

**CITY PLANNING COMMISSION
DISPOSITION SHEET**

**PUBLIC MEETING:
WEDNESDAY, SEPTEMBER 13, 1995
10:00 A.M. IN CITY 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 950485 PPX	1	SCHEDULED TO BE HEARD on 9-27-95	23	C 940697 PSX	2	Favorable Report Adopted
2	C 950486 PPX	3	" "	24	C 940190 POK	5	" "
3	C 950507 PPX	3	" "	25	C 940192 POK	17	" "
4	C 950439 ZMX	11	" "	26	C 950155 PCK	4	" "
5	C 950385 MMX	13	" "	27	C 940154 POK	18	" "
6	C 950254 PPK	1	" "	28	C 950318 ZMM	4, 5	" "
7	C 950453 HAM	3	" "	29	C 950162 HAM	9	" "
8	C 950467 POM C 950468 PPM	11	" "	30	C 950219 ZSM	7	LAID OVER
9	C 950099 ZSM	2	" "	31	N 950402 ZRQ	2	" "
10	C 950626 HGM	3	" "	32	N 950404 ZRQ	1, 2	" "
11	C 950511 HUM	3	" "	33	C 950403 ZMQ	1, 2	" "
12	C 950512 HDM	3	" "	34	C 940194 PQQ	12	Favorable Report Adopted
13	C 950513 ZMM	3	" "	35	C 940638 PQQ	7	WITHDRAWN
14	C 950514 ZSM	3	" "	36	C 940445 PPQ	12	LAID OVER
15	C 950080 ZMQ	3	" "	37	C 950431 ZAQ	7	Authorization Approved
16	C 950081 ZSQ	3	" "	38			
17	C 950363 ZSX	5	HEARING CLOSED	39			
18	C 950245 POK	11	" "	40			
19	C 940443 POK	7	" "	41			
20	C 950443 ZMM	3, 6	" "	42			
21	C 950421 DMM	8	" "	43			
22	C 950465 POM C 950466 PPM	4	" "	44			

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: Calendar Numbers																In Favor - Y Oppose - N Abstain - AB		
		23	24	25	26	27	28	29	30	31	32	33	34	35	36	37				
Joseph B. Rose, <i>Chairman</i>	P	Y	Y	Y	Y	Y	Y	Y				D	Y			Y				
Victor G. Alicea, <i>Vice Chairman</i>	P	Y	Y	Y	Y	Y	Y	Y			I		Y			Y				
Amanda M. Burden, <i>A.I.C.P.</i>	P	Y	Y	Y	Y	Y	AB	Y		A			Y	N	ER	Y				
Irwin G. Cantor, <i>P.E.</i>	P	Y	Y	Y	Y	Y	Y	Y	L			R	Y	W	ER	AB				
Kathy Hirata Chin, <i>Esq.</i>	P	Y	Y	Y	Y	Y	Y	Y			E		Y	A	O	Y				
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y		V			Y	R	O	Y				
Anthony I. Giacobbe, <i>Esq.</i>	P	Y	Y	Y	Y	Y	Y	Y	O				Y	D	O	Y				
Maxine Griffith	P	Y	Y	Y	Y	Y	Y	Y					W	T	O	Y				
William J. Grnker	P	Y	Y	Y	Y	Y	Y	Y					Y	T	I	Y				
Brenda Levin	P	Y	Y	Y	Y	Y	Y	Y					Y	I	L	Y				
Edward T. Rogowsky	A													W	L					
Ronald Shiffman, <i>A.I.C.P.</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: 11:55 A.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York
—
CITY PLANNING COMMISSION
—
WEDNESDAY, SEPTEMBER 13, 1995
—
MEETING AT 10:00 A.M.
in
CITY HALL



Rudolph W. Giuliani, Mayor
City of New York

[No. 17]

Prepared by Lois McDaniel, Calendar Officer

A
CITY PLANNING COMMISSION

**GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS**

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
AMANDA M. BURDEN, A.I.C.P.
IRWIN G. CANTOR, P.E.
KATHY HIRATA CHIN, *Esq.*
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, SEPTEMBER 13, 1995

Roll Call; approval of minutes	1
I. Scheduling September 27, 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 set for September 27, 1995, in Spector Hall, 22 Reade Street, 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, SEPTEMBER 13, 1995

APPROVAL OF MINUTES OF Regular Meeting of August 23, 1995

I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, SEPTEMBER 27, 1995
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK

BOROUGH OF THE BRONX

No. 1

CD 1

C 950485 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 315 E. 149th Street (Block 2331, part of Lot 22), pursuant to zoning.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 2

CD 3

C 950486 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:

1. One (1) city-owned property pursuant to zoning:

<u>Block</u>	<u>Lot</u>	<u>Address or Location</u>
2609	2	3458 Third Avenue

2. Three (3) city-owned properties restricted to community facility use:

<u>Block</u>	<u>Lot</u>	<u>Address or Location</u>
2935	43	664 E. 170th Street
2935	44	666 E. 170th Street
2935	45	1399 Crotona Avenue

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 3

CD 3

C 950507 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 zoning:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
2984	10	1810-1820 Southern Boulevard
2984	46	1825 Southern Boulevard

Resolution for adoption scheduling September 27, 1995 for a public hearing.

Nos. 4 and 5

(Applications for an amendment of the Zoning Map and an amendment to the City Map concerning the Gun Hill Road Retail Development and accessory group parking facility)

No. 4

CD 11

C 950439 ZMX

IN THE MATTER OF an application submitted by BR Waring Street, Inc. pursuant to Section 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section 4a:**

1. eliminating from an existing R3-2 District a C2-1 District bounded by East Gun Hill Road, Demeyer Street*, Mace Avenue*, and the northerly prolongation of a line 100 feet east of Delanoy Avenue; and

2. changing from an R3-2 District to a C4-1 district property bounded by East Gun Hill Road, Ely Avenue, a line 75 feet northerly of Waring Avenue, a line 100 feet westerly of Ely Avenue, Waring Avenue, and a line 100 feet east of Delanoy Avenue and its northerly prolongation;

as shown on a diagram (for illustrative purposes only) dated June 19, 1995 and subject to the conditions of CEQR Declaration E-69.

* Demeyer Street between East Gun Hill Road and Waring Avenue and a portion of Mace Avenue between Delanoy Avenue and Ely Avenue are proposed to be eliminated in a related application (C 950385 MMX) for a change in the City Map.

Note: This proposal also requires a related non-ULURP application (N 950440 ZAX) for the grant of an authorization pursuant to Section 36-023 of the Zoning Resolution for a group parking facility in a C4-1 district which is accessory to a commercial development on a zoning lot in excess of 4 acres and a reduction of the parking requirement of Section 36-21 (General Provisions) by 40.6 percent to 583 spaces.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 5

CD 13

C 950385 MMX

IN THE MATTER OF an application submitted by BR Waring Street Inc., pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an **amendment to the City Map involving** the elimination Bruner Avenue between Waring Avenue and Mace Avenue, Demeyer Street between Waring Avenue and Gun Hill Road and Vance Street between Waring Avenue and Demeyer Street and the elimination, discontinuance and closing a portion of Mace Avenue between Delanoy Avenue and Ely Avenue, the delineation of a sewer easement, changes in grade necessitated thereby, and any acquisition or disposition of property related thereto, all in accordance with Map No. 13071, dated May 22, 1995 and signed by the Borough President.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

BOROUGH OF BROOKLYN

No. 6

CD 1

C 950254 PPK

IN THE MATTER OF an application submitted by the Department of Business Services, pursuant to Section 197-c of the New York City Charter, for disposition to the Economic Development Corporation of one (1) city-owned property located at 130 Havemeyer Street (Block 2395, Lot 19).

Resolution for adoption scheduling September 27, 1995 for a public hearing.

BOROUGH OF MANHATTAN

No. 7

CD 3

C 950453 HAM

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

1) pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State for:

a) **the designation of the following properties, as an Urban Development Action Area:**

i) Properties on an Urban Renewal Site within the Cooper Square Urban Renewal Area.

Properties on Site 4:

Address	Block	Lot
56 East 4th Street	459	14
58 East 4th Street	459	15
60 East 4th Street	459	16
27 East 3rd Street	459	36
25 East 3rd Street	459	37
23 East 3rd Street	459	38
21 East 3rd Street	459	39
9 East 3rd Street	459	45

Properties on Site 5:

Address	Block	Lot
77 East 4th Street	460	48
75 East 4th Street	460	49
73 East 4th Street	460	50
71 East 4th Street	460	51
69 East 4th Street	460	52
67 East 4th Street	460	53
65 East 4th Street	460	54
63 East 4th Street	460	55
57 East 4th Street	460	59

ii) Properties not on an urban renewal site:

Address	Block	Lot
83 Second Avenue	460	35
13 Stanton Street	426	22

b) an Urban Development Action Area project for such area.

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD.

Approval of this application would facilitate the disposition of 19 buildings containing approximately 320 units under the Mutual Housing Program.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 8

CD 11

C 950467 PQM
C 950468 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 acquisition and subsequent disposition to the Primary Care Development Corporation, of property located at 211/219 East 105th Street a.k.a. 214 East 106th Street (Block 1655, Lots 7, 8, 41, 42), for use as a primary health care facility.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 9

CD 2

C 950099 ZSM

IN THE MATTER OF an application submitted by 75 Wooster Street Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-462 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 275 spaces in a building located at 73-75 Wooster Street, a.k.a. 387-389 West Broadway (Block 478, Lot 14), in an M1-5A District, within the SoHo Cast-Iron Historic 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.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

 Nos. 10, 11, 12, 13 and 14

(Applications for the designation of the Lower East Side III Urban Renewal Area Addition, as an area appropriate for urban renewal, an amendment to the Lower East Side III Urban Renewal Plan for the Lower East Side Urban Renewal Area, and acquisition of property and the disposition of city-owned property to facilitate the development of a housing police facility, including related actions for an amendment of the Zoning Map, and the grant of a special permit to allow an unattended accessory parking garage)

No. 10

CD 3

N 950626 HGM

IN THE MATTER OF the designation of the Lower East Side III Urban Renewal Area Addition, as an area appropriate for urban renewal, pursuant to Section 504 of Article 15 of the General Municipal Law (Urban Renewal Law) of New York State, as described as follows:

Property at the northeasterly corner of East 8th Street and Avenue C, 353 East 8th Street (a.k.a. 126-30 Avenue C) and 355 East 8th Street (Block 378, Lots 1 and 63).

