

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, OCTOBER 9, 1996
10:00 A.M. CITY HALL
NEW YORK, NEW YORK 10007**

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 960668 PPX	3	Scheduled to be Heard 10/23/96	14	C 910136 MMK	18	Hearing Closed
2	C 940646 DMK	6	. .	15	C 960550 PPK	5	. .
3	N 970011 ZRK	7 , 12-15	. .	16	C 960133 PSM	10	. .
4	N 970109 BDM	5	. .	17	C 950068 PPQ	11	. .
5	C 960657 PQM	6	. .	18	C 940391 PPR	1	. .
	C 960659 PPM	6	. .	19	C 940674 PPR	1	. .
6	C 960658 PPM	6	. .	20	C 960573 PPX	7	Favorable Report Adopted
	C 960660 PPM	6	. .	21	C 950517 PQQ	1	. .
	C 960662 PPM	6	. .	22	C 950518 PQQ	1	. .
	C 960663 PPM	6	. .	23	C 950519 PQQ	1	. .
7	N 960656 ZRM	1	. .	24	C 950520 PQQ	1	. .
	N O T I C E			25	C 950521 PQQ	1	. .
8	C 930229 PPQ	9	. .	26	C 960474 HAM	3	. .
9	C 930234 PPQ	14	. .	27	C 940678 PPQ	6	. .
10	C 960669 PPQ	14	. .	28	C 960568 ZMQ	12	. .
11	C 860294(A) ZMQ	7	. .	29	C 960569 ZMQ	12	. .
12	C 960270 MEQ	7	. .	30	C 960534 DMQ	12	. .
13	C 950064 PPQ	7	. .	31	C 960412 ZSR	2	Unfavorable Report Adopted

COMMISSION ATTENDANCE:		Present (P)	COMMISSION VOTING RECORD:													
		Absent (A)	In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:			20	21	22	23	24	25	26	27	28	29	30	31	32	33
Joseph B. Rose, Chairman		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Victor G. Alcea, Vice Chairman		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Albert Abney		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	W
Angela M. Battaglia		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	I
Amanda M. Burden, A.I.C.P.		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	T
Irwin Cantor, P.E.		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	H
Kathy Hirata Chin, Esq.		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	D
Alexander Garvin		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R
Anthony I. Giacobbe, Esq.		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A
William J. Grinker		P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	W
Brenda Levin		P	Y	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	N
Edward Rogowsky		P	Y	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	
Jacob B. Ward, Esq., Commissioners		P	Y	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	

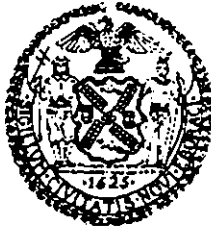
MEETING ADJOURNED AT: 11:15 A.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, OCTOBER 9, 1996

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



Rudolph W. Giuliani, Mayor
City of New York

[No. 20]

Prepared by Lois McDaniel, Calendar Officer

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
ALBERT ABNEY
ANGELA M. BATTAGLIA
AMANDA M. BURDEN, *A.I.C.P.*
IRWIN G. CANTOR, *P.E.*
KATHY HIRATA CHIN, *Esq.*
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, *Esq.*
WILLIAM J. GRINKER
BRENDA LEVIN
EDWARD T. ROGOWSKY
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, OCTOBER 9, 1996

Roll Call; approval of minutes	1
I. Scheduling October 23, 1996	1
II. Public Hearings	48
III. Reports	52

**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for October 23, 1996 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 call 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, OCTOBER 9, 1996

APPROVAL OF MINUTES OF Regular Meeting of September 25, 1996

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, OCTOBER 23, 1996
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 3

C 960668 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 seven (7) city-owned properties pursuant to zoning.

A list and description of the properties can be seen in The Bronx Office of the Department of City Planning, One Fordham Plaza, Room 502, The Bronx, NY 10458.

Resolution for adoption scheduling October 23, 1996 for a public hearing.

BOROUGH OF BROOKLYN

No. 2

CD 6

C 940646 DMK

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 184 West 9th Street (Block 478 , Lot 13), pursuant to zoning.

Resolution for adoption scheduling October 23, 1996 for a public hearing.

BOROUGH OF BROOKLYN

CD 7,12,13,14,15

N 970011 ZRK

(Amendment of the Zoning Resolution to create a new authorization to permit enlargements of Community Facility buildings on certain corner lots within the Special Ocean Parkway District.)

IN THE MATTER OF an amendment of the Zoning Resolution of the City of New York pursuant to Section 201 of the New York City Charter, relating to Section 113-40 concerning the Special Ocean Parkway District, as follows:

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

Chapter 3
Special Ocean Parkway District

* * *

~~113-40 CERTIFICATIONS AND AUTHORIZATIONS FOR COMMUNITY FACILITIES~~

~~113-40 CERTIFICATION FOR COMMUNITY FACILITY USE ON CERTAIN~~
~~113-41 CORNER LOTS~~ Certification for Community Facility Uses on Certain Corner Lots

~~113-42 Authorization for Enlargements of Community Facility Buildings~~

Within the #Special Ocean Parkway District#, the City Planning Commission may authorize #enlargements# that exceed the #bulk# limitations of Section 113-11 (Special Bulk Regulations for Community Facility Developments), provided:

- (a) the existing #building# is a #community facility building developed# prior to (the effective date of this amendment);

(b) the existing #community facility building# is located partially or wholly on a #corner lot#, one #lot line# of which is the #street line# of a #wide street#;

(c) the enlarged #community facility building# will comply with the #bulk# regulations of Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts); and

(d) the scale of the proposed #community facility building# is appropriate to the scale of the surrounding #development#.

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

Resolution for adoption scheduling October 23, 1996 for a public hearing.

BOROUGH OF MANHATTAN

No. 4

CD 5

N 970109 BDM

IN THE MATTER OF an application submitted by the Department of Business Services on behalf of the Diamond & Jewelry Industry Local Development Corporation, pursuant to Section 25-405 of the Administrative Code of the City of New York as amended, concerning the establishment of the 47th Street Business Improvement District. The preparation of the Plan was authorized by the Mayor on September 29, 1995.

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

Resolution for adoption scheduling October 23, 1996 for a public hearing.

Nos. 5 and 6

(Applications for acquisition and disposition of property within the United Nations Special Zoning District)

No. 5

CD 6

C 960657 PQM
C 960659 PPM

IN THE MATTER OF applications submitted by the Department of General Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, for acquisition and subsequent disposition to the Economic Development Corporation, of property located at Two United Nations Plaza (Block 1337, Lot 14).

Resolution for adoption scheduling October 23, 1996 for a public hearing.

 No. 6

CD 6

C 960658 PPM
C 960660 PPM
C 960662 PPM
C 960663 PPM

IN THE MATTER OF applications submitted by the Department of General Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, for the disposition of four (4) city-owned properties to the Economic Development Corporation:

<u>Block</u>	<u>Lot</u>	<u>Location</u>
1337	20	One United Nations Plaza (C 960658 PPM)
1336	31	Three United Nations Plaza (C 960660 PPM)
1336	23	763 First Avenue (C 960662 PPM)
1336	24	765 First Avenue (C 960663 PPM)

Resolution for adoption scheduling October 23, 1996 for a public hearing.

CB 1

N 960656 ZRM

IN THE MATTER OF an application submitted by the Battery Park City Authority pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapter 2, (Construction of Language and definitions), Section 12-10, and various sections of Article VIII, Chapter 4, (Special Battery Park City District), to establish zoning controls for Site 25 in the North Residential Neighborhood and to modify existing controls for Site 1 in the South Residential Neighborhood of Battery Park City.

Matter in regular type is existing to remain;

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

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

Matter within # # is defined in Section 12-10 or Section 84-01 of the Zoning Resolution;

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

ARTICLE I: GENERAL PROVISIONS

CHAPTER 2

CONSTRUCTION OF LANGUAGE AND DEFINITIONS

* * *

12-10

DEFINITIONS

* * *

PHYSICAL CULTURE OR HEALTH ESTABLISHMENTS

A "physical culture or health establishment" is any establishment or facility, including commercial and non-commercial clubs, which is equipped and arranged to provide instruction, services, or activities which improve or affect a person's physical condition by physical exercise or by massage. Physical exercise programs include aerobics, martial arts or the use of exercise equipment.

Therapeutic or relaxation services, such as sun tanning, baths, showers, tubs, jacuzzis, whirlpools, saunas, steam rooms, isolation floatation tanks and meditation facilities may be provided only as #accessory# to the physical exercise program or massage facility. ~~Except as provided in the Special Battery Park City District, #Physical culture or health establishments#~~ are only permitted pursuant to the provisions of Section 73-36. No license or permit shall be issued by the New York City Department of Health in conjunction with any health related facility/services pursuant to this Section until a certificate of occupancy has been issued by the Department of Buildings establishing the #use# of the premises as a #physical culture or health establishment#.

ARTICLE VIII: SPECIAL PURPOSE DISTRICTS

CHAPTER 4

SPECIAL BATTERY PARK CITY DISTRICT

84-00

GENERAL PURPOSES AND GENERAL PROVISIONS

84-01

GENERAL PURPOSE

The "Special Battery Park City District" established in this Resolution is designed to promote and protect public health, safety, and general welfare. These general goals include among others, the following specific purposes:

- (a) to strengthen the business core of Lower Manhattan by improving the working environment;
- (b) to provide major additional space for expansion of office uses and their ancillary facilities;
- (c) to broaden the regional choice of residence by introducing new housing in the vicinity of the major employment center of Lower Manhattan;
- (d) to achieve a harmonious visual and functional relationship with adjacent areas;
- (e) to create an environment which will be lively and attractive and provide daily amenities and services for the use and enjoyment of the working population and the new residents;

- (f) to take maximum advantage of the beauty of the Hudson River waterfront, thereby best serving the downtown business community, the new residential population and providing regional recreation as well; and
- (g) to promote the most desirable use of land and direction of building development in the Lower Manhattan area.

84-01

DEFINITIONS

For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), in this Section, or Section 84-021 (District Plan). Where matter in italics is defined both in Section 12-10 (DEFINITIONS) and in this Chapter, the definitions in this Chapter shall govern.

SPECIAL BATTERY PARK CITY DISTRICT

(repeated from Section 12-10)

The "Special Battery Park City District" is a Special Purpose District designated by the letters "BPC" in which special regulations set forth in Article VIII, Chapter 4, apply to all *#development#*, *#enlargement#* and changes of *#use#*.

ESPLANADE

The "Esplanade" is a *#public park#* extending along all waterfront edges of the *#Special Battery Park City District#*. The *#Esplanade#* is shown in the District Plan in Appendix 1.

MANDATORY FRONT BUILDING WALL LINES

"Mandatory front building wall lines" are imaginary lines extending through Zone A and Zone C of the *#Special Battery Park City District#* which, except as shown in Appendix 2.1 and Appendix 3.1 of this Chapter, coincide with *#street lines#* and with which building walls must generally coincide, as provided in Section 84-132 (Mandatory front building walls) and Section 84-332 (Mandatory front building walls).

SPECIAL HEIGHT LOCATIONS

"Special height locations" are designated areas on certain zoning lots in Zone A and Zone C of the Special Battery Park City District upon which a development or enlargement, or portion thereof, may be built to the maximum height above curb level indicated in Appendix 2.2 and Appendix 3.2 of this Chapter in accordance with Section 84-135 (Limited height of buildings) and Section 84-333 (Limited height of buildings).

