

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, SEPTEMBER 3, 1997  
10:00 A.M. SPECTOR HALL  
22 READE STREET, N. Y. 10007**

**Rosa R. Romero, 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 970639 HDM	3	Scheduled to be Heard 9/17/97	19	N 980099 PXM	1	Hearing Closed
2	C 970495 PPM	3	. .	20	C 970428 DMQ	5	. .
3	C 970323 ZMR	2	. .	21	C 970503 PPQ	4	. .
4	Proposed Rules	cw	. .	22	C 970504 PPQ	5	. .
5	C 970376 ZMX	4	Hearing Closed	23	C 970505 PPQ	6	. .
6	C 970565 PPX	11	. .	24	C 970563 PPQ	8	. .
7	C 930139 MMX	2	. .	25	C 970584 PPQ	11	. .
8	C 960354 ZSX	2	. .	26	C 970502 PPQ	3	. .
9	C 970320 PPK	7	. .	27	C 970564 PPQ	9	. .
10	C 970494 PPK	1	. .	28	C 970748 PPQ	13	. .
11	C 940327 MMK	18	Hearing Continued	29	C 960601 ZMQ	1	. .
12	C 960150 PSK	4	Hearing Closed	30	C 970211 ZMR	3	. .
13	C 970426 DMK	7	. .	31	N 970654 ZRY	cw	. .
14	C 970561 PPK	7	. .	32	N 970636 ZRY	cw	. .
15	C 970531 ZSK	12	. .	33	N 970678 ZRY	cw	. .
16	C 970427 DMM	11	. .	34	C 970425 DMX	6	Favorable Report Adopted
17	C 970496 PPM	7	. .	35	C 970463 ZMX	1,4	. .
18	C 970471 PPM	10	. .	36	C 900440 MMK	3	. .

COMMISSION ATTENDANCE:	Present (P)	Absent (A)	COMMISSION VOTING RECORD:													
			In Favor - Y    Oppose - N    Abstain - AB    Recuse - R													
Calendar Numbers:																
			34	35	36	37	38	39	40	41	42	43	44	45	46	47
Joseph B. Rose, Chairman	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Victor G. Alicea, Vice Chairman	P		Y	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	Y
Angela M. Battaglia	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Amanda M. Burden, A.I.C.P.	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Irwin Cantor, P.E.	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	AB
Kathy Hirata Chin, Esq.	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Alexander Garvin	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	AB	Y
Anthony I. Giacobbe, Esq.	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
William J. Grinker	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	AB
Brenda Levin	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Edward Rogowsky	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jacob B. Ward, Esq., Commissioners	P		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	AB

MEETING ADJOURNED AT: 2:14 P.M.



**COMPREHENSIVE**  
**CITY PLANNING CALENDAR**  
**of**  
**The City of New York**  

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**CITY PLANNING COMMISSION**  

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**WEDNESDAY, SEPTEMBER 3, 1997**  

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



**Rudolph W. Giuliani, Mayor**  
**City of New York**

**[No. 16]**

**Prepared by Rosa R. Romero, Calendar Officer**

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## CITY PLANNING COMMISSION

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### 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.

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**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**

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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*  
ROSA R. ROMERO, *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.

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**ORDER OF BUSINESS AND INDEX**

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**WEDNESDAY, SEPTEMBER 3, 1997**

Roll Call; approval of minutes . . . . .	2
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II. Public Hearings . . . . .	11
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**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for September 17, 1997 in Spector Hall, 22 Reade Street, New York at 10:00 a.m.

C

**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: \_\_\_\_\_

To view the Planning Commission Calendar on the World Wide Web, visit the Department of City Planning (DCP) home page at:

<http://www.ci.nyc.ny.us/html/dcp/home.html>

**NOTICE**

**PLEASE NOTE THAT APPLICATIONS AND INSTRUCTIONS FOR LAND  
USE ACTIONS HAVE BEEN REVISED. THE NEW APPLICATION  
PACKAGE IS AVAILABLE AT THE DCP MAIN OFFICE MAP AND  
BOOK STORE AT 22 READE STREET, GROUND FLOOR**

**NEW FORMS MAY BE FILED EFFECTIVE IMMEDIATELY.**

**OLD FORMS WILL**

**NO LONGER BE ACCEPTED**

**WEDNESDAY, SEPTEMBER 3, 1997**

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**APPROVAL OF MINUTES OF Regular Meeting of August 6, 1997  
and Special Meetings of July 28, 1997, August 18, 1997 and September 2, 1997**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, SEPTEMBER 17, 1997  
STARTING AT 10:00 A.M.  
IN SPECTOR HALL, 22 READE STREET,  
NEW YORK, NEW YORK**

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**BOROUGH OF MANHATTAN**

**No. 1**

**CD 3**

**C 970639 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 located at 253-269 Bowery (Block 427, part of Lot 1), Site 1C, within the Cooper Square Urban Renewal Area, to a purchaser to be selected by HPD.

**Resolution for adoption scheduling September 17, 1997 for a public hearing.**

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**No. 2**

**CD 3**

**C 970495 PPM**

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



Block	Lot	Address
394	47	643 E. 11th Street
404	29	172 Avenue B

Resolution for adoption scheduling September 17, 1997 for a public hearing.

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**BOROUGH OF STATEN ISLAND**

No. 3

CD 2

C 970323 ZMR

**IN THE MATTER OF** an application submitted by Langold, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 26c, by changing from an R3-2 District to a C8-1 District property bounded by Park Drive East, Richmond Avenue, a line perpendicular to the westerly street line of Richmond Avenue (straight portion) distant 210 feet southerly of the Point of Compound Curvature on Park Drive East at its intersection with Richmond Avenue, and a line perpendicular to the last-named course distant 300 feet westerly of its point of intersection with the westerly street line of Richmond Avenue, as shown on a diagram (for illustrative purposes only) dated July 7, 1997.

Resolution for adoption scheduling September 17, 1997 for a public hearing.

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## CITYWIDE

No. 4

CITY OF NEW YORK  
CITY PLANNING COMMISSIONNotice of Opportunity to Comment on Proposed Amendments  
to the City Planning Commission's Rules of Procedure

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE CITY PLANNING COMMISSION by Sections 197-c(i) and 1043(a) of the New York City Charter that the Commission intends to adopt revisions to its general rules of procedures, set forth in Chapters 1 and 2 of Title 62 of the Rules of the City of New York. The proposed rule revisions are set forth below.

