and service needs of local residence are met, a special limitation is imposed on the amount of street frontage that can be elevated to any one type of commercial use, and a special incentive is provided to encourage uses compatible with the General Purposes of Section 82-00.~~

In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.

The provisions of this Section shall apply to all a #development# or change of #use# within the Special District.

82-061**82-21****Restrictions on Street Level Uses**

~~#Uses# on the ground floor level along Broadway, Amsterdam or Columbus Avenues except lobby space shall be limited to Use Group L uses or #commercial uses# permitted by the underlying district regulations. On any #zoning lot# which abuts Columbus, Amsterdam Avenues or Broadway, the maximum length of street frontage along Broadway or Columbus or Amsterdam Avenues which may be devoted to any permitted #use# shall be 40 feet unless the use also is included in Use Group L (Section 82-062) #Uses# under Use Group L are permitted without #street# frontage limitation.~~

Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to those listed in Use Groups 6A, 6C, 8A, 10A, eating or drinking establishments listed in 12A, or 12B. Within Use Groups 3A or 4B #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. At the ground floor level and within five feet of #curb level# the #floor area# shall be allocated exclusively to such #uses#, except lobby

space, building entrance space, #accessory# loading berths where permitted pursuant to Section 82-50, or entrance areas to subway stations.

82-062

Use Group L

Delete entire section

82-22

Location of Floors Occupied by Commercial Uses

The provisions of Section 32-422 (Location of Floors Occupied by Non-Residential Uses) shall not apply to any #commercial use# located in a portion of a #mixed building# that has separate direct access to the #street# and has no access within the #building# to the #residential# portion of the #building# at any #story#. In no event shall such #commercial use# be located directly over any #dwelling units#.

82-23

Special Floor Area Regulations for Use Groups 8 and 12 Uses

Within Subdistrict A or Subdistrict C, the maximum #floor area ratio# that may be used on a #zoning lot# for #uses# listed in Use Groups 8A or 12A shall not exceed 1.0, except that this limitation shall not apply to eating or drinking establishments.

82-24

Street Wall Transparency

When the front building wall or #street wall# of any #development# is located on Broadway, Columbus Avenue or Amsterdam Avenue, at least 50 percent of the total surface area of the #street wall# between #curb level# and 12 feet above #curb level# or to the ceiling of the first #story#, whichever is higher, shall be transparent. Such transparency shall begin not higher than two feet six inches above #curb level#.

82-063

82-25

Supplementary Sign Regulations

No permitted #business sign# shall extend above #curb level# at a height greater than 20 feet or obstruct an #arcade#.

82-07

Modification of Parking and off street Loading Requirements

Delete entire section

82-08

Modification of Bulk and Height and Setback Requirements

Delete entire section

82-10

PUBLIC AMENITIES

Delete entire section

82-30

SPECIAL BULK REGULATIONS

82-31

Floor Area Ratio Regulations for Commercial Uses

Within Subdistrict A, for any #development# in a C4-7 District the maximum permitted # commercial floor area ratio# on a #zoning lot# shall be 3.4.

82-311

Floor area increase by special permit

The City Planning Commission may by special permit allow the #commercial floor area ratio# permitted on a #zoning lot# within Subdistrict A to be increased from 3.4 to 10.0 for #commercial uses#. As a condition for such special permit, the Commission shall find that:

- (a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;
- (b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;
- (c) the additional #bulk# devoted to #commercial uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and
- (d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

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

82-32

Special Provisions for Increases in Floor Area

The provisions of Sections 23-16, 24-14 or 33-13 (Floor Area Bonus for a Plaza), Sections 23-17, 24-15 or 33-14 (Floor Area Bonus for a Plaza-Connected Open Area), Sections 23-18, 24-16, or 33-15 (Floor Area Bonus for Arcades), or Section 23-23 (Density Bonus for a Plaza-Connected Open Area or Arcade) shall not apply. In lieu thereof the following provisions shall apply, which may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0:

(a) Floor Area Increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90 (INCLUSIONARY HOUSING).

(b) Floor Area Bonus for Public Amenities

(1) For any #development# to which the provisions of Section 82-11 (Mandatory Arcades) are applicable, the maximum permitted #floor area ratio# may be increased by a maximum of 10 percent. For a mandatory #arcade#, there shall be not more than three square feet of bonus #floor area# for every square foot of #arcade# space.

(2) When a #development# is located on a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, with no tracks intervening to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

- (i) the direct construction cost of the public amenity;
- (ii) the cost of maintaining the public amenity; and
- (iii) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators.

82-33**Modification of Bulk Regulations**

The Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot# and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines# for any #development# provided the City Planning Commission finds that such modifications are necessary to:

- (a) facilitate good design; or
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section 82-10 are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section 82-32 (Special Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

The #lot area# requirements for the non-#residential# portion of a #building# which is eligible for a #floor area# allowance under the provisions of paragraph (b) of Section 82-32 may be reduced or waived by the Commission provided that the Commission makes the additional finding that such modification will not adversely affect the #uses# within the #building# or the surrounding area.

82-34**Bulk Distribution**

Within the Special District, not more than 40 per cent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located entirely above a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

82-35**Height and Setback Regulations**

Within the Special District, all #developments# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) Paragraph (a) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and

- (b) Paragraphs (b), (c) and (d) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#.

82-36

Special Tower Coverage and Setback Regulations

The requirements set forth in Sections 33-45 (Tower Regulations) or 35-63 (Special Tower Regulations for Mixed Buildings) for any #building# or portion thereof that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:

- (i) not more than 40 per cent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the per cent set forth in Section 23-651 (Tower on small lots); and
- (ii) not less than 30 per cent of the #lot area# of a #zoning lot#. However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 per cent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 per cent of the gross area of the #story# directly below it.

- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required set back of the #street wall# of a tower shall be at least 15 feet from the street line of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.

- (c) In Subdistrict A, the provisions of paragraph (a) of Section 35-63, as modified by paragraphs (a) and (b) above, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3 as indicated on the District Plan, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

82-44

Building Walls Along Certain Street Lines

Delete the entire section

82-37

Street Walls along Certain Street Lines

(a) For any #development# on a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:

- (1) the east side of Broadway between West 61st Street and West 65th Street;
- (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
- (3) the east side of Broadway between West 67th Street and West 68th Street;
- (4) the west side of Broadway between West 66th Street and West 68th Street; and
- (5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20-foot setback at a height of 85 feet above #curb level# as required in Section 33-432 (In Other Commercial Districts).