84-02**GENERAL PROVISIONS AND DEFINITIONS**

In harmony with the general purpose and intent of this Resolution and in order to achieve the purpose of the Special Battery Park City District, a special set of regulations is established for the Special Battery Park City District controlling use, bulk, accessory off-street parking facilities, and accessory off-street loading facilities. Such regulations are contained in this Chapter and in other provisions of this Resolution incorporated in this Chapter by cross-reference.

~~For purposes of this Chapter, matter in italics is defined in Section 12-10 (DEFINITIONS), in this Section, or Section 84-03 (District Plan). Where matter in italics is defined both in Section 12-10 (DEFINITIONS) and in this Chapter, the definitions in this Chapter shall govern.~~

84-021**DEFINITION**

~~Special Battery Park City District
(repeated from Section 12-10)~~

~~The "Special Battery Park City District" is a Special Purpose District designated by the letters "BPC" in which special regulations set forth in Article VIII, Chapter 4, apply to all development, enlargement and changes of use.~~

84-021**DISTRICT PLAN**

~~The District Plan is set forth in Appendix 1. Each block shall be considered a single zoning lot for the purposes of the Special Battery Park City District.~~

84-022

INCORPORATION OF APPENDIX 1, APPENDIX 2 AND APPENDIX 3

Appendix 1 (Battery Park City District Plan), Appendix 2 (Zone A South Residential Neighborhood) and Appendix 3 (Zone A North Residential Neighborhood and Zone C District Plans) are hereby incorporated as integral parts of the provisions of this Chapter. In the event of an inconsistency or need for clarification between Appendix 1 or Appendix 2 or Appendix 3 and the written specifications in this Chapter, in each such case the written specifications in this Chapter shall govern.

84-023

SUBDISTRICTS

In order to carry out the purposes and provisions of this Chapter, the #Special Battery Park City District# is divided into three subdistricts: Zone A, Zone B and Zone C. The location and boundaries of the subdistricts are shown on the District Plan in Appendix 1.

84-023

ESPLANADE

The "Esplanade" is a #public park# extending along all waterfront edges of the #Special Battery Park City District#. The #Esplanade# is shown in the Battery Park City District Plan in Appendix 1.

84-024

MANDATORY FRONT BUILDING WALL LINES

"Mandatory front building wall lines" are imaginary lines extending through Zone A of the #Special Battery Park City District# which, except as shown in the Zone A District Plan in Appendix 2.1 and in Appendix 3.1, coincide with #street lines# and with which building walls must generally coincide, as provided in Section 84-22 (Required Building Walls).

84-025

SPECIAL HEIGHT LOCATIONS

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

84-03**DISTRICT PLAN**

~~The District Plan is set forth in Appendix 1. Each #block# shall be considered a single #zoning lot# for the purposes of the #Special Battery Park City District#.~~

84-04**SUBDISTRICTS: ZONE A AND ZONE B**

~~In order to carry out the purposes and provisions of this Chapter, the #Special Battery Park City District# is divided into two subdistricts: Zone A, Zone B. The location and boundaries of the subdistricts are shown on the District Plan in Appendix 1.~~

84-041**ZONE A**

~~Zone A is designed generally to provide for #residential# #development# with ancillary retail and service #uses#, and hotels (Use Group 5) as permitted pursuant to Section 84-12. Zone A is divided into six subzones: A-1, A-2, A-3, A-4, A-5 and A-6. The location and boundaries of the subzones are shown on the Zone A District Plan in Appendix 2 and Appendix 3.~~

84-042**ZONE B**

~~Zone B is designed to provide for commercial and mixed #development# with ancillary retail and service #uses#, in accordance with the Large Scale Commercial Development Plan which is attached as an exhibit to the Master Lease for Battery Park City dated June 6, 1980, as amended. Alignment of the pedestrian bridge at Liberty Street shall connect or allow for connection at the easterly line of West Street with pedestrian ways to be provided on the southerly side of Liberty Street, as set forth in Article VIII, Chapter 6 (Special Greenwich Street Development District). In addition, the pedestrian bridge at the World Trade Center crossing shall connect or allow for connection with the World Trade Center at the easterly line of West Street. The pedestrian bridges are shown on the Battery Park City District Plan in Appendix 1.~~

84-03**USE REGULATIONS (FOR ZONE A AND ZONE C)**

~~The #uses# permitted shall be constructed and located so that no exhaust vents or chimneys open onto any #street# or park or onto the #Esplanade#.~~

In the case of a #building#, or portion of a #building# occupied by #residential uses#, non-#residential uses# may be located only on a #story# below the lowest #story# containing #dwelling units#, except in subzone A-4 pursuant to Section 84-12, and except that in any #development# containing hotel #uses# as provided in Section 84-12 or Section 84-32, an eating and drinking establishment as permitted in Use Group 6 and a #physical culture and health establishment#, either permitted as #accessory# to the hotel, or as non-#accessory# #use# pursuant to this Chapter, may be located above a #story# containing #residential uses#.

In the case of a mixed #building# containing #residential# and commercial #uses#, non-#residential uses# must be located in a portion of the #mixed building# which has separate access from the street.

84-031

SPECIAL PERMIT USES

The following #uses# are permitted only by special permit of the City Planning Commission:

Electrical or gas utility substations, open or enclosed, pursuant to Section 74-61;

In Zone A, #public parking garages# as provided for in C5 Districts pursuant to Section 74-52.

As a condition precedent to the granting of such special permit, the City Planning Commission shall make a finding that such #use# is located so as to minimize adverse effects on existing or future #development# in nearby areas or on the use or enjoyment of the #Esplanade# or other public facilities.

The following #uses# are permitted only by special permit of the Board of Standards and Appeals:

Electrical or gas utility substations, open or enclosed, pursuant to Section 73-14;

Public utility stations for oil or gas metering or regulating pursuant to Section 73-15;

Telephone exchanges or other communications equipment structures pursuant to Section 73-14;

#Physical culture or health establishments# in subzone A-4 only, pursuant to Section 73-36. However, #physical culture or health establishments# located below the level of the first #story# ceiling shall not be permitted to front on the #Esplanade#.

84-032

USES NOT PERMITTED

The following #uses# shall not be permitted:

A. Transient Accommodations

#Hotels, transient#, except as provided in Section 84-12 and 84-32

#Motels# or #tourist cabins# or #boateles#

B. Retail or Service Establishments

Electrical glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments

Exterminators

Funeral establishments

Lumber stores

Monument sales establishments

Moving or storage offices

Pawn shops

Printing establishments

Refreshment stands, drive-in

Sign painting shops

Taxidermist shops

Trade embalmers

Upholstering shops

Window cleaning contractors' establishments, including floor waxing and other similar building maintenance services

C. Wholesale Establishments

Wholesale establishments

D. Automobile Service Establishments

Automotive service stations

Automotive glass and mirror shops

Automotive seat cover or convertible top establishments

Tire sales establishments

E. Public Service Establishments

Prisons

84-033

INTERIM USES

On application to and with the permission of the Battery Park City Authority, any open use listed in Use Groups 1 through 16, as set forth in Sections 32-11 through 32-25, is permitted if such use is an interim use which will not obstruct, interfere with, or be incompatible with the general purposes and overall development of the Special Battery Park City District, and if such use is not prohibited by the Settlement Agreement dated June 6, 1980, between the City of New York, the State of New York, and various agencies and instrumentalities thereof. The Authority may prescribe appropriate conditions and safeguards in order to minimize adverse effects on surrounding land uses.

84-10

ZONE A GENERAL DISTRICT REGULATIONS

Zone A is designed generally to provide for residential development with ancillary retail and service uses, and hotels (Use Group 5) as permitted pursuant to Section 84-12. Zone A is divided into six subzones: A-1, A-2, A-3, A-4, A-5 and A-6. The location and boundaries of the subzones are shown in Appendix 2 and Appendix 3.

84-11

GENERAL PROVISIONS

Except as expressly modified by the provisions of this Chapter, the regulations applying to an R10 District shall apply in subzones A-1, A-2, A-3, A-5 and A-6 of Zone A of the ~~#Special Battery Park City District#~~. Notwithstanding any other provision of this Resolution, no ~~#development#~~ may be constructed in subzone A-4 except in accordance with certifications given by the City Planning Commission. ~~#Residential#~~ ~~#open space#~~, in subzone A-4 shall be subject to the provisions of Sections 12-10 and 23-12 of the Zoning Resolution, and for every ~~#room#~~, there shall be a minimum of 22.0 square feet of ~~#open space#~~. All other provisions of this Chapter with respect to Zone A shall not apply to ~~#development#~~ or ~~#enlargements#~~ in subzone A-4 unless otherwise indicated.

84-12

USE REGULATIONS

In the areas indicated as ~~permitted commercial locations~~ ~~commercial overlay in the Zone A District Plan~~ in Appendix 2.3 and Appendix 3.3, the ~~#use#~~ regulations applying in a C2 District shall apply, except as provided in Sections 84-121031 (Special permit uses), 84-122032 (Uses not permitted), 84-123121 (Uses along Esplanade), and this Section.

~~The #uses# permitted hereunder shall be constructed and located so that no exhaust vents or chimneys open onto any #street# or park or onto the #Esplanade#.~~

Notwithstanding any other provisions of this Resolution, the permitted ~~#uses#~~ listed in Use Groups 6, 7, 8, 9 or 14 and the additional ~~#uses#~~ permitted hereunder shall be limited, per establishment, to 10,000 square feet of ~~#floor area#~~ of any ~~#story#~~ and shall not be located above the first ~~#story#~~ ceiling, except that:

- (a) in any ~~#development#~~ containing an ~~#arcade#~~ required in Section 84-13134 (Mandatory arcades), any permitted ~~#use#~~ may be located above the first ~~#story#~~ ceiling and below the second ~~#story#~~ ceiling; and
- (b) supermarkets are permitted with no limitation on ~~#floor area#~~; theaters shall comply with the waiting space requirements set forth in Section 32-17;
- (c) ~~automobile rental establishments are permitted with a capacity of up to 100 cars.~~

Notwithstanding any other provisions of this Resolution, the #zoning lot# south of First Place and east of Battery Place may be #developed# either with #residential uses#, #transient hotel# #uses#, or as a #building# containing both #residential# and hotel #uses#. ~~In the case of a #development# containing hotel #uses# on this lot, a #physical culture or health establishment# shall be permitted. In the case of a #building#, or portion of a #building# occupied by #residential uses#, non #residential uses# may be located only on a #story# below the lowest #story# containing #dwelling units#.~~

For #developments# and #enlargements# located in subzone A-4, the City Planning Commission may, upon application, authorize modification of supplementary #use# regulations of Section 32-422 (Location of floors occupied by non-residential uses), provided the following findings are made:

- (1) that the non-#residential uses# are located in a portion of the #mixed building# which has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) that the non-#residential uses# are not located directly over any #story# containing #dwelling units#; and
- (3) that the modifications shall not adversely affect the #residential# character of the area.