Written comments regarding this set of revisions may be sent to the office of the General Counsel, Attention Melanie Meyers, Department of City Planning, 22 Reade Street, New York, N.Y. 10007, on or before September 28, 1997. A public hearing will be held on September 17, 1997, at 10:00 a.m. at Spector Hall, 22 Reade Street, New York, New York. Persons seeking to testify are requested to notify the General Counsel at the foregoing address. Written comments and a summary or oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 a.m. and 5:00 p.m., at the office of the General Counsel.

New Material is indicated by underlining. Deleted materials indicated by bracketing.

Chapter 1 and Chapter 2 of Title 62 of the Rules of the City of New York are hereby amended to read as follows:

**Chapter 1 Practice and Procedure of City Planning Commission**

**§1-01 General Rules.** (a) The regular public [meetings] hearings of the City Planning Commission shall be held twice monthly on Wednesday at 10 a.m. in [Room 16] City Hall, unless otherwise ordered by the Chair. Other regular public meetings of the City Planning Commission shall be held twice monthly on Monday at 22 Reade Street, Spector Hall unless otherwise ordered by the Chair. The public may attend all meetings of the Commission. The Commission may close such a review session or meeting to the public only as provided in the New York State Open Meetings Law (Public Officers Law, §§100-111).

(b) Special [public] meetings of the City Planning Commission may be called by the [Chairman] Chair or by seven members.

\* \* \*

(f) The order of business at regular public [meetings] hearings shall be as follows unless otherwise ordered by the Chair.

\* \* \*

[(4) Reports on previously heard items.

(5) Public Hearing.]

(4) Public Hearings.

(5) Reports on previously heard items.

\* \* \*

(h) The Chair shall direct a roll call upon every proposition to be acted upon pursuant to Sections 195, 197-a, 197-c, 200 and 201 of the Charter of the City of New York (the Charter)[, and all votes]. Votes shall be taken by the ayes and nays.

\* \* \*

(j) The Chair shall establish the order in which speakers are heard [At] at public hearings [those opposed to a proposition shall be heard first and then those in favor thereof, unless otherwise ordered]. Speakers shall be limited to no more than three minutes of testimony unless more time is permitted by the Chair.

(k) City employees designated by the Commission shall be the only persons [assigned] allowed within the guard rail of the dais during public meetings.

(l) All reports[, whether from members] of the Commission pertaining to matters acted on by the Commission [or staff of the Department of City Planning] shall be incorporated in the record.

(m) All proposals scheduled for public hearings shall be duly advertised in accordance with Charter provisions and all applicable laws.

**§1-02 The Secretary to the Commission: Notices, Calendars, Minutes, Record, and Communications.**

(a) Notices of all special meetings shall be given to each member by the [Secretary] Calendar Officer.

(b) The [Secretary] Calendar Officer shall prepare a calendar of the business to be presented and considered at each public meeting. The matters thereon shall be arranged in the order prescribed by [the order of business] §1-01(f), and shall be properly classified. The [Secretary] Calendar Officer shall also keep a record of undetermined matters[,] which have been laid over.

(c) Record. The record of a public meeting shall consist of either a tape recording or verbatim stenographic record of the proceedings; a list of speakers' names and affiliations, if any; a notation of each speaker's own indication, on a form provided for that purpose, of support or opposition to the proposal; and any exhibits or written statements offered by speakers. The record shall be available at the Calendar Office, City Planning Commission, Room 2E, 22 Reade Street, New York, New York 10007-1216. The Department of City Planning shall make available for public inspection, at the above location, a complete transcript of all public hearings of the Commission within sixty (60) days of such hearing.

[c](d) The [Secretary] Calendar Officer shall [cause] maintain the minutes of each public meeting [to be printed and bound in volumes of convenient size, with an index thereto], and shall [be] make them available for examination by the public in the Office of the [Secretary] Calendar Officer.

[d](e) [At the request of any member, minutes] Minutes and a record of votes shall be taken at any executive [meeting shall be taken] session to the extent required by §106 of the Public Officers Law.

[e](f) All communications, petitions and reports intended for consideration shall be addressed to the Commission and delivered at or mailed to the [Secretary's office] Calendar Office and shall consist of an original accompanied by [nine] seventeen copies.

[f](g) The [Secretary] Calendar Officer shall transmit to the [Board of Estimate] City Council [or its successor agency] and other City departments affected thereby true copies of all reports and resolutions adopted.

§1-03 Suspension of Rules. The suspension of any of the rules of Practice and Procedure of the City Planning Commission may be ordered by unanimous vote.

[§1-04 Petitions Requesting a Change of Zone Pursuant to §201 of the Charter.]

[Repealed]

**[§1-05 Applications for Approval of Projects in the Lincoln Square Special District.]**

[Repealed]

**[§1-06 Renewal of Authorization or Special Permit.]**

[Repealed]

Section §1-07, entitled "Natural Feature Restoration Fee," shall be renumbered §1-04.

**Chapter 2 Uniform Land Use Review Procedure (ULURP)**

§ 2-01.1 Zoning Resolution Amendments Adopted Pursuant to City Charter § 200 or § 201. Applications to amend the Zoning Resolution pursuant to City Charter § 201 and actions to amend the Zoning Resolution initiated by the Commission pursuant to Charter § 200, which concern revisions to the text of the Zoning Resolution, shall be subject to the provisions of paragraphs (b), (c), (d) and (g) of § 2-06 and paragraph (c) of §2-02 of these rules.

**§2-02 Applications**

(a) *Applications: general provisions. (1) Presentation of Application.* A request for any action shall be submitted to the Department of City Planning, Central Intake Room. The application must be submitted upon the proper forms for the action as provided by the Department and must be accompanied by all of the information and documents required by such form in the appropriate number of copies specified thereon. For the purpose of the acquisition of property by the city, pursuant to §§2-01(e) and 2-01(k) of this chapter, the applicant shall be [considered] the requesting agency and the Department of [General] Citywide Administrative Services.

When presented at Central Intake, the application shall accompanied by payment of the required fee, if any. Central Intake will not accept incomplete applications or applications without the required fee.

\* \* \*

**§2-03 Community Board Actions**

\* \* \*

(e) *Public attendance at meetings of a community board or its committees.* The public may attend all meetings of a community board or its committee at which an application [which has been scheduled in the Comprehensive City Planning Calendar for a community board public hearing] for an action subject to this Chapter is to be considered or acted upon in a preliminary or final manner. A community board may close a meeting or committee meeting to the public only as provided in the New York State Open Meetings Law, (Public Officers Law, §§100-111).