(b) For any #development# on a #zoning lot# in Block 1 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

- (1) the west side of Broadway between West 62nd Street and West 63rd Street;
- (2) the south side of West 63rd Street between Broadway and Columbus Avenue; and
- (3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to a height of 150 feet above #curb level# before a setback of not less than 10 feet and extend on Columbus Avenue and/or Broadway for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a

height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(c) For any #development# on a #zoning lot# in Block 2 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:

(1) the east side of Broadway between West 67th Street and West 66th Street;

(2) the north side of West 66th Street between Broadway and Columbus Avenue; and

(3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to a height of 150 feet above the #curb level# before a setback of not less than 10 feet and extend on Broadway and/or Columbus Avenue for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(d) For any #development# on a #zoning lot# in Block 3 with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

82-38

Recesses in the Street Wall of a Building

Recessed fenestration and special architectural expression lines in the #building# facade of a #development# are required as follows:

- (a) Except as set forth in paragraph (b) below, the aggregate length of all recesses in the #street wall# along Broadway of a #development# shall be between 15 per cent and 30 per cent of the entire length of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.
- (b) In Block 1, for any #development# that fronts on the #street line# of the south side of West 63rd Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate length of all recesses in the #street walls# along each such #street# frontage shall be between 15 percent and 30 per cent of the entire length of each #street wall# at any story between ground floor and 85 feet above curb level and shall be between 30 percent and 50 percent of the entire length of each #street wall# at any #story# between 85 feet and 150 feet above #curb level#.
- (c) In Block 2 the requirement of #street wall# recesses in paragraph (b) above shall also apply to a #development# that fronts on the #street line# of the north side of West 66th Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 per cent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. No recesses deeper than one foot shall be permitted in the #street wall# of a #building# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street, within Blocks 1 and 2, the #street wall# shall provide at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

82-39

Dormer

A dormer may be allowed as a permitted obstruction within the required setback distance of the #street wall# of a #building# at all setback levels. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required setback level shall not exceed 60 per cent of the length of the #street wall# of a #building#. For each foot of height above the required setback level, the aggregate width of all dormers shall be decreased by one per cent of its maximum permissible width at the

required setback level. All dormers shall count as #floor area# but not as #lot coverage#.

82-40

SPECIAL HEIGHT LIMITATION

For #developments# located in Block 1 or Block 2, the maximum height of a #building or other structure# or portion thereof shall not exceed 300 feet above #curb level#, except that a penthouse may be located above such height, provided that such penthouse:

- (1) contains not more than four #stories# or 40 feet, whichever is less; and
- (2) the gross area of each #story# does not exceed 80 per cent of the gross area of that #story# directly below it.

82-121

82-50

OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The regulations of Article I, Chapter 3 (COMPREHENSIVE OFF-STREET PARKING REGULATIONS IN COMMUNITY DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN THE BOROUGH OF MANHATTAN) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section:

- (a) **Accessory Off-Street Parking Spaces**
#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-461 (Accessory off-street parking spaces).
- (b) **Curb Cuts**
The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets#, where such curb cuts are needed exclusively for required off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-453 (Curb Cuts) and the loading berths are arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.
- (c) **Waiver of Loading Berth Requirements**
The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:
 - (i) be hazardous to traffic safety; or
 - (ii) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
 - (iii) interfere with the efficient functioning of bus lanes,

~~specially designated streets or public transit facilities.~~

~~The Commission shall refer these applications to the Department of Transportation for its comments.~~

~~82-122~~

~~Public parking garages~~

~~Delete entire section~~

~~82-60~~

~~PUBLIC PARKING GARAGES~~

~~In that portion of the Special Lincoln Square District located within a C4-7 District, the Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).~~

~~82-13~~

~~Special Regulations for Zoning Lots Divided by District Boundaries~~

~~Delete entire section~~

~~82-14~~

~~82-70~~

~~EXISTING PLAZAS OR OTHER PUBLIC AMENITIES~~

~~No existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating May 24, 1984 shall be eliminated or reduced in size anywhere within the #Special Lincoln Square District#, without a corresponding reduction in the #floor area of the building# or the substitution of equivalent complying areas for such amenity elsewhere on the #zoning lot#.~~

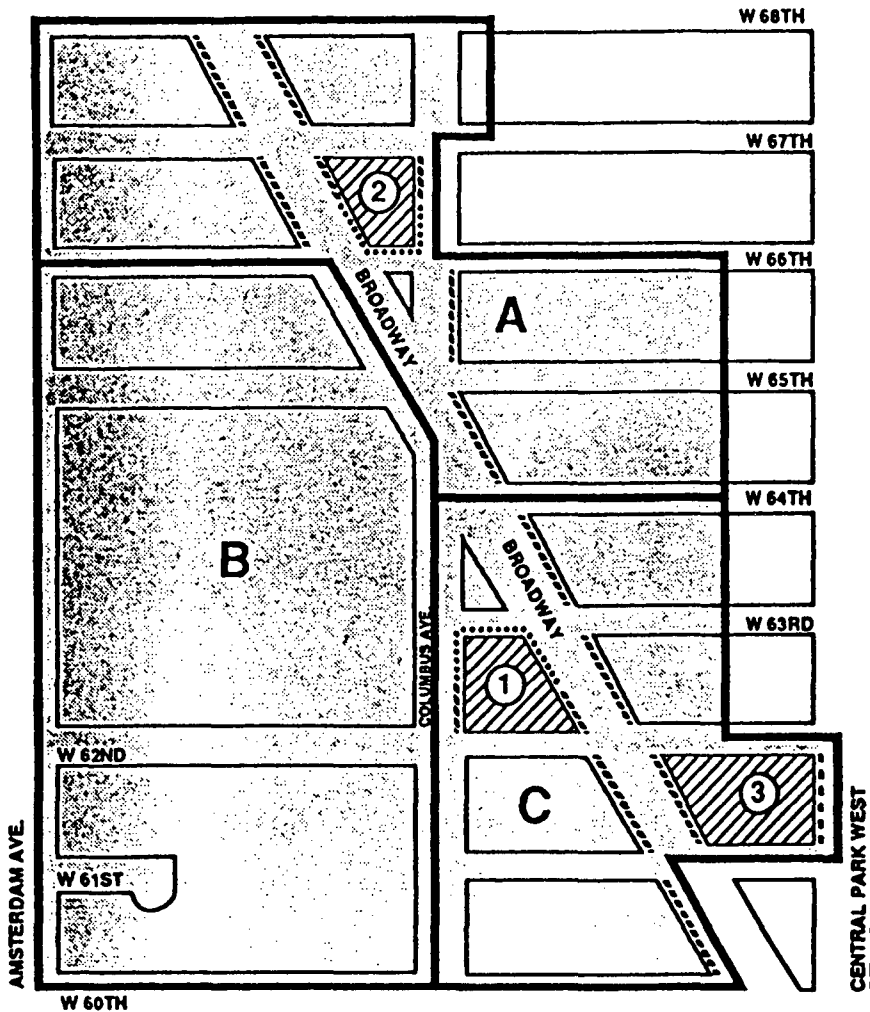
~~Any elimination or reduction in size or volume of such an existing public amenity in #developments# which include prior approved #bulk modifications#, shall be permitted in the #Special Lincoln Square District# only by ~~special permit of an authorization, after public notice and hearing,~~ by the City Planning Commission ~~and by the Board of Estimate.~~ As a condition for such ~~permit authorization,~~ the Commission shall find that the proposed change will provide a greater benefit in light of the public amenity's purposes and the purposes of the #Special Lincoln Square District#.~~







