

DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, MAY 10, 1995
10:00 A.M. IN SPECTOR HALL

Lois McDaniel, Calendar Officer
 22 Reade Street, Room 2E
 New York, New York 10007-1216
 (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 950390 HAX	4	Scheduled to be Heard 5/24/95	23	N 950416 P XK	2	Favorable Report Adopted
2	C 940206 PCK	9	" "	24	N 950417 P XK	12	" "
3	C 940304 ZMM	5,6	" "	25	N 950414 P XM	9	" "
4	C 940418 PPM	4	" "	26	C 860714 M MQ	8	" "
5	N 950171 ZRM	1	" "	27	C 940174 P QQ	14	" "
6	C 950180 P QM	1	" "	*28	N 950418 P XR	1	" "
7	N 950412 BDM	8	" "	29	N 920037 Z AR	2	Authorization Approved
8	C 950087 P CQ	7	" "	30	N 940053 Z AR	1	Laid Over
9	C 940528 P PQ	13	" "	31			
10	C 950123 P PQ	7	" "	32			
11	N 950405 B DQ	12	" "	33			
12	C 950298 H AX	4	Hearing Closed	34			
13	N 950356 B DM	2	" "	35			
14	C 950245 Z MQ	10	" "	36			
15	N 950348 Z RY	CW	" "	37			
16	Proposed Fees Amendment/CEOR		" "	38			
17	Proposed Fees Amendment/Apps.		" "	39			
18	C 940535 P PX	2	Favorable Report Adopted	40			
19	C 940409 P PX	5	" "	41			
20	C 930387 Z MK	18	" "	42			
21	C 950146 Z SK	2	" "	43			
22	N 950415 P XK	2	" "	44			

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers													In Favor - Y Oppose - N Abstain - AB		
		18	19	20	21	22	23	24	25	26	27	28	29	30			
Joseph B. Rose, <i>Chairman</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Victor G. Alicea, <i>Vice Chairman</i>	P	Y	Y	Y	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	Y	Y	Y	R			
Amanda M. Burden, <i>A.I.C.P.</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	E			
Irwin Cantor, <i>P.E.</i>	P	Y	Y	Y	AB	Y	Y	Y	Y	Y	Y	Y	Y	V			
Alexander Garvin	P			Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	O			
Anthony I. Giacobbe, <i>Esq.</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	D			
Maxine Griffith	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	AB	Y	Y	I			
William Grinker	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	I			
Brenda Levin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	A			
Edward T. Rogowsky	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	L			
Ronald Shiffman, <i>A.I.C.P.</i>	A																
Jacob B. Ward, <i>Esq., Commissioners</i>	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y				

MEETING ADJOURNED AT: 12:40 P.M.

*NOTE: Cal. No. 28, Commissioner Giacobbe Recused

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, MAY 10, 1995

MEETING AT 10:00 A.M.
in SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK



Rudolph W. Giuliani, Mayor

City of New York

[No. 9]

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, 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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICBA, *Vice-Chairman*
EUGENIE L. BIRCH, A.I.C.P.
AMANDA M. BURDEN, A.I.C.P.
IRWIN G. CANTOR, P.E.
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, *Esq.*
MAXINE GRIFFITH
WILLIAM J. GRINKER
BRENDA LEVIN
EDWARD T. ROGOWSKY
RONALD SHIFFMAN, A.I.C.P.
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, MAY 10, 1995

Roll Call; approval of minutes	1
I. Scheduling May 24, 1995	1
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**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for May 24, 1995, 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, MAY 10, 1995

APPROVAL OF MINUTES OF Regular Meeting of April 26, 1995

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, MAY 24, 1995
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 4

C 950390 HAX

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

1. pursuant to Section 197-c of the New York City Charter and Article 16 of the New York State General Municipal Law for:
 - a) **The designation of 274 East 170th Street, (Block 2785, Lots 34, 40, and 43) located on the south side of East 170th Street, between College and Morris avenues, as an Urban Development Action Area;**
 - b) **An Urban Development Action Area Project for such property; and**
2. pursuant to Section 197-c of the New York City Charter, for the disposition of such property to a developer to be selected by the Department of Housing Preservation and Development.

Approval of this application would facilitate the construction of one 6-story elevator building, tentatively known as Eugene Smilovic Arms, providing 78 dwelling units for elderly persons of low income, plus one unit for a superintendent, under the Federal Section 202 Supportive Housing for the Elderly Program. The project will also provide a community health center to be operated by Bronx Lebanon Hospital.

Resolution for adoption scheduling May 24, 1995 for a public hearing.

BOROUGH OF BROOKLYN

No. 2

CD 9

C 940206 PCK

IN THE MATTER OF an application submitted by the Brooklyn Public Library 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 560 New York Avenue (Block 4791, Lot 46), for continued use as a public library.

Resolution for adoption scheduling May 24, 1995 for a public hearing.

BOROUGH OF MANHATTAN

No. 3

CD 5,6

C 940304 ZMM

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. 8d and 12c:

1. eliminating from an existing R8 District a C2-5 District bounded by:
 - a) a line midway between East 34th Street and East 35th Street, a line 100 feet west of Second Avenue, a line midway between East 33rd Street and East 34th Street, and a line 100 feet east of Third Avenue;
 - b) a line midway between East 34th Street and East 35th Street, First Avenue, East 33rd Street, a line 100 feet west of First Avenue, a line midway between East 33rd Street and East 34th Street, a line 200 feet east of Second Avenue, East 34th Street, and Tunnel Entrance Street; and
 - c) a line midway between East 23rd Street and East 24th Street, First Avenue, East 23rd Street, and a line 100 feet west of First Avenue;
2. eliminating from an existing R9 District a C2-5 District bounded by a line midway between East 34th Street and East 35th Street, Second Avenue, a line midway between East 33rd Street and East 34th Street, and a line 100 feet west of Second Avenue;

3. changing from an R7-2 District to an R7B District property bounded by:
 - a) a line midway between East 19th Street and East 20th Street, a line 100 feet west of First Avenue, a line midway between East 17th Street and East 18th Street, and a line 100 feet east of Second Avenue;
 - b) East 19th Street, a line 100 feet west of Second Avenue, East 17th Street, Second Avenue, a line midway between East 14th Street and East 15th Street, and a line 100 feet east of Third Avenue; and
 - c) East 21st Street, Gramercy Park West, East 20th Street, the southerly prolongation of Gramercy Park East, a line midway between East 19th Street and East 20th Street, and a line 100 feet east of Park Avenue South;
4. changing from an R7-2 District to an R8A District property bounded by a line midway between East 17th Street and East 18th Street, a line 100 feet west of First Avenue, a line midway between East 14th Street and East 15th Street, Second Avenue, East 17th Street, and a line 100 feet east of Second Avenue;
5. changing from an R7-2 District to an R8B District property bounded by:
 - a) a line midway between East 21st Street and East 22nd Street, a line 100 feet west of First Avenue, a line midway between East 19th Street and East 20th Street, and a line 100 feet east of Second Avenue;
 - b) East 20th Street, a line 100 feet west of Third Avenue, East 18th Street, Irving Place, a line midway between East 19th Street and East 20th Street, and the southerly prolongation of Gramercy Park East; and
 - c) a line midway between East 21st Street and East 22nd Street, a line 100 feet west of Second Avenue, East 19th Street, and a line 100 feet east of Third Avenue;
6. changing from an R8 District to an R7B District property bounded by East 32nd Street, a line 100 feet west of Second Avenue, a line midway between East 29th Street and East 30th Street, and a line 100 feet east of Third Avenue;
7. changing from an R8 District to an R8A District property bounded by East 18th Street, a line 100 feet east of Irving Place, East 15th Street, Irving Place, a line midway between East 16th Street and East 17th Street, and a line 100 feet west of Irving Place;

8. changing from an R8 District to an R8B District property bounded by:

- a) a line midway between East 33rd Street and East 34th Street, a line 100 feet west of First Avenue, East 33rd Street, and a line 125 feet east of Second Avenue;
- b) a line midway between East 33rd Street and East 34th Street, a line 100 feet west of Second Avenue, East 32nd Street, and a line 100 feet east of Third Avenue;
- c) a line midway between East 29th Street and East 30th Street, a line 100 feet west of Second Avenue, a line midway between East 24th Street and East 25th Street, and a line 100 feet east of Third Avenue;
- d) a line midway between East 33rd Street and East 34th Street, a line 100 feet west of Third Avenue, East 26th Street, and a line 100 feet east of Lexington Avenue;
- e) East 18th Street, a line 100 feet west of Third Avenue, East 15th Street, and a line 100 feet east of Irving Place; and
- f) a line midway between East 19th Street and East 20th Street, Irving Place, East 18th Street, a line 100 feet west of Irving Place, a line midway between East 16th Street and East 17th Street, and a line 100 feet east of Park Avenue South;

9. changing from an R8 District to a C1-9 District property bounded by:

- a) a line midway between East 34th Street and East 35th Street, line 100 feet west of Second Avenue, a line midway between East 33rd Street and East 34th Street, and a line 100 feet east of Third Avenue; and
- b) a line midway between East 34th Street and East 35th Street, First Avenue, East 33rd Street, a line 100 feet west of First Avenue, a line midway between East 33rd Street and East 34th Street, a line 200 feet east of Second Avenue, East 34th Street, and Tunnel Entrance Street;