\* \* \*

(g) *Requests for review of action not in a community district.* A community board or borough board may request a copy of the application and supporting documents for any [such] action subject to ULURP which is not located within the district boundaries of the community board, or the borough board, making the request. The request must be made in writing to the Calendar Office of the Commission and it shall state the basis for the board's judgment that the application may significantly affect the welfare of the district or borough served by such board. If such request is made, the Department of City Planning shall forward the information described above to said board. Thereafter, the community board or borough board may schedule a public hearing on the application, such hearing and notice thereof to be in conformance with §§2-03(c), 2-03(d), 2-05(c) and 2-05(d) of this chapter and may submit a written recommendation to the Commission. The Commission may receive such recommendation at any time prior to its final action on the application[.]; however, it shall have no authority to extend the review period defined in Charter §197-c, nor shall a review by a second community board pursuant to this subparagraph (g) require that the application be reviewed by the borough board. A Borough President may similarly request a copy of an application and supporting documents for any [such] action subject to ULURP which is not located within the boundaries of the borough.

\* \* \*

#### §2-05 Borough Board Actions.

\* \* \*

(d) *Public attendance at meetings.* The public may attend all meetings of a borough board at which an application [which has been scheduled in the Comprehensive City Planning Calendar for a borough board public hearing] for an action subject to this Chapter is to be considered or acted upon in a preliminary or final manner. A borough board may close a meeting to the public only as provided in the New York State Open Meetings Law (Public Officers Law, §§100-111).

**§2-06 City Planning Commission Actions.** (a) *General provisions.* The Commission shall hold a public hearing on all applications made pursuant to §197-c of the Charter not later than sixty (60) calendar days after the expiration of the time allowed for the filing of a recommendation or waiver with it by an affected Borough President. [Following its hearing and within its applicable sixty (60) calendar days after the expiration of the time allowed for the filing of a recommendation or waiver with it by an affected Borough President.] Following its hearing and within its applicable sixty (60) day period, the Commission shall approve, approve with modifications or disapprove such application and file its decision pursuant to §2-05(h)(4) below.

(b) *Zoning text amendments pursuant to Charter §200 or 201.* The Commission shall hold a public hearing on an application for a zoning text amendment pursuant to Charter §§200 or 201. Such hearing shall be conducted in accordance with §2-06(f) of this Chapter.

(c) *Modification of Application* (1) The Commission may propose a modification of an application, including an application for a zoning text amendment pursuant to Charter §§200 or 201, which meets the criteria of [§ 2-05(h)(5)] §2-06(g) below.

\* \* \*

(d) *Notice of hearing.* Notice of the time, place and subject of a public hearing by the Commission for all applications subject to this uniform land use review procedure, including applications for zoning text amendments pursuant to Charter §§200 and 201 and modified applications pursuant to [§2-05(c)(1)] §2-06(c)(1), of this chapter, shall be given as follows:

\* \* \*

[(f) Public attendance at review sessions....]

[Repealed]

[(g)](f) *Conduct of hearing.* (1) *Location.* Commission public hearings shall be held in [the Board of Estimate Chamber,] City Hall, unless otherwise [determined by the Commission] ordered by the Chair.

\* \* \*

[(4) Record....]

[Repealed]

[(h)](g) *Commission Actions.*

\* \* \*

(5) *Review of Council modifications.* The Commission shall receive from the City Council during its fifty (50) day period for review copies of the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine[;]:

(i) in consultation with the Office of Environmental Coordination and lead agency as necessary, whether the modification may result in any significant adverse environmental effects which were not previously addressed; and

(ii) whether the modification requires the initiation of a new [ULURP] application. [The] In making this determination, the Commission shall consider whether the proposed modification:

\* \* \*

If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new [ULURP] application, it shall so advise the Council in a written statement which includes the reasons for its determination.

(6) Zoning Resolution Text Amendments Pursuant to Charter §§ 200 and 201.  
Applications for amendments to the text of the Zoning Resolution pursuant to Charter §§ 200 or 201 shall be subject to the provisions of this paragraph (g).

**STATEMENT OF BASIS AND PURPOSE:** Chapter 1 and Chapter 2 of Title 62 of the Rules of the City of New York are being amended for several reasons: to clarify the practices and procedures of the City Planning Commission and to bring these rules into conformance with the actual practice of the Commission and its staff; to effectuate cost savings with respect to transcripts of hearings; to repeal various provisions that have been rendered obsolete or superseded by amendments to the City's Zoning Resolution or amendments to the City Charter; and finally, to make technical and typographical corrections to the rules.

Joseph B. Rose  
Chairman, City Planning Commission

Resolution for adoption scheduling September 17, 1997 for a public hearing.

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**II. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 5**

**CD 4**

**C 970376 ZMX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Allison, Scott & Mindy Defrin pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3b:

- a) eliminating from an existing R7-1 District a C1-4 District bounded by East Mt. Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet south of East Mt. Eden Avenue, and Jerome Avenue; and
- b) changing from an existing R7-1 District to a C8-3 District property bounded by East Mt. Eden Avenue, a line midway between Jerome Avenue and Townsend Avenue, a line 100 feet south of East Mt. Eden Avenue, and Jerome Avenue;

as shown on a diagram (for illustrative purposes only) dated May 12, 1997.

(On August 6, 1997, Cal. No. 1, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 6**

**CD 11**

**C 970565 PPX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at the northwest junction of the Hutchinson River Parkway and the Metro North railroad tracks (Block 4411 Lot 299), pursuant to zoning.

(On August 6, 1997, Cal. No. 2, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 7

CD 2

C 930139 MMX

**PUBLIC HEARING:**

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

o Halleck Street from 60 feet wide to 100 feet wide from Ryawa Avenue to Viele Avenue, and

o the southwesterly intersection of Ryawa Avenue and Hunt's Point Avenue,

and the adjustment of legal grade and block dimensions in the vicinity thereof, and any acquisition or disposition of real property related thereto, in accordance with Map No. 13067 dated November 14, 1994 and signed by the Borough President.