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 11

CD 3

C 950511 HUM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for an amendment to the Lower East Side III Urban Renewal Plan, for the Lower East Side III Urban Renewal Area.

The proposed amendment provides for:

- 1) Acquisition of two properties on the northeasterly corner of East 8th Street and Avenue C (353 East 8th Street a.k.a. 126-30 Avenue C) and 355 East 8th Street, (Block 378, Lots 1 and 63, respectively);
- 2) Establishing a new Site 2 comprising Lots 1, 63, 14, 15, 16, 55, 56, 59, 60, 62 and part of Lot 17, in Block 378, on the westerly part of the Block bounded by East 8th Street, Avenue C East 9th Street and Avenue D. All of these lots with the exception of Lots 1 and 63 were formerly part of Site 1.

The permitted land use on Site 2 is Public Service Establishment. A change in the boundary of the area was made to reflect the expanded urban renewal area.

The proposed amendment to the urban renewal plan would facilitate the development of Site 2 with a police facility.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

 No. 12

CD 3

C 950512 HDM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property, comprising Site 2 within the Lower East Side III Urban Renewal Area, located on the northeasterly corner of East 8th Street and Avenue C, East 9th Street and Avenue D, (Block 378, Lots 1, 14, 15, 16, 55, 56, 59, 60, 62, 63 and part of Lot 17).

The property is to be disposed to the New York City Housing Authority and would facilitate the development of Site 2 with a housing police facility.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 13

CD 3

C 950513 ZMM

IN THE MATTER OF an application submitted by the New York City Housing Authority pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section 12c**, establishing within an existing R7-2 District a C1-5 District bounded by East 8th Street, a line 100 feet easterly of Avenue C, East 9th Street and a line 300 feet easterly of Avenue C, as shown on a diagram (for illustrative purposes only) dated July 10, 1995.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

No. 14

CD 3

C 950514 ZSM

IN THE MATTER OF an application submitted by the New York City Housing Authority pursuant to Sections 197-c and 201 of the New York City Charter for the **grant of a special permit** pursuant to Section 13-461 of the Zoning Resolution to **allow an unattended accessory parking garage with a maximum capacity of 78 spaces on portions of the first and second floors of a proposed police facility on property located on the east side of Avenue C, between East 8th Street and East 9th Street (Block 378, Lots 1, 14, 15, 16, 55, 56, 59, 60, 62, 63 and part of Lot 17), within a proposed C1-5 district.**

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

Resolution for adoption scheduling September 27, 1995 for a public hearing.

BOROUGH OF QUEENS

Nos. 15 and 16

(Applications for an amendment of the Zoning Map and the grant of a special permit to permit the allowable community facility floor area ratio of Section 24-11 to apply to a proposed 240-bed nursing home (East Elmhurst Care Facility) in a proposed R-6 district)

No. 15

CD 3

C 950080 ZMQ

IN THE MATTER OF an application submitted by Sheldon Lobel, P.C. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 9c**, changing from an R3-2 District to an R6 District, property bounded by 100th Street, Ditmars Boulevard, the northerly prolongation of the center line of 101st Street, and 23rd Avenue and its easterly prolongation, as shown on diagram (for illustrative purposes only) dated July 10, 1995, and subject to the conditions of CEQR Declaration E-67.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

 No. 16

CD 3

C 950081 ZSQ

IN THE MATTER OF an application submitted by Sheldon Lobel, P.E. pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-902 of the Zoning Resolution to **permit the allowable community facility floor area ratio of Section 24-11 to apply to a proposed 240-bed nursing home (East Elmhurst Care Facility) on property located on the north side of 23rd Avenue, between 100th Street and 101st Street (Block 1632, Lots 23, 28, and part of 9), in a proposed R6 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, New York 10007.

Resolution for adoption scheduling September 27, 1995 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 17

CD 5

C 920363 ZSX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Bertrell W. Tyson pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-511 of the Zoning Resolution to permit an unattended public parking lot with a maximum capacity of 19 spaces on property located at 299 E. Burnside Avenue (Block 3149, Lot 1), in a C1-4 District mapped within an R7-1 District.

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

(On August 23, 1995, Cal. No. 1, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 18

CD 11

C 940245 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at 1884 McDonald Avenue (Block 6632, Lot 39), for continued use as a section station.

(On August 23, 1995, Cal. No. 2, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CD 7

C 940443 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at 129 51st Street (Block 788, Lot 25), for continued use as a garage and storage facility.

(On August 23, 1995, Cal. No. 3, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 20

CD 3,6

C 950443 ZMM

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 No. 12c:

- 1) eliminating from an existing R7-2 District a C1-5 District bounded by a line midway between East 14th Street and East 15th Street, a line 100 feet west of First Avenue, East 15th Street, First Avenue, East 14th Street, a line 100 feet east of Avenue B, East 13th Street, a line 100 feet west of Avenue B, a line midway between East 13th Street and East 14th Street, a line 100 feet east of First Avenue, East 13th Street, a line 100 feet west of First Avenue, a line midway between East 13th Street and East 14th Street, a line 100 feet east of Second Avenue, East 13th Street, a line 100 feet west of Second Avenue, a line midway between East 13th Street and East 14th Street, and a line 100 feet east of Third Avenue;
- 2) eliminating from an existing R7-2 District a C2-5 District bounded by a line midway between East 13th Street and East 14th Street, a line 100 feet east of Avenue A, East 13th Street, and a line 100 feet west of Avenue A;
- 3) changing from an R7-2 District to a C1-6A District property bounded by:

- a) East 14th Street, a line 100 feet east of Avenue B, East 13th Street, and a line 100 feet east of First Avenue; and
 - b) a line midway between East 14th Street and East 15th Street, a line 100 feet west of First Avenue, East 13th Street, and a line 100 feet east of Third Avenue;
- 4) changing from an R7-2 District to a C1-7A District property bounded by East 15th Street, First Avenue, East 14th Street, a line 100 feet east of First Avenue, East 13th Street, and a line 100 feet west of First Avenue;
 - 5) changing from a C6-1 District to a C1-9A District property bounded by East 15th Street, a line 100 feet east of Third Avenue, East 13th Street, and a line 100 feet west of Third Avenue;
 - 6) changing from a C6-1 District to a C6-2A District property bounded by a line midway between East 13th Street and East 14th Street, a line 100 feet west of Third Avenue, East 13th Street, and the southerly prolongation of Irving Place; and
 - 7) changing from a C6-1 District to a C6-3X District property bounded by East 15th Street, a line 100 feet west of Third Avenue, a line midway between East 14th Street and East 13th Street, and Irving Place and its southerly prolongation;

as shown on a diagram (for illustrative purposes only) dated May 22, 1995 and subject to the conditions of CEQR Declaration E-68.

(On August 23, 1995, Cal. No. 4, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 8

C 950421 DMM

PUBLIC HEARING:

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 451 East 86th Street (Block 1566, Lot 22), pursuant to zoning.

(On August 23, 1995, Cal. No. 5, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

No. 22

CD 4

C 950465 PQM
C 950466 PPM

PUBLIC HEARING:

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 and subsequent disposition to the Primary Care Development Corporation, of property located at 356 West 18th Street (Block 741, Lot 63), for use as a primary health care facility.**

(On August 23, 1995, Cal. No. 6, the Commission scheduled September 13, 1995 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 23

CD 2

C 940697 PSX

IN THE MATTER OF an application submitted by the Police Department and the Department of General Services for **site selection of city-owned property located at 1090/1106 Southern Boulevard (Block 2744, Lots 13, 15, 17, 18 and 20) and 1100 Fox Street (Block 2718, Lots 63, 69, 70, 71, 72, 73 and 77) for use as parking lots.**

(On July 26, 1995, Cal. No. 1, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 14, the hearing was continued. On August 23, 1995, Cal. No. 7, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 24

CD 5

C 940190 POK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York City Charter, for **acquisition of property located at 3037 Atlantic Avenue (Block 3956, Lot 21), for continued use as a section station.**

(On July 26, 1995, Cal. No. 3, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 16, the hearing was continued. On August 23, 1995, Cal. No. 11, the hearing was closed.)

For consideration.

No. 25

CD 17

C 940192 POK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York

City Charter for acquisition of property located at 3824 Church Avenue (Block 4892, Lot 10), for continued use as a section station.

(On July 26, 1995, Cal. No. 4, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 17, the hearing was continued. On August 23, 1995, Cal. No. 12, the hearing was closed.)

For consideration.

No. 26

CD 4

C 950155 PCK

IN THE MATTER OF an application submitted by the Police Department and the Department of General Services, pursuant to Section 197-c of the New York City Charter for site selection of city-owned property (Block 3234, Lots 1-4) located at 185/191 Central Avenue and site selection of city-owned property (Block 3232, Lots 32-38, 40, 42, 47, 49-54) and site selection and acquisition of privately-owned property (Block 3232, Lot 39), located at 1299/1315 DeKalb Avenue, for use as parking lots.