10. changing from an R8 District to a C1-9A District property bounded by a line midway between East 23rd Street and East 24th Street, First Avenue, East 23rd Street, and a line 100 feet west of First Avenue;

11. changing from an R9 District to an R9A District property bounded by:

- a) East 22nd Street, a line 100 feet west of Third Avenue, East 20th Street, Gramercy Park West, East 21st Street, and a line 100 feet east of Park Avenue South; and

- b) a line midway between East 21st Street and East 22nd Street, a line 100 feet east of Second Avenue, East 17th Street, and a line 100 feet west of Second Avenue;
12. changing from an R9 District to a C1-9 District property bounded by a line midway between East 34th Street and East 35th Street, Second Avenue, a line midway between East 33rd Street and East 34th Street, and a line 100 feet west of Second Avenue;
 13. changing from a C1-7 District to a C1-6A District property bounded by:
 - a) a line midway between East 22nd Street and East 23rd Street, First Avenue, East 18th Street, and a line 100 feet west of First Avenue; and
 - b) East 16th Street, First Avenue, East 15th Street, and a line 100 feet west of First Avenue;
 14. changing from a C1-7 District to a C1-8 District property bounded by East 18th Street, First Avenue, a line midway between East 17th Street and East 18th Street, and a line 100 feet west of First Avenue;
 15. changing from a C1-7 District to a C1-9A District property bounded by East 23rd Street, First Avenue, a line midway between East 22nd Street and East 23rd Street, and a line 100 feet west of First Avenue;
 16. changing from a C1-8 District to a C1-8A District property bounded by a line midway between East 33rd Street and East 34th Street, Second Avenue, a line midway between East 23rd Street and East 24th Street, and a line 100 feet west of Second Avenue;
 17. changing from a C1-8 District to a C6-2A District property bounded by East 33rd Street, a line 100 feet east of Lexington Avenue, East 26th Street, Lexington Avenue, East 27th Street, and a line 100 feet west of Lexington Avenue;
 18. changing from a C1-9 District to a C1-9A District property bounded by a line midway between East 21st Street and East 22nd Street, a line 100 feet east of Third Avenue, East 15th Street, and a line 100 feet west of Third Avenue;
 19. changing from a C5-2 District to an R9A District property bounded by a line midway between East 22nd Street and East 23rd Street, a line 100 feet west of Third Avenue, East 22nd Street, and a line 100 feet east of Park Avenue South;

20. changing from a C5-2 District to a C2-8A District property bounded by a line midway between East 23rd Street and East 24th Street, Third Avenue, a line midway between East 21st Street and East 22nd Street, a line 100 feet west of Third Avenue, a line midway between East 22nd Street and East 23rd Street, and a line 100 feet east of Lexington Avenue;
21. changing from a C5-2 District to a C6-4A District property bounded by East 32nd Street, a line 150 feet east of Park Avenue South, a line midway between East 23rd Street and East 24th Street, a line 100 feet west of Lexington Avenue, East 24th Street, a line 100 feet east of Lexington Avenue, a line midway between East 22nd Street and East 23rd Street, a line 100 feet east of Park Avenue South, East 17th Street, a line 100 feet west of Park Avenue South, a line 131 feet south of East 19th Street, Park Avenue South, East 19th Street, a line 100 feet west of Park Avenue South, East 22nd Street, Park Avenue South, East 27th Street, and a line 100 feet west of Park Avenue South;
22. changing from a C6-1 District to an R8A District property bounded by:
 - a) a line midway between East 22nd Street and East 23rd Street, a line 100 feet west of Second Avenue, a line midway between East 21st Street and East 22nd Street, and a line 100 feet east of Third Avenue; and
 - b) a line midway between East 16th Street and East 17th Street, Irving Place, East 15th Street, and a line 100 feet west of Irving Place;
23. changing from a C6-1 District to an R8B District property bounded by:
 - a) a line midway between East 22nd Street and East 23rd Street, a line 100 feet west of First Avenue, a line midway between East 21st Street and East 22nd Street, and a line 100 feet east of Second Avenue; and
 - b) a line midway between East 24th Street and East 25th Street, a line 100 feet west of Second Avenue, a line midway between East 23rd Street and East 24th Street, and a line 100 feet east of Third Avenue,
24. changing from a C6-1 District to a C1-9A District property bounded by a line midway between East 23rd Street and East 24th Street, a line 100 feet west of First Avenue, a line midway between East 22nd Street and East 23rd Street, and a line 100 feet east of Second Avenue;
25. changing from a C6-1 District to a C2-8A District property bounded by a line midway between East 23rd Street and East 24th Street, a line 100 feet west of Second Avenue, a line midway between East 22nd Street and East 23rd Street, and a line 100 feet east of Third Avenue;

26. changing from a C6-1 District to a C4-5A District property bounded by East 32nd Street, a line 100 feet west of Lexington Avenue, East 25th Street, and a line 150 feet east of Park Avenue South;
27. changing from a C6-1 District to a C6-2A District property bounded by:
- a) a line midway between East 16th Street and East 17th Street, a line 100 feet west of Irving Place, East 15th Street, and a line 100 feet east of Union Square East; and
 - b) East 25th Street, a line 100 feet west of Lexington Avenue, a line midway between East 23rd Street and East 24th Street, and a line 150 feet east of Park Avenue South;
28. changing from a C6-3 District to a C6-2A District property bounded by East 27th Street, Lexington Avenue, East 26th Street, a line 100 feet east of Lexington Avenue, East 25th Street, and a line 100 feet west of Lexington Avenue; and
29. changing from a C6-3 District to a C6-3A District property bounded by:
- a) East 26th Street, a line 100 feet west of Third Avenue, East 25th Street, and a line 100 feet east of Lexington Avenue; and
 - b) East 24th Street, a line 100 feet west of Third Avenue, a line midway between East 23rd Street and East 24th Street, and a line 100 feet east of Lexington Avenue;
30. changing from a C6-4 District to a C2-8 District property bounded by a line midway between East 24th Street and East 25th Street, a line 100 feet east of Third Avenue, East 24th Street, and a line 100 feet west of Third Avenue; and
31. changing from a C6-4 District to a C2-8A District property bounded by East 24th Street, a line 100 feet east of Third Avenue, a line midway between East 21st Street and East 22nd Street, Third Avenue, a line midway between East 23rd Street and East 24th Street, and a line 100 feet west of Third Avenue;

as shown on a diagram (for illustrative purposes only) dated February 6, 1995 and subject to the conditions of CEQR Declaration E-62.

Resolution for adoption scheduling May 24, 1995 for a public hearing.

No. 4

CD 4

C 940418 PPM

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

<u>Block</u>	<u>Lot</u>	<u>Address</u>
1099	48	622 West 52nd Street
690	54	540 West 19th Street

Resolution for adoption scheduling May 24, 1995 for a public hearing.

 Nos. 5 and 6

(Applications for an amendment to the Zoning Resolution concerning the Special Battery Park City District and acquisition of property to facilitate the development of a public school in Battery Park City)

No. 5

[Amendment to Article VIII, Chapter 4, Special Battery Park City District of the Zoning Resolution, to facilitate the development of a public school on Block 22 in the North Residential Neighborhood; to expand retail overlay along North End Avenue; to modify a mandatory streetwall requirement in the North Residential Neighborhood; and to modify the mandatory streetwall requirement for Blocks 3 and 12 in the South Residential Neighborhood.]

CD 1

N 950171 ZRM

IN THE MATTER OF an application submitted by the Battery Park City Authority pursuant to Sections 200 and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article VIII, Chapter 4, Special Battery Park City District, Sections 84-024, 84-025, 84-21, 84-22, 84-23, and appendices 2.1, 2.2, 3.1, 3.2, and 3.3, as follows:

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

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

Matter within ## is defined in the Special Battery Park City District or Section 12-10

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

* * *

84-024

Mandatory front building wall lines

"Mandatory front building wall lines" are imaginary lines extending through Zone A of the ~~#Special Battery Park City District#~~ which, except as shown in the Zone A District Plan in Appendix 2.1 and in Appendix 3.1, coincide with ~~#street lines#~~ and with which building walls must generally coincide, as provided in Section 84-22 ~~(Required Building Walls)~~. ~~The height of required building walls along the #mandatory front building wall lines# shall be 60 to 85 feet or 110 to 135 feet or 150 to 250 feet, as shown in the Zone A District Plan in Appendix 2.1 and Appendix 3.1, and such walls are hereinafter referred to as "mandatory front building walls."~~

84-025

Special height locations

"Special height locations" are designated areas on certain ~~#zoning lots#~~ in Zone A of the ~~#Special Battery Park City District#~~ upon which a ~~#development#~~ or ~~#enlargement#~~, or portion thereof, may be built to a height of up to 400 feet ~~the maximum height above #curb level# indicated in Appendix 2.2 and Appendix 3.2 in accordance with Section~~ ~~except as provided in Sections 84-22 and 84-23 (Limited Height of Buildings)~~.