(On August 6, 1997, Cal. No. 3, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 8

CD 2

C 960354 ZSX

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Kobet Realty Corp. 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 allow an attended public parking lot with a maximum capacity of 72 spaces on property located at 980-998 Westchester Avenue (Block 2714, Lot 30), 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 6, 1997, Cal. No. 4, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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**BOROUGH OF BROOKLYN**

**No. 9**

**CD 7**

**C 970320 PPK**

**PUBLIC HEARING:**

**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 the disposition to the Harborside Management Corporation of city-owned property located on the west side of First Avenue generally bounded between 42nd and 50th streets (Block 715, part of Lot 1 and Block 725 parts of Lots 1 & 100), pursuant to zoning.

(On August 6, 1997, Cal. No. 5, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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**No. 10**

**CD 1**

**C 970494 PPK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative 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>Location</u>
2394	117	N. side of S. 1st Street, 125 feet west of Roebling St.
3061	1	116 Manhattan Avenue

(On August 6, 1997, Cal. No. 6, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 11

CD 18

C 940327 MMK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the elimination of Marginal Street, Wharf or Place and the establishment of a Park generally bounded by East 76th Street, Paerdegat Avenue North, Shore Parkway, Bergen Avenue, Ralph Avenue and Flatlands Avenue, Borough of Brooklyn, and any acquisition or disposition of property related thereto, all in accordance with Map No. Y-2617, dated February 10, 1997 and signed by the Borough President.

(On August 6, 1997, Cal. No. 7, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

No. 12

CD 4

C 960150 PSK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection of property located at 1050/1054 Sutter Avenue, (Block 4053, Lots 21, 22, 23, 24, 120, and 121) for use as a parking lot.

(On August 6, 1997, Cal. No. 8, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 13

CD 7

C 970426 DMK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative 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>
745	51	4524 Third Avenue
797	22	240 51st Street

(On August 6, 1997, Cal. No. 9, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

No. 14

CD 7

C 970561 PPK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 764 Fifth Avenue (Block 658, Lot 37) pursuant to zoning.

(On August 6, 1997, Cal. No. 10, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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## No. 15

CD 12

C 970531 ZSK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Maimonides Medical Center pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to allow the enlargement of a previously approved existing 3-level and roof accessory parking garage (C 760206 ZSK) from a capacity of 336 unattended spaces to a 5-level and roof accessory parking garage with 852 attended spaces, on property located at 4723 Tenth Avenue (Block 5626, Lots 1, 2, 4, 5, 7, 16, 17, 18, 33, 34, 35, 36, and 37), within the Maimonides Medical Center large-scale community facility development generally bounded by 9th Avenue, 47th Street, Fort Hamilton Parkway, and 49th Street, in an R6 District.

Plans for the proposed enlargement of an accessory parking garage are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, New York 10007.

(On August 6, 1997, Cal. No. 11, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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**BOROUGH OF MANHATTAN**

## No. 16

CD 11

C 970427 DMM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative 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 or Location</u>
1783	109	217 East 118th Street
1783	119	245 East 118th Street

(On August 6, 1997, Cal. No. 12, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

No. 17

CD 7

C 970496 PPM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property, located 111.46 feet west of Broadway, and 86.17 feet north of West 83rd Street (Block 1231, Lot 12), pursuant to zoning.

(On August 6, 1997, Cal. No. 13, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

No. 18

CD 10

C 970471 PPM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of thirteen (13) city-owned properties, pursuant to zoning.

A list and description of the properties can be seen at the Manhattan Office of the Department of City Planning, Room 6W, 22 Reade Street, New York, New York 10007.

(On August 6, 1997, Cal. No. 14, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

18

No. 19

CD 1

N 980099 FXM

**PUBLIC HEARING:**

**IN THE MATTER OF a Notice of Intent to Acquire Office Space** submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 156 William Street (Block 93, Lot 20). (Department of Youth and Community Development Offices)

(On August 20, 1997, the Commission duly advertised September 3, 1997 for a public hearing.)

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**BOROUGH OF QUEENS**

No. 20

CD 5

C 970428 DMQ

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 61-45 78th Street (Block 2936, Lot 71), pursuant to zoning.

(On August 6, 1997, Cal. No. 15, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.

Close the hearing.

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No. 21

CD 4

C 970503 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 103-17 51st Avenue (Block 1934, Lot 61), pursuant to zoning.



(On August 6, 1997, Cal. No. 16, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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No. 22

CD 5

C 970504 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative 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 or Location</u>
2575	1	NE corner of 49th Street and Maspeth Avenue
3542	88	15-17 Cooper Avenue

(On August 6, 1997, Cal. No. 17, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

No. 23

CD 6

C 970505 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 105-45 62nd Drive (Block 2144, Lot 39), pursuant to zoning.

(On August 6, 1997, Cal. No. 18, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

---

CD 8

C 970563 PPQ

**PUBLIC HEARING:**

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

<u>Block</u>	<u>Lot</u>	<u>Location</u>
6711	1	Interior lot, west side of 153rd Street, 100 feet south of 78th Road.
6711	121	Interior lot, 194 feet west of 153rd Street, 100 feet south of 78th Road.

(On August 6, 1997, Cal. No. 19, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

CD 11

C 970584 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located on the south side of Nassau Road, 20 feet east of the intersection of 39th Road and Nassau Road (Block 8148, Lot 61), pursuant to zoning.

(On August 6, 1997, Cal. No. 20, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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## No. 26

CD 3

C 970502 PPQ

**PUBLIC HEARING:**

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

<u>Block</u>	<u>Lot</u>	<u>Address</u>
1785	41	112-02 39th Avenue
1781	29	111-31 38th Avenue

(On August 6, 1997, Cal. No. 21, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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 No. 27

CD 9

C 970564 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property, located at 97-06 Van Wyck Expressway (Block 9483, Lot 18), pursuant to zoning.

(On August 6, 1997, Cal. No. 22, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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CD 13

C 970748 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition to the Economic Development Corporation of one (1) city-owned property located at 160-00 Rockaway Boulevard (Block 14260, part of Lot 1), pursuant to zoning.

(On August 6, 1997, Cal. No. 23, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

CD 1

C 960601 ZMQ

**PUBLIC HEARING: CONTINUED**

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

- a) changing from an M1-1 District to an R4 District property bounded by Ditmars Boulevard, 46th Street, a line 525 feet southwest of Ditmars Boulevard, and 45th Street; and
- b) establishing within the proposed R4 District a C1-4 District bounded by Ditmars Boulevard, 46th Street, a line 100 feet southwest of Ditmars Boulevard, and 45th Street;

as shown on a diagram (for illustrative purposes only) dated May 19, 1997.

(On July 9, 1997, Cal. No. 15, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 39, the public hearing was continued to September 3, 1997.)