84-121

SPECIAL PERMIT USES

~~The following #uses# are permitted only by special permit of the City Planning Commission and the Board of Estimate:~~

- ~~—Electrical or gas utility substations, open or enclosed, pursuant to Section 74-61;~~
- ~~—#Public parking garages# as provided for in C5 Districts pursuant to Section 74-52.~~

~~As a condition precedent to the granting of such special permit, the City Planning Commission shall make a finding that such #use# is located so as to minimize adverse effects on existing or future development in nearby areas or on the use or enjoyment of the #Esplanade# or other public facilities.~~

~~The following #uses# are permitted only by special permit of the Board of Standards and Appeals:~~

- ~~—Electrical or gas utility substations, open or enclosed, pursuant to Section 73-14;~~
- ~~—Public utility stations for oil or gas metering or regulating pursuant to Section 73-15;~~
- ~~—Telephone exchanges or other communications equipment structures pursuant to Section 73-14;~~
- ~~—#Physical culture or health establishments# in subzone A-4 only, pursuant to Section 73-36. However, #physical culture or health establishments# located below the level of the first #story# ceiling shall not be permitted to front on the #Esplanade#.~~

84-122

~~USES NOT PERMITTED~~

~~The following #uses# shall not be permitted:~~

~~A. Transient Accommodations~~

- ~~—#Hotels, transient#, except as provided in Section 84-12~~
- ~~—#Motels# or #tourist cabins# or #boatels#~~

~~B. Retail or Service Establishments~~

- ~~—Electrical glazing, heating, painting, paper hanging, plumbing, roofing, or ventilating contractors' establishments~~
- ~~—Exterminators~~
- ~~—Funeral establishments~~
- ~~—Lumber stores~~
- ~~—Monument sales establishments~~
- ~~—Moving or storage offices~~
- ~~—Pawn shops~~
- ~~—Printing establishments~~
- ~~—Refreshment stands, drive-in~~

~~—Sign painting shops~~

~~—Taxidermist shops~~

~~—Trade embalmers~~

~~—Upholstering shops~~

~~—Window cleaning contractors' establishments, including floor waxing and other similar building maintenance services~~

~~C. Wholesale Establishments~~

~~—Wholesale establishments~~

~~D. Automobile Service Establishments~~

~~—#Automotive service stations#~~

~~—Automotive glass and mirror shops~~

~~—Automotive seat cover or convertible top establishments~~

~~—Tire sales establishments~~

~~E. Public Service Establishments~~

~~—Prisons~~

84-123121

USES ALONG ESPLANADE

Except as set forth in this Section and in Section 84-12, #uses# fronting on the #Esplanade# shall be limited to the #uses# listed in Use Groups 2, 3 and 4 as set forth in Section 22-10 except that in the areas indicated as permitted commercial location retail overlay in the Zone A District Plan in Appendix 2.3, in the lowest #story# other than a #basement#, in any #development#, the following additional #uses# shall be permitted:

Eating or drinking places, as listed in Use Group 6A, set forth in Section 32-15.

84-124

INTERM USES

~~On application to and with the permission of the Battery Park City Authority, any open #use# listed in Use Groups 1 through 16, as set forth in Sections 32-11 through 32-25, is permitted if such #use# is an interim #use# which will not obstruct, interfere with, or be incompatible with the general purposes and overall development of the #Special Battery Park City District#, and if such #use# is not prohibited by the Settlement Agreement dated June 6, 1980, between the City of New York, the State of New York, and various agencies and instrumentalities thereof. The Authority may prescribe appropriate conditions and safeguards in order to minimize adverse effects on surrounding land #uses#.~~

84-13

~~MANDATORY ARCADES~~

~~Any #development# located on a #zoning lot# upon which the Zone A District Plan in Appendix 2.4 requires an #arcade# shall contain an #arcade# as defined in Section 12-10; and:~~

- ~~(a) the #arcade# shall extend the full length of the #zoning lot# along the indicated #street lines# or other lines, except where otherwise indicated in the Zone A District Plan; and~~
- ~~(b) the minimum unobstructed depth of the #arcade# shall be 12 feet, and the minimum height of the #arcade# shall be 20 feet above #curb level#.~~

84-20 84-13

~~MODIFICATION OF BULK REGULATIONS REQUIREMENTS IN ZONE A~~

~~#Residential# and community facility #bulk# regulations otherwise applicable in R10 Districts are modified in Zone A of the #Special Battery Park City District# to the extent set forth in this Section and Sections 84-21131 through 84-23135 .~~

~~The height and setback regulations otherwise applicable in R10 Districts are superseded by the regulations set forth in Sections 84-21131, 84-22132, 84-134 and 84-23135.~~

~~The provisions of Section 23-533 (Required rear yard equivalents), Section 24-11 (Maximum Floor Area Ratio and Percentage of Coverage), Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments), and Article VII, Chapter 9 (Special Regulations Applying to Large Scale Community Facility Development), are not applicable.~~

~~The provisions of Section 23-70 (MINIMUM DISTANCE BETWEEN BUILDINGS) may be modified by the Battery Park City Authority. Prior to the~~

granting of any such modification, the Authority shall make the following findings:

- (a) that such modification will aid in achieving the general purpose and intent of the #Special Battery Park City District# as set forth in Section 84-01;
- (b) that such modification will not unduly increase the #bulk# of #buildings#, the density of population, or the intensity of #use# on any #zoning lot# to the detriment of the occupants of #buildings# on such #zoning lot# or nearby #zoning lots#;
- (c) that such modification will not adversely affect the #buildings# on the #zoning lot# by restricting access to light and air; and
- (d) that if an open area is provided, at any level, between two #buildings#, it shall have a width of not less than eight feet.

84-21 84-131

FLOOR AREA REGULATIONS

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

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

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

84-22 84-132

REQUIRED MANDATORY FRONT BUILDING WALLS

Where the ~~Zone A District Plan in~~ Appendix 2.1 or Appendix 3.1 shows a requirement for a #development# ~~in Zone A~~ to be built to a #mandatory front building wall line#, any such #development# shall have a mandatory front building wall coincident with and constructed along such #mandatory front building wall line#, which shall rise without setback for a height above #curb level# not less nor more than the amount specified in this Section except that, at

building entrances, openings below the second #story# ceiling in the mandatory front building walls will be permitted to provide access to courtyards:

- (a) Except as set forth in paragraph (d) of this Section, with respect to any 60-85 foot #mandatory front building wall line# shown in the ~~Zone A District Plan in Appendix 2.1~~, a height of not less than 60 feet nor more than 85 feet.
- (b) With respect to any 110-135 foot #mandatory front building wall line# shown in the ~~Zone A District Plan in Appendix 2.1~~, a height of not less than 110 feet nor more than 135 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#.
- (c) On the portion of any #zoning lot# designated as a #special height location# in the ~~Zone A District Plan in Appendix 2.2~~, a height of not less than the otherwise applicable amount set forth in paragraphs (a) or (b) of this Section and not more than the maximum height indicated in Appendix 2.2 or in paragraph (c)(1) of Section 84-~~2313~~²²¹³ (Limited height of buildings).
- (d) With respect to any #zoning lot# south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above #curb level#.
- (e) With respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet.
- (f) With respect to any 150-250 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 150 feet nor more than 250 feet; except that the height may not exceed 150 feet for more than 120 feet or 75 percent of the length of a #building's# western property line, whichever is less, and a setback of not less than 5 feet and not more than 10 feet is required at a height of 150 feet.
- (g) On the portion of any #zoning lot# designated as a #special height location# in the ~~Zone A District Plan in Appendix 3.2~~, a height of not less than the otherwise applicable amount set forth in paragraphs (e) or (f) of this Section and not more than the height shown in Appendix 3.1 and Appendix 3.2.

Subject to the provisions of Section 84-~~2213~~²²¹³ (Front wall recesses), the mandatory front building wall requirements set forth in this Section shall also apply to all #developments# along all #street lines# within 50 feet of their

intersection with any #mandatory front building wall line#. For the next 20 feet along the #street line#, the mandatory front building wall requirements are optional except that, for any #development# north of Vesey Street and Vesey Place, the mandatory front building wall requirements are optional for the next 25 feet. The height limit of 85 feet shall apply along #street lines# or to #developments# not subject to the mandatory front building wall requirements.

84-221 84-133

FRONT WALL RECESSES

Front wall recesses for architectural or decorative purposes are permitted, except in an #arcade# required in Section 84-13134 (Mandatory arcades), provided that below the level of the second #story# ceiling the depth of such recess does not exceed 20 feet. At any #story# above the level of the second #story# ceiling, recesses to the amount of 25 percent of the aggregate area of the wall at each #story# are permitted, provided the depth of any such recess does not exceed 10 feet. All recesses shall be subject to the applicable provisions of Section 23-84 (Outer Court Regulations).

84-134

MANDATORY ARCADES

Any #development# located on a #zoning lot# upon which Appendix 2.4 (Mandatory Arcades) requires an #arcade# shall contain an #arcade# as defined in Section 12-10; and:

- (a) the #arcade# shall extend the full length of the #zoning lot# along the indicated #street lines# or other lines, except where otherwise indicated in Appendix 2.4; and
- (b) the minimum unobstructed depth of the #arcade# shall be 12 feet, and the minimum height of the #arcade# shall be 20 feet above #curb level#.

84-23 84-135

LIMITED HEIGHT OF BUILDINGS

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

- (a) any portion of a #building# required to have an exterior wall coincident with a 110-135 foot #mandatory front building wall line#, as provided in Section 84-22132 (Required Mandatory front building walls), may be built to a height of up to 135 feet above #curb level#;

- (b) portions of a #building# required to have an exterior wall coincident with a 150-250 foot #mandatory front building wall line#, as provided in Section 84-22132, may be built to a height of up to 250 feet above #curb level#;
- (c) on the portion of any #zoning lot# designated as a #special height location# ~~in the Zone A District Plan~~ in Appendix 2.2 and Appendix 3.2, a #building# may be built to the height above #curb level# indicated in Appendix 2.2 or Appendix 3.2, subject to the following:
- (1) on any #development# south of First Place and east of Battery Place, with a mandatory front building wall, the area of which, below the level of the second #story# ceiling, occupies 100 percent of the frontage along its #mandatory front building wall line#, a height of not more than 450 feet, provided however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;
 - (2) on the #zoning lot# at the southeast corner of Chambers Street and North End Avenue, the #special height location# indicated in Appendix 3.2 shall apply only if such #zoning lot# is occupied by #school# and #residential uses# and the portion of the #building# above a height of 135 feet above #curb level# does not exceed a #lot coverage# of 40 percent.
- (d) Sections 23-62 and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a #building or other structure# that exceeds an established height limit shall be subject to the following provisions:
- (1) ~~In the #Special Battery Park City District#~~ The following shall not be considered obstructions and may thus penetrate a maximum height limit:
 - (i) Chimneys or flues with a total width not exceeding 10 percent of the width of the #street wall# of the #building# measured at any level where such penetration occurs.
 - (ii) elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures) each of which shall have a width of no more than 30 feet. The sum of the products, in square feet of the widths of such obstructions times their heights shall not exceed a figure equal to four times the width of the #street wall# of the #building# facing such frontage at #curb level#.
 - (iii) Flagpoles and aerials
 - (iv) Parapet walls not more than four feet high.