~~An application for such ~~special permit authorization~~ shall contain exact and detailed plans, drawings, and other description as to fully explain the use and quality of all features of the proposed public amenity revisions and any other information and documentation as may be required by the Commission.~~

~~The Chairman of the City Planning Commission shall furnish a copy of the application for such authorization to Community Board No. 7, Manhattan for 30 days and will give due consideration to their opinion as to the appropriateness of such a facility to the area. The Commission shall act within 45 days from the date of receipt of the Community Board recommendations or within 45 days of the date on which the Community Board review period expires, whichever is earlier. The Board of Estimate shall act on the application within 45 days of receipt of the Commission recommendations.~~

NEW - To be Added

APPENDIX A - DISTRICT PLAN SPECIAL LINCOLN SQUARE DISTRICT



-  SPECIAL DISTRICT BOUNDARY
-  SUBDISTRICT
-  REQUIRED 85' STREETWALL
-  REQUIRED 150' STREETWALL
-  REQUIRED 125' STREETWALL
-  DEVELOPMENT BLOCK

Other Related Amendments

1. The following definitions are hereby deleted in their entirety in Section 12-10:
 - #Covered Plaza#
 - #Pedestrian Mall#

2. All references to Section 82-08 (Modification of Bulk and Height and Setback Requirements) are hereby deleted in the following sections:

| | |
|----------------|-------------------------------------------------------------------------------------------------------|
| Section 23-15 | (Maximum Floor Area Ratio in R10 Districts) |
| Section 33-131 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-133 | (Community facility buildings in certain other specified Commercial Districts) |
| Section 33-141 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-151 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-153 | (Commercial facility buildings in certain other specified Commercial Districts) |
| Section 35-35 | (Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in connection with Mixed Buildings) |
| Section 33-43 | (Maximum Height of Front Wall and Required Front Setbacks) |
| Section 33-44 | (Alternate Front Setbacks) |
| Section 33-455 | (Alternate regulations for towers on lots bounded by two or more streets) |
| Section 33-456 | (Alternate setback regulations on lots bounded by two or more streets) |
| Section 35-41 | (Lot Area Requirements for Non-residential Portions of Mixed Buildings) |
| Section 35-62 | (Maximum Height of Front Wall in Initial Setback Distance) |
| Section 74-87 | (Covered Pedestrian Space) |

3. All reference to Section 82-11 (Building Walls Along Certain Street Lines) is hereby deleted in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks).

4. All references to Section 82-07 (Modification of Parking and Off-street Loading Requirements) are hereby deleted in the following sections:

- Section 36-11 (General Provisions)
- Section 36-21 (General Provisions)
- Section 36-31 (General Provisions)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-61 (Permitted Accessory Off-street Loading Berths)

(On November 3, 1993, Cal. No. 6, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.



No. 16

[Amendments to the Zoning Resolution to eliminate the mandatory arcades and to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District in the Borough of Manhattan]

CD 7

N 940128 ZRM

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 VIII, Chapter 2, Section 82-00, to modify the use, bulk, and accessory parking and loading regulations of the Special Lincoln Square District and to reference in other sections, as follows:

- Matter in ~~Graytone~~ is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter in italics or within # # is defined in Section 12-10;
- *** indicate where unchanged text appears in the Zoning Resolution.

Article VIII

Chapter 2 Special Lincoln Square District

82-00 GENERAL PURPOSES

* * *

82-01 Definitions

* * *

Development

For purposes of this Chapter a "development" includes both #development# and #enlargement# as defined in Section 12-10 (DEFINITIONS).

82-02 General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Lincoln Square District# and in accordance with the provisions of this Chapter, certain specified #bulk# regulations of the districts on which the #Special Lincoln Square District# is superimposed are made inapplicable, and special regulations are substituted in this Chapter. Each #development# within the Special District shall conform to and comply with all of the applicable district regulations of this Resolution, except as otherwise specifically provided in this Chapter, and the City Planning Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may grant special permits authorizing modifications of specified applicable district #bulk# regulations for any #development# in the #Special Lincoln Square District#. In addition to meeting the requirements, conditions, and safeguards prescribed by the Commission as set forth in this Chapter, each such #development# shall conform to and comply with all of the applicable district regulations on #use#, #bulk#, supplementary #use# regulations, regulations applying along district boundaries, #accessory signs#, #accessory# off-street parking and off street loading, and all other applicable provisions of this resolution, except as otherwise specifically provided in this Chapter.