(On July 26, 1995, Cal. No. 5, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 18, the hearing was continued. On August 23, 1995, Cal. No. 13, the hearing was closed.)

For consideration.

No. 27

CD 18

C 940154 PCK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York City Charter, for acquisition of property located at 1750 East 49th Street (Block 7893, Lot 52), for continued use as a garage.

(On July 26, 1995, Cal. No. 6, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 19, the hearing was continued. On August 23, 1995, Cal. No. 14, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 28

CD 4,5

C 950318 ZMM

IN THE MATTER OF an application submitted by 801 Associates and 773 Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d, changing from an M1-6 district to a C6-4X district property bounded by West 31st Street, a line 125 feet east of Avenue of the Americas, West 28th Street, a line 150 feet east of Avenue of the Americas, a line midway between West 23rd Street and West 24th Street, and a line 125 feet west of Avenue of the Americas, as shown on a diagram (for illustrative purposes only) dated April 24, 1995 and subject to the conditions of CEQR Declaration E-66.

(On July 26, 1995, Cal. No. 7, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 20, the hearing was continued. On August 23, 1995, Cal. No. 17, the hearing was closed.)

For consideration.

 No. 29

CD 9

C 950162 HAM

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

- 1) pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State for:
 - a) **the designation of property located on the north side of West 125th Street, between Amsterdam and Morningside avenues (Block 1966, Lots 49, 50, 51 and part of Lot 95), as an Urban Development Action Area;**
 - b) **an Urban Development Action Area project for such area.**
- 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 HPD.

Approval of this application would facilitate the new construction of a 6-story elevator building containing 21 units of rental housing for low-income households adults, including 5 units for the mentally disabled and one unit for a superintendent, and 2 commercial units. The proposed project is tentatively known as Harlem Valley Phase II.

(On August 9, 1995, Cal. No. 7, the Commission scheduled August 23, 1995 for a public hearing. On August 23, 1995, Cal. No. 21, the hearing was closed.)

For consideration.

No. 30

CD 7

C 950219 ZSM

IN THE MATTER OF an application submitted by the Landmarks Preservation Commission on behalf of Golden Gate Co. pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution to *modify*:

- a. Section 22-10 (Uses Permitted As-Of-Right) to allow Use Group 5A (Transient Accommodations) and Use Group 6B (Offices) uses; and
- b. the applicable provisions of Section 23-22 (Required Lot Area per Dwelling Unit, Lot Area per Room or Floor Area per Room), including Sections 22-223 (In R6, R7, R8, R9 or R10 Districts) and Section 23-25 (Special Provisions for Buildings Used partly for Non-Residential Uses), and Section 54-30 (Enlargements or Conversions), including Sections 54-31 and 54-311;

to allow the conversion of dwelling units to Use Group 6 professional offices and Use Group 5 transient hotel rooms in an existing 15 story and penthouse building located at 27-33 West 72nd Street, a.k.a. 24 West 73rd Street (Block 1125, Lot 12) in R10A and R8B districts, within the Upper West Side-Central Park Historic 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 July 12, 1995, Cal. No. 4, the Commission scheduled July 26, 1995 for a public hearing. On July 26, 1995, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

Nos. 31, 32 and 33

(Applications concerning the modification of use and bulk regulations and text clarification within the Special Hunters Point Mixed Use District, establishment of new accessory off-street and public parking regulations for the Long Island City Framework Implementation Area and amendment of the Zoning Map within the Special Hunters Point Mixed Use District)

No. 31

CD 2

N 950402 ZRQ

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 XI, Chapter 7, Section 117-00, to modify the use and bulk regulations of the Special Hunters Point Mixed Use District as follows:

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

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

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

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

Article XI

Special Purpose Districts (continued)

Chapter 7

~~Special Hunters Point Mixed Use District~~~~117-00 — GENERAL PURPOSES~~

~~The "Special Hunters Point Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare.~~

These general goals include, among others, the following specific purposes:

- ~~(a) to stabilize the residential future of a mixed residential and industrial area by permitting expansion and new development of residential and light manufacturing uses where adequate environmental standards are assured;~~
- ~~(b) to promote the opportunity for people to work in the vicinity of their residences;~~

- ~~(c) to retain job intensive and stable industries within New York City;~~
- ~~(d) to provide an opportunity for the improvement of Hunters Point in a manner consistent with the objectives of the comprehensive plan for the City of New York; and~~
- ~~(e) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.~~

~~117-01~~

~~Definitions (repeated from Section 12-10)~~

~~The "Special Hunters Point Mixed Use District" is a Special Purpose District designated with the letters "HP", in which regulations set forth in Article XI, Chapter 7 shall apply. The #Special Hunters Point Mixed Use District# incorporates the provisions of M1-4 and R-5 Districts, except as otherwise specifically provided.~~

~~The Court Square Subdistrict of the #Special Hunters Point Mixed Use District# is identified in Appendix A. Special regulations set forth in Sections 117-60 through 117-66 shall apply to the Court Square Sub-district and shall supplement or supersede the provisions of Sections 117-00 through 117-50. In case of damage or destruction, existing #residential uses# shall be subject to the provisions of Section 52-531 (Permitted reconstruction or continued use).~~

~~117-02-~~

~~General Provisions~~

~~In harmony with the general purpose and intent of this Resolution and the general purpose of the #Special Hunters Point Mixed Use District# and in accordance with the provisions of this Chapter, the regulations of the #Special Hunters Point Mixed Use District# shall replace and supersede the existing district regulations.—~~

~~All #residences#, community facilities and Use Group 4B open #uses# shall be subject to all the provisions applicable in a R5 District, except as otherwise specifically provided in this Chapter. The special regulations relating to #predominantly built up areas# as defined in Section 12-10 (DEFINITIONS), shall apply to all new #residential developments# or #enlargements#, except that #front yard# requirements shall be optional.~~

~~All #commercial# and #manufacturing uses# shall be subject to all the provisions applicable to an M1-4 District, except as otherwise specifically provided in this Chapter. The #use# of any #building# may be changed to another #use# listed within the same Use Group, or as provided in Sections 117-13 (Special Permit Provisions for Certain Residential Uses) or 117-32 (Authorization Provisions for Manufacturing or Commercial Uses).~~

~~The maximum permissible #floor area ratio# for any manufacturing, commercial or community facility #development# on a #zoning lot# is 2.0 and the maximum permissible #floor area ratio# for #residential use# is 1.65.~~

~~In the case of a #zoning lot# occupied partly by #residential uses# and partly by non-#residential uses#, the maximum #floor area ratio# shall not exceed 2.0. In any #building#, above the level of the first #story# ceiling, #residential uses# shall not be located on the same #story# as or below #manufacturing# or #commercial uses#.~~

~~#Zoning lots# adjacent to the #Special Hunters Point Mixed Use District# shall not be subject to the provisions of Section 42 214 (Special provisions applying along district boundaries), Section 42 412 (In M2 or M3 Districts), Section 42 42 (Enclosure or Screening of Storage), Section 42 44 (Limitations of Business Entrances, Show Windows or Signs), Section 42 54 (Special Provisions Applying Along District Boundaries), Section 43 30 (SPECIAL PROVISIONS APPLYING ALONG DISTRICT BOUNDARIES), or Section 44 583 (Restrictions on location of berths near Residence Districts).~~

~~Special regulations for #residential uses# are listed in Sections 117 10, 117 11, 117 12, and 117 13 of this Chapter.~~

~~Special regulations for #community facility uses# are listed in Sections 117 20 and 117 21 of this Chapter.~~

~~Special regulations for #manufacturing# and #commercial uses# are listed in Sections 117 30, 117 31, 117 32, and 117 33 of this Chapter.~~

~~Special regulations for #buildings# containing both #residential# and #commercial uses# are listed in Section 117 40 of this Chapter.~~

~~For the purposes of this Chapter, all lawful principal #uses# in enclosed #buildings# which existed on December 3, 1981 shall be considered conforming. Such #uses# may #enlarge# or expand as of right as provided in this Chapter.~~

~~117 10 SPECIAL REGULATIONS FOR RESIDENTIAL USES~~

~~117 11~~

~~Special Provisions for As-of-Right New Residences or Enlargements~~

~~New #residences# or #enlargements# of existing #residences# are allowed as of right, provided that:~~

~~(a) the #zoning lot# shares a common #side lot line# on both sides with a #residential# or #community facility use#;~~

~~(b) the frontage along the #street line# of the #zoning lot# does not exceed 60 feet~~

~~and the total area of the #zoning lot# does not exceed 7,800 square feet;~~

- ~~(c) the #zoning lot# is not located within a continuous frontage of vacant #zoning lots# or #land with minor improvements# whose aggregate length exceeds 60 feet;~~
- ~~(d) no #manufacturing use# or any #use# listed in Use Group 16 occupies the #zoning lot# or shares a common #lot line# in the rear or is located across the #street#; and~~
- ~~(e) in the case of an #enlargement# of an existing #residential building#, such #enlargement# shall be limited to a 50 percent increase in existing #floor area# and in no event more than 1,000 square feet of #floor area#.~~

117-12

Authorization Provisions for Residential Uses

After notification to the affected Community Board the City Planning Commission may authorize within the #Special Hunters Point Mixed Use District#:

- ~~(a) modification of #side yard# regulations for #residential uses# in new #buildings# or #enlargements#;~~
- ~~(b) construction of new one, two, or three #family residences# or #enlargements# where the aggregate width of #street# frontage of a #zoning lot# exceeds 60 feet or the total area of the #zoning lot# exceeds 7,800 square feet, subject to applicable R5 District regulations;~~
- ~~(c) #enlargement# of an existing #residential building# sharing a #side lot line# with a #manufacturing use#;~~
- ~~(d) construction of a new #residence# or #enlargement# of an existing #residence# on a #zoning lot# sharing a common #lot line# in the rear or across the #street# from a #manufacturing use# or any #use# listed in Use Group 16; or~~
- ~~(e) #enlargements# in excess of a 50 percent increase in #floor area# or in excess of 1,000 square feet of #floor area# subject to the applicable R5 District regulations.~~