~~#Special height locations# are indicated in the Zone A District Plan in Appendix 2.2 and Appendix 3.2.~~

* * *

84-21

Floor Area Regulations

Notwithstanding any other provisions of this Resolution, the permitted ~~#floor area ratio#~~ for any ~~#development#~~ or ~~#enlargement#~~ on a ~~#zoning lot#~~ in subzones A-1 and A-5 shall not exceed 12.0, and in subzones A-2, A-3 and A-6 shall not exceed 8.0. ~~However, within sub-zone A-5, the #floor area ratio# for the #zoning lot# on the southeast corner of Chambers Street and North End Avenue may be increased from 8.0 to a maximum of 12.0, provided that such additional #floor area# is occupied by a~~

Schools

The **bulk** of any **development** or **enlargement** on a **zoning lot** in subzone A-2 is further limited by the height regulations set forth in Section 84-23 (Limited Height of Buildings).

The **floor area** bonus provisions with respect to R10 Districts shall not apply.

The provisions of Section 23-22 (Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room) shall not apply. For every 300 square feet of gross **residential floor area** provided within any **building**, there shall be no more than one **room**. The minimum **floor area** contained within any **dwelling unit** shall not be less than 550 square feet.

84-22**Required Building Walls**

Where the Zone A District Plan in Appendix 2.1 or Appendix 3.1 shows a requirement for a **development** to be built to a **mandatory front building wall line**, any such **development** shall have a mandatory front building wall coincident with and constructed along such **mandatory front building wall line**, which shall rise without setback for a height above **curb level** not less nor more than the amount specified in the regulations of this Section except that, at building entrances, openings below the second **story** ceiling in mandatory front building walls will be permitted to provide access to courtyards.

- (a) Except as set forth in paragraph (d) of this Section, with respect to any 60-85 foot **mandatory front building wall line** shown in the Zone A District Plan in Appendix 2.1, a height of not less than 60 feet nor more than 85 feet.
- (b) With respect to any 110-135 foot **mandatory front building wall line** shown in the Zone A District Plan in Appendix 2.1 and ~~Appendix 3.1~~, a height of not less than 110 feet nor more than 135 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above **curb level**. ~~For the parcels fronting on North End Avenue between Murray Street and Park Place West, a setback shall be provided at a height of not less than 60 feet and not more than 85 feet, to a depth of 20 feet, for that portion of the parcel that extends beyond the **mandatory front building wall line**.~~
- (c) On the portion of any **zoning lot** designated as a **special height location** in the Zone A District Plan in Appendix 2.2, a height of not less than the otherwise applicable amount set forth in paragraphs (a) or (b) of this Section and not more than 400 feet, ~~the maximum height indicated in Appendix 2.2 or in Section 84-23(c)(1), except that for any **development** south of First Place and east of Battery~~

~~Place, with a mandatory front building wall, the area of which below the level of the second #story# ceiling occupies 100 percent of the frontage, along its #mandatory front building wall line#, a height of not more than 450 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#.~~

* * *

84-23

Limited Height of Buildings

No portion of any #building or other structure# may be built to a height greater than 85 feet above #curb level#, except that:

- (a) any portion of a #building# required to have an exterior wall coincident with a 110-135 foot #mandatory front building wall line#, as provided in Section 84-22 (Required Building Walls), may be built to a height of up to 135 feet above #curb level#;
- (b) portions of a #building# required to have an exterior wall coincident with a 150-250 foot #mandatory front building wall line#, as provided in Section 84-22 (Required Building Walls), may be built to a height of up to 250 feet above #curb level#;
- (c) on the portion of any #zoning lot# designated as a #special height location# in the *Zone A District Plan in Appendix 2.2 and Appendix 3.2*, a #building# may be built to a height of up to 400 feet or 320 feet above curb level indicated in Appendix 2.2 or Appendix 3.2, subject to the following:

(1) on any #development# south of First Place and east of Battery Place, with a mandatory front building wall, the area of which, below the level of the second story ceiling, occupies 100 percent of the frontage along its #mandatory front building wall line#, a height of not more than 450 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;

(2) on the #zoning lot# at the southeast corner of Chambers Street and North End Avenue, the #special height location# indicated in Appendix 3.2 shall apply only if such #zoning lot# is occupied by #school# and residential #uses# and the portion of the #building# above a height of 135 feet above #curb level# does not exceed a #lot coverage# of 40 percent.