82-03 ~~Action by the Board of Estimate~~ Delete entire section

82-04 ~~82-03~~ Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or an authorization respecting any #development# under the provisions of this Chapter shall include a site plan showing the location and the proposed #use# of all #buildings or other structures# on the site; the location of all vehicular entrances and exits and proposed off-street parking spaces, and such other information as may be required by the City Planning Commission for its determination as to whether or not a special permit or an authorization is warranted. Such information shall include, but not be limited to, justification of the proposed #development# in relation to the general purposes of the #Special Lincoln Square District#. (~~Section 82-00~~), its relation to public improvements (~~82-05~~), its proposed #uses# (~~Section 82-06~~), its parking

~~facilities (Section 82-07), and its bulk and height (Section 82-08), as well, in applicable locations, as the inclusion of Mandatory Arcades (Section 82-09), public amenities (Section 82-10) and location of #building# walls in relation to certain #street lines# (Section 82-11).~~

~~82-05~~

~~Relationship to Public Improvement Projects~~

~~Delete entire section~~

~~82-04~~

~~District Plan~~

~~The District Plan for the #Special Lincoln Square District# included as Appendix A identifies specific subdistricts in which special zoning regulations carry out the general purposes of the #Special Lincoln Square District#. These areas are: Subdistrict A, Subdistrict B and Subdistrict C.~~

~~The District Plan also identifies #blocks# with mandatory #front lot line street walls#.~~

~~The District Plan is hereby incorporated as an integral part of the #Special Lincoln Square District#.~~

~~82-05~~

~~Right to Construct~~

~~For the purpose of this Chapter, the right to continue to construct shall terminate if the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) are not met by the date of approval of this amendment by the City Planning Commission.~~

~~82-10~~

~~MANDATORY DISTRICT IMPROVEMENTS~~

~~The provisions of this Section specify mandatory physical improvements to be provided in connection with #developments# on certain #zoning lots# located within the Special District.~~

~~82-09~~

~~Mandatory Arcades~~

~~Delete entire section~~

~~82-11~~

~~Mandatory Off-Street Relocation of a Subway Stair~~

Where a #development# is constructed on a #zoning lot# that fronts on a sidewalk containing a stairway entrance into the West 59th Street (Columbus Circle) or the West 66th Street subway station and such #zoning lot# contains 5,000 square feet or more of #lot area#, the existing entrance shall be relocated from the #street# onto the #zoning lot# in accordance with the provisions of Section 37-032 (Standards for relocation, design and hours of public accessibility) and 37-033 (Administrative procedure for a subway stair relocation).

82-12

Special Provisions for a Transit Easement

Any #development# located on the east side of Broadway between West 66th Street and West 67th Street shall provide an easement on the #zoning lot# for public access to the subway mezzanine or station when required by the New York City Transit Authority (TA) in accordance with the procedure set forth in Section 95-04 (Certification of Transit Easement Volume) and hereby made applicable.

82-06

82-20

SPECIAL USE AND SIGN REGULATIONS

~~In order to ensure that a wide variety of consumer and service needs of local residence are met, a special limitation is imposed on the amount of street frontage that can be elevated to any one type of commercial use, and a special incentive is provided to encourage uses compatible with the General Purposes of Section 82-00.~~

In order to provide for the special cultural needs, convenience, enjoyment, education and recreation of the residents of the area and of the many visitors who are attracted to the Lincoln Center for the Performing Arts, a limitation is imposed on the ground floor #uses# within the Special District.

The provisions of this Section shall apply to all a #development# or change of #use# within the Special District.

82-061

82-21

Restrictions on Street Level Uses

#Uses# on the ground floor level along Broadway, Amsterdam or Columbus Avenues except lobby space shall be limited to Use Group L uses or #commercial uses# permitted by the underlying district regulations. On any #zoning lot# which abuts Columbus, Amsterdam Avenues or Broadway, the maximum length of street frontage along Broadway or Columbus or Amsterdam Avenues which may be devoted to any permitted #use# shall be 40 feet unless the use also is included in Use Group L (Section 82-062) #Uses# under Use Group L are permitted without #street# frontage limitation.

Within 30 feet of Broadway, Columbus Avenue or Amsterdam Avenue #street lines#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to those listed in Use Groups 6A, 6C, 8A, 10A, eating or drinking establishments listed in 12A, or 12B. Within Use Groups 3A or 4B #uses# shall be limited to colleges, universities including professional schools, museums, libraries or non-commercial art galleries. At the ground floor level and within five feet of #curb level# the #floor area# shall be allocated exclusively to such #uses#, except lobby space, building entrance space, #accessory# loading berths where permitted pursuant to Section 82-50, or entrance areas to subway stations.

82-062

Use Group L

Delete entire section

82-22

Location of Floors Occupied by Commercial Uses

The provisions of Section 32-422 (Location of Floors Occupied by Non-Residential Uses) shall not apply to any #commercial use# located in a portion of a #mixed building# that has separate direct access to the #street# and has no access within the #building# to the #residential# portion of the #building# at any #story#. In no event shall such #commercial use# be located directly over any #story# containing #dwelling units#.

82-23

Special Floor Area Regulations for Use Groups 8 and 12 Uses

Within Subdistrict A or Subdistrict C, the maximum #floor area ratio# that may be used on a #zoning lot# for #uses# listed in Use Groups 8A or 12A shall not exceed 1.0, except that this limitation shall not apply to eating or drinking establishments

82-24

Street Wall Transparency

When the front building wall or #street wall# of any #development# is located on Broadway, Columbus Avenue or Amsterdam Avenue, at least 50 percent of the total surface area of the #street wall# between #curb level# and 12 feet above #curb level# or to the ceiling of the first #story#, whichever is higher, shall be transparent. Such transparency shall begin not higher than two feet six inches above #curb level#.

82-063

82-25

Supplementary Sign Regulations

No permitted #business sign# shall extend above #curb level# at a height greater than 20 feet.

~~82-07~~~~Modification of Parking and off street Loading Requirements~~

Delete entire section

~~82-08~~~~Modification of Bulk and Height and Setback Requirements~~

Delete entire section

~~82-10~~~~PUBLIC AMENITIES~~

Delete entire section

~~82-30~~~~SPECIAL BULK REGULATIONS~~~~82-31~~~~Floor Area Ratio Regulations for Commercial Uses~~~~Within Subdistrict A, for any #development# in a C4-7 District the maximum permitted # commercial floor area ratio# on a #zoning lot# shall be 3.4.~~~~82-311~~~~Floor area increase by special permit~~~~The City Planning Commission may by special permit allow the #commercial floor area ratio# permitted on a #zoning lot# within Subdistrict A to be increased from 3.4 to 10.0 for #commercial uses#. As a condition for such special permit, the Commission shall find that:~~

- ~~(a) the #uses# are appropriate for the location and shall not unduly affect the #residential uses# in the nearby area or impair the future land use and development of the adjacent areas;~~
- ~~(b) the #uses# shall not require any significant addition to the supporting services of the neighborhood or that provision for adequate supporting services has been made;~~
- ~~(c) the additional #bulk# devoted to #commercial uses# shall not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian flow; and~~
- ~~(d) the #streets# providing access to such #use# are adequate to handle the traffic generated thereby or provision has been made to handle such traffic.~~