Provided that the following findings are made:

- ~~(1) the construction or #enlargement# of a #residential use# will not displace any manufacturing or #commercial building# or #use# or preempt any #zoning lot# which is essential to the normal functioning or growth of existing #manufacturing# or #commercial uses# within the district; and~~

~~(2) such #residential use# will not be exposed to inordinate noise, traffic, smoke, dust, noxious odor, or other adverse impacts from #manufacturing uses#.~~

~~The City Planning Commission may prescribe additional appropriate conditions and safeguards.~~

~~117-21~~

~~Parking requirement modification~~

~~The Commission may modify the #residential# parking requirement if it finds sufficient offsite parking and/or mass transit facilities are available in the immediate vicinity.~~

~~117-13~~

~~Special Permit Provisions for Certain Residential Uses~~

~~The City Planning Commission, after public notice and hearing, and subject to Board of Estimate action, may permit within the #Special Hunters Point Mixed Use District#:~~

- ~~(a) change of #manufacturing# or #commercial use#, or part thereof, to #residential use#; or~~
- ~~(b) the construction of a new #residential development# on a #zoning lot# sharing a common #side lot line# on one side with a #manufacturing use#;~~
- ~~(c) the construction of new #residential development# in excess of 32 feet in height subject to the applicable regulations of Section 117-02.~~

~~Provided that the following findings are made:~~

- ~~(1) for change of #use# only, that the owner of the space has made a good faith effort to rent such space to #manufacturing# or #commercial use# at fair market rentals. Such efforts shall include but not be limited to advertising in local and city wide press, listing the space with brokers, and informing local and city wide industry groups. Such efforts shall have been actively pursued for a period of less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet prior to the date of the application; or~~
- ~~(2) that a change of #use# from #manufacturing# or #commercial# to #residential use# or #residential enlargement# shall not displace any manufacturing or #commercial building# or #use# or preempt any #zoning lot# which is essential to the normal functioning or growth of existing #manufacturing# or #commercial uses# within the district; and~~

~~(3) that such #residential use# shall not be exposed to inordinate noise, traffic, smoke, dust, noxious odor or other adverse impacts from #manufacturing uses#; and~~

~~(4) that the proposed #residential development# is appropriate to the scale of surrounding #development#.~~

~~The City Planning Commission may prescribe additional appropriate conditions and safeguards.~~

~~117-20 SPECIAL REGULATIONS FOR COMMUNITY FACILITY USES~~

~~117-21~~

~~Special Permit Provisions for Community Facility Uses~~

~~The City Planning Commission, after public notice and hearing, and subject to Board of Estimate Action, may permit within the #Special Hunters Point Mixed Use District#:~~

~~(a) new #community facility buildings# or #enlargements#; and~~

~~(b) change of #use# of a #residential#, manufacturing or #commercial building# to a #community facility use#; provided that:~~

~~(1) such #community facility use# or #enlargement# is necessary to the growth and functioning of #residential# or #manufacturing uses# in the district; and~~

~~(2) a more suitable location for such #use# cannot be found in the area.~~

~~The City Planning Commission may prescribe additional appropriate conditions and safeguards.~~

~~117-30 SPECIAL REGULATIONS FOR MANUFACTURING OR COMMERCIAL USES~~

~~117-31~~

~~Special Provisions for As of Right New Buildings for Manufacturing or Commercial Use~~

~~New #buildings# for M1 #manufacturing uses# or #commercial uses# are allowed as of right, provided that:~~

~~(a) no #residential uses# occupy the #zoning lot#; and~~

~~(b) such #commercial use# is listed in Use Groups 6, 7, 8, 9, 11, or 16, and is located on Vernon Boulevard or Jackson Avenue.~~

117-32

Authorization Provision for Manufacturing and Commercial Uses

~~After notification to the affected Community Board, the City Planning Commission may authorize within the #Special Hunters Point Mixed Use District#:~~

- ~~(a) #commercial uses# in new #developments# not permitted by the provisions of Section 117-31 (Special Provisions for As of Right Buildings for Manufacturing or Commercial Use); and~~
- ~~(b) change of #use# of a #residential building# to #manufacturing# or #commercial use#;~~

~~provided that the following findings are made:~~

- ~~(1) such #use# will not cause significant adverse environmental impacts on existing #residential uses#;~~
- ~~(2) any additional truck traffic generated by expanded or new #development# will not create harmful, congested or dangerous conditions.~~

~~The City Planning Commission may prescribe additional appropriate conditions and safeguards.~~

117-33

Authorization Provisions for Modification of Yard Regulations for Manufacturing or Commercial Uses

~~After notification to the affected Community Board, the City Planning Commission may authorize within the #Special Hunters Point Mixed Use District# modification in yard regulations for #manufacturing# or #commercial uses# in new #buildings# or #enlargements# provided that the following findings are made:~~

- ~~(a) adequate light and air to surrounding #residential buildings# will be assured;~~
- ~~(b) the utility of surrounding #residential open space# will not be impaired; and~~
- ~~(c) adequate buffering of the #manufacturing# or #commercial use# will be provided.~~

~~The City Planning Commission may prescribe additional appropriate conditions and safeguards.~~

~~117-40-~~~~SPECIAL PROVISIONS FOR BUILDINGS CONTAINING BOTH RESIDENTIAL AND NON-RESIDENTIAL USES~~

~~No new #buildings# for both #manufacturing# and #residential use# shall be erected within the #Special Hunters Point Mixed Use District#. In the case of an existing #building# occupied by both #residential# and non #residential uses#, any #enlargements#, or #extensions# of the #residential# portion of such #building# which would create one additional #dwelling unit# only or increase the #residential floor area# by no more than 1,000 square feet may be permitted by authorization of the City Planning Commission as set forth in Section 117-12. #Enlargements# or #extensions# of the #residential# portion of such #building# which would create more than one #dwelling unit# or increase #floor area# by more than 1,000 square feet may be permitted by special permit from the City Planning Commission as set forth in Section 117-13 (Special Permit Provisions for Certain Residential Uses).~~

~~117-50 ADMINISTRATION~~~~117-51~~~~Requirements for Applications~~

~~An application to the City Planning Commission for the grant of an authorization or special permit under the provisions of this Chapter shall include a site plan showing the location and proposed #use# of all #buildings or other structures# on the site, the location of all vehicular entrances and exits, and such other information as may be required by the Commission. Authorization applications pursuant to Section 117-32 (Authorization Applications for Manufacturing and Commercial Uses) shall be referred to the Department of Transportation for its report pursuant to Section 74-31 paragraph (d) of this Resolution.~~

~~117-53~~~~Action by the Board of Estimate~~

~~The resolution of approval by the City Planning Commission of a special permit, together with a copy of the application for a grant of special permit, shall be filed with the Secretary of the Board of Estimate, and the Board of Estimate shall act upon such resolution in accordance with the provisions of Section 197-e and 200 of the New York City Charter.~~

The "Special Hunter's Point Mixed-use District" established in this Resolution is designed to promote and protect the public health, safety, and general welfare of the Hunter's Point community. These general goals include, among others, the following specific purposes:

- (a) to stabilize the future of a mixed residential and industrial neighborhood by permitting expansion and new development of residential and light manufacturing uses where adequate environmental standards are assured;
- (b) to strengthen traditional retail streets by allowing the development of new residential and retail uses;
- (c) to promote the opportunity for people to work in the vicinity of their residences;
- (d) to retain jobs within New York City;
- (e) to provide an opportunity for the improvement of Hunter's Point in a manner consistent with the objectives of the comprehensive plan for the City of New York; and
- (f) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

117-01

Definitions

The "Special Hunter's Point Mixed-use District" is a Special Purpose District designated with the letters "HP" in which regulations set forth in Article XI, Chapter 7, shall apply. The #Special Hunter's Point Mixed-use District# and its regulations supplement or supersede those of the districts on which it is superimposed.

The Court Square Sub-district of the #Special Hunter's Point Mixed-use District# is identified in Appendix A. Special regulations set forth in Sections 117-40 through 117-46, inclusive, shall apply to the Court Square Sub-district and shall supplement or supersede the provisions of Sections 117-00 through 117-30, inclusive.

For the purposes of this Chapter, a mixed-use #building# shall be any #building# used partly for #residential use# and partly for #community facility, commercial# or #manufacturing use#.

117-02

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Hunter's Point Mixed-use District# and, in accordance with the provisions of this Chapter, the regulations of the #Special Hunter's Point Mixed-use District# shall supplement or supersede the underlying district regulations.

For the purposes of this Chapter, all lawful principal #uses# in enclosed #buildings# that existed on (the effective date of this amendment), shall be considered conforming. Such #uses# may be #enlarged# only as provided in this Chapter. When an existing #building# is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.

For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# above the highest #story# occupied in whole or in part by a non-#residential use#.

Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the #Special Hunter's Point Mixed-use District# and the Court Square Sub-district are set forth in 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 in Portions of Community Districts 1 and 2 in the Borough of Queens).

117-10 SPECIAL USE REGULATIONS FOR M1-4 DISTRICTS

117-11

Residential Use Regulations

#Uses# listed in Use Groups 1 and 2 are allowed subject to the conditions set forth in Sections 117-111 through 117-114, inclusive, and subject to the #bulk# regulations set forth in Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS).

117-111

Residential enlargements

A #residential building# may be #enlarged# provided that the enlargement does not result in a new #dwelling unit#.