- (v) Wire, chain link or other transparent fences.
- (2) The Chairperson of the City Planning Commission may, by certification, permit the obstructions set forth in paragraph (d)(1) of this Section to be concealed by an enclosure wall. An enclosure wall, for the purposes of this Section, is a vertical structure which serves to surround a space that is unroofed and contains no #floor area#. No portion of the enclosure wall shall be at an angle of more than 45 degrees from the vertical. The gross area of each face of the enclosure wall, in square feet, shall not exceed a figure equal to eight times the width of the wall of that face of the #building# at #curb level#. All obstructions, permitted pursuant to this paragraph, are exempt from the size restrictions of paragraph (d)(1) and must be completely located within the enclosure wall.
- (3) The City Planning Commission may permit, by authorization, an increase in the size of the enclosure wall beyond that permitted by certification, provided that the Commission finds:
- (i) that the width of such additional enclosure wall at each building face does not exceed 80 percent of the width of the enclosure wall certified pursuant to paragraph (d)(2) of this Section;
 - (ii) that the additional area of the enclosure wall at each face of the #building# is not more than 50 percent of the area allowed in paragraph (d)(2); and
 - (iii) that the enclosure wall is compatible with the #building# and the urban design goals of the Special District and compliments the design by providing a decorative top.
- (e) In #special height locations# in the ~~Zone A District Plan~~ in Appendix 2.2 and Appendix 3.2, no portion of a #building#, including permitted obstructions, shall exceed a height of 450 feet above #curb level#.

84-30 84-14

~~ZONE A PARKING REGULATIONS AND CURB CUTS~~

84-31 84-141

~~ACCESSORY OFF-STREET PARKING SPACES~~

Except as provided in Section 84-311142, #accessory# off-street parking spaces may be provided only for #residential uses# subject to the provisions of this Section. The ownership requirement for #accessory# off-street parking is satisfied by an interest commensurate with the interest of the principal #use#.

Such **#accessory#** parking spaces shall be **#completely enclosed#**. No portion of any **#accessory#** parking facility may be constructed at a height of more than 23 feet above **#curb level#**. Except as otherwise provided in this Section no **#accessory#** off-site parking shall be permitted.

Parking facilities **#accessory#** to **#residential uses#** on a **#zoning lot#** shall contain no more than 200 off-street parking spaces or a number of spaces equal to 20 percent of the number of **#dwelling units#** on such **#zoning lot#**, whichever is less. The size in square feet of an **#accessory#** off-street parking facility, exclusive of entrance and exit ramps, shall not exceed 200 times the number of parking spaces provided.

#Accessory# parking facilities shall be constructed so that no exhaust vents open onto any **#street#** or park or onto the **#Esplanade#** and so that no portion of the facility, other than entrances and exits, is visible from adjoining **#zoning lots#**, **#streets#** or parks or the **#Esplanade#**.

The City Planning Commission may, upon application, authorize permitted **#accessory#** off-street parking spaces to be located anywhere within Zone A without regard for **#zoning lot lines#**, provided that the Commission shall make the following findings:

- (a) that the **#accessory#** off-street parking spaces and required curb cuts are located within subzones A-1, A-2, or A-3 for **#zoning lots#** within subzones A-1, A-2, or A-3 or within subzones A-5 or A-6, for **#zoning lots#** in subzones A-5 or A-6, as indicated in the ~~Zone A District Plans in Appendix 2 and Appendix 3, Permitted Parking Locations Parking Setbacks in Appendix 2.5 and Appendix 3.4 and Permitted Curb Cut Locations in Appendix 2.6 and Appendix 3.5 of the #Special Battery Park City District#;~~
- (b) that such **#accessory#** off-street parking spaces will be conveniently located in relation to the **#residential buildings#** to which such off-street spaces are **#accessory#**, and provided that all such spaces shall not be further than 600 feet from the nearest boundary of the **#zoning lot#** occupied by the **#residences#** to which they are **#accessory#**;
- (c) that such location of **#accessory#** off-street parking spaces will permit better site planning;
- (d) that the **#accessory#** off-street parking facility will not create or contribute to traffic congestion or unduly inhibit vehicular and pedestrian movement;
- (e) that the **#accessory#** off-street parking facility is located so as to draw a minimum of additional vehicular traffic to and through local **#residential#** **#streets#**; and

(f) that such *#accessory#* off-street parking facility shall contain parking spaces *#accessory#* to *#residential uses#* only.

Whenever off-street parking spaces are authorized to be located without regard to *#zoning lot lines#* in accordance with the provisions of this Section, the number of spaces generated by each *#building#* shall be recorded in that *#building's#* certificate of occupancy (temporary and permanent). In addition, any certificate of occupancy for the *#accessory#* off-street parking facility shall state the number of parking spaces authorized to be relocated from each *#zoning lot#*.

~~84-311~~ 84-142

ACCESSORY OFF-STREET PARKING SPACES FOR BUILDINGS CONTAINING HOTEL USES

For the *#zoning lot#* south of First Place and east of Battery Place, *#accessory#* off-street parking spaces for hotel *#uses#* may be provided only in accordance with this Section. Such *#accessory#* parking facilities shall contain no more than 15 percent of the number of *#transient hotel#* rooms or 225 spaces, whichever is less.

In the case of a *#building#* containing both *#residential#* and hotel *#uses#*, the number of *#accessory#* off-street parking spaces shall not exceed the number of spaces permitted for each *#use#* in accordance with this Section and Section ~~84-3184-141~~ (Accessory off-street parking spaces); however, in no event may the maximum number of *#accessory#* off-street parking spaces exceed 225 spaces.

~~84-33~~ 84-143

OFF-STREET LOADING

Enclosed *#accessory#* off-street loading berths shall be provided in conformity with the requirements set forth in the following table and under rules and regulations promulgated by the Commissioner of Buildings, for the *#uses#* listed in the table.

REQUIRED OFF-STREET LOADING BERTHS

Type of #Use#	For #Floor Area# (in square feet)	Required Berths
Supermarkets	First 8,000	None
	Next 17,000	1
	Next 15,000	1
	Each additional 15,000 or fraction thereof	1
Hotels	First 100,000	None
	Next 200,000	1
	Each additional 300,000 or fraction thereof	1

All required off-street loading berths shall have a minimum length of 33 feet, a minimum width of 12 feet, and a minimum vertical clearance of 14 feet, except that required off-street loading berths for hotels as permitted in Section 84-12 (Use Regulations) shall be allowed to have a minimum vertical clearance of 12 feet.

84-33 84-144

LOCATION OF CURB CUTS

Curb cuts are permitted only in the areas or locations indicated in ~~the Zone A District Plan in~~ Appendix 2.6 and Appendix 3.5. The aggregate width of all curb cuts provided for any #development# shall not exceed 20 feet, except that:

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street, and to the east by Marginal Street, the aggregate width of all curb cuts shall not exceed 40 feet;
- (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;
- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25 foot wide curb cut as access to the #accessory# off-street parking facility; and

- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet.

84-20

ZONE B

Zone B is designed to provide for commercial and mixed #development# with ancillary retail and service #uses#, in accordance with the Large Scale Commercial Development Plan which is attached as an exhibit to the Master Lease for Battery Park City dated June 6, 1980, as amended. Alignment of the pedestrian bridge at Liberty Street shall connect or allow for connection at the easterly line of West Street with pedestrian ways to be provided on the southerly side of Liberty Street, as set forth in Article VIII, Chapter 6 (Special Greenwich Street Development District). In addition, the pedestrian bridge at the World Trade Center crossing shall connect or allow for connection with the World Trade Center at the easterly line of West Street. The pedestrian bridges are shown on the District Plan in Appendix 1.

84-30

ZONE C

84-31

GENERAL PROVISIONS

Zone C is designed to provide for commercial and mixed #use# #development#, parking and ancillary retail and service #uses# as permitted pursuant to this Chapter. The location and boundaries of Zone C are shown on Appendix 1 and Appendix 3 of this Chapter. Except as expressly modified by the provisions of this chapter, the regulations applying to a C6-6 District shall apply in Zone C of the #Special Battery Park City District#.

84-32

USE REGULATIONS

Use regulations applicable in C6-6 districts shall apply subject to the provisions of Sections 84-031 and 84-032. In addition, the following #uses# shall be permitted:

- Sale or rental of sporting goods or equipment including instruction in skiing, sailing or skin diving as permitted in Use Group 14

- Indoor interactive entertainment facilities, with eating and drinking, consisting of mechanical, electronic, or computer supported games provided that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms.

- Public parking facilities subject to Section 84-341.

- #Physical culture or health establishments#.

84-33

BULK REGULATIONS

#Bulk# regulations otherwise applicable in C6-6 districts and equivalent #residential# districts are hereby modified to the extent set forth in this Section and Section 84-331 through 333.

The height and setback regulations otherwise applicable in C6-6 districts, and equivalent #residential# districts, are superseded by the regulations set forth in Section 84-332, Section 84-333, Appendix 3.1 and Appendix 3.2.

84-331

FLOOR AREA REGULATIONS

Notwithstanding any other provisions of this Resolution, the permitted #floor area ratio# for any #development# or #enlargement# shall not exceed 15.0. The #floor area ratio# of a #residential building# or the #residential# portion of a mixed #building# shall not exceed 10.0. The #floor area# bonus provisions shall not apply.

For a #residential# #building#, or the #residential# portion of a #mixed building#, the provisions of Section 23-22 (Required Lot Area per Dwelling Unit, Lot Area per Room, or Floor Area per Room) shall not apply. For every 300 square feet of gross #residential# #floor area# provided within any #building#, there shall be no more than one #room#.

84-332

MANDATORY FRONT BUILDING WALLS

Where Appendix 3.1 shows a requirement for a #development# to be built to a #mandatory front building wall line#, any such #development# shall have a mandatory front building wall coincident with and constructed along such

Mandatory front building wall line# for a minimum of 80 percent of the length of the frontage required to have the mandatory front building wall, which shall rise without setback for a height above #curb level# not less than 118 feet nor more than 140 feet. However, where Appendix 3.1 shows a mandatory front wall along Murray Street, such front building wall may be located either along the #street line# on Murray Street or at right angle to North End Avenue within 30 feet from the intersection of Murray Street and North End Avenue.

At 148 feet above #curb level#, the #building# must setback at least 15 feet from the #street line# of Vesey Street, North End Avenue and Murray Street. Front wall recesses for architectural and decorative purposes are permitted in mandatory front walls provided that:

- the aggregate area of front wall recesses below the maximum height of the required front wall is less than 50 percent of the required mandatory front building wall;
- the maximum depth of any recess shall be 20 feet;
- recesses with a depth of less than 2 feet shall not be considered recesses for the purposes of this section; and
- recesses shall not be open to the sky above.

84-333

LIMITED HEIGHT OF BUILDINGS

Above a height of 140 feet above #curb level#, the #lot coverage# of any #development# or portion thereof may not exceed 40 percent of the total area of Zone C.

The maximum height of any #building# or a portion thereof shall not exceed 400 feet on any portion of Zone C shown as #special height location# in Appendix 3.2 except that permitted obstructions pursuant to Section 33-42 (Permitted Obstructions) shall be allowed to penetrate the maximum height limit.

84-34

PARKING REGULATIONS

Notwithstanding any other regulations of this Resolution, off-street parking spaces shall be permitted pursuant to this section.

84-341

OFF-STREET PARKING

#Accessory# off-street parking spaces are not required in Zone C. However, a maximum of 300 public parking spaces are permitted in Zone C provided that:

- such spaces shall be completely enclosed;
- no portion of the parking facility, other than entrances and exits, shall be visible from adjoining #zoning lots#, #streets# or parks or the #Esplanade#;
- no exhaust vents shall open onto any #street# or park; and
- parking facility shall not be more than 23 feet above #curb level#.