Close the hearing.

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**BOROUGH OF STATEN ISLAND**

No. 30

CD 3

C 970211 ZMR

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Eltingville Homeowners & Civic Association, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 33c and 33d, changing from an R3-1 District to an R3A District property bounded by Oakdale Street, Park Terrace, Hillcrest Avenue, Eleanor Lane, Oceanview Place, Wiman Avenue, Hillcrest Street, Armstrong Avenue, Hylan Boulevard, Hales Avenue, Koch Boulevard, Richmond Avenue, Bennington Street, and Winchester Avenue, within the Special South Richmond Development District, as shown on a diagram (for illustrative purposes only) dated May 19, 1997.

(On August 6, 1997, Cal. No. 24, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised.)

Close the hearing.

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**CITYWIDE**

No. 31

*(Amendment of the Zoning Resolution concerning the modification of special permit, authorization and other provisions relating to landmark buildings and buildings and zoning lots within Historic Districts designated by the Landmarks Preservation Commission.)*

Citywide

N 970654 ZRY

**PUBLIC HEARING:**

**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 various sections concerning landmark buildings and Historic Districts designated by the Landmarks Preservation Commission.

Matter in ~~Section~~ 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.

## 15-20

### REGULATIONS GOVERNING CONVERSIONS TO DWELLING UNITS OF NON-RESIDENTIAL BUILDINGS IN C6-2M, C6-4M, M1-5M and M1-6M DISTRICTS

(a) The #lot area# requirements of the following sections are hereby superseded and replaced with the requirements of Sections 15-21 and 15-22 for the conversion of non-#residential buildings# to #dwelling units#:

Sections 23-20 through 23-28 (DENSITY REGULATIONS-REQUIRED LOT AREA PER DWELLING UNIT, LOT AREA PER ROOM, OR FLOOR AREA PER ROOM);

Section 24-20 (LOT AREA REQUIREMENTS FOR BUILDINGS USED PARTLY FOR RESIDENTIAL USE);

Sections 35-40 through 35-43 (APPLICABILITY OF THE LOT AREA REQUIREMENTS TO MIXED BUILDINGS); and

Section 54-31 (Enlargements or Conversions).

In addition, the #open space ratio#, #yard#, minimum distance between two or more #buildings# on a single #zoning lot# and minimum distance between windows and walls or #lot lines# requirements are hereby superseded and replaced by the requirements of Sections 15-23 and 15-24.

(b) In C6-2M, C6-4M, M1-5M and M1-6M Districts, the requirements of Section 15-21 (Use Regulations - Transfer of Preservation Obligations and Conversion Rights) may be waived by authorization of the City Planning Commission in connection with the conversion of all or any portion of a non-#residential building# to a #residential use#, provided that:

(1) such non-#residential building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;

(2) any alterations to the subject #building#, required in connection with such conversion to #residential use#, have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission;

(3) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission; and

(4) such non-#residential buildings#, or portions thereof, being converted to #residential use#, shall comply with the #residential floor area per room# requirements set forth in Section 74-711 paragraph (a)(3), (Landmark preservation in all districts).

In order to grant an authorization the City Planning Commission shall find that such waiver shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

23-45

Minimum Required Front Yards

\* \* \*

R1 R2 R3 R4 R5

(d) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the provisions of paragraphs (a) and (b) of this Section are modified as follows:

The depth of the #front# yard may vary between the requirements of paragraph (a) of this Section, or as modified in any applicable Special District, and the depth of the #front yard# of any adjacent #zoning lot#.

23-633

Street wall location and height and setback regulations in certain districts

\* \* \*

R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

(d) Additional regulations

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, the following additional regulations shall apply:

\* \* \*

(4) For any zoning lot located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height and street wall location regulations of this Section, or as modified in any applicable Special District, shall be modified as follows:

(i) The minimum base height of a street wall may vary between the height of the street wall of an adjacent building before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section, or as modified in any applicable Special District.

(ii) The location of the street wall of any building may vary between the street wall location requirements of this Section, or as modified in any applicable Special District, and the location of the street wall of an adjacent building fronting on the same street line.

\* \* \*

35-25

Special Street Wall Location and Height and Setback Regulations in Certain Districts

\* \* \*

(e) Additional regulations

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A  
C4-5A C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

\* \* \*

(4) For any zoning lot located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height and street wall location regulations of this Section, or as modified in any applicable Special District, shall be modified as follows:

(i) The minimum base height of a street wall may vary between the height of the street wall of an adjacent building before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section, or as modified in any applicable Special District.



- (ii) The location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Section, or as modified in any applicable Special District, and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

\* \* \*

42-14

Use Group 17

\* \* \*

D. Special #uses# in M1-5A and M1-5B Districts

M1-5A M1-5B

- (1) #Joint living-work quarters for artists# in #buildings# in M1-5A and M1-5B Districts provided:

- (a) Such #building# was erected prior to December 15, 1961.
- (b) The #lot coverage# of such #building# does not exceed 5,000 square feet except that in #buildings# with frontage along Broadway the #lot coverage# shall not exceed 3,600 square feet. However, such quarters may also be located in a #building# occupying more than 5,000 square feet of #lot area# if the entire #building# was held in cooperative ownership by #artists# on September 15, 1970. #Joint living-work quarters for artists# are permitted in other #buildings# or other structures# only by special permit of the City Planning Commission pursuant to Section 74-782, or by minor modification of the Chairperson of the City Planning Commission pursuant to Section 42-141 paragraph (e), or by authorization of the City Planning Commission pursuant to Section 42-142. (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).
- (c) In M1-5B Districts in #buildings# occupying less than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts) or Section 74-781 (Modification by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts), or by authorization of the City Planning Commission pursuant to Section 42-142. (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).

- (d) In #buildings# occupying more than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in M1-5A and M1-5B Districts) or Section 74-781 (Modification by special permit of the City Planning Commission of uses in M1-5A and M1-5B Districts), or by authorization of the City Planning Commission pursuant to Section 42-142. (Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts).

#### 42-142

Modification by authorization of the City Planning Commission of use regulations in M1-5A and M1-5B Districts:

In M1-5A and M1-5B Districts, the requirements of Section 42-14 D.(1)(b), (c), and (d), (Use Group 17), may be modified by authorization of the City Planning Commission provided that:

- (a) such non #residential building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;
- (b) any alterations to the subject #building# required in connection with such conversion to #residential use# have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and
- (c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.