~~The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on the character of the surrounding area.~~

82-32**Special Provisions for Increases in Floor Area**

The provisions of Sections 23-16, 24-14 or 33-13 (Floor Area Bonus for a Plaza), Sections 23-17, 24-15 or 33-14 (Floor Area Bonus for a Plaza-Connected Open Area), Sections 23-18, 24-16, or 33-15 (Floor Area Bonus for Arcades), or Section 23-23 (Density Bonus for a Plaza-Connected Open Area or Arcade) shall not apply. In lieu thereof the following provisions shall apply, which may be used separately or in combination, provided that the total #floor area ratio# permitted on a #zoning lot# does not exceed 12.0:

(a) Floor Area Increase for Inclusionary Housing

For any #development# to which the provisions of Section 23-90 (INCLUSIONARY HOUSING) are applicable, the maximum permitted #residential floor area ratio# may be increased by a maximum of 20 percent under the terms and conditions set forth in Section 23-90 (INCLUSIONARY HOUSING).

(b) Floor Area Bonus for Public Amenities

(1) When a #development# is located on a #zoning lot# that is adjacent to the West 59th Street (Columbus Circle) or the West 66th Street subway station mezzanine, platform, concourse or connecting passageway, with no tracks intervening to separate the #zoning lot# from these elements, and such #zoning lot# contains 5,000 square feet or more of #lot area#, the City Planning Commission may, by special permit pursuant to Section 24-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) grant a maximum of 20 percent #floor area# bonus.

For a subway station improvement or for a subsurface concourse connection to a subway, the amount of #floor area# bonus that may be granted shall be at the discretion of the Commission. In determining the precise amount of #floor area# bonus, the Commission shall consider:

- (i) the direct construction cost of the public amenity;
- (ii) the cost of maintaining the public amenity; and
- (iii) the degree to which the station's general accessibility and security will be improved by the provision of new connections, additions to or reconfigurations of circulation space, including provision of escalators or elevators.

82-33**Modification of Bulk Regulations**

The Commission may, by special permit, modify the height and setback regulations, #yard# regulations, regulations governing minimum distance between #buildings# on a single #zoning lot# and regulations governing #courts# and minimum distance between #legally required windows# and walls or #lot lines# for any #development# provided the City Planning Commission finds that such modifications are necessary to:

- (a) facilitate good design; or
- (b) allow design flexibility for any #development# to which the mandatory provisions of Section 82-12 are applicable; or
- (c) incorporate a #floor area# allowance pursuant to Section 82-32 (Special Provisions for Increases in Floor Area) where inclusion of the proposed public amenity will significantly further the specific purposes for which the #Special Lincoln Square District# is established.

The #lot area# requirements for the non-#residential# portion of a #building# which is eligible for a #floor area# allowance under the provisions of paragraph (b) of Section 82-32 may be reduced or waived by the Commission provided that the Commission makes the additional finding that such modification will not adversely affect the #uses# within the #building# or the surrounding area.

82-34**Bulk Distribution**

Within the Special District, not more than 40 per cent of the total #floor area# permitted on a #zoning lot# shall be within #stories# located entirely above a height of 150 feet from #curb level#.

For the purposes of determining allowable #floor area#, where a #zoning lot# has a mandatory 85 foot high #street wall# requirement along Broadway, the portion of the #zoning lot# located within 50 feet of Broadway shall not be included in #lot area# unless such portion contains or will contain a #building# with a wall at least 85 feet high coincident with the entire #street line# of Broadway.

82-35**Height and Setback Regulations**

Within the Special District, all #developments# shall be subject to the height and setback regulations of the underlying districts, except as set forth in:

- (a) Paragraph (a) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line#; and

- (b) Paragraphs (b), (c) and (d) of Section 82-37 (Street Walls along Certain Street Lines) where the #street wall# of a #building# is required to be located at the #street line# and to penetrate the #sky exposure plane# above a height of 85 feet from #curb level#;

82-36

Special Tower Coverage and Setback Regulations

The requirements set forth in Sections 33-45 (Tower Regulations) or 35-63 (Special Tower Regulations for Mixed Buildings) for any #building# or portion thereof that qualifies as a "tower" shall be modified as follows:

- (a) At any level at or above a height of 85 feet above #curb level#, a tower shall occupy in the aggregate:
- (i) not more than 40 per cent of the #lot area# of a #zoning lot# or, for a #zoning lot# of less than 20,000 square feet, the per cent set forth in Section 23-651 (Tower on small lots); and
 - (ii) not less than 30 per cent of the #lot area# of a #zoning lot#. However, the highest four #stories# of the tower or 40 feet, whichever is less, may cover less than 30 per cent of the #lot area# of a #zoning lot# if the gross area of each #story# does not exceed 80 per cent of the gross area of the #story# directly below it.
- (b) At all levels at or above a height of 85 feet from #curb level#, the minimum required set back of the #street wall# of a tower shall be at least 15 feet from the street line of Broadway or Columbus Avenue, and at least 20 feet on a #narrow street#.
- (c) In Subdistrict A, the provisions of paragraph (a) of Section 35-63, as modified by paragraphs (a) and (b) above, shall apply to any #mixed building#.

For the purposes of determining the permitted tower coverage in Block 3 as indicated on the District Plan, that portion of a #zoning lot# located within 100 feet of the west #street line# of Central Park West shall be treated as if it were a separate #zoning lot# and the tower regulations shall not apply to such portion.

82-11

Building Walls Along Certain Street Lines

Delete the entire section

82-37

Street Walls along Certain Street Lines

(a) For any #development# on a #zoning lot# with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street# and shall rise without setback to a height of 85 feet above #curb level#:

- (1) the east side of Broadway between West 61st Street and West 65th Street;
- (2) the east side of Columbus Avenue between West 65th Street and West 66th Street;
- (3) the east side of Broadway between West 67th Street and West 68th Street;
- (4) the west side of Broadway between West 66th Street and West 68th Street; and
- (5) the west side of Broadway between West 60th Street and West 62nd Street.