117-112**Residential developments**

#Residential developments# are permitted, provided that:

- (a) the #side lot lines# of the #zoning lot# on which such #development# will be located abut #zoning lots# occupied by #residential#, #community facility# or #commercial uses# other than #uses# listed in Use Groups 13 or 16;
- (b) the frontage along the #street line# of such #zoning lot# does not exceed 60 feet and the total area of such #zoning lot# does not exceed 7,800 square feet; and
- (c) no #use# listed in Use Groups 16, 17 or 18 is located on such #zoning lot# or on the #zoning lot# or lots abutting the rear #lot line# of such #zoning lot#.

117-113**Changes in use**

A #residential use# may be changed to a #community facility use#.

117-114**Authorizations for residential uses**

The City Planning Commission may authorize a #residential enlargement# resulting in additional #dwelling units# or a #residential development# on a #zoning lot# that does not comply with the requirements of Section 117-112 (Residential developments) provided it finds that the #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from #commercial# or #manufacturing uses# on the same or an abutting #zoning lot#.

In addition, for #residential developments#, the Commission shall find that:

- (a) the #zoning lot# on which such #development# would be located has been vacant or #land with minor improvements# continuously for the five years immediately prior to the date of application for such authorization, and
- (b) the #development# will not preempt any #zoning lot# which is essential to the normal functioning or growth of #manufacturing uses# within the District.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.

117-12**Community Facility Use Regulations**

#Uses# in Use Groups 3 and 4 may be #developed# or #enlarged# subject to the #bulk# regulations set forth in Section 117-20.

117-121**Changes of use**

A #community facility use# may be converted to a #residential use#, provided a #use# listed in Use Group 16, 17 or 18 is not located within the #building#.

The City Planning Commission may authorize the change of a #community facility use# in a #building# also occupied by a #residential use# to a #commercial use# or a #manufacturing use#, pursuant to Section 117-122 (Authorizations for community facility uses).

The Commission may authorize the change of a #community facility use# in a #building# also occupied by a #use# listed in Use Group 16, 17 or 18 to a #residential use# pursuant to Section 117-122.

117-122**Authorizations for community facility uses**

The City Planning Commission may authorize the following changes of #use#:

- (a) from a #community facility use# to a #use# listed in Use Group 5, 6, 7, 8, 9, 10, 12, 14, 16 or 17 in a #building# or portion thereof occupied by a #residential# and #community facility use#; or
- (b) from a #community facility use# to a #residential use# in a #building# also occupied by a #use# listed in Use Group 16, 17 or 18 provided it finds that the #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from new or existing #commercial# or #manufacturing uses#.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas.

117-13**Commercial and Manufacturing Use Regulations**

Commercial and **manufacturing uses** are permitted subject to the provisions set forth in Sections 117-131 through 117-134, inclusive, and subject to the **bulk** regulations set forth in Section 117-20, except that **uses** listed in Use Groups 13, 15 and 18 are not permitted.

117-131

Developments, enlargements and extensions

Developments containing **uses** listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 are permitted, provided that the **zoning lot** on which such **development** will be located has a **street line** abutting Fifth Street.

Developments containing **uses** listed in Use Group 16 or 17 are permitted, provided that the **zoning lot** on which such **development** will be located is not occupied by a **residential building**.

117-132

Changes of use

A **commercial** or **manufacturing use** may be changed to a **community facility use**.

On **zoning lots** not exceeding 2,500 square feet, a **commercial** or **manufacturing use** may be converted to a **residential use**. On **zoning lots** exceeding 2,500 square feet, a **commercial** or **manufacturing use** may be converted to a **residential use** pursuant to the provisions of Section 117-134 (Special permit for changes in use).

117-133

Authorizations for commercial or manufacturing uses

The City Planning Commission may authorize a **development** containing **uses** listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 to locate on a **zoning lot** with no **street line** abutting Fifth Street, provided it finds that the **use** will be **developed** on a **zoning lot** that has been vacant or **land with minor improvements** continuously for the five years immediately prior to the date of application for such authorization.

In addition, the Commission may authorize a **development** containing **uses** listed in Use Groups 16, 17 or 18 to locate on a **zoning lot** that is also occupied by a **residential building** provided it finds that the **development** will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on **residential uses** located on the same **zoning lot** or on abutting **zoning lots**.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas.

117-134**Special permit for changes in use**

On a #zoning lot# exceeding 2,500 square feet, the City Planning Commission may permit the conversion of a #building# or portion thereof in #manufacturing# or #commercial use# to #residential use#, provided it finds that:

- (a) such #building# or portion thereof has been vacant continuously for a period of one year immediately prior to the date of such application;
- (b) such #residential use# will not preempt any #building# or portion thereof that is essential to the normal functioning or growth of #manufacturing uses# within the district; and
- (c) such #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from #commercial# or #manufacturing uses# located either on the same #zoning lot# or on abutting #zoning lots#.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas.

117-14**Authorizations for Mixed-use Buildings**

The regulations set forth in Sections 117-141 through 117-142, inclusive, apply to mixed-use #buildings# as defined in Section 117-01 (Definitions).

117-141**Developments and enlargements**

The City Planning Commission may, subject to the #use# regulations of Section 117-13 (Commercial and Manufacturing Use Regulations) and the #bulk# regulations of Section 117-20, authorize a mixed-use #development# or an #enlargement# of an existing mixed-use #building#, provided it finds that:

- (a) the #street wall# of the #development# or #enlargement# shall align with the #street wall# of an adjacent existing #building#;
- (b) the #commercial# or #manufacturing use# in the #development# or #enlargement# will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on #residential uses# located either on the same #zoning lot# or on abutting #zoning lots#; and

(c) in the case of an enlargement of the portion of an existing mixed-use building that is in residential use, such use will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from commercial or manufacturing uses located on the same zoning lot or on abutting zoning lots.

The City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas.

117-142

Changes of use

The City Planning Commission may authorize a change of use in the portion of a mixed-use building in commercial use to a use listed in Use Groups 16 or 17, provided it finds that the new use will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on residential uses located on the same zoning lot or on abutting zoning lots.

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

117-20 SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS

117-21

Residential Uses

The bulk regulations for residential uses in R6B Districts shall apply.

117-22

Community Facility Uses

The bulk regulations for community facility uses in R6B Districts shall apply.

117-23

Commercial and Manufacturing Uses

The bulk regulations of the underlying district shall apply to commercial or manufacturing uses.

117-24

Mixed-use Buildings

The maximum floor area ratio for a mixed-use building shall be 2.0.

117-30 SPECIAL PROVISIONS FOR R6A, R7A AND C1-5 DISTRICTS**117-31****Special Use Regulations**

For ~~#developments#~~ or ~~#enlargements#~~, ~~#uses#~~ on the ground floor shall be limited to ~~non-residential uses#~~ and lobby space. Not more than 8,000 square feet of the ground floor shall be devoted to ~~#uses#~~ listed in Use Group 6B.

117-32**Special Bulk Regulations**

For ~~#developments#~~ or ~~#enlargements#~~, any ~~#street wall#~~ shall be built coincident with the ~~#street line#~~.

Sections 117-40 and 117-50 have been eliminated due to a reorganization of the text.

117-65**Special Regulations within the Court Square Sub-district****117-651****Bulk regulations**

- (a) Within the Court Square Sub-district, the following provisions affecting Commercial Districts shall not apply: Section 33-14 (Floor Area Bonus for Urban Open Space);[§] Section 33-15 (Floor Area Bonus for Arcades);[§] and Section 33-26 (Minimum Required Rear Yards).
- (b) ~~No #development# or #enlargement# shall be constructed above a height of 85 feet for a distance of 60 feet from the #street line# of 23rd Street. On Block 3, for a distance of 75 feet from the street line of 45th Road, only the underlying height and setback requirements of C5-3 Districts shall apply. In addition, a #sky exposure plane# of 5.6 to 1.0 shall be in effect beginning at the height of 85 feet at the #street line# of 23rd Street.~~

Within the Court Square Sub-district, the underlying height and setback regulations of C5-3 Districts shall apply. In addition, no ~~#building or other structure#~~ shall exceed a height of 85 feet above ~~#curb level#~~ within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road.

(On July 12, 1995, Cal. No. 6, the Commission scheduled July 26, 1995 for a public hearing. On July 26, 1995, Cal. No. 18, the hearing was closed.)

For consideration

No. 32

CD 1,2

N 950404 ZRQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 200 of the New York City Charter for **amendment of the Zoning Resolution** of the City of New York, relating to Article I, Chapter 3, Section 13-00, to extend to a portion of Community Districts 1 and 2 in Queens parking regulations similar to those currently in effect in Manhattan Community Districts 1-8 as follows:

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

Matter in **Strikeout** is old, to be deleted;

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

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

Article I
Chapter 3

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 a Portion of Community Districts 1 and 2 in the Borough of Queens

13-00

GENERAL PURPOSES

The provisions of this Chapter establish special comprehensive regulations for off-street parking in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 (with the exception of Roosevelt Island) and portions of Queens Community Districts 1 and 2. These regulations are a significant step forward towards bringing the Zoning Resolution into conformity with current environmental programs and safety standards concerning air pollution in the Borough of Manhattan, south of 110th Street. In Long Island City, Borough of Queens, these regulations will allow the city to plan for the parking needs of residents and businesses in a more rational manner and help facilitate a mass transit, pedestrian-oriented Central Business District.