84-342

CURB CUTS

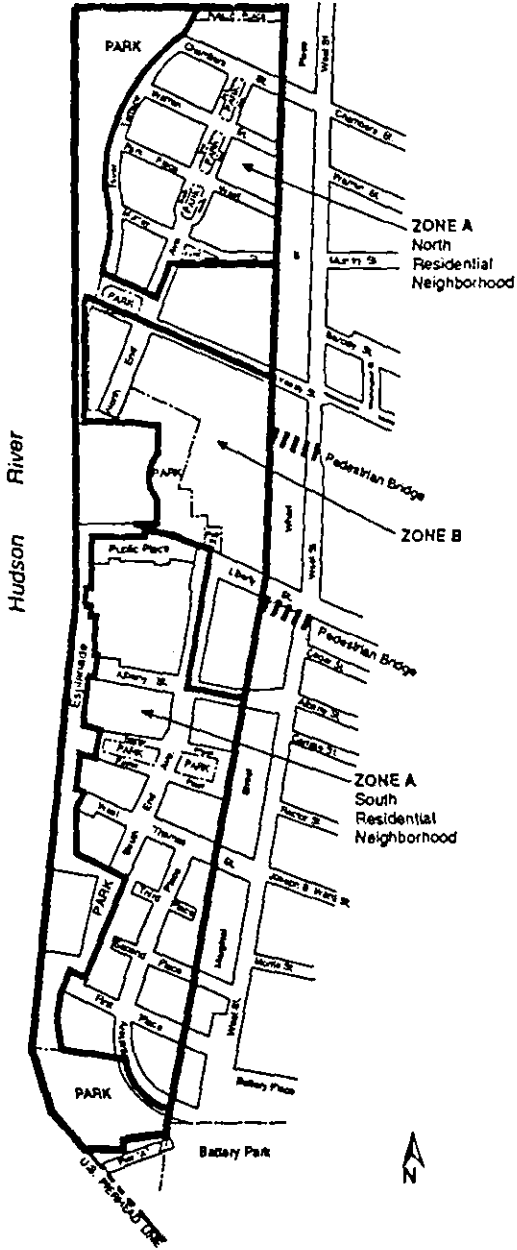
Curb cuts are permitted only in locations indicated in Appendix 3.5 and along any #street# or right-of-way not shown on Appendix 3.5. The aggregate width of all curb cuts for Zone C shall not exceed 50 feet.

**MAPS ARE SHOWN ON PAGES 32-43
FOR FULLER GRAPHICAL CLARITY**

Exist. map to be deleted

APPENDIX 1
Special Battery Park City District Plan

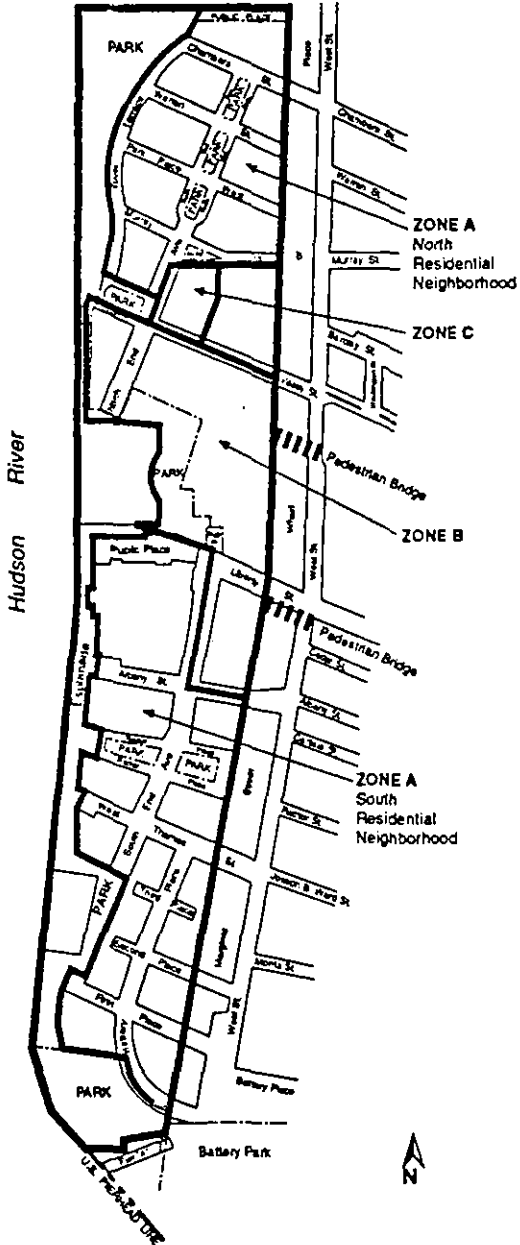
District Boundary



New map to be added

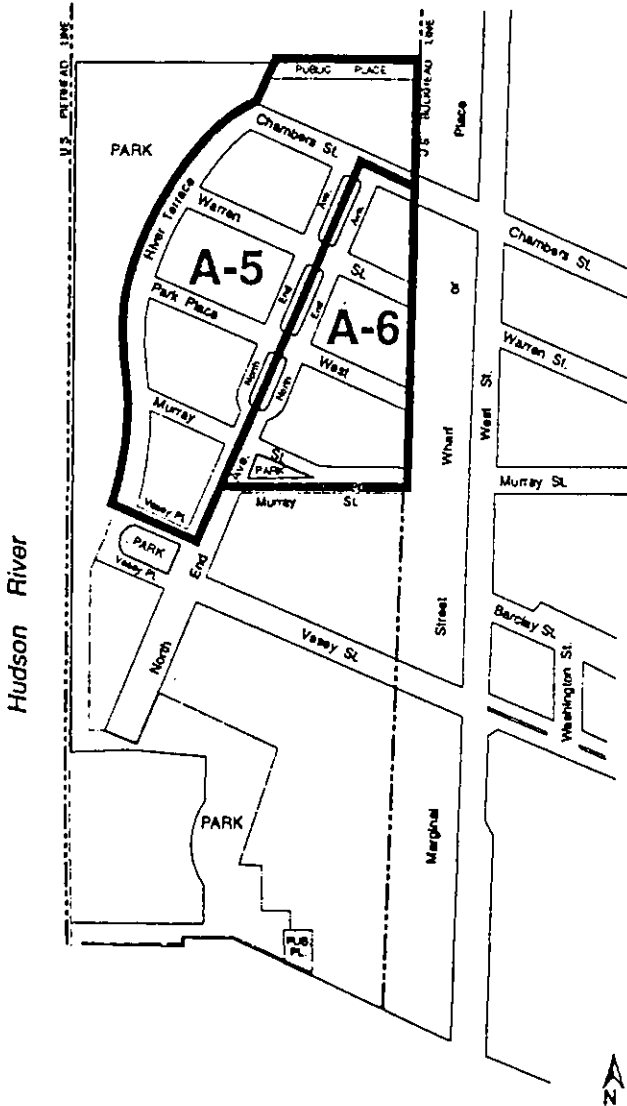
APPENDIX 1 Special Battery Park City District District Plan

District Boundary



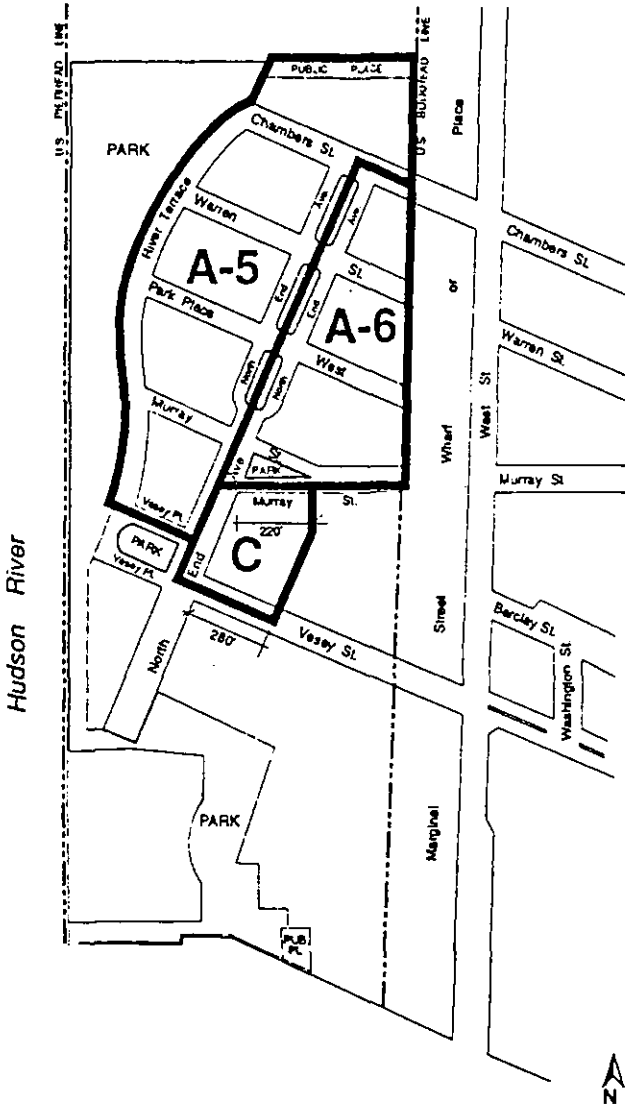
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APPENDIX 3
Special Battery Park City District
Zone A North Residential Neighborhood



New map to be added

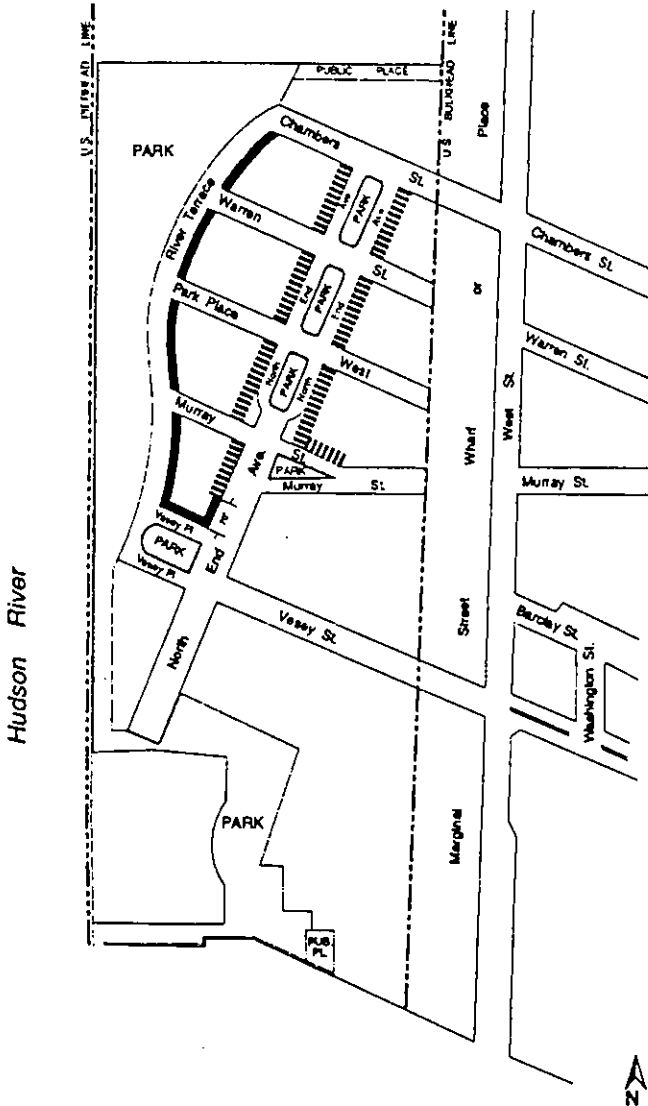
APPENDIX 3
Special Battery Park City District
Zone A North Residential Neighborhood and Zone C