Such #street wall# shall extend on a #narrow street# to a distance of not less than 50 feet from its intersection with the #street line# of Broadway or Columbus Avenue and shall include a 20-foot setback at a height of 85 feet above #curb level# as required in Section 33-432 (In Other Commercial Districts):

(b) For any #development# on a #zoning lot# in Block 1 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street lines# for the entire frontage of the #zoning lot# on that #street#:

- (1) the west side of Broadway between West 62nd Street and West 63rd Street;
- (2) the south side of West 63rd Street between Broadway and Columbus Avenue; and
- (3) the east side of Columbus Avenue between West 62nd Street and West 63rd Street.

The #street wall# located on the south side of West 63rd Street shall rise vertically without setback to a height of 150 feet above #curb level# before a setback of not less than 10 feet and extend on Columbus Avenue and/or Broadway for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(c) For any #development# on a #zoning lot# in Block 2 with a #front lot line# coincident with any of the following #street lines#, a #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#:

- (1) the east side of Broadway between West 67th Street and West 66th Street;
- (2) the north side of West 66th Street between Broadway and Columbus Avenue; and
- (3) the west side of Columbus Avenue between West 66th Street and West 67th Street.

The #street wall# located on the north side of West 66th Street shall rise vertically without setback to a height of 150 feet above the #curb level# before a setback of not less than 10 feet and extend on Broadway and/or Columbus Avenue for one-half of the length of the total #block# front. The #street wall# located on the remaining #block# front on Broadway shall rise to a height of 85 feet above #curb level# and shall include a 20-foot setback at that height as required in Section 33-432 (In Other Commercial Districts).

(d) For any #development# on a #zoning lot# in Block 3 with a #front lot line# coincident with the #street line# of Central Park West, the #street wall# shall be located on such #street line# for the entire frontage of the #zoning lot# on that #street#.

The #street wall# fronting on Central Park West shall rise vertically without setback to a height of at least 125 feet but not greater than 150 feet and shall extend along the #street line# of West 61st Street and along the #street line# of West 62nd Street to a distance of not less than 50 feet but not more than 100 feet from their intersection with the west #street line# of Central Park West. Above that height no #building or other structure# shall penetrate a #sky exposure plane# that starts at the #street line# and rises over the #zoning lot# at a ratio of 2.5 : 1.

82-38**Recesses in the Street Wall of a Building**

Recessed fenestration and special architectural expression lines in the #building# facade of a #development# are required as follows:

- (a) Except as set forth in paragraph (b) below, the aggregate length of all recesses in the #street wall# along Broadway of a #development# shall be between 15 per cent and 30 per cent of the entire length of such #street wall# at any #story# between the ground floor and 85 feet above #curb level#.
- (b) In Block 1, for any #development# that fronts on the #street line# of the south side of West 63rd Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 percent of the #block# front, the aggregate length of all recesses in the #street walls# along each such #street# frontage shall be between 15 percent and 30 per cent of the entire length of each #street wall# at any #story# between ground floor and 85 feet above #curb level# and shall be between 30 percent and 50 percent of the entire length of each #street wall# at any #story# between 85 feet and 150 feet above #curb level#.
- (c) In Block 2 the requirement of #street wall# recesses in paragraph (b) above shall also apply to a #development# that fronts on the #street line# of the north side of West 66th Street and extends along the #street line# of Broadway and/or Columbus Avenue to a distance of not less than 50 per cent of the #block# front.

Such recesses shall be a minimum of one foot in depth and shall not exceed a depth of 10 feet. No recesses deeper than one foot shall be permitted in the #street wall# of a #building# within a distance of 10 feet from the intersection of any two #street lines#.

In addition, along the #street lines# of Broadway, West 63rd Street and West 66th Street within Blocks 1 and 2, the #street wall# shall provide at a height of 20 feet above #curb level#, an architectural expression line consisting of a minimum six inch recess or projection, for a minimum height of one foot and maximum height of two feet.

82-39**Dormer**

A dormer may be allowed as a permitted obstruction within the required setback distance of the #street wall# of a #building# at all setback levels. The #street wall# of a dormer shall rise vertically as an extension of the #street wall# of the #building#. A dormer may be located anywhere on a #wide# or #narrow street# frontage.

On any #street# frontage the aggregate width of all dormers at the required setback level shall not exceed 60 per cent of the length of the #street wall# of a #building#. For each foot of height above the required setback level, the aggregate width of all dormers shall be decreased by one per cent of its maximum permissible width at the required setback level. All dormers shall count as #floor area# but not as #lot coverage#.

82-40

SPECIAL HEIGHT LIMITATION

For #developments# located in Block 1 or Block 2, the maximum height of a #building or other structure# or portion thereof shall not exceed 300 feet above #curb level#, except that a penthouse may be located above such height, provided that such penthouse:

- (1) contains not more than four #stories# or 40 feet, whichever is less; and
- (2) the gross area of each #story# does not exceed 80 per cent of the gross area of that #story# directly below it.

82-121

82:50

OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

The regulations of Article I, Chapter 3 (COMPREHENSIVE OFF-STREET PARKING REGULATIONS IN COMMUNITY DISTRICTS 1, 2, 3, 4, 5, 6, 7 AND 8 IN THE BOROUGH OF MANHATTAN) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as otherwise provided in this Section.

- (a) **Accessory Off-Street Parking Spaces**
#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-461 (Accessory off-street parking spaces).
- (b) **Curb Cuts**
The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets#, where such curb cuts are needed exclusively for required off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-453 (Curb Cuts) and the loading berths are arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.

(c) Waiver of Loading Berth Requirements

The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:

- (i) be hazardous to traffic safety; or
- (ii) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
- (iii) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities

The Commission shall refer these applications to the Department of Transportation for its comments.

82-122**Public parking garages**

Delete entire section

82-60**PUBLIC PARKING GARAGES**

In that portion of the Special Lincoln Square District located within a C4-7 District, the Commission may permit #public parking garages# with any capacity pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

82-13**Special Regulations for Zoning Lots Divided by District Boundaries**

Delete entire section

82-14**82-70****EXISTING PLAZAS OR OTHER PUBLIC AMENITIES**

No existing #plaza# or other public amenity, open or enclosed, for which a #floor area# bonus has been received, pursuant to regulations antedating May 24, 1984 shall be eliminated or reduced in size anywhere within the #Special Lincoln Square District#, without a corresponding reduction in the #floor area of the building# or the substitution of equivalent complying areas for such amenity elsewhere on the #zoning lot#.