13-01**Applicability**

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 and the portion of Queens Community Districts 1 and 2 bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, Second Street, 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin, and the East River ("Long Island City Subject Area"), #accessory# off-street parking spaces, #public parking lots# and #public parking garages# shall be used or #developed# in accordance with the provisions of this Chapter, except as otherwise provided in Section 13-011 (Exceptions). In the event of a conflict between the provisions of this Chapter and those contained in special purpose district regulations or Sections 26-05 (Curb Cuts) and/or 37-01 (Special Urban Design Guidelines Streetscape), the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit the:

- (a) the fewest number of parking spaces;
- (b) most exclusive use of parking spaces; and
- (c) most limited location of curb cuts.

13-011**Exceptions**

The provisions of this Chapter shall not apply to:

- (a) the #Special Battery Park City District#; and
- (b) Sections 78-41 (Location of Accessory Parking Spaces) and 78-42 (Parking Regulations for Commercial and Community Facility Uses) concerning #large-scale residential developments#, and the #Special Battery Park City District#

13-012**Existing off-street parking facilities**

- (a) Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to April 29, 1982 in Manhattan, or (the effective date of this amendment) in Queens, shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982 in Manhattan and (the effective date of this amendment) in Queens. However, #enlargements, extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.
- (b) Nothing herein contained shall be deemed to permit a reduction or elimination

of existing #accessory# off-street parking spaces ~~which that~~ were required under the applicable provisions of the zoning district regulations ~~that were in effect prior to April 29, 1982 in Manhattan, or (the effective date of this amendment) in Queens.~~

13-013

Previously approved special permits or authorizations

Whenever, under the applicable provisions of the ~~Zoning Resolution in effect prior to April 29, 1982 in Manhattan or (the effective date of this amendment) in Queens,~~ the City Planning Commission or the Board of Standards and Appeals has granted any special permit or authorization, the status of such approved special permit or authorization shall not be altered by the provisions of this Chapter. However, the provisions of this Chapter shall apply to the renewal of any special permit or authorization for a #public parking lot#.

* * *

13-10

PERMITTED ACCESSORY OFF-STREET PARKING SPACES

13-11

General Provisions

#Accessory# off-street parking spaces are not permitted in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 ~~or the Long Island City Subject Area~~ except as set forth in this Chapter.

13-12

Residential Development

* * *

(c) ~~For the Long Island City Subject Area, within an area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line and Davis Street, the number of #accessory# off-street parking spaces shall not exceed 50 percent of the #dwelling units# contained in the #development# or #enlargement#, or 200 spaces, whichever is less.~~

~~Within the remaining portion of the Long Island City Subject Area, the number of #accessory# off-street parking spaces shall not exceed 100 percent of the #dwelling units# contained in the #development# or #enlargement#.~~

* * *

13-13**Non-Residential Development****13-131****Transient hotels**

For ~~new~~ transient hotel developments or enlargements, a maximum of 150 accessory off-street parking spaces are permitted if there is only one entrance to the accessory group parking facility and 225 accessory off-street parking spaces are permitted if there are two or more entrances, but in no event may the number of parking spaces exceed 15 percent of the number of transient hotel rooms in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 or 8 or 50 percent of the number of transient hotel rooms in the Long Island City Subject Area. All such parking spaces shall be located within a completely enclosed building and shall be used primarily for the personnel, guests and occupants of the transient hotel.

13-132**Hospitals**

For ~~new~~ hospital developments or enlargements in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, a maximum of 100 accessory off-street parking spaces, open or enclosed, are permitted. Such spaces are to be used exclusively by the hospital staff, patients and visitors.

For hospital developments or enlargements in the Long Island City Subject Area, within an area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line and Davis Street, a maximum of 150 accessory off-street parking spaces, open or enclosed, are permitted if there is only one entrance to the accessory group parking facility and 225 accessory off-street parking spaces, open or enclosed, are permitted if there are two or more entrances.

Within the remaining portion of the Long Island City Subject Area, accessory off-street parking may be provided in accordance with the underlying district regulations.

Such parking spaces are to be used exclusively by the hospital staff, patients and visitors.

13-133**Community facility, commercial or manufacturing developments**

For ~~new~~ community facility, commercial or manufacturing developments or enlargements, in Manhattan Community Boards 1-8 and the portion of the Long Island City Subject Area bounded by 23rd Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line, and Davis Street, the maximum number of accessory off-street parking spaces to be permitted for each

#development# or #enlargement# shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. All ~~such parking spaces permitted by this section~~ shall be located within a #completely enclosed building# and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.

~~Within the remaining portion of the Long Island City Subject Area, the maximum number of #accessory# off-street parking spaces permitted for each #development#, #enlargement#, or #alteration# shall not exceed one space per 4,000 square feet of #floor area# or 100 spaces, whichever is less. In the event that the permitted number of #accessory# off-street spaces would be less than 15, an #accessory# parking facility of up to 15 spaces may be provided. All spaces shall be located within a #completely enclosed building#, except a maximum of 15 spaces which may be open, and shall be used exclusively by the tenants or employees of the #development# or #enlargement# and shall not be available to the public.~~

13-134

Multiple use development

Where a new #development# or #enlargement# contains a combination of #uses# for which #accessory# parking space regulations are set forth in Sections 13-12 (Residential Developments), 13-131 (Transient hotels), 13-132 (Hospitals) and 13-133 (Community facility, commercial or manufacturing developments), the number of #accessory# off-street parking spaces shall not exceed the number of spaces permitted for each #use# in accordance with the provisions of such Sections; however, in no event may the maximum number of #accessory# off-street parking spaces exceed 225 spaces. All #accessory# off-street parking spaces shall be located within a #completely enclosed building#. The exclusive or primary #use# provisions of Sections 13-12, 13-131, 13-132, and 13-133 shall be applicable to the number of spaces provided for each #use#.

13-14

Additional Regulations for Permitted Accessory Off-Street Parking Spaces

13-141

Location of accessory off-street parking spaces

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

* * *

- (b) ~~In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, The entrances and exits to all permitted #accessory# off-street parking spaces shall not be located on a #wide street# except by authorization of the City Planning Commission pursuant to Sections 13-4353 (Departmental Reports) and 13-45353 (Curb cuts).~~

In the Long Island City Subject Area, the entrances and exits to all permitted #accessory# off-street parking spaces shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Sections 13-53 and 13-533:

- (1) Queens Boulevard;
- (2) Queens Plaza;
- (3) 21st Street;
- (4) Skillman Avenue;
- (5) 44th Drive;
- (6) Thomson Avenue; and
- (7) Jackson Avenue.

13-143

Maximum size of permitted accessory group parking facilities

The gross unobstructed surface area, in square feet, of a permitted #accessory group parking facility# including stalls, aisles, driveways and maneuvering areas shall not exceed 200 times the number of #accessory# off-street parking spaces provided. This size limitation shall not be applicable to off-street parking spaces permitted under the provisions of Section 13-133 (Community facility, commercial or manufacturing developments) where such spaces are exclusively #accessory#, no-charge, self-parking spaces in enclosed facilities with a capacity limited to 100 automobiles. In such facilities, the gross unobstructed surface area, in square feet, shall not exceed 300 times the number of #accessory# off-street parking spaces provided.

13-20

PERMITTED PUBLIC PARKING LOTS

13-21

General Provisions

Except in the areas listed in Section 13-22, #public parking lots# with a maximum capacity of 150 spaces are permitted in C2, C4, C6, C8, M2 and M3 Districts, subject to the regulations set forth in Section 13-23 (Additional Regulations for Permitted Public Parking Lots).

13-22

Areas Where Public Parking Lots Are Not Permitted

13-221

Midtown Manhattan core

No #public parking lots# are permitted in the area bounded by 60th Street and its prolongations, First Avenue, 32nd Street and Eighth Avenue, except as provided in Section 13-452552 (Public parking lots).

13-222

Downtown Manhattan core

No #public parking lots# are permitted within the area bounded by Worth Street, Centre Street, Frankfort Street, South Street, Whitehall Street, State Street, Battery Place, West Street, Morris Street, Greenwich Street, Liberty Street, Church Street, Vesey Street, West Broadway, Park Place and Church Street, except as provided in Section 13-452552 (Public parking lots).

* * *

13-224

Jacob K. Javits Convention Center Study Area

No #public parking lots# are permitted in the area bounded by Eighth Avenue, 30th Street, the Hudson River and 42nd Street, except as provided in Section 13-452552 (Public parking lots).

13-225

Manufacturing Districts

#Public parking lots# are not permitted in M1-5 and M1-6 Districts, except as provided in Section 13-452552 (Public parking lots). However, within these districts, #public parking lots# are permitted on the frontage of the Avenue of the Americas, from 23rd Street to 32nd Street, to a depth of 100 feet; the M1-5 and M1-6 Districts north of 42nd Street and west of Tenth Avenue; the M1-5 District east of First Avenue between 34th Street and 41st Street; the M1-5 District west of Ninth Avenue between 17th Street and 30th Street, and the M1-5 District south of Canal Street.

13-226

Long Island City Subject Area

No #public parking lots# are permitted within the area bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, Second Street, 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin and the East River, except as provided in Section 13-552 (Public parking lots).

13-23**Additional Regulations for Permitted Public Parking Lots**

* * *

- (b) The entrances and exits to a permitted #public parking lot# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-43~~53~~ (Departmental Reports) and 13-45~~353~~ (Curb cuts):
- (1) Fifth Avenue;
 - (2) Avenue of the Americas, from 23rd Street to 32nd Street;
 - (3) Seventh Avenue, from 23rd Street to 32nd Street;
 - (4) 14th Street, from Seventh Avenue to Fourth Avenue;
 - (5) Delancey Street, from Clinton Street to the west side of Orchard Street;
 - (6) Church Street, from Park Place to Worth Street;
 - (7) Worth Street, from Centre Street to Church Street; and
 - (8) Canal Street, from the Bowery to West Broadway.