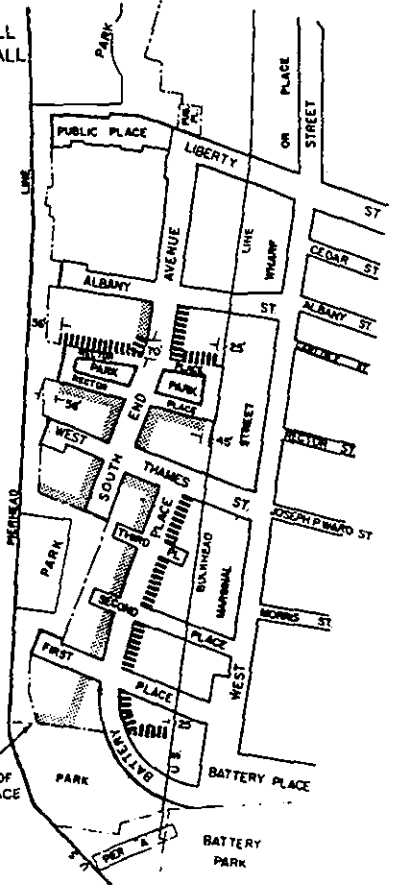
* * *

APPENDIX 2.1 Special Battery Park City District Mandatory Front Building Walls

▨ 60 ft - 85 ft WALL
▨ 110 ft - 135 ft WALL



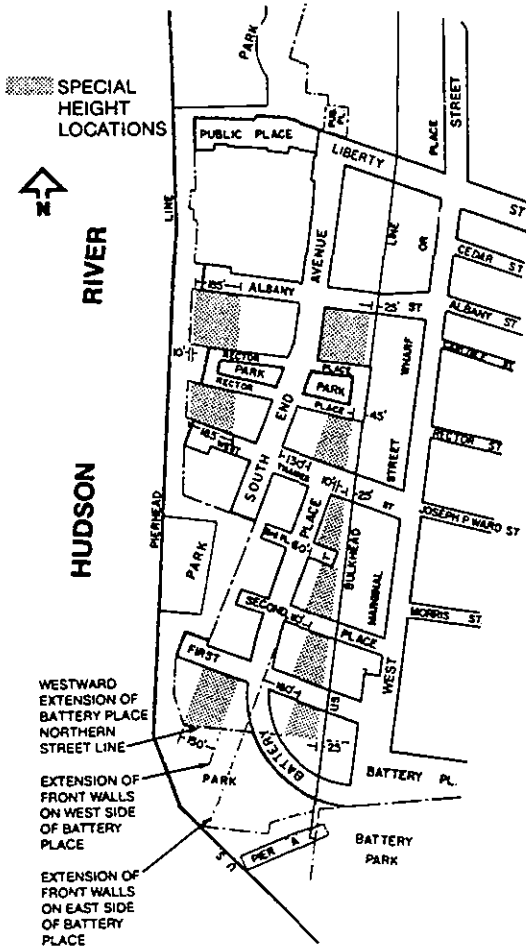
HUDSON RIVER



WESTWARD
EXTENSION OF
BATTERY PLACE
NORTHERN
STREET LINE

Existing map to be deleted

APPENDIX 2.2 Special Battery Park City District Special Height Locations



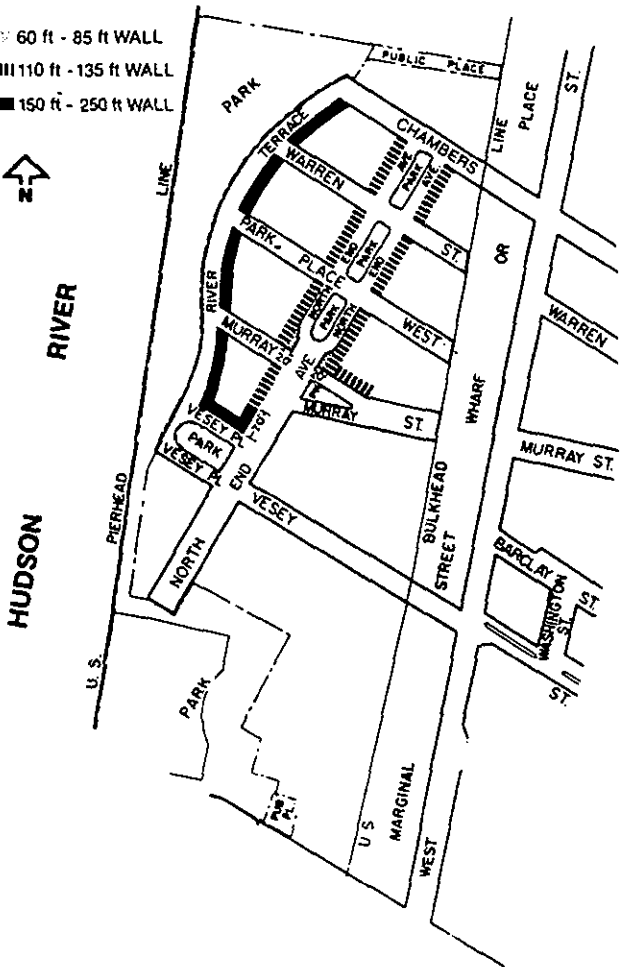
Existing map, to be deleted

APPENDIX 3.1
Special Battery Park City District
Mandatory Front Building Walls

60 ft - 85 ft WALL

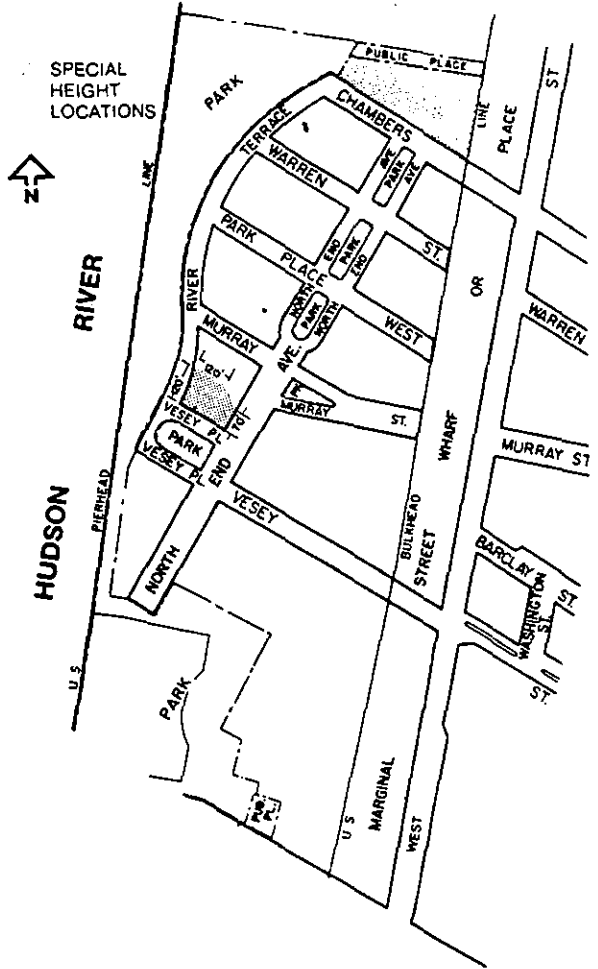
110 ft - 135 ft WALL

150 ft - 250 ft WALL



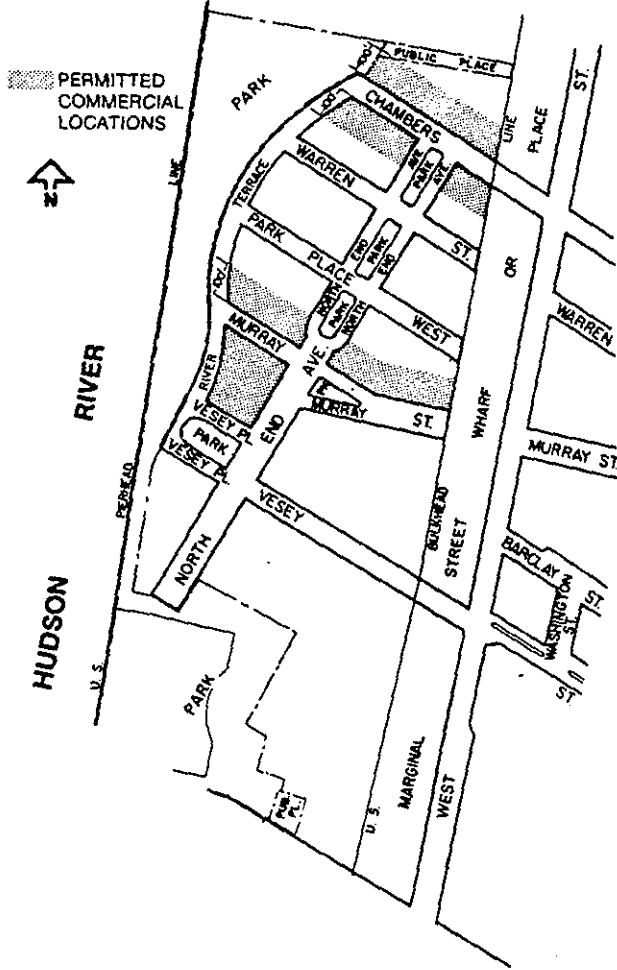
Existing map, to be deleted

**APPENDIX 3.2
Special Battery Park City District
Special Height Locations**




Existing map, to be deleted


APPENDIX 3.3 Special Battery Park City District Permitted Commercial Locations



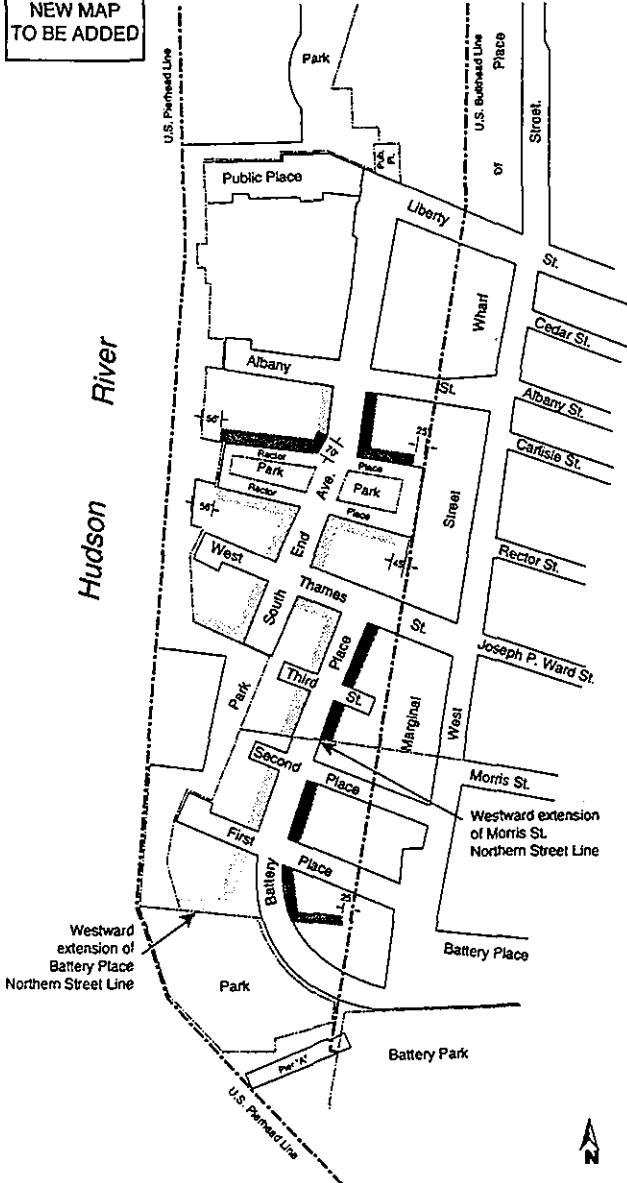
Existing map, to be deleted

APPENDIX 2.1
Special Battery Park City District
Mandatory Front Building Walls

 60 - 85 ft. Wall

 110 - 135 ft. Wall

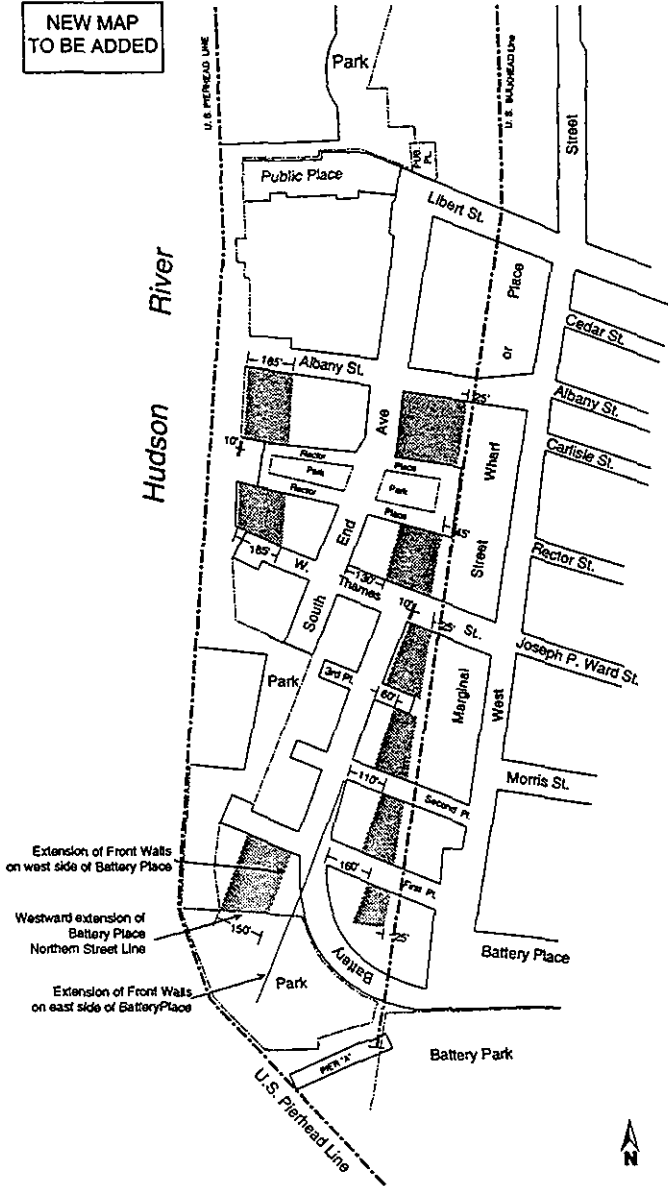
**NEW MAP
TO BE ADDED**



APPENDIX 2.2
Special Battery Park City District
Special Height Locations

**SPECIAL
HEIGHT
LOCATIONS**
400' 

**NEW MAP
TO BE ADDED**

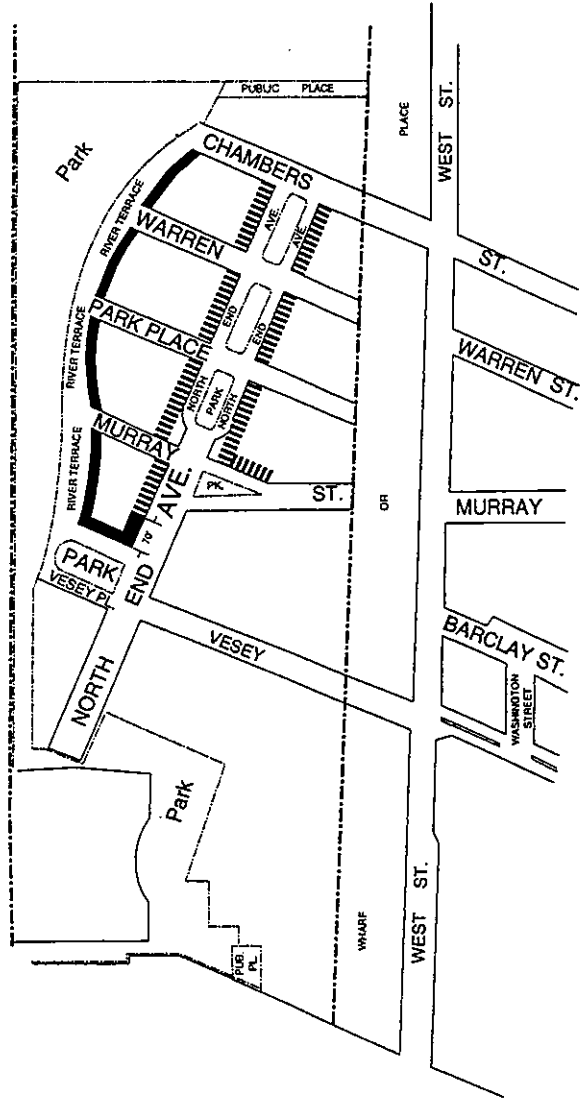


APPENDIX 3.1