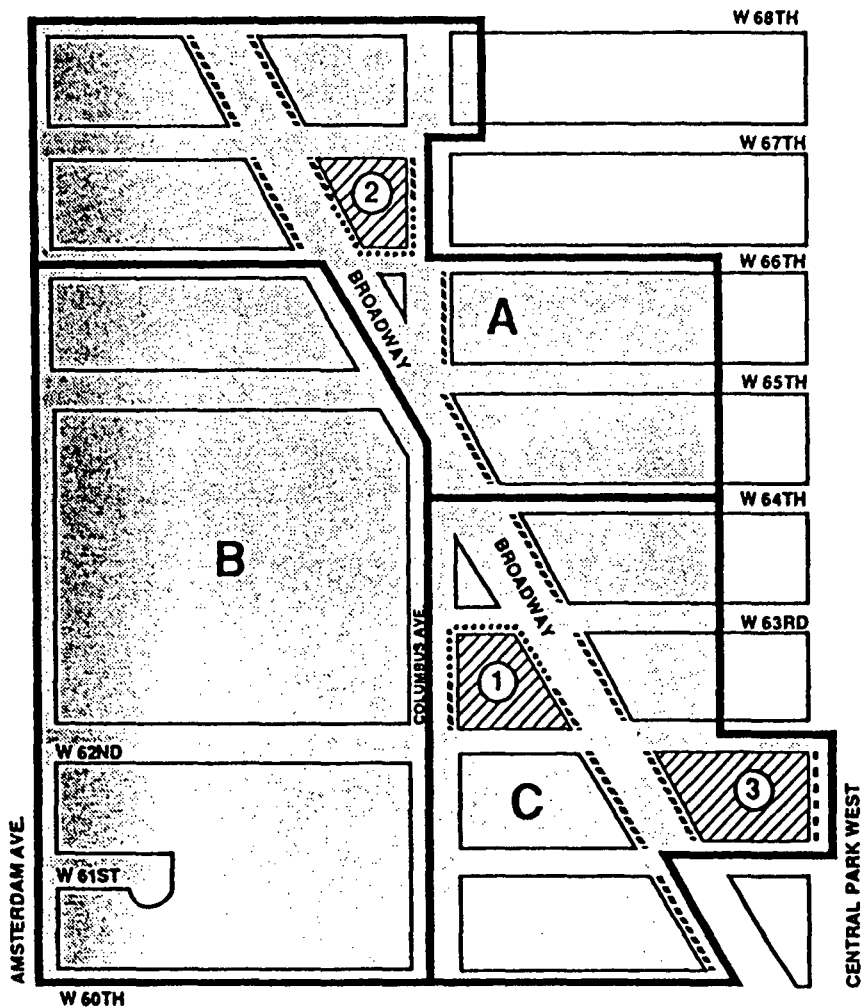
Any elimination or reduction in size or volume of such an existing public amenity in #developments# which include prior approved #bulk modifications#, shall be permitted in the #Special Lincoln Square District# only by special permit of an authorization, after public notice and hearing, by the City Planning Commission and by the Board of Estimate. As a condition for such permit authorization, the







Commission shall find that the proposed change will provide a greater benefit in light of the public amenity's purposes and the purposes of the #Special Lincoln Square District#.

An application for such ~~special permit authorization~~ shall contain exact and detailed plans, drawings, and other description as to fully explain the use and quality of all features of the proposed public amenity revisions and any other information and documentation as may be required by the Commission.

~~The Chairman of the City Planning Commission shall furnish a copy of the application for such authorization to Community Board No. 7, Manhattan for 30 days and will give due consideration to their opinion as to the appropriateness of such a facility to the area. The Commission shall act within 45 days from the date of receipt of the Community Board recommendations or within 45 days of the date on which the Community Board review period expires, whichever is earlier. The Board of Estimate shall act on the application within 45 days of receipt of the Commission recommendations.~~

NEW - To be Added
APPENDIX A - DISTRICT PLAN
SPECIAL LINCOLN SQUARE DISTRICT



-  SPECIAL DISTRICT BOUNDARY
-  SUBDISTRICT
-  REQUIRED 85' STREETWALL
-  REQUIRED 150' STREETWALL
-  REQUIRED 125' STREETWALL
-  DEVELOPMENT BLOCK

Other Related Amendments

1. The following definitions are hereby deleted in their entirety in Section 12-10:
 - #Covered Plaza#
 - #Pedestrian Mall#

2. All references to Section 82-08 (Modification of Bulk and Height and Setback Requirements) are hereby deleted in the following sections:

| | |
|----------------|-------------------------------------------------------------------------------------------------------|
| Section 23-15 | (Maximum Floor Area Ratio in R10 Districts) |
| Section 33-131 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-133 | (Community facility buildings in certain other specified Commercial Districts) |
| Section 33-141 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-151 | (Commercial buildings in certain specified Commercial Districts) |
| Section 33-153 | (Commercial facility buildings in certain other specified Commercial Districts) |
| Section 35-35 | (Floor Area Bonus for Plaza, Plaza-Connected Open Area, or Arcade in connection with Mixed Buildings) |
| Section 33-43 | (Maximum Height of Front Wall and Required Front Setbacks) |
| Section 33-44 | (Alternate Front Setbacks) |
| Section 33-455 | (Alternate regulations for towers on lots bounded by two or more streets) |
| Section 33-456 | (Alternate setback regulations on lots bounded by two or more streets) |
| Section 35-41 | (Lot Area Requirements for Non-residential Portions of Mixed Buildings) |
| Section 35-62 | (Maximum Height of Front Wall in Initial Setback Distance) |
| Section 74-87 | (Covered Pedestrian Space) |

3. All reference to Section 82-11 (Building Walls Along Certain Street Lines) is hereby deleted in Section 33-43 (Maximum Height of Front Wall and Required Front Setbacks).

4. All references to Section 82-07 (Modification of Parking and Off-street Loading Requirements) are hereby deleted in the following sections:

- Section 36-11 (General Provisions)
- Section 36-21 (General Provisions)
- Section 36-31 (General Provisions)
- Section 36-33 (Requirements Where Group Parking Facilities Are Provided)
- Section 36-34 (Modification of Requirements for Small Zoning Lots)
- Section 36-61 (Permitted Accessory Off-street Loading Berths)

(On November 3, 1993, Cal. No. 7, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.



BOROUGH OF QUEENS

No. 17

CD 13

C 920456 PQQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services, pursuant to Section 107-c of the New York City Charter for **acquisition of property located at 76-04 Little Neck Parkway (Block 8505, Lot 38) for continued use as an Agency Operated Boarding Home.**

(On November 3, 1993, Cal. No. 8, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.