In order to grant an authorization the City Planning Commission shall find that such modification of #use# requirements shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

74-71

## Landmark Preservation

74-711

## Landmark preservation in all districts

In all districts, upon application of the Landmarks Preservation Commission, for #zoning lots# containing a landmark designated by the Landmarks Preservation Commission, or for #zoning lots# with existing #buildings# located within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may permit modification of the #use# and #bulk# regulations, except #floor area ratio# regulations, applicable to #zoning lots# with existing #buildings# provided that the following findings are made :

(a) ~~that the said #zoning lot# contains a landmark designated by the Landmarks Preservation Commission, or that said #zoning lot# lies within a Historic District designated by the Landmarks Preservation Commission;~~

(a) The following conditions are met:

(1) Any application pursuant to this Section shall include a report from the Landmarks Preservation Commission stating (b) that a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings#, and that such #use# or #bulk# modifications, or restorative work required under the continuing maintenance program, contributes to a preservation purpose;

(2) Any application pursuant to this Section shall include a Certificate of Appropriateness, other permit, or report from the Landmarks Preservation Commission stating (c) that such #bulk# modifications relate harmoniously to all structures or #open space# in the vicinity in terms of scale, location and access to light and air in the area, as determined by the City Planning Commission the subject landmark #building# or #buildings# in the Historic District, as applicable ; and

~~Before applying to the City Planning Commission for such modification of #bulk# and #use# regulations, the Landmarks Preservation Commission shall obtain a report from the Department of Buildings and the Fire Department.~~

(3) For such existing #buildings#, or portions thereof, being converted to #residential use# , ~~the City Planning Commission shall make the following findings :~~

~~(1) that~~ the gross #residential floor area per room# shall be at least equal to the requirement set forth herein:

Total Existing FAR	Required Gross #Floor Area per Room# (S.F.)
below 3.4	215
between 3.4 and 7.5	240
above 7.5	300

~~(2) that for #buildings# with a total existing FAR above 7.5, there shall be at least 12 square feet of social or recreational space for each #residential room# except where the Landmarks Preservation Commission certifies that the provision of such space will adversely affect the landmark;~~

~~(3) that~~ the gross #floor area# of any mezzanine constructed within a #dwelling unit# shall not exceed 33 and 1/3 percent of the #floor area# contained within the #residential# unit. The #floor area# of such mezzanine shall not be included in gross #residential floor area# for purposes of determining the minimum required number of #residential rooms# stated in paragraph ~~(1) (a)(3)(i)~~ of this Section; and

~~(4) that the design of #building# interiors will result in interior useable space of high quality and amenity in terms of such elements as dwelling size, privacy, ventilation and storage facilities.~~

When such conversions involve the relocation of non-#residential# tenants, the Commission shall require the payment of a conversion contribution in accordance with the provisions of Section 15-50 through Section 15-58.

~~(b) In order to grant a special permit the City Planning Commission shall find that:~~

~~(1) such #bulk# modifications shall have minimal adverse effects on the structures or #open space# in the vicinity in terms of scale, location and access to light and air; and~~

~~(d) that the~~ ~~(2) such #use# modifications of #use# regulations will~~ shall have minimal adverse effects on the conforming #uses# within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards which will enhance the character of the #development# of said #zoning lot#.

74-712

~~Developments or enlargements on landmark sites in certain districts~~

(Contents of this Section will be deleted.)

74-712

~~Developments in Historic Districts~~

~~In all districts, for any #development# on a #zoning lot# that is vacant or is #land with minor improvements#, that lies within a Historic District designated by the Landmarks Preservation Commission, the City Planning Commission may permit the modification of #bulk# regulations, except #floor area ratio# regulations, provided that:~~

~~(a) such #bulk# modifications shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and~~

~~(b) such #bulk# modifications relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.~~

~~The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.~~

\* \* \*

Article VIII, Chapter 1 - Special Midtown District

\* \* \*

81-062

Applicability of Chapter 4 of Article VII

\* \* \*

Within the #Special Midtown District#, the following provisions regarding special permits by the City Planning Commission shall only be applicable as modified below:

Section 74-71 (Landmark Preservation) shall be applicable subject to ~~modification of the provisions in Section 74-712 relating to the~~ height and setback modifications ~~of~~ ~~(see Sections 81-067, 81-254, 81-266 and 81-277).~~

\* \* \*

**81-067**

**Modification of provisions for required front yards, minimum base height and street wall location in Historic Districts**

Within the Special Midtown District, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, any applicable provisions relating to minimum required #front yard#, minimum base height and #street wall# location requirements as modified by this Chapter in Sections 81-43 (Street Wall Continuity Along Designated Streets); 81-621 (Special Street Wall Requirements) pertaining to the Grand Central Subdistrict; 81-75 (Special Street Wall and Setback Requirements) pertaining to the Theater Subdistrict; 81-83 (Special Street Wall Requirements) pertaining to the Fifth Avenue Subdistrict; and 81-90 (Special Regulations for Preservation Subdistrict), paragraph (1) (Mandatory #street wall#) may be modified pursuant to Sections 23-45 (Minimum Required Front Yards), 23-633 (Street wall location and height and setback regulations in certain districts), and 35-25 (Street Wall Location and Height and Setback Regulations in Certain Districts).

**81-211**

**Maximum floor area ratio for non-residential or mixed buildings**

\* \* \*

~~J. Maximum FAR of a lot containing bonusable landmark (Section 74-712)~~

~~\_\_\_\_\_ 18.0 \_\_\_\_\_~~

~~K. Development rights (FAR) of a landmark lot for transfer purposes<sup>3,5</sup>~~

~~8.0<sup>3</sup> 10.0<sup>3</sup> 13.0<sup>3</sup> 14.0<sup>3</sup> 16.0<sup>3</sup> 12.0 15.0~~

~~L. Maximum amount of transferable development rights (FAR) from landmark #zoning lot# that may be utilized on:~~

~~(a) an "adjacent lot"<sup>5</sup> (Section 74-79)~~

			No	No		No
1.6	2.0	2.4	Limit	Limit	2.4	Limit

~~(b) a "receiving lot" within Grand Central Subdistrict (Section 81-634)~~

~~- - - - - 1.0 1.0~~

~~(c) a "receiving lot" within Grand Central Subdistrict (Section 81-635)~~

~~- - - - - 9.6 6.6~~

**M L.** Maximum total FAR of a lot with transferred development rights from landmark #zoning lot#, Theater Subdistrict incentives, District-Wide Incentives and As-Of-Right incentives:

	No	No	No <sup>6</sup>
9.6	14.4	14.4	Limit Limit 21.6 Limit

### 81-213

#### Developments or enlargements on landmark sites

~~The provision of Section 74-712 (Developments or enlargements on landmark sites in certain districts), are applicable in C5-3, C6-6, and C6-7 Districts where such districts are located within the #Special Midtown District# and within the area bounded by 59th Street, Lexington Avenue, 40th Street and Eighth Avenue, provided, however, that any modification of the front height and setback regulations shall be permitted only in accordance with the provisions of Section 74-712 as modified by Section 81-266 (Special permit for height and setback modifications) or Section 81-277 (Special permit for height and setback modifications). Subject to the findings set forth in Section 74-712, the #floor area ratio# for a #development# or #enlargement# on a #zoning lot# to which the provisions of Section 74-712 apply may be increased in a C5-3, C6-6 or C6-7 underlying district from 15.0 to a maximum of 18.0. No #floor area# bonus provisions other than those set forth in Section 71-712 shall be applicable to the #zoning lot#.~~

~~If a #zoning lot# within the Theater Subdistrict contains a theater listed in Table A of Section 81-742 (Restrictions on demolition of theaters) which is to be retained as part of a #development# or #enlargement# and if the #lot area# occupied by the structure of such theater is at least 50 percent of the #lot area# of the #zoning lot#, and if all the following requirements have been met prior to April 28, 1988:~~

- ~~(a) the Landmarks Preservation Commission has designated the listed theater as an interior or exterior landmark;~~
- ~~(b) the Landmarks Preservation Commission has issued a Certificate of Appropriateness, or a Certificate of No Effect with respect to the #development# or #enlargement#; and~~
- ~~(c) a building permit has been issued for the #development# or #enlargement#; then the date of termination of the zoning districts applicable on the #zoning lot# prior to April 28, 1988 shall be extended by one year beyond such effective date.~~

81-277

Special permit for height and setback modifications

\* \* \*

(b) The Commission shall make the following findings in addition to any required under the applicable provisions of Sections 74-71-2- or Section 74-79:

\* \* \*

Article IX, Chapter 9

Special Madison Avenue Preservation District

99-051

Location, height and setback of street wall

\* \* \*

(c) **Street walls in Historic Districts**

For any zoning lot located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height and street wall location regulations of this Section shall be modified as follows:

(1) The minimum base height of a street wall may vary between the height of the street wall of an adjacent building before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section.

(2) The location of the street wall of any building may vary between the street wall location requirements of this Section, and the location of the street wall of an adjacent building fronting on the same street line.

\* \* \*

Article XI, Chapter 1

Special Lower Manhattan Mixed-Use District

111-101

Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists

Within Areas B1 and B2, loft dwellings and joint living-work quarters for artists are not permitted below the floor level of the third story except as provided in



Section 111-20 paragraph (a), (MINOR MODIFICATIONS), and Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).

111-103

Additional use regulations

\* \* \*

(b) Areas B1 and B2

#Loft dwellings# and #joint living-work quarters for artists# shall be permitted in #buildings# where the #lot coverage# is less than 5,000 square feet. #Loft dwellings# and #joint living-work quarters for artists# shall be permitted in other #buildings or other structures# only by special permit of the City Planning Commission pursuant to Section 74-782 (Special permit), or by minor modification of the Chairperson of the City Planning Commission pursuant to Section 111-20, paragraph (d), or by authorization of the City Planning Commission, pursuant to Section 111-23 (Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission).

111-104

Special provisions for Areas A1, A2, A3, A4 and B2

\* \* \*

(b) Area A2

\* \* \*

(5) #Height factor#, front height and setback regulations

\* \* \*

For #residential# and community facility #developments# or #enlargements#, recesses shall comply with the applicable #outer court# provisions of Sections 23-84 and 24-63.

For any #forming lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.

For any #forming lot# located in a Historic District designated by the Landmarks Preservation Commission, the location of the #street wall# of any #building# may

vary between the #street wall# location requirements of this Chapter, and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

(6) Curb cuts

\* \* \*

111-23

Modification of Location and Additional Use Regulations by Authorization of the City Planning Commission

The provisions of Section 111-101, (Location of permitted uses in buildings containing loft dwellings or joint living-work quarters for artists), relating to the prohibition of #loft dwellings# or #joint living-work quarters for artists# below the level of the third #story# of a #building# in areas B1 and B2, and Section 111-103, paragraph (b), (Additional use regulations), relating to #loft dwellings# and #joint living-work quarters for artists# in #buildings# within Areas B1 and B2 where the #lot coverage# is 5,000 square feet or more, may be modified by authorization of the City Planning Commission, provided that:

- (a) such #building# is either a landmark or lies within a Historic District designated by the Landmarks Preservation Commission;
- (b) any alterations to the subject #building# required in connection with such conversion to #residential use# have received a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission; and
- (c) a program has been established for continuing maintenance that will result in the preservation of the subject #building# or #buildings# as evidenced by a report from the Landmarks Preservation Commission.

In order to grant an authorization the City Planning Commission shall find that such modification shall have minimal adverse effects on the conforming #uses# located within the #building# and in the surrounding area.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

(On July 9, 1997, Cal. No. 26, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, the item was laidover. On July 28, 1997, Cal. No. 1, the Commission scheduled September 3, 1997 for a public hearing which has been duly advertised. )

Close the hearing.

## No. 32

*(Zoning Text Change to allow public auction rooms to locate with 50 feet of a street wall at ground floor locations in C5 districts.)*

Citywide

N 970636 ZRY

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Christie's Inc., pursuant to Section 201 of the New York City Charter, to amend the Zoning Resolution of the City of New York, relating to Sections 32-18 and 32-423, concerning the location of public auction rooms within 50 feet of the a street wall.

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

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

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

\* \* \* indicates where unchanged text would appear in the Zoning Resolution.

32-18

Use Group 9

C2 C4 C5 C6 C8

Use Group 9 consists primarily of business and other services which:

- (1) serve a large area and are, therefore, appropriate in secondary, major, or central commercial shopping areas, and
- (2) are also appropriate in local service districts, since these are typically located on the periphery of major or secondary centers.