Special Battery Park City District
Mandatory Front Building Walls

||||| 110ft - 135ft WALL
■■■■■ 150ft - 250ft WALL

NEW MAP
TO BE ADDED

HUDSON RIVER



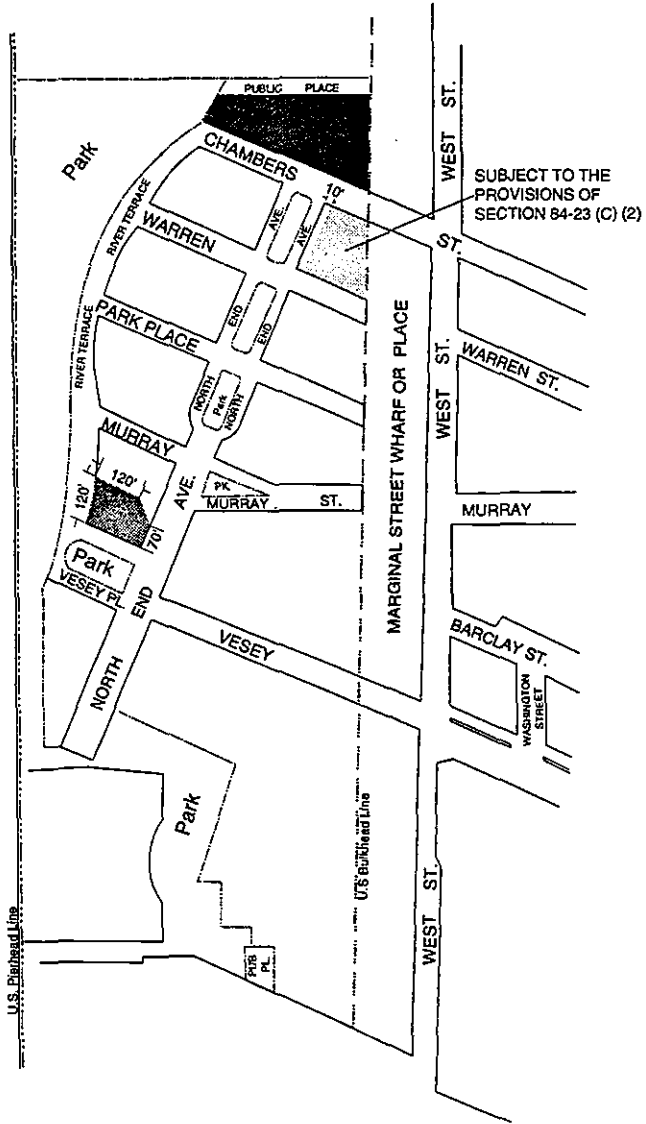
APPENDIX 3.2
Special Battery Park City District
Special Height Locations

**SPECIAL
HEIGHT
LOCATIONS**

-  270'
-  320'
-  400'

NEW MAP
TO BE ADDED

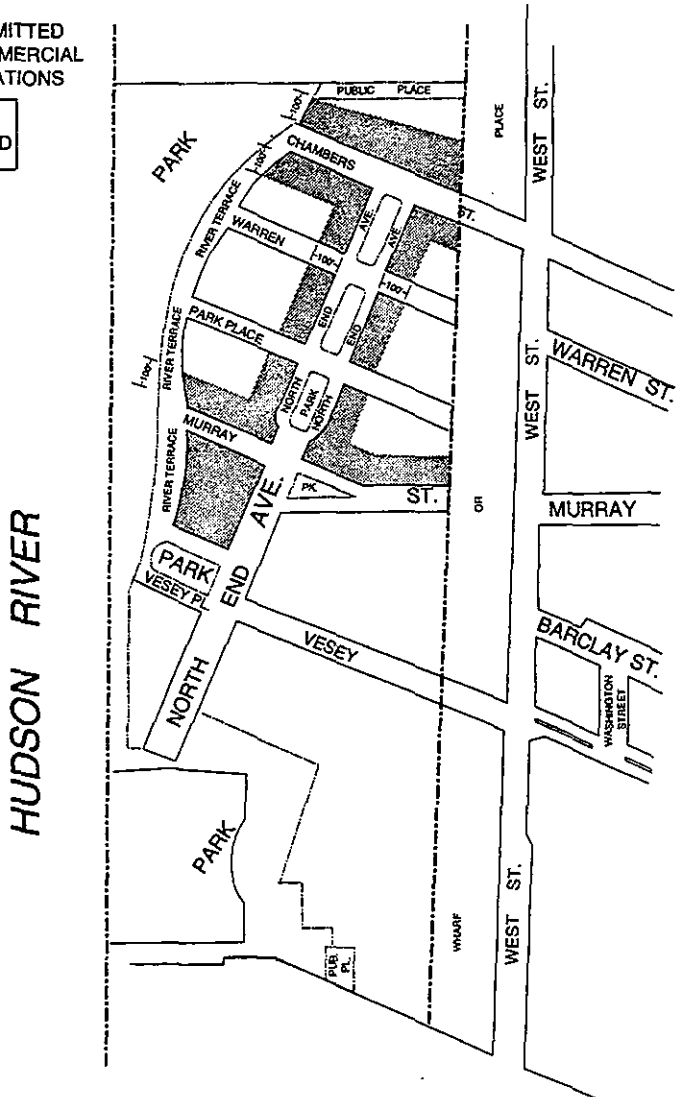
HUDSON RIVER



APPENDIX 3.3
Special Battery Park City District
Permitted Commercial Locations

 PERMITTED
COMMERCIAL
LOCATIONS

NEW MAP
TO BE ADDED



Resolution for adoption scheduling May 24, 1995 for a public hearing.

No. 6

CD 1

C 950180 PQM

IN THE MATTER OF an application submitted by the Department of General Services, pursuant to Section 197-c of the New York City Charter, for acquisition of property located at North End Avenue (Battery Park City Site 22) between Chambers Street and Warren Street (Block 16, Lot 3), for use as a school.

Resolution for adoption scheduling May 24, 1995 for a public hearing.

No. 7

CD 8

N 950412 BDM

IN THE MATTER OF an application submitted by the Department of Business Services on behalf of the Madison Avenue Merchants Association, pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning the **District Plan for the Madison Avenue Business Improvement District**. The preparation of the Plan was authorized by the Mayor on August 26, 1994.