No. 18

CD 13

C 920677 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 116-36 207th**

Street (Block 11079, Lot 41), for continued use as an Agency Operated Boarding Home.

(On November 3, 1993, Cal. No. 9, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CD 12

C 930360 DMQ

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 at **170-30 Jamaica Avenue (Block 10212, Lot 12)**. Disposition is proposed with direct development restrictions (within a mandated time frame). If unsuccessful, disposition would be pursuant to zoning.

(On November 3, 1993, Cal. No. 10, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 20

CD 3

C 930398 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Law Office of Sheldon Lobel pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 107-73 of the Zoning Resolution to modify the height regulations as set forth in Section 107-43 of the Zoning Resolution to allow a **monopole and antenna** (accessory to a telephone exchange - Use Group 6D) on property located at **4288 Arthur Kill Road (Block 7328, Lots 240 and 600)**, within the Special South Richmond Development 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 November 3, 1993, Cal. No. 11, the Commission scheduled November 17, 1993 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 21

CD 9

C 920375 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 955 Evergreen Avenue (Block 3649, Lot 1), for continued use as an Agency Operated Boarding Home.**

(On October 6, 1993, Cal. No. 2, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 11, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

Nos. 22 and 23

(Applications for site selection and acquisition of property for the construction and use as a water tunnel shaft (Shafts 26B and 25B) for City Water Tunnel No. 3)

No. 22

CD 4

C 930058 PCM

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of General Services pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at 501 West 30th Street (Block 702, Lot 50 and part of Lot 1), for construction and use as a water tunnel shaft (Shaft 26B) for City Water Tunnel No. 3.**

(On October 6, 1993, Cal. No. 5, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 15, the hearing was closed.)

For consideration.

No. 23

CD 4

C 930159 PCM

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of General Services pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at Tenth Avenue between West 48th Street and West 49th Street (Block 1077, Lot 29), for construction and use as water tunnel shaft (Shaft 25B) for City Water Tunnel No. 3.**

(On October 6, 1993, Cal. No. 6, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 16, the hearing was closed.)

For consideration.

No. 24

(Request for the grant of an authorization for a 10-year extension of the period of continuance of the special use permit for a 200-space attended public parking garage located at 10 East 30th Street)

CD 5

N 920676 ZAM

IN THE MATTER OF an application submitted by the 10 East 30th Street Corp. for the **grant of an authorization** pursuant to Section 11-411 of the Zoning Resolution for a **10-year extension of the period of continuance of the special use permit (CP-13446)**, for an attended public garage with a capacity of 200 spaces **located at 10 East 30th Street, (Block 859, Lots 77, 79, 80), on the south side of East 30th Street, 170 feet west of Madison Avenue.**

Note: Special Use Permit CP-13446 was approved by the City Planning Commission on October 2, 1957 (Cal. No. 36) and was adopted by the Board of Estimate on October 9, 1957 (Cal. No. 111). Special Permit Amendment C 770526 ZPM extending the date of termination of Special Use Permit CP-13446 was approved by the City Planning Commission on June 14, 1978 (Cal. No. 6) and was adopted by the Board of Estimate on July 20, 1978 (Cal. No. 5).

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.

For consideration.

BOROUGH OF QUEENS**No. 25****CD 14****C 920302 MMQ**

IN THE MATTER OF an application submitted by the School Construction Authority pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map** involving the establishment of Sandy Road from Beach 28th Street to Beach 29th Street and a change of legal grade in the streets in the vicinity thereof, and any acquisition or disposition of real property related thereto, in accordance with Map No. 4893 dated October 29, 1992 and signed by the Borough President.

(On October 6, 1993, Cal. No. 8, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 18, the hearing was closed.)

For consideration.

No. 26**CD 1****C 920394 PQQ**

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 36-49 11th Street (Block 352, part of Lot 1), for continued use as a day care center. (Joseph DiMarco Child Care Center)

(On October 6, 1993, Cal. No. 9, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 19, the hearing was closed.)

For consideration.

No. 27

CD 4

C 920679 PCQ

IN THE MATTER OF an application submitted by the Department For the Aging and the Department of General Services pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at 78-14 Roosevelt Avenue (Block 1489, Lot 1), for use as a senior citizen center.** (Elmhurst-Jackson Heights Senior Citizen Center).

(On October 6, 1993, Cal. No. 10, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 20, the hearing was closed.)

For consideration.

No. 28

CD 2

C 920088 ZMQ

IN THE MATTER OF an application submitted by 61-01 Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 9d:**

- a) Changing from an R6 district to an R7X district property bounded by Queens Boulevard, the northerly prolongation of the easterly line of 59th Street, 44th Avenue, 61st Street, a line 100 feet northerly of Queens Boulevard, and 63rd Street;
- b) Changing from an R6B district to an R7X district property bounded by 61st Street, a line 150 feet northerly of Queens Boulevard, 63rd Street, and a line 100 feet northerly of Queens Boulevard;
- c) Changing from an R5 district to an R7X district, property bounded by Queens Boulevard, 63rd Street, a line 100 feet northerly of Queens Boulevard, and 64th Street;

- d) Changing from an R5B district to an R7X district property bounded by 63rd Street, a line 150 feet northerly of Queens Boulevard, 64th Street, and a line 100 feet northerly of Queens Boulevard; and
- e) Establishing within the proposed R7X district, a C2-3 district bounded by Queens Boulevard, 60th Street, 44th Avenue, 61st Street, a line 100 feet northerly of Queens Boulevard, and 63rd Street;

as shown on a diagram (for illustrative purposes only) dated July 12, 1993.

(On October 6, 1993, Cal. No. 11, the Commission scheduled October 20, 1993 for a public hearing. On October 20, 1993, Cal. No. 21, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 29

(Request for the grant of an authorization for modification of existing topography located at the Moravian Cemetery)

CD 2

N 940055 ZAR

IN THE MATTER OF an application submitted by George Friedman, Trustee, United Brethren Church of Staten Island, pursuant to Section 105-421 of the Zoning Resolution for **the grant of an authorization** for modification of existing topography at New Dorp Moravian Church **located at the Moravian Cemetery, 2205 Richmond Road, Block 934, Lot 17.**

Plans for the proposal are on file and may be seen at the Staten Island Office of the Department of City Planning, 56 Bay Street, Staten Island, New York 10301.

For consideration.