* * *

13-30**PERMITTED PUBLIC PARKING GARAGES WITHIN THE LONG ISLAND CITY SUBJECT AREA****13-31****General Provisions**

Except within an area bounded by 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 41st Avenue, the north railroad property line, Crane Street and Jackson Avenue, #public parking garages# with a maximum capacity of 150 spaces are permitted within the Long Island City Subject Area subject to the regulations set forth in Section 13-32 (Additional Regulations for Permitted Public Parking Garages):

13-32**Additional Regulations for Permitted Public Parking Garages****13-321****Location of access to the street**

- (a) The entrances and exits to all permitted #public parking garages# shall not be located within 50 feet of the intersection of any two #street lines#. However, curb cuts located within 50 feet of the intersection of two #street lines# may be permitted if the Commissioner of Buildings certifies that such location is not hazardous to traffic safety, not likely to create traffic congestion and will not unduly inhibit surface traffic or pedestrian flow. The Commissioner may refer such matter to the Department of Transportation, or its successor, for a

report and may base a determination on such report.

(b) The entrances and exits to a permitted #public parking garage# shall not be located on the following #wide streets# except by authorization of the City Planning Commission pursuant to Section 13-553 (Curb cuts):

- (1) Vernon Boulevard;
- (2) 44th Drive;
- (3) Jackson Avenue;
- (4) 21st Street;
- (5) Queens Plaza; and
- (6) Queens Boulevard.

13-3040

REQUIRED ACCESSORY OFF-STREET PARKING SPACES

13-3141

General Provisions

Except as otherwise set forth in this Section or by the provisions of Section 13-012 (Existing off-street parking facilities), no #accessory# off-street parking spaces are required for any #development# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 or the Long Island City Subject Area.

13-3242

Residential Development

#Accessory# off-street parking spaces are required for new #residential developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 only as set forth below:

(1a) For public or publicly assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a percentage of such new #dwelling units# are as follows:

South of 60th Street and its prolongations	North of 60th Street and its prolongations
--	--

Publicly Assisted Housing
as Defined in Section 25-25(a)

15%

20%

Public Housing Developments
or #Dwelling Units# for Low-Income
Tenants as Defined in
Section 25-25(b) 12%

Federal Rent Subsidy Program as
Defined in Section 25-25(c) 13.5% 17.5%

- (2b) The requirements of this Section shall not apply to #developments# or #enlargements# on #zoning lots# having a #lot area# of 10,000 square feet or less.
- (3c) Required parking shall be waived for #developments# or #enlargements# if the required number of #accessory# off-street parking spaces resulting from the application of the above table in paragraph (a) results in 15 spaces or less.
- (4d) All required #accessory# off-street parking spaces may be located either on the same #zoning lot# as the #development# or #enlargement# or on another #zoning lot# in accordance with the applicable zoning district regulations and shall be subject to the provisions of Sections 25-50, 25-60, 36-40 and 36-50. Sections 25-27 and 36-24 (Waiver of Requirements) shall also be applicable. restrictions on location and #use# of #accessory# off-street parking spaces in Sections 25-51 through 25-55, inclusive, and the additional regulations for permitted or required #accessory# off-street parking spaces set forth in Sections 25-61 through 25-66, inclusive, or Sections 36-51 through 36-57, inclusive. The waiver requirements of Sections 25-27 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden) or 36-24 (Waiver of Requirements) shall also be applicable.
- (5e) If a public or publicly assisted housing #development# or #enlargement#, as such categories are defined in Section 25-25 (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit Residences for the Elderly), provides additional #accessory# off-street parking spaces within the #group parking facility# which that satisfies the minimum number of spaces required by this Section, then the permitted #accessory# spaces are not subject to the regulations set forth in paragraph (d) of Section 13-12(e) (Enclosure); (Residential Development), 13-141 (Location of accessory off-street parking spaces); and 13-143 (Maximum size of permitted accessory group parking facilities).

- (6f) All such parking spaces shall be used exclusively by the occupants of the residential development and occupants of nearby public or publicly-assisted housing projects.
- (7g) Parking is not required for non-profit residences for the elderly or dwelling units for the elderly as defined in paragraph (c) of Section 25-25(e) (Modification of Requirements for Public, Publicly-Assisted and Government-Assisted Housing or for Non-profit Residences for the Elderly).

13-4050 SPECIAL PERMITS AND AUTHORIZATIONS

13-4151

General Provisions

* * *

13-4252

Requirements for Applications

An application to the City Planning Commission for the grant of a special permit or authorization under the provisions of this Section shall include a site plan showing the location of all buildings or other structures on the site, the location of all vehicular entrances and exits and off-street parking spaces, and such other information as may be required by the City Planning Commission.

13-4353

Departmental Reports

In Manhattan Community Boards 1, 2, 3, 4, 5, 6, 7 and 8, all applications for the grant of a special permit or authorization pursuant to this Section shall be referred to the Department of Transportation or its successor for its report with respect to the anticipated traffic impact resulting from such use at the proposed location and to the Department of Environmental Protection or its successor for its report on air quality at the proposed location. If such agencies shall report thereon within one month from the date of referral, the City Planning Commission shall, in its determination, give due consideration to such report and, further, shall have the power to substantiate the appropriate findings solely on the basis of the reports by such agencies with respect to the issues referred. If such agencies do not report within one month, the Commission may make a final determination without reference thereto. In no case shall a special permit or authorization be granted if the proposed use would cause a violation of ambient air quality standards or exacerbate an existing violation of such standards.

13-4454**Relationship to Public Improvement Projects**

In all cases, the City Planning Commission shall deny a special permit application or authorization whenever the #use# will interfere with a public improvement project (including housing, highways, public buildings or facilities, redevelopment or renewal projects, or rights-of-way for sewers, transit, or other public facilities) which is approved by or pending before the Board of Estimate, City Council or City Planning Commission as determined from the Calendar of each agency issued prior to the date of the public meeting on the application for a special permit or authorization.

13-4555**Authorizations****13-451551****Accessory off-street parking spaces**

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#;
- (c) the parking spaces will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian movement; and
- (d) the parking spaces will not be incompatible with, or adversely affect, adjacent #uses# including #uses# within the #building#.

13-452552**Public parking lots**

The City Planning Commission may authorize #public parking lots# with a capacity of not more than 150 spaces in C2, C4, C6, C8 and M1 Districts, or in the Long Island City Subject Area, provided that the otherwise applicable regulations set forth in Sections 36-55 or Section 44-44 (Surfacing), and Sections 36-56 or Section 44-45 (Screening) are met.

As a condition for authorizing any such #public parking lots#, the Commission shall make the following findings:

- (a) that such #use# will not be incompatible with, or adversely affect, the growth and development of #uses# comprising vital and essential functions in the general area within which such #use# is to be located;
- (b) that such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit vehicular and pedestrian movement;
- (c) that such #use# is so located as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (d) that the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, or requirements for shielding of floodlights and for locations of entrances and exits.

13-45353

Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street# provided the Commission finds that such a location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; and
- (c) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities.

13-4656

Special Permits

13-461561

Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations and Board of Estimate action, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES), provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#;
- (b) within the vicinity of the site, there are insufficient parking spaces available;
- (c) the facility will not create or contribute to serious traffic congestion nor will unduly inhibit vehicular and pedestrian movement;
- (d) the facility is so located so as to draw a minimum of vehicular traffic to and through local #residential streets#; and
- (e) adequate reservoir space is provided at the vehicular entrance to accommodate vehicles equivalent in number to 20 percent of the total number of parking spaces, up to 50 parking spaces, and five percent of any spaces in excess of 200 spaces, but in no event shall such reservoir spaces be required for more than 50 vehicles. However, in the case of a facility with a capacity of 10 vehicles or less, the Commission may waive this findings.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including traffic improvements, if necessary, and limitations on #signs# or requirements for shielding or floodlights or for locations of entrances and exits.

13-462562

Public parking garages and public parking lots

The City Planning Commission may, by special permit, allow #public parking garages# and #public parking lots# not otherwise permitted subject pursuant, to the applicable provisions of Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas).

Cross References

The following sections are being amended to reflect the change in the title of Article I, Chapter 3 to include "and a portion of Community Districts 1 and 2 in the Borough of Queens: 25-023; 32-17; 32-21; 32-32; 36-024; 41-12; 42-32; 44-022; 52-31; 52-41; 74-53; 81-31; and 82-50.

The following sections are being amended to reflect changes in cross references caused by changing section numbers in Article I, Chapter 3: 82-50; and 96-111.

(On July 12, 1995, Cal. No. 7, the Commission scheduled July 26, 1995 for a public hearing. On July 26, 1995, Cal. No. 19, the hearing was closed.)

For consideration.