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

Resolution for adoption scheduling May 24, 1995 for a public hearing.

BOROUGH OF QUEENS

No. 8

CD 7

C 950087 PCQ

IN THE MATTER OF an application submitted by the Department of Cultural Affairs 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 35-23/25 Linden Place (Block 4960, Lot 3, 4, and 63), for use as an accessory parking lot.**

Resolution for adoption scheduling May 24, 1995 for a public hearing.

No. 9

CD 13

C 940528 PPQ

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

1. **One (1) city-owned property, located at 116-17 208th Street (Block 11081, Lot 105), pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.**
2. **One (1) city-owned property, located on the east side of Francis Lewis Boulevard, 94.47 feet north of Jamaica Avenue (Block 10539, Lot 11), pursuant to zoning.**

Resolution for adoption scheduling May 24, 1995 for a public hearing.

 No. 10

CD 7

C 950123 PPQ

IN THE MATTER OF an application submitted by the Department of General Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property, located at 35-15 Farrington Street (Block 4959, Lot 9), pursuant to zoning.

Resolution for adoption scheduling May 24, 1995 for a public hearing.

 No. 11

CD 12

N 950405 BDQ

IN THE MATTER OF an application submitted by the Department of Business Services on behalf of the 180th Street Business Improvement District Management Association, pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning the **District Plan for the 180th Street Business Improvement District**. The preparation of the Plan was authorized by the Mayor on August 1, 1994.

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

Resolution for adoption scheduling May 24, 1995 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 12

CD 4

C 950298 HAX

PUBLIC HEARING:

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

- 1) pursuant to Section 197-c of the New York City Charter and Article 16 of the New York State General Municipal Law for:
 - a) **The designation of 50-98 East 168th Street, (Block 2480, part of Lot 1) as an Urban Development Action Area;**
 - b) **An Urban Development Action Area Project for such property; and**
- 2) pursuant to Section 197-c of the New York City Charter, for the disposition of such property to a developer to be selected by the Department of Housing Preservation and Development.

The project comprises the conversion of the main building of the former Morrisania Hospital to 132 units of rental housing for low-income families and families receiving public assistance, and space for community facility and training facilities, including a day care center.

(On April 26, 1995, Cal. No. 1, the Commission scheduled May 10, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 13

CD 2

N 950356 BDM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Business

Services on behalf of the Concerned Citizens of Broadway, pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning the amended District Plan for the NOHO New York Business Improvement District. The preparation of the Plan was authorized by the Mayor on March 21, 1994.

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

(On April 26, 1995, Cal. No. 2, the Commission scheduled May 10, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 14

CD 10

C 950245 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Community Board 10 pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18a, changing from a C8-1 District to an R4 District property bounded by Gold Road, a line perpendicular to the northeasterly street line of Desarc Road distant 175 feet northwesterly from the intersection of the westerly street line of Cross Bay Boulevard and the northeasterly street line of Desarc Road, Desarc Road, and a line perpendicular to the southwesterly street line of Gold Road distant 200 feet northwesterly from the intersection of the southwesterly street line of Gold Road and the northerly street line of Linden Boulevard,* as shown on a diagram (for illustrative purposes only) dated January 30, 1995.

*The elimination of Linden Boulevard was the subject of an application for a change in the City Map (C 890861 MMQ), which was approved by the City Council on December 21, 1994 (Res. No. 745).

(On April 26, 1995, Cal. No. 3, the Commission scheduled May 10, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 15

Citywide

N 950348 ZRY

(Amendment of the Zoning Resolution concerning the lapse of an authorization or special permit granted by the City Planning Commission or the Board of Standards and Appeals)

PUBLIC HEARING:

IN THE MATTER OF an amendment of the Zoning Resolution of the City of New York pursuant to Section 200 of the New York City Charter, relating to Sections 11-23, 11-24, 11-26, 11-40, 11-41, 11-42, 11-43, 72-23, 73-70, 74-99, 78-045, 78-07, 79-44 and 86-116, concerning lapse provisions, as follows:

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

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

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

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

~~11-23~~

~~Effective Date of Amendments concerning Predominantly Built-Up Areas, Floor Area, and Yards to provide a Grace Period for Development Affected by Certain More Restrictive Zoning Amendments.~~

(Delete entire section)

~~11-24~~

~~Building Plans Filed Prior to Effective Date of Amendment Establishing Urban Open Space.~~

(Delete entire section)

~~11-26~~

~~Building Plans Filed Prior to Effective Date of Amendment Establishing Urban Open Space Design Guidelines.~~

(Delete entire section)

11-40

EXCEPTIONS, VARIANCES, AUTHORIZATIONS OR PERMITS PREVIOUSLY AUTHORIZED

11-41

General Provisions

Exceptions, Variances, or Permits Previously Authorized Pursuant to the 1961 Zoning Resolution.

* * *

11-42

Lapse of Authorization or Special Permit granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution

- (a) Except as otherwise provided in paragraphs (b), (c) or (d) below, any authorization or special permit granted by the City Planning Commission, for a specified use# or for a modification of use# or bulk# regulations granted under the provisions of the 1961 Resolution, shall automatically lapse if substantial construction, in accordance with the plans for which such special permit or authorization was granted, has not been completed within four years from the effective date of such permit or authorization. The term "substantial construction" shall mean in the case of a new building# or buildings# the substantial completion of at least one building#.
- (b) If the development# is part of an urban renewal area or other government-sponsored or government-assisted project, the special permit or authorization shall automatically lapse within four years from the date of the applicant's possession of the site or sites or the effective date of an authorization or special permit, whichever is later; or
- (c) Upon a showing that a longer time period for substantial construction is required for a phased construction program of a multi-building complex, the City Planning Commission may, at the time of granting an authorization or special permit, extend the period set forth in paragraph (a) of this Section to a period not to exceed ten years; or
- (d) In the event judicial proceedings have been instituted to review the Commission's decision to grant any authorization or special permit, the lapse period set forth in paragraph (a), (b) or (c) above, whichever is applicable, shall commence upon the date of entry of the final order in such proceedings, including appeals.

11-43

Renewal of authorization or special permit

Any authorization or special permit granted by the City Planning Commission, except one granted with a ten-year lapse period, that would automatically lapse as set forth in Section 11-42 may be renewed without public hearing, for two additional three-year terms, provided that the Commission finds that the facts upon which the authorization or special permit was granted have not substantially changed. However, all special permits or authorizations granted by the Commission shall lapse after a total of ten years from the date of their original granting if substantial construction has not taken place at such time. An application for a renewal of authorization or special permit shall be filed with the Commission before it lapses.

72-23

Lapse of Variance

A variance granted under the provisions of this Resolution shall automatically lapse if substantial construction, in accordance with the plans for which such variance was granted, has not been completed within two ~~four~~ years from the date of granting such variance by the Board, or, if judicial proceedings have been instituted to review the Board's decision to grant any special permit, the four-year lapse period shall commence ~~upon shall be instituted,~~ from the date of entry of the final order in such proceedings, including appeals, or if the grant of a variance is appealed to the Board of Estimate, from the date of a decision by the Board of Estimate denying jurisdiction of an appeal or upholding the grant of a variance.

73-70

LAPSE OF PERMIT

A special permit for a specified #use# or for a modification of the #use# or #bulk# regulations granted under the provisions of this Resolution shall automatically lapse if substantial construction, in accordance with the plans for which such permit was granted, has not been completed within two ~~four~~ years from the date of granting such permit by the Board of Standards and Appeals or, if judicial proceedings have been instituted to review the Board's decision, the four-year lapse period shall commence ~~upon shall be instituted,~~ from the date of entry of the final order in such proceedings, including all appeals. or, if the grant of a special permit is appealed to the Board of Estimate, from the date of a decision of the Board of Estimate denying jurisdiction of an appeal or upholding the grant of a special permit.

74-99

~~Lapse of Permit~~

(Delete entire section)

~~74-99~~

~~Lapse of Authorization or Special Permit~~

~~Any authorization or special permit granted by the City Planning Commission pursuant to this Chapter shall automatically lapse if substantial construction has not been completed as set forth in Section 11-42. For any renewal of such authorization or special permit, the provisions of Section 11-43 shall apply.~~

78-045

~~Previously granted authorizations and special permits,~~

(Delete entire section)

78-07

~~Lapse of Authorization or Special Permit~~

(Delete entire section)

~~78-07~~

~~Lapse of Authorization or Special Permit~~

~~Any authorization or special permit granted by the City Planning Commission pursuant to this Chapter shall automatically lapse if substantial construction has not been completed as set forth in Section 11-42. For any renewal of such authorization or special permit, the provisions of Section 11-43 shall apply.~~

~~79-44~~

~~Lapse of Authorization or Special Permit~~

~~Any authorization or special permit granted by the City Planning Commission pursuant to this Chapter shall automatically lapse if substantial construction has not been completed as set forth in Section 11-42. For any renewal of such authorization or special permit, the provisions of Section 11-43 shall apply.~~

86-116

Lapse of authorization, certification or special permit

Such ~~authorizations, certifications or special permits~~ granted under the provisions of this Chapter shall automatically lapse if substantial construction in accordance with the plans for which such approval was granted thereunder has not been completed within two years from the date of granting such ~~authorizations, certifications or permits~~, or, if judicial proceedings to review the decision to make such grant shall ~~have been~~ be instituted, ~~within two years~~ from the date of entry of the final order in such proceedings including all appeals.