Exist .map to be deleted

APPENDIX 3.1
Special Battery Park City District
Mandatory Front Building Walls

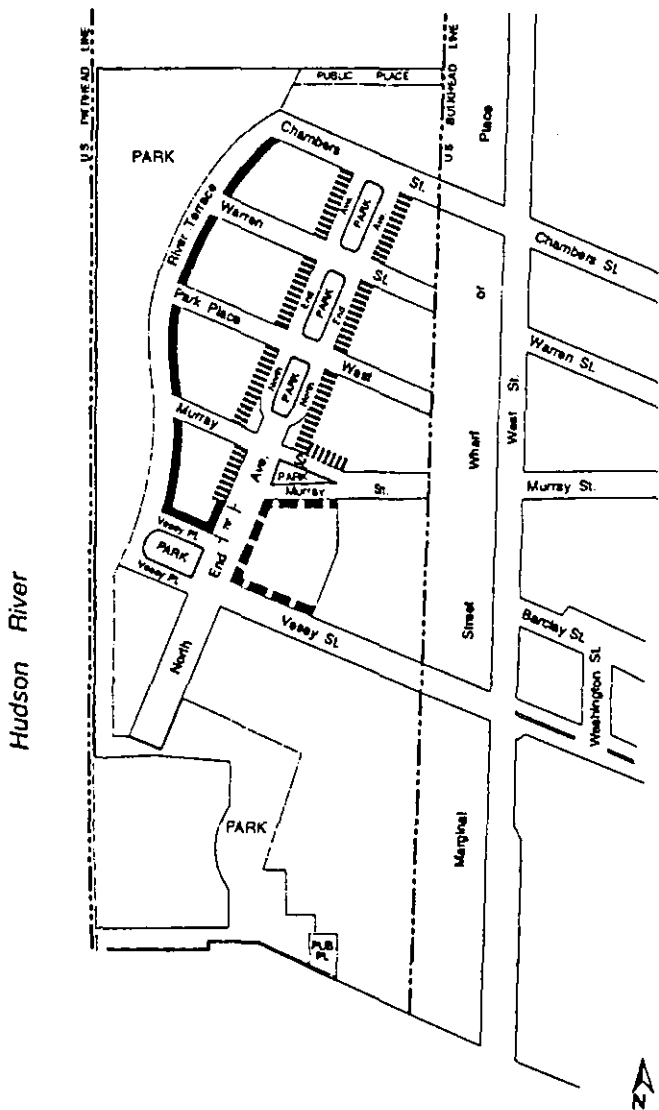
||||| 110 ft. - 135 ft. Wall
———— 150 ft. - 250 ft. Wall



New map to be added

APPENDIX 3.1
 Special Battery Park City District
 Mandatory Front Building Walls

- ||||||| 110 ft. - 135 ft. Wall
- 110 ft. - 140 ft. Wall
- 150 ft. - 250 ft. Wall

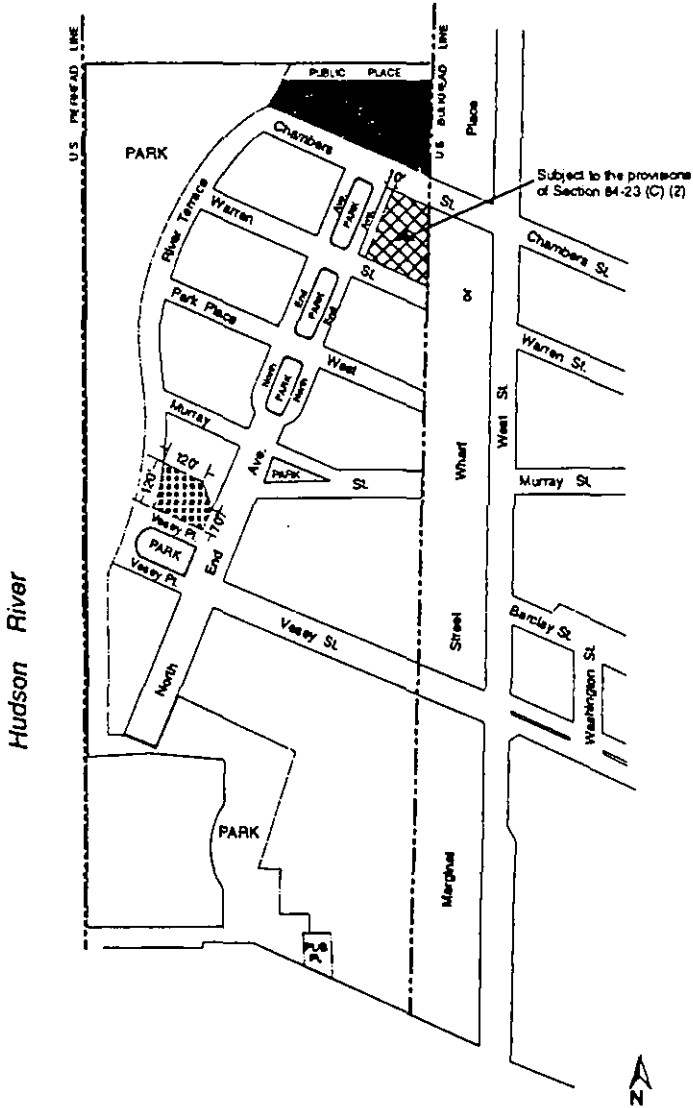


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APPENDIX 3.2
Special Battery Park City District
Special Height Locations

Special Height Locations




-  270 ft.
-  320 ft.
-  400 ft.

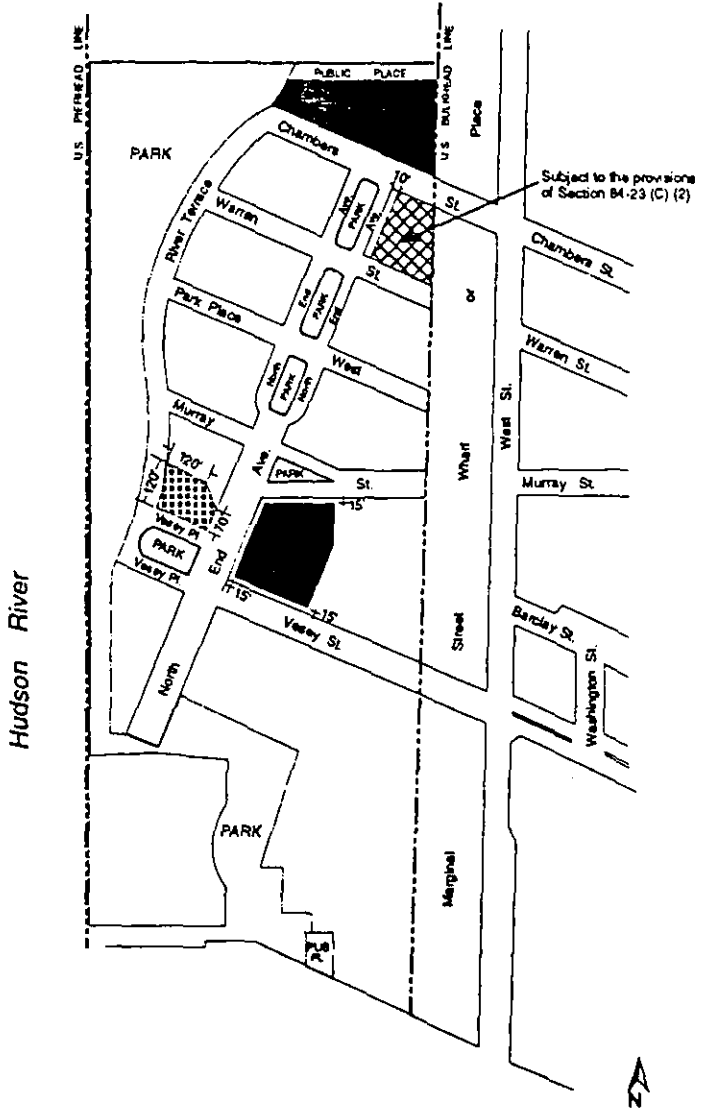


New map to be added

APPENDIX 3.2
Special Battery Park City District
Special Height Locations

Special Height Locations

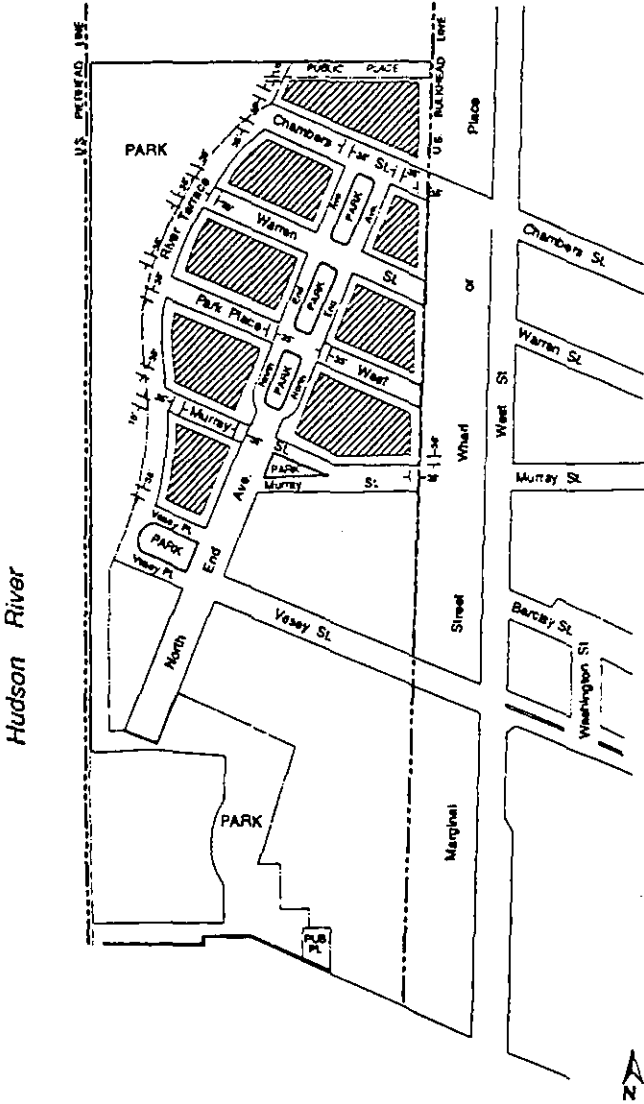
-  270 ft.
-  320 ft.
-  400 ft.