No. 33

CD 1,2

C 950403 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 8d, 9b, 12c, and 13a:

1. changing from an M1-1 District to an M1-4 District property bounded by Queens Boulevard, a line midway between 39th Street and 39th Place, a line 150 feet northerly of 47th Avenue, 39th Street, 47th Avenue, 37th Street, a line 240 feet northerly of 48th Avenue, a line midway between 37th Street and 38th Street, a line 200 feet northerly of 48th Avenue, 38th Street, 48th Avenue, and 34th Street;
2. changing from an M1-2 District to an M1-4 District property bounded by Skillman Avenue, a line midway between 39th Street and 39th Place, Queens Boulevard, and 34th Street;
3. changing from an M1-3 District to an M1-4 District property bounded by a southerly boundary line of Queens Bridge Park and its easterly prolongation, Vernon Boulevard, a northerly boundary line of Queens Bridge Park and its westerly and easterly prolongations, 21st Street, 43rd Avenue, and the U.S. Pierhead and Bulkhead Line of the East Channel of the East River;
4. changing from an M1-3 District to an M1-5 District property bounded by 41st Avenue, 29th Street, 40th Road, Northern Boulevard, Queens Plaza East, Queens Boulevard, the northerly Rail Road Property Line of the Sunnyside Yard, Purves Street, Jackson Avenue, 43rd Avenue, and 21st Street;
5. changing from an M2-1 District to an M1-4 District property bounded by Skillman Avenue, 34th Street, 48th Avenue, and 30th Street;
6. changing from an M3-1 District to an R6A District property bounded by:
 - a) a line 75 feet northerly of 46th Avenue, a line 100 feet easterly of Vernon Boulevard, 50th Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard;

- b) a line midway between 45th Avenue and 44th Drive, a line 90 feet easterly of 21st Street, 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street; and
 - c) 49th Avenue, 21st Street, 50th Avenue, and a line 90 feet westerly of 21st Street;
7. changing from an M3-1 District to an R7A District property bounded by:
- a) a line 100 feet northerly of 46th Avenue, 23rd Street, Jackson Avenue, Davis Street, a line 100 feet southeasterly of Jackson Avenue, Crane Street, Jackson Avenue, 21st Street, 46th Road, a line 90 feet easterly of 21st Street, 46th Avenue, and a line 215 feet westerly of 23rd Street;
 - b) 21st Street, 47th Road, Jackson Avenue, the northerly boundary line of the Long Island Rail Road right-of-way, 11th Street, 50th Avenue, a line 100 feet southeasterly of Jackson Avenue, 51st Avenue, Vernon Boulevard, 50th Avenue, a line 250 feet easterly of Vernon Boulevard, a line 100 feet northwesterly of Jackson Avenue, 49th Avenue, a line 120 feet westerly of 11th Street, 48th Avenue, 11th Street, 47th Road, a line 235 feet easterly of 11th Street, a line 100 feet northwesterly of Jackson Avenue, and 47th Avenue; and
 - c) 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 45th Avenue and 44th Drive, and a line 100 feet westerly of 11th Street;
8. changing from an M3-1 District to an M1-4 District property bounded by:
- a) 43rd Avenue, Jackson Avenue, Purves Street, the northerly Rail Road Property Line of the Sunnyside Yard, Crane Street and its southeasterly prolongation, a line 100 feet southeasterly of Jackson Avenue, Davis Street, Jackson Avenue, 44th Drive, Crescent Street, Hunter Street, 44th Road, 23rd Street, a line 100 feet northerly of 46th Avenue, a line 215 feet westerly of 23rd Street, 46th Avenue, a line 90 feet easterly of 21st Street, a line midway between 45th Avenue and 44th Drive, a line 45 feet westerly of 23rd Street, 44th Drive, a line 100 feet westerly of 11th Street, a line midway between 45th Avenue and 44th Drive, a line 90 feet westerly of 21st Street, 47th Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 235 feet easterly of 11th Street, 47th Road, 11th Street, 48th Avenue, a line 120 feet westerly of 11th Street, 49th Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 250 feet easterly of Vernon Boulevard, 50th Avenue, a line 100 feet easterly of Vernon Boulevard, a line 75 feet northerly of 46th Avenue, a line 100 feet westerly of Vernon Boulevard, Borden Avenue, Vernon Boulevard, the northerly U.S. Pierhead and Bulkhead Line of Newtown Creek, 2nd Street and its southerly prolongation, 50th Avenue, a line 400 feet westerly of 5th Street, 49th Avenue, 5th Street, a Canal, the U.S. Pierhead and Bulkhead Line of the East Channel of the East River, a line 150 feet southerly of 44th Avenue (at its westerly

terminus), the northerly street line of 44th Road, Vernon Boulevard, a line 900 feet southerly of 43rd Avenue, and the U.S. Pierhead and Bulkhead Line of the East Channel of the East River; and

- b) Skillman Avenue, 30th Street, 47th Avenue, 27th Street, 50th Avenue and its westerly prolongation, 21st Street and its southerly prolongation, and 49th Avenue; and
 - c) the northerly boundary line of the Long Island Rail Road right-of-way, 21st Street, 49th Avenue, a line 90 feet westerly of 21st Street, 50th Avenue, 21st Street, the Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, 11th Street, 51st Avenue, a line 100 feet southeasterly of Jackson Avenue, 50th Avenue, and 11th Street;
9. changing from an M3-1 District to an M3-2 District property bounded by 47th Avenue, 30th Street, Hunters Point Avenue, the easterly, northerly and westerly U.S. Pierhead and Bulkhead Lines of Dutch Kills, the westerly U.S. Pierhead Line of Dutch Kills, the westerly U.S. Pierhead and Bulkhead Line of Dutch Kills, the northerly U.S. Pierhead and Bulkhead Line of Newtown Creek, Vernon Boulevard, 51st Avenue, 11th Street, the Queens Midtown Tunnel Plaza, the Queens Midtown Expressway, 21st Street, 50th Avenue and its westerly prolongation, and 27th Street;
10. establishing within a proposed R6A District a C1-5 District bounded by:
- a) a line 75 feet northerly of 46th Avenue, a line 100 feet easterly of Vernon Boulevard, 50th Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard;
 - b) a line midway between 45th Avenue and 44th Drive, a line 90 feet easterly of 21st Street, 46th Road, 21st Street, 47th Avenue, and a line 90 feet westerly of 21st Street; and
 - c) 49th Avenue, 21st Street, 50th Avenue, and a line 90 feet westerly of 21st Street;
11. establishing within a proposed R7A District a C1-5 District bounded by 44th Drive, a line 45 feet westerly of 23rd Street, a line midway between 45th Avenue and 44th Drive, and a line 100 feet westerly of 11th Street;
12. establishing within a proposed R7A District a C2-5 District bounded by:
- a) a line 100 feet northerly of 46th Avenue, 23rd Street, Jackson Avenue, Davis Street, a line 100 feet southeasterly of Jackson Avenue, Crane Street, Jackson Avenue, 21st Street, 46th Road, a line 90 feet easterly of 21st Street, 46th Avenue, and a line 215 feet westerly of 23rd Street; and

b) 21st Street, 47th Road, Jackson Avenue, the northerly boundary line of the Long Island Rail Road right-of-way, 11th Street, 50th Avenue, a line 100 feet southeasterly of Jackson Avenue, 51st Avenue, Vernon Boulevard, 50th Avenue, a line 250 feet easterly of Vernon Boulevard, a line 100 feet northwesterly of Jackson Avenue, 49th Avenue, a line 120 feet westerly of 11th Street, 48th Avenue, 11th Street, 47th Road, a line 235 feet easterly of 11th Street, a line 100 feet northwesterly of Jackson Avenue, and 47th Avenue; and

13. eliminating a Special Hunters Point Mixed Use District bounded by:

- a) a line 115 feet westerly of 21st Street, a line 100 feet northerly of 44th Drive, a line 90 feet westerly of 21st Street, and 44th Drive; and
- b) a line 100 feet northerly of 46th Avenue, a line 125 feet easterly of Vernon Boulevard, 46th Road, a line 100 feet easterly of Vernon Boulevard, a line 75 feet northerly of 46th Avenue, and a line 100 feet westerly of Vernon Boulevard;

within the Special Hunters Point Mixed Use District, as shown on a diagram (for illustrative purposes only) dated May 22, 1995 and subject to the conditions of CEQR Declaration E-65.

(On July 12, 1995, Cal. No. 8, the Commission scheduled July 26, 1995 for a public hearing. On July 26, 1995, Cal. No. 20, the hearing was closed.)

For consideration.

No. 34

CD 12

C 940194 PQQ

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of General Services pursuant to Section 197-c of the New York City Charter, for acquisition of property located at 145-05 Jamaica Avenue (Block 9675, Lot 36), for continued use as a section station.

(On July 26, 1995, Cal. No. 8, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 22, the hearing was continued. On August 23, 1995, Cal. No. 26, the hearing was closed.)

For consideration.

No. 35

CD 7

C 940638 PQQ

IN THE MATTER OF an application submitted by the Department of Sanitation and Department of General Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 134-31 35th Street (Block 4949, Lot 31), for use as a garage.

(On July 26, 1995, Cal. No. 9, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 23, the hearing was continued. On August 23, 1995, Cal. No. 27, the hearing was closed.)

For consideration.

 No. 36

CD 12

C 950445 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 garage located at 90-15 Parsons Boulevard (Block 9756, Lot 18), pursuant to zoning.

(On July 26, 1995, Cal. No. 10, the Commission scheduled August 9, 1995 for a public hearing. On August 9, 1995, Cal. No. 24, the hearing was continued. On August 23, 1995, Cal. Nos. 28 and 29, the hearing was closed.)

For consideration.

 No. 37

(Request for the grant of authorizations to facilitate the development of two new buildings within a large-scale community facility development (Flushing Hospital Medical Center) within R3-2 and R4 Districts)

CD 7

N 950431 ZAQ

IN THE MATTER OF an application submitted by Flushing Hospital Medical Center for the grant of authorizations pursuant to the following sections of the Zoning Resolution:

- Section 79-21 to authorize the permitted floor area, and lot coverage to be distributed without regard for zoning lot lines; and

- o Section 79-31 to authorize permitted or required accessory off-street parking spaces to be located anywhere within the development without regard for zoning lot lines

to facilitate the development of two new buildings within a large-scale community facility development (Flushing Hospital Medical Center) generally bounded by Parsons Boulevard, Delaware Avenue, Burling Street, Smart Street, Burling Street and 45th Avenue, (Block 5196, Lots 1, 2, 3, 5, 6, 8, 10, 14, 15, 74, 76, 77, 79, 82, Block 5198, Lots 14, 15, 16, 18, 21, Block 5199, Lot 21, and Block 5204, Lots 4, 9, 11, 13) within R3-2 and R4 Districts.

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

For consideration.