(On April 26, 1995, Cal. No. 4, the Commission scheduled May 10, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

(Proposed Amendment to the City Planning Commission's rules governing the fees for City Environmental Quality Review (CEQR)).

PUBLIC HEARING:

IN THE MATTER OF, pursuant to the authority vested in the City Planning Commission by 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 Section 5-08(b) of Chapter 5, Title 62 of the Rules of the City of New York that the Commission intends to amend existing rules regarding the fee for CEQR Applications and Schedule of Charges.

Written comments regarding this amendment may be sent to the Director, Division of Environmental Assessment and Review, Department of City Planning, 4E, 22 Reade Street, New York, N. Y. 10007 or before May 26, 1995. A public hearing on the proposed amendment to the Rule shall be held on May 10, 1995 beginning at 10:00 a.m. in Spector Hall, 22 Reade Street, 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 p.m., at the Division of Environmental Assessment and Review, 22 Reade Street, Room 4E, New York, New York 10007.

Dated: April 6, 1995

City Planning Commission

Amended Rule

New material is indicated by underlining. Deleted material is indicated by bracketing.

Sections 3-01 and 3-02 of Chapter 3, Subchapter A of Title 62 of the Rules of the City of New York is amended to change the provisions relating to the fee for CEQR applications as follows:

§3-01 Fee for CEQR Applications. Except as specifically provided in this section, every application made pursuant to Executive Order No. 91 (August 24, 1977) and Chapter 5 of the rules on or after [September 26, 1988] July 1, 1995 shall include a non-refundable fee which shall be submitted to Land Use Review-Central Intake, 2E, 22 Reade Street, New York, New York, 10007-1216, and shall be in the form of a check or money order made out to the "Department of City Planning." The fee for an [initial] application shall be as prescribed in the following Schedule of Charges §3-02 of these rules. [The fee for any formal modification of an application shall be ten percent of the amount prescribed in the Schedule of Charges for an initial application, except that the fee for any formal modification which increases the square footage of the project by more than 30% shall be equal to the fee for an initial application for such additional square footage.] The fee for modification of an application for an action not subject to Section 197-c of the New York City Charter shall be twenty percent of the amount prescribed in the Schedule of Charges for an initial application.

The fee for any modification of an application for an action subject to Section 197-c of the New York City Charter shall be the amount set forth in the Schedule of Charges (§3-02) as if the Modification were a new application for the action. Agencies of the federal, state or city governments shall not be required to pay fees nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category. Fees shall be paid when the application is filed, and these fees may not be combined in one check or

money order with fees required pursuant to other land use applications submitted to the Department of City Planning or the City Planning Commission. No application shall be processed by the Department of City Planning [or the Department of Environmental Protection] until the fee has been paid and twenty-five copies of the application have been filed with the Department of City Planning.

SCHEDULE OF CHARGES

I. PROJECTS MEASUREABLE BY SQUARE FOOTAGE FEE (Square Footage of Total Project)

Less than 10,000 sq. ft.	\$350
10,000 - 19,999 sq. ft.	1,035
20,000 - 39,999 sq. ft.	[2,065] <u>2,250</u>
[40,000 - 69,999 sq. ft.]	[3,780]
[70,000 - 99,999 sq. ft.]	[5,850]
[100,000 - 249,999 sq. ft.]	[33,000]
[250,000 - 499,999 sq. ft.]	[73,000]
<u>40,000 - 59,999 sq. ft.</u>	<u>4,000</u>
<u>60,000 - 79,999 sq. ft.</u>	<u>6,000</u>
<u>80,000 - 99,999 sq. ft.</u>	<u>10,000</u>
<u>100,000 - 149,999 sq. ft.</u>	<u>20,000</u>
<u>150,000 - 199,999 sq. ft.</u>	<u>35,000</u>
<u>200,000 - 299,999 sq. ft.</u>	<u>50,000</u>
<u>300,000 - 499,999 sq. ft.</u>	<u>90,000</u>
500,000 - 1,000,000 sq. ft.	[123,000] <u>135,000</u>
over 1,000,000 sq. ft.	[200,000] <u>220,000</u>

II. PROJECTS NOT MEASURABLE BY SQUARE FOOTAGE

(Ex: Bus Franchises, [Renewals of Special Permits])

[\$1,250]

\$1,375

Subdivision (b) of §5-08 of the rules of the City Planning Commission is amended to read as follows:

(b) Except as otherwise provided by this section, fees in effect on the effective date of these rules pursuant to Executive Order No. 91 and codified as §3-02 of these rules shall continue to govern City Environmental Quality Review applications, unless the City Planning Commission shall by rule modify such fees. Such fees shall be submitted to the lead agency prescribed by these rules, or to an agency that could be the lead agency for the particular action pursuant to §5-03 of these rules, and shall be in the form of a check or money order made out to the "City of New York".

Statement of Basis and Purpose.

The proposed Amendment to the City Planning Commission Rule governing fees charged for filing CEQR applications would modify the existing Schedule of Charges in order to cover the City's increased costs associated with the CEQR process. The rule also makes a clarifying change to §5-08.

(On April 6, 1995, the Commission published in the City Record a Notice of Public Hearing and Opportunity to Comment on proposed Amendment to the City Planning Commission's rules governing the fees for City Environmental Quality Review (CEQR)).

Close the hearing.

No. 17

(Proposed Amendment to the City Planning Commission's rules governing fees for Applications pursuant to City Charter §197-c and other Applications and the Schedule of Charges).

PUBLIC HEARING:

IN THE MATTER OF, pursuant to the authority vested in the City Planning Commission by Section 1043 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter that the Commission intends to amend an existing rule regarding fees for applications pursuant to Chapter §197-c and other Applications.

Written comments regarding this amendment may be sent to the Director Division of Land Use Review, 22 Reade Street, 2E, New York, N. Y. 10007 or before May 26, 1995. A public hearing on the proposed amendment to the Rule shall be held on May 10, 1995 beginning at 10:00 a.m. in Spector Hall, 22 Reade Street, 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 p.m., at the Division of Land Use Review, 22 Reade Street, Room 2E, New York, New York 10007.

Dated: April 6, 1995

City Planning Commission

Amended Rule

New material is indicated by underlining. Deleted material is indicated by bracketing.

Section 3-06 and 3-07 of Subchapter B of Chapter 3 of Title 62 of the Rules of the City of New York is amended to revise the fee schedule for applications pursuant to Charter §197-c and other applications as follows:

§ 3-06 Fees For Applications Pursuant To City Charter §197-c and Other Applications. Except as specifically provided in this section, every application for a map change, landfill permit, special permit, zoning authorization or certification, [land use review report for an indirect source permit,] revocable consent for sidewalk cafe, or cable television franchise or for a [major] modification, or renewal thereof, made on or after [June 13, 1988] July 1, 1995 shall include a non-returnable fee which shall be paid by check or money order made out to the "Department of City Planning." The fee for an initial application, or for a [major] modification thereof, shall be as prescribed in the following Schedule of Charges, provided that if an applicant simultaneously submits applications for several actions relating to the same project, the maximum fee imposed shall be two hundred percent of the single highest fee. The fee for a modification which is subject to Section 197-c of the New York City Charter shall be the same as the fee for an initial application, as provided in §3-07, subd.(f) of these rules. The fee for renewal shall be one-half of the amount prescribed in the schedule of charges for an initial application. No fee shall be charged for an application to eliminate a paper street from the property of an owner-occupied, one- or two-family residence. Agencies of the federal, state or city governments shall not be required to pay fees [or] nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category. Fees shall be paid when the application is filed, and no application shall be processed by the Department until the fee has been paid.

Statement of Basis and Purpose. The proposed Amendment to the City Planning Commission's Rule would modify the existing fee Schedule for filing applications pursuant to §197-c of the New York City Charter and other applications in order to cover the City's increased costs associated with such filings.

3-07 SCHEDULE OF CHARGES

(a) **Applications for City Map changes, zoning map amendments or special permits, pursuant to Section 197-c of the City Charter:**

- (1) Applications relating to new development or enlargement or conversion of existing development:

Total amount of floor area, or in the case of open uses, area of zoning lot; or for zoning map amendments, the area of all zoning lots in the area to be rezoned:

Less than 10,000 square feet	[\$900]	<u>\$ 1,125</u>
10,001 to 19,999 square feet	[1,350]	<u>1,700</u>
20,000 to 39,999 square feet	[1,800]	<u>2,250</u>
40,000 to 69,999 square feet	[2,250]	<u>2,850</u>
70,000 to 99,999 square feet	[2,700]	<u>3,375</u>
100,000 to 240,000] <u>239,999</u> square feet	[3,000]	<u>3,750</u>
[Over] 240,000 <u>to 500,000</u> square feet	[7,500]	<u>9,375</u>
<u>Over 500,000 square feet</u>		<u>15,000</u>

- (2) Other applications not measurable by floor area or lot area (e.g. street map change to remove clouds on title):

Elimination of paper street	[\$ 750]	<u>\$ 950</u>
Establishment of Landfill	[1,500]	<u>1,875</u>
Any other change in city street map	[2,250]	<u>2,850</u>

- (3) Extension of previously approved special permits granted for a specific term:

1/2 of the fee schedule set forth in [paragraph] sub-division (a)(1) above.