Exist .map to be deleted


APPENDIX 3.4
Special Battery Park City District
Parking Setbacks

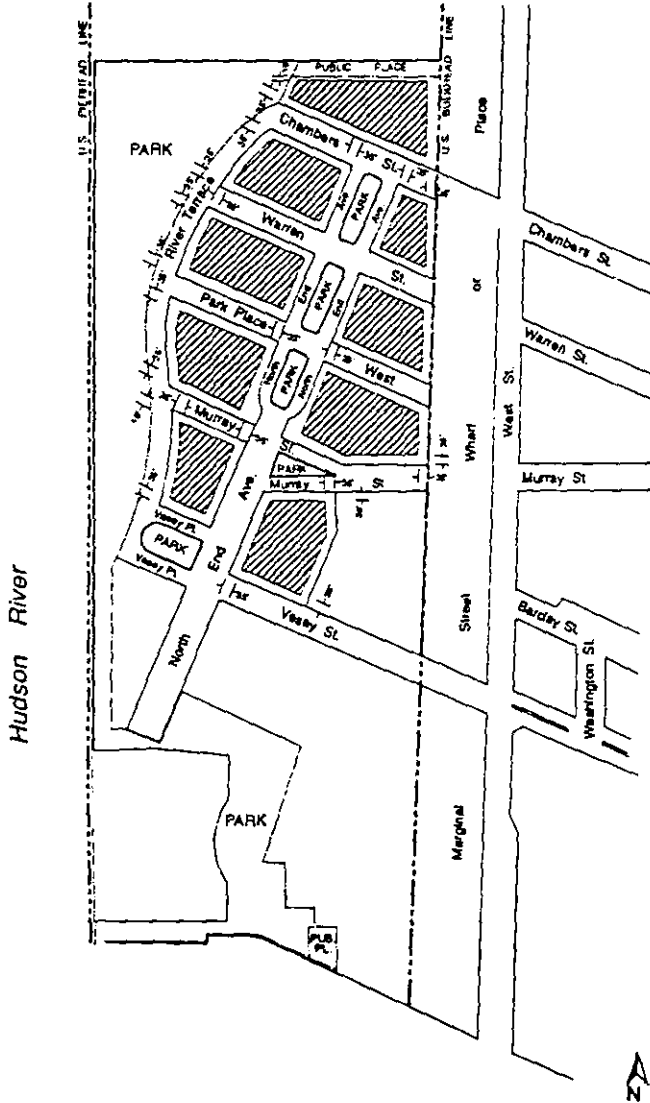
 Permitted Parking Locations



New map to be added

APPENDIX 3.4
Special Battery Park City District
Parking Setbacks

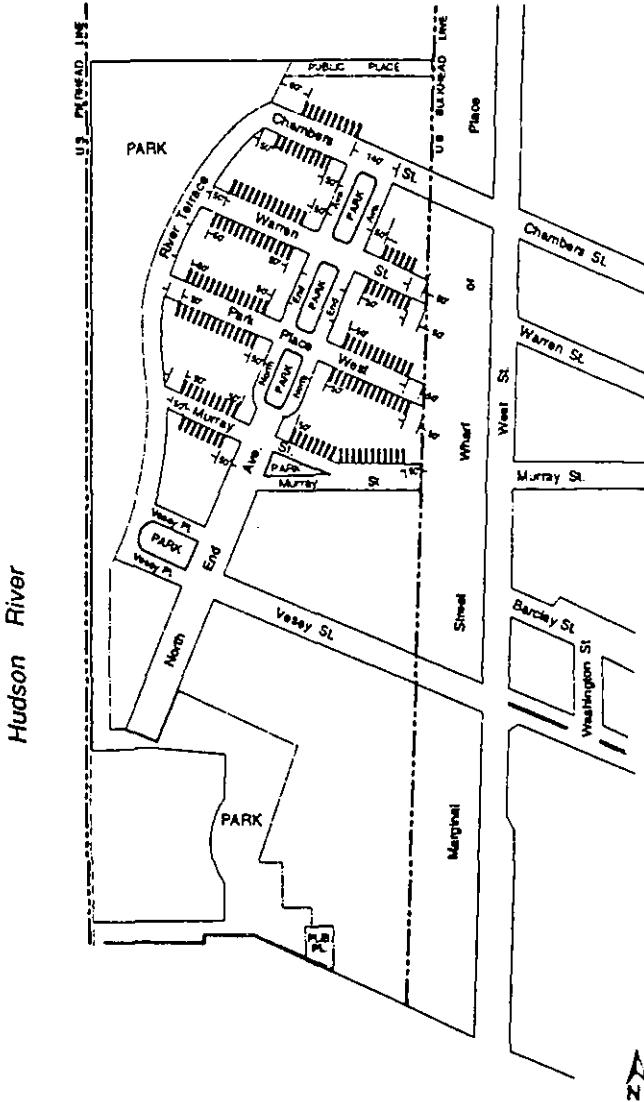
 Permitted Parking Locations



Exist .map to be deleted

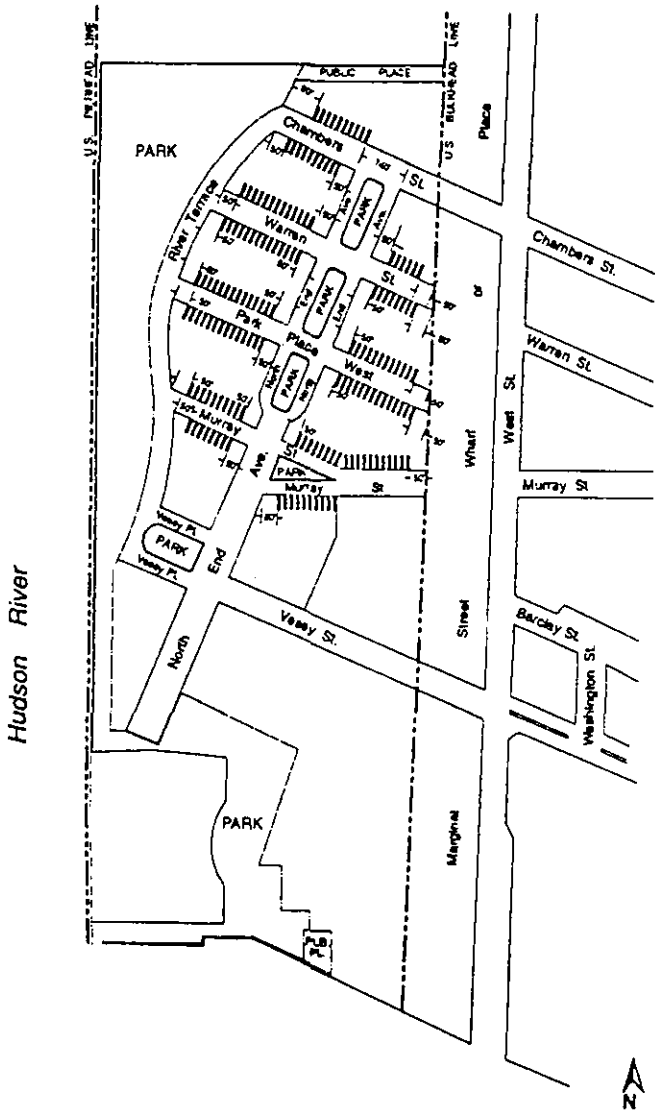
APPENDIX 3.5
Special Battery Park City District
Curb Cut Locations

||||| Permitted Curb Cut Locations



APPENDIX 3.5
Special Battery Park City District
Curb Cut Locations

||||||| Permitted Curb Cut Locations



NOTICE

On Wednesday, October 23, 1996 at 10:00 a.m. in Spector Hall, 22 Reade Street, New York, a public hearing will be held by the Battery Park City Authority (BPCA) in conjunction with the above-zoning text amendment hearing to receive comments related to the Draft Fourth Supplement to the Final Environmental Impact Statement (DEIS) concerning establishment of zoning controls for Site 25 in the North Residential Neighborhood, and modification of zoning controls for Site 1 in the South Residential Neighborhood of Battery Park City, pursuant to the State Environmental Quality Review Act (SEQRA).

 BOROUGH OF QUEENS

No. 8

CD 9

C 930229 PPQ

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

1. One (1) city-owned property located on the west side of 103rd Street, 150 feet south of 101st Avenue (Block 9420, Lot 110) pursuant to zoning.
2. Two (2) city-owned properties pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Location</u>
9299	49	East side of 109th Street, 370 feet north of 91st Avenue
9438	107	West side of 121st Street, 50 feet south of Atlantic Avenue

Resolution for adoption scheduling October 23, 1996 for a public hearing.

No. 9

CD 14

C 930234 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 four (4) city-owned properties pursuant to zoning:

<u>Block</u>	<u>Lot</u>	<u>Location</u>
15742	90	South side of Falcon Avenue, 280 feet east of B. 32nd St.
16038	14	East side of B. 65th Street, 260 feet north of Beach Channel Drive
16050	6,7	South side of Elizabeth Avenue, 100 feet east of B. 72nd Street
16053	51	North side of Amstel Boulevard, 280 feet east of B. 72nd Street

Resolution for adoption scheduling October 23, 1996 for a public hearing.

 No. 10

CD 14

C 960669 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 two (2) city-owned properties pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Address</u>
16166	33	113-04 Rockaway Beach Boulevard
16064	34	72-02 Beach 72nd Street

Resolution for adoption scheduling October 23, 1996 for a public hearing.

Nos. 11 and 12

(Applications for modification of a Restrictive Declaration and an amendment to the City Map concerning the development of 86 two-family houses and a waterfront public pedestrian access easement)

No. 11

CD 7

C 860294 (A) ZMQ

IN THE MATTER OF an application submitted by Eastpoint Developers, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the **modification of Restrictive Declaration D-112, which was previously approved as part of an application for a Zoning Map Amendment (C 860294 ZMQ)** to allow the development of 86 two-family houses and a waterfront public pedestrian access easement along the east and northeast boundaries of property located to the west of 121st Street and generally bounded by the U.S. Pierhead Line of the East River, 5th Avenue and the northerly prolongation of College Place (Block 3916, Lots 1, 8, 12, and 18), in a C2-2 District mapped within an R4 District.

Plans for this modification 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 October 23, 1996 for a public hearing.

 No. 12

CD 7

C 960270 MEQ

IN THE MATTER OF an application submitted by Eastpoint Developers Inc., pursuant to Sections 197-c and 199 of the New York City Charter for an **amendment to the City Map involving a modification of the existing permanent sewer easement, a modification of the existing public pedestrian access easement, the elimination of the existing fishing pier easement and the elimination of the existing boat launching easement within an area generally bounded by 121st Street, 5th Avenue, Hermon A. MacNeil Park and the East River, and any acquisition or disposition of property related thereto, all in accordance with Map No. 4933, dated April 29, 1996 and signed by the Borough President.**

Resolution for adoption scheduling October 23, 1996 for a 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 two (2) city-owned properties** restricted to accessory parking in accordance with Section 25-40 of the Zoning Resolution.

<u>Block</u>	<u>Lot</u>	<u>Address</u>
5022	1153	143-51 Roosevelt Avenue
5137	1090	138-35 Elder Avenue

Resolution for adoption scheduling October 23, 1996 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 14

CD 18

C 910136 MMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Troy Realty Company 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, discontinuance and closing of East 43rd Street from Avenue H to the Long Island Railroad (Bay Ridge Division) right-of-way, the adjustment of grades necessitated thereby, the adjustment of block dimensions in the vicinity thereof, and any acquisition or disposition of property related thereto, in accordance with Map Nos. X-2578 and N-2579 dated April 16, 1992, respectively, and signed by the Borough President.

(On September 25, 1996, Cal. No. 1, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 5

C 960550 PPK

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 ten (10) city-owned properties pursuant to zoning.

A list and description of the properties can be seen in the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, N.Y. 11241.