- (b) Applications for franchises and revocable consents:

- (1) Applications pursuant to Section 197-c of the City Charter

{ \$ 1,500] \$ 1,875

- (2) Sidewalk cafes:

Unenclosed:

[\$13.75 per seat \$15 per seat
minimum of \$300] minimum of \$375

Enclosed:

[\$27.50 per seat \$30 per seat
minimum of \$600] minimum of \$750

- (3) Renewals of [previously approved applications:] Sidewalk Cafes:

1/2 of the fee schedule set forth in subdivision [(a) and (b) above and (c) below] subdivision (b) 2 above.

- (c) Application for zoning authorizations or certifications:

- (1) Pursuant to Article X, Chapter 5 (Natural Area) and Chapter 7 (South Richmond) of the Zoning Resolution:

Certifications

[\$ 150] \$ 200
Additional lots,
addresses,
or structures
will be
charged \$150
each.

Authorizations [\$ 450] \$ 575

Additional
lots, addresses,
or structures
will be
charged \$425
each.

school seat certifications \$ 100

(2) Pursuant to Section 95-04 (Transit Easements) of the Zoning Resolution: [\$ 125] \$ 175

(3) Pursuant to all other sections of the Zoning Resolution:

Total amount of floor area, or in the cases of open use, area of zoning lot:

Less than 10,000 square feet	[\$ 450]	<u>\$ 575</u>
10,001 to 19,999 square feet	[675]	<u>850</u>
20,000 to 39,999 square feet	[900]	<u>1,125</u>
40,000 to 69,999 square feet	[1,125]	<u>1,450</u>
70,000 to 99,999 square feet	[1,350]	<u>1,700</u>
100,000 square feet and over	[1,500]	<u>1,875</u>

(d) Renewals of previously approved applications 1/2 of the fee schedule set forth in subdivisions (a) and (c) above.

(e) Modifications which are not subject to Section 197-c of the City Charter or follow-up actions required of the Chairperson, Commission or Department as conditions of previous action: [1/2] 1/4 of the fee set forth in subdivisions (a) and (b) and (c) above.

(f) Modifications which are subject to Section 197-c of the City Charter: Fee schedule set forth in subdivision (a) (1) above.

(On April 6, 1995, the Commission published in the City Record a Notice of Public Hearing and Opportunity to Comment on proposed amendment to the City Planning Commission's rules governing fees for Applications pursuant to City Charter Section 197-c and other Applications and the Schedule of Charges.

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 18

CD 2

C 940535 PPX

IN THE MATTER OF an application submitted by the Department of General Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 1056 Stebbins Avenue (Block 2691, Lot 60) pursuant to zoning.

(On March 29, 1995, Cal. No. 1, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 8, the hearing was closed.)

For consideration.

No. 19

CD 5

C 940409 PPX

IN THE MATTER OF an application submitted by the Department of General Services, pursuant to Section 197-c of the New York City Charter, for the disposition of two (2) city-owned properties pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Address or Location</u>
3156	55	2078 Anthony Avenue
3163	5	2242 Creston Avenue

(On March 29, 1995, Cal. No. 2, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 9, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN**No. 20****CD 18****C 930387 ZMK**

IN THE MATTER OF an application submitted by the Home Savings of America, Bowery Division, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 23b, establishing within an existing R4 district a C2-2 district bounded by Hendrickson Street, a line 330 feet south of Avenue U, Coleman Street, and a line 150 feet south of Avenue U, as shown on a diagram (for illustrative purposes only) dated December 19, 1994.

(On March 29, 1995, Cal. No. 3, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 10, the hearing was closed.)

For consideration.

No. 21
CD 2**C 950146 ZSK**

IN THE MATTER OF an application submitted by the New York City Economic Development Corp., Department of Housing Preservation and Development and Atlantic Center Associates pursuant, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-52 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 650 spaces in the cellar and sub-cellar of a building proposed to be constructed on property bounded by Academy Park Place, South Portland Avenue, Atlantic Avenue, the westerly street line of former Fort Greene Place, Hanson Place, and South Elliott Place, (Block 2002, all Lots; Block 2003, Lots 62, 63, 64, 66, 71, and 73 and part of Lots 1, 2, 3, and 60, and the beds of former South Elliott Place and former Fort Greene Place -- tentative Block 2002, Lots 1, 50, 80 and 90) on Parcels 2A and 2B of the Atlantic Terminal Urban Renewal Area, within a C6-4 District.

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

(On March 29, 1995, Cal. No. 4, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 11, the hearing was closed.)

For consideration.

No. 22

CD 2

N 950415 PXX

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, pursuant to Section 195 of the New York City Charter for use of property located at 195 Montague Street (Block 244, Lot 5), (New York State Supreme Court, Appellate Division Offices)

(On April 14, 1995, the Commission duly advertised April 26, 1995 for a public hearing. On April 26, 1995, Cal. No. 7, the hearing was closed.)

For consideration.

No. 23

CD 2

N 950416 PXX

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, pursuant to Section 195 of the New York City Charter for use of property located at 195 Montague Street (Block 244, Lot 5), (Department of Environmental Protection Bureau of Water and Energy Conservation and Bureau of Water Supply and Wastewater Collection Offices)

(On April 14, 1995, the Commission duly advertised April 26, 1995 for a public hearing. On April 26, 1995, Cal. No. 8, the hearing was closed.)

For consideration.

No. 24

CD 12

N 950417 PXX

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, pursuant to Section 195 of the New York City Charter for use of property located at 1085 McDonald Avenue (Block 6504, Lot 1), (Human Resources Administration Food Stamp Center.)

(On April 14, 1995, the Commission duly advertised April 26, 1995 for a public hearing. On April 26, 1995, Cal. No. 9, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 25

CD 9

N 950414 PXM

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, pursuant to Section 195 of the New York City Charter for use of property located at 547 West 110th Street (Block 1882, Lot 1), (Department of Health, Bureau of Tuberculosis Control Field Offices.)

(On April 14, 1995, the Commission duly advertised April 26, 1995 for a public hearing. On April 26, 1995, Cal. No. 12, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 26

CD 8

C 860714 MMQ

IN THE MATTER OF an application submitted by the Department of Transportation, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving a change of street grades heretofore established within and abutting Kissena Boulevard from Horace Harding Expressway to Aguilar Avenue and the elimination of a portion of Kissena Boulevard and the establishment in its place of a park and any acquisition or disposition of property related thereto, all in accordance with Map No. 4810, dated October 3, 1986 and revised January 27, 1993, September 10, 1993 and November 21, 1994 and signed by the Borough President.

(On March 29, 1995, Cal. No. 5, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 12, the hearing was closed.)

For consideration.

No. 27

CD 14

C 940174 PQQ

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 acquisition of property located at 90-01 Rockaway Beach Boulevard (Block 16133, Lot 21), for continued use as a senior citizens center. (Hammel Senior Center).

(On March 29, 1995, Cal. No. 6, the Commission scheduled April 12, 1995 for a public hearing. On April 12, 1995, Cal. No. 13, the hearing was closed.)

For consideration.

 BOROUGH OF STATEN ISLAND

No. 28

CD 1

N 950418 PXR

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of General Services, pursuant to Section 195 of the New York City Charter for use of property located at 543 Bay Street (Block 490, Lot 1), (Human Resources Administration Food Stamp Center.)

(On April 14, 1995 the Commission duly advertised April 26, 1995 for a public hearing. On April 26, 1995, Cal. No. 16, the hearing was closed.)

For consideration.

 No. 29

(Request for the grant of authorizations to permit the construction of a 21,740 square foot commercial structure on a parcel of property in the Special Natural Area District (NA-1) of Staten Island.)

CD 2

N 920037 ZAR

IN THE MATTER OF an application submitted by Raghava Raju for the grant of authorizations pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution, involving modification of existing topography, alteration of botanic environment including the removal of 88 trees and alteration of other natural

(steep slope) to allow the construction of a two-story, 21,740 square foot commercial structure with on-site parking for a total of 35 cars on property located at 2107 Richmond Road (Block 899, Lot 18) within the Special Natural Area District (NA-1).

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

For consideration.

No. 30

(Request for the grant of authorizations and certification to permit the construction of one-single family residence on a parcel of property in the Special Natural Area (NA-3) District of Staten Island)

CD 1

N 940053 ZAR

IN THE MATTER OF an application submitted by Dennis D. Dell'Angelo for the **grant of authorizations**, pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution and for **certification**, pursuant to Section 105-30 of the Zoning Resolution, involving modification of topography, alteration of botanic environment, alteration of other natural features (steep slope) and special provisions for planting (waiver of tree planting requirements) to allow construction of a one-family residence on property located on the east side of Harbor View Place East, 0 feet north of Harbor View Place South, (Block 2833, Lot 1) within the Special Natural Area District (NA-3).

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

For consideration.