(On September 25, 1996, Cal. No. 2, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 16

CD 10

C 960133 PSM

PUBLIC HEARING:

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 property located at 275/77 West 134th Street a/k/a 2510/16 Frederick Douglas Boulevard (Block 1940, Lots 1 and 5); 261/65 West 134th Street (Block 1940, Lot 8); and 251 West 134th Street (Block 1940, Lot 13) for use as parking lots.

(On September 25, 1996, Cal. No. 3, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 17

CD 11

C 950068 PPQ

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 66-23 242nd Street (Block 8286, Lot 4019), restricted to accessory residential parking in accordance with Section 25-40 of the Zoning Resolution.

(On September 25, 1996, Cal. No. 4, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 18

CD 1

C 940391 PPR

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 eight (8) city-owned properties pursuant to zoning.

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

(On September 25, 1996, Cal. No. 5, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 19

CD 1

C 940674 PPR

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:

1. One (1) city-owned property, located on the west side of Woodward Avenue approximately 100 feet north of North Gannon Avenue (Block 749, Lot 52), pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.
2. Three (3) city-owned properties pursuant to zoning:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
1	6	155 Bay Street
1	8	153 Bay Street
1	9	151 Bay Street

(On September 25, 1996, Cal. No. 6, the Commission scheduled October 9, 1996 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 20

CD 7

C 960573 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 2299 Andrews Avenue (Block 3225, Lot 136), pursuant to zoning.

(On August 21, 1996, Cal. No. 1, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

Nos. 21 and 22

(Applications for acquisition of property for continued use as a Department of Sanitation garage and parking lot)

No. 21

CD 1

C 950517 PQK

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 525 Johnson Avenue (Block 2987, Lot 16), for continued use as a garage.

(On August 21, 1996, Cal. No. 2, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 18, the hearing was closed.)

For consideration.

No. 22

CD 1

C 950518 PQK

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 Randolph Street (Block 2976, Lot 45), for continued use as a parking lot.

(On August 21, 1996, Cal. No. 3, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 19, the hearing was closed.)

For consideration.

 Nos. 23 and 24

(Applications for acquisition of property for continued use as Department of Sanitation parking garages)

No. 23

CD 1

C 950519 PQK

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 306 Rutledge Street (Block 2228, Lot 11), for continued use as a garage.

(On August 21, 1996, Cal. No. 4, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 20, the hearing was closed.)

For consideration.

 No. 24

CD 1

C 950520 PQK

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 314 Rutledge Street (Block 2228, Lot 16), for continued use as a garage.

(On August 21, 1996, Cal. No. 5, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 21, the hearing was closed.)

For consideration.

No. 25

CD 1

C 950521 PQK

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 50 Kent Avenue (Block 2287, Lot 1), for continued use as a garage.

(On August 21, 1996, Cal. No. 6, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 22, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 26

CD 3

C 960474 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 108-110 Norfolk Street (Block 353, lots 52 and 53), located on the east side of Norfolk Street, between Rivington and Delancey streets, as an Urban Development Action Area;

b) an Urban Development Action Area Project for such area; and

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

Approval of the proposed actions would facilitate the construction of a development containing 23 apartments in a seven story-elevator building, one apartment for the superintendent, and community facility space, financed by the New York State

Housing Trust Fund Corporation and the Enterprise Social Investment Corporation.

(On September 11, 1996, Cal. No. 12, the Commission scheduled September 25, 1996 for a public hearing. On September 25, 1996, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 27

CD 6

C 940678 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 two (2) city-owned properties pursuant to AHOP. If AHOP disposition is unsuccessful, disposition would be pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Location</u>
3150	98	Interior lot 305.20 ft. south of Fleet Street, 105 ft. west of Selfridge Street
3150	94	Interior lot 116.96 ft. south of Fleet Street, 105 ft. west of Selfridge Street

(On August 21, 1996, Cal. No. 8, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 25, the hearing was closed.)

For consideration.

Nos. 28 and 29

(Applications for an amendment of the Zoning Map to Rezone two areas in St. Albans)

No. 28

CD 12

C 960568 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 15b and 19a:

- 1) changing from an R3-2 District to an R6B District property bounded by a line 100 feet north of Linden Boulevard, a line 100 feet west of Farmers Boulevard, Dunkirk Drive, 116th Road, a line 100 feet east of Farmers Boulevard, a line 100 feet north of Linden Boulevard, 190th Street, a line 100 feet south of Linden Boulevard, a line 150 feet east of Farmers Boulevard, 117th Road, Baisley Boulevard, Everitt Place, a line 100 feet south of Linden Boulevard, Montauk Street, Linden Boulevard, and the easterly boundary line of the Long Island Rail Road Right-of-Way (Montauk Division);
- 2) changing from an R3-2 District to an R5B District property bounded by a line 100 feet north of Linden Boulevard, 196th Street, a line 100 feet south of Linden Boulevard, and 190th Street; and
- 3) establishing within the proposed R6B District a C1-2 District bounded by Dunkirk Drive, 116th Road, a line 100 feet east of Farmers Boulevard, a line 100 feet north of Linden Boulevard, and a line 100 feet west of Farmers Boulevard,

as shown on a diagram (for illustrative purposes only) dated June 3, 1996.

(On August 21, 1996, Cal. No. 9, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 26, the hearing was closed.)

For consideration.

No. 29

CD 12

C 960569 ZMQ

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section No. 19a:**

- 1) eliminating from an existing R4 District a C1-2 District bounded by:
 - a) a line 100 feet southwest of Irwin Place, Sunbury Road, Merrick Boulevard, and a line 300 feet northwest of Sunbury Road; and
 - b) a line 100 feet northeast of Merrick Boulevard, Leslie Road, a line 150 feet northeast of Merrick Boulevard, Anderson Road, Merrick Boulevard, and Ursina Road;
- 2) changing from an R4 District to an R4B District property bounded by 180th Street, a line midway between Anderson Road and Zoller Road, Sidway Place, Selover Road, a line 480 feet southwest of 178th Place, Leslie Road, Merrick Boulevard,

Sunbury Road, a line 260 feet northeast of Irwin Place, Troutville Road, a line 100 feet southeast of 120th Avenue, 179th Street, and 120th Avenue;

- 3) changing from an R4 District to an R3-2 District property bounded by:
 - a) 120th Avenue, the northeast boundary line of the Long Island Rail Road Right-of-Way (Montauk Division), a line 100 feet southeast of Eveleth Road and its northeast prolongation, Sidway Place, a line perpendicular to the southwest street line of Sidway Place distant 220 feet northwest from the intersection of Sidway Place and Farmers Boulevard, a line 260 feet northeast of Merrick Boulevard, a line midway between Zoller Road and Eveleth Road, a line 120 feet northeast of Merrick Boulevard, Zoller Avenue, a line 150 feet northeast of Merrick Boulevard, Anderson Road, Merrick Boulevard, Leslie Road, a line 480 feet southwest of 178th Place, Selover Road, Sidway Place, a line midway between Anderson Road and Zoller Road, and 180th Street; and
 - b) 120th Avenue, 179th Street, a line 100 feet southeast of 120th Avenue, Troutville Road, a line 260 feet northeast of Irwin Place, Sunbury Road, Merrick Boulevard, a line 300 feet northwest of Sunbury Road, and Irwin Place;
- 4) changing from an R4 District to an M1-1 District property bounded by a line 110 feet northeast of the northeast boundary line of the Long Island Rail Road Right-of-Way (Montauk Division), a line 390 feet southeast of 121st Avenue, Farmers Boulevard, Sidway Place, a line 100 feet southeast of Eveleth Road and its northeast prolongation, the northeast boundary line of the Long Island Rail Road Right-of-Way (Montauk Division), and a line perpendicular to a line 110 feet northeast of the northeast boundary line of the Long Island Rail Road Right-of-Way (Montauk Division) distant 150 feet northwest of the intersection of a line 110 feet northeast of the northeast boundary line of the Long Island Rail Road Right-of-Way (Montauk Division) and a line 390 feet southeast of 121st Avenue;
- 5) changing from a C8-1 District to an R3-2 District property bounded by a line 150 feet northeast of Merrick Boulevard, Zoller Road, a line 120 feet northeast of Merrick Boulevard, and Anderson Road;
- 6) establishing within the proposed R4B District a C1-4 District bounded by Leslie Road, Merrick Boulevard, Ursina Road, and a line 100 feet northeast of Merrick Boulevard; and
- 7) establishing within a proposed R3-2 District a C1-4 District bounded by:
 - a) Sunbury Road, Merrick Boulevard, a line 300 feet northwest of Sunbury Road, and a line 100 feet southwest of Irwin Place; and

- b) Anderson Road, Merrick Boulevard, Leslie Road, and a line 100 feet northeast of Merrick Boulevard;

as shown on a diagram (for illustrative purposes only) dated June 3, 1996.

(On August 21, 1996, Cal. No. 10, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 27, the hearing was closed.)

For consideration.

No. 30

CD 12

C 960534 DMQ

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 three (3) city-owned properties pursuant to zoning.

<u>Block</u>	<u>Lot</u>	<u>Address</u>
10075	110	144-12 South Road
10089	19	106-54 150th Street
12209	125	118-19 154th Street

(On August 21, 1996, Cal. No. 11, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 28, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 31

CD 2

C 960412 ZSR

IN THE MATTER OF an application submitted by ORIX Staten Island, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow a department or a variety store which requires membership with no limitation on floor area (U.G. 10A) within an M1-1 District on property located at 3827 Victory Boulevard (Block 2784, part of Lot 29).

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

(On July 31, 1996, Cal. No. 21, the Commission scheduled August 21, 1996 for a public hearing. On August 21, 1996, Cal. No. 34, the hearing was continued. On September 11, 1996, Cal. No. 29, the hearing was closed.)

For consideration.

No. 32

CD 2

N 960549 ZAR

IN THE MATTER OF an application submitted by Ronnie Gutterman for:

- (1) **The grant of authorizations** pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution, involving modification of existing topography, alteration of botanic environment including the removal of trees and alteration of other natural features; **and**
- (2) **Certification** pursuant to Section 105-90 of the Zoning Resolution for future subdivision

to allow the construction of two single-family dwellings on property located at 115 and 125 Annfield Court (Block 878, Lots 320 and 330) within the Special Natural Area District (NA-1).

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

For consideration.

CITYWIDE

Nos. 33 and 34

(Original application and proposed modification for the consolidated street furniture franchise)

No. 33

Citywide

C 960543 GFY

IN THE MATTER OF an application submitted by the Department of Transportation pursuant to Sections 197-c and 363 e(2) of the New York City Charter for a franchise for installing, operating and maintaining bus stop shelters, automatic public toilets, newsstands and public service structures to be located in all five boroughs.

(On August 21, 1996, Cal. No. 12, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 30, the hearing was closed.)

For consideration.

No. 34

Citywide

C 960543(A) GFY

IN THE MATTER OF a modified application submitted by the Department of Transportation pursuant to Sections 197-c and 363 e(2) of the New York City Charter for a franchise for installing, operating and maintaining bus stop shelters, automatic public toilets, newsstands and public service structures to be located in all five boroughs and proposed for modification on August 19, 1996 pursuant to Section 7.030 of the Uniform Land Use Review Procedure.

(On August 21, 1996, Cal. No. 13, the Commission scheduled September 11, 1996 for a public hearing. On September 11, 1996, Cal. No. 31, the hearing was closed.)

For consideration.