**A. Retail or Service Establishments**

Automobile, motorcycle, #trailer#, or boat showrooms or sales, with no repair services and with no preparation of vehicles or boats for delivery [PRC-C]

\*Blueprinting or photostating establishments [PRC-B1]

\*Business schools or colleges [PRC-B1]

\*Catering establishments [PRC-B1]

**\*Clothing or costume rental establishments [PRC-B]**

Docks for sightseeing, excursion or sport fishing vessels limited to the following aggregate dock capacities per #zoning lot#:

200 in C2, C3 Districts; 500 in C4-1, C4-2, C4-3, C4-4, C7, C8-1, C8-2, C8-3 Districts; 2,500 in C4-4A, C4-5, C4-6, C4-7, C5, C6, C8-4 Districts.

"Dock capacity" is the U.S. Coast Guard certified capacity of the largest vessel using a dock. "Aggregate dock capacity" is the sum of the dock capacities of all docks on the #zoning lot# [PRC-H]

**\*Gymnasiums used exclusively for basketball, handball, paddleball, racketball, squash and tennis. [PRC-B]**

**\*Medical or dental laboratories for research or testing, or the custom manufacture of artificial teeth, dentures, or plates, not involving any danger of fire or explosion nor offensive noise, vibration, smoke or other particulate matter, odorous matter, heat, humidity, glare, or other objectionable effects [PRC-B1]**

**\*Musical instrument repair shops [PRC-B1]**

Plumbing, heating, or ventilating equipment showrooms, without repair facilities [PRC-B1]

**\*Printing establishments, limited to 2,500 square feet of #floor area# per establishment for production [PRC-B1]**

**\*Public auction rooms [PRC-D]**

**\*Studios, art, music, dancing or theatrical [PRC-B]**

**\*Trade, or other schools for adults, not involving any danger of fire or explosion nor of offensive noise, vibration, smoke or particulate matter, dust, odorous matter, heat, humidity, glare, or other objectionable effects [PRC-B1]**

**\*Typewriter or other small business machine sales, rental or repairs [PRC-B1]**

**\*Umbrella repair shops [PRC-B]**

**\*Wedding chapels or banquet halls [PRC-D]**

**B. Wholesale Establishments**

Hair products for headwear, wholesaling including styling [PRC-B1]

Photographic developing or photographic printing establishments limited to 2,500 square feet of #floor area# per establishment except that such #floor area# limitation shall not apply in C6 Districts provided such #use# conforms to the performance standards for M1 Districts and to the applicable regulations of Chapter 19 (Fire Prevention Code) of the Administrative Code [PRC-B1]

C. #Accessory Uses#

- \* In C4 or C5 Districts, a #use# in Use Group 9, marked with an asterisk shall not be located on the ground floor of a #building# unless such #use# is at least 50 feet from the #street wall# of the #building# in which it is located, as provided in Section 32-423 (Limitation on ground floor location).

(On August 18, 1997, Special Meeting Cal. No. 1, the Commission duly advertised September 3, 1997 for a public hearing.)

Close the hearing.

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No. 33

*(Amendments to the Zoning Resolution which would increase vessel capacity for docks for water taxis and streamline the processing of supplemental public access areas.)*

Citywide

N 970678 ZRY

**PUBLIC HEARING:**

**IN THE MATTER** of an application submitted by the Department of City Planning, pursuant to Section 200 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York, relating to Sections 32-15 and 32-23, and Sections 62-14, 62-415 and 62-711, to increase vessel capacity for docks for water taxis from 20 to 50, and streamline the review public access areas required in conjunction with new docks for certain water dependent uses.

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

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

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

32-15

Use Group 6

C1 C2 C4 C5 C6 C8

\* \* \*

C. Retail or Service Establishments

\* \* \*

Docks for water taxis with vessel capacity limited to 2050 passengers

\* \* \*

32-23

Use Group 14

C2 C3 C7 C8

Use Group 14 consists of the special services and facilities required for boating and related activities.

A. Retail or Service

\* \* \*

Docks for water taxis with vessel capacity limited to 2050 passengers

\* \* \*

62-14

Requirements for Recordation

All required #visual corridors#, #shore public walkways#, #supplemental public access areas#, #pier# or #floating structure# public access areas and #upland connections#, once certified in accordance with the provisions of Section 62-711 (Waterfront public access and visual corridors) paragraphs (b) or (c), shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement with the Department of Parks and Recreation, indexed against the property, binding the owners, successors and assigns to provide #visual corridors# and to construct and maintain the #shore public walkways#, #supplemental public access areas#, #pier# or #floating structure# public access areas and #upland connections#, except as provided in Section 62-624, and provide public access thereto in accordance with the plans certified by the

Chairperson of the City Planning Commission. Such declaration or maintenance and operation agreement shall require that a bond be posted that would ensure that the public access areas are maintained in accordance with the declaration or maintenance and operation agreement and are closed only at authorized times. The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

\* \* \*

#### 62-415

##### Requirements for supplemental public access areas

\* \* \*

(c) For #developments listed in Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS) paragraph (a) (1), on #zoning lots# containing a public access area established prior to October 25, 1993 by restrictive declaration, lease agreement, maintenance and operation agreement, or other agreement with a public entity, which public access area is required to be provided for a period not less than the anticipated life of the new #development#, the requirement for public access shall be met if the established public access area is substantially in compliance with the provisions of the first paragraph of paragraph (b) of this Section.

(d) Whenever a #zoning lot# is divided by a boundary between districts in which different thresholds apply pursuant to the table, and if:

\* \* \*

#### 62-711

##### Waterfront public access and visual corridors

(c) that a site plan has been submitted showing compliance with the provisions of Section 62-80 (WATERFRONT ACCESS PLANS); or

(d) that, for #developments# listed in Section 62-40, paragraph (a)(1), on a #zoning lot# containing a public access area established prior to October 25, 1993 meeting the terms of Section 62-415 (c) by restrictive declaration, lease agreement, maintenance and operation agreement or other agreement with a public entity, which public access area is required to be provided for a period not less than the anticipated life of the new #development#, a copy of such restrictive declaration or agreement and a site plan indicating the location, area and design of the required public access area and

showing substantial compliance with the provisions of the first paragraph of Section 62-415 (Requirements for supplemental public access areas) paragraph (b) have been submitted.

(On August 18, 1997, Special Meeting Cal. No. 2, the Commission duly advertised September 3, 1997 for a public hearing.)

**Close the hearing.**

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### III. REPORTS

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#### BOROUGH OF THE BRONX

No. 34

CD 6

C 970425 DMX

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 739 Crotona Park North (Block 2948, Lot 55), pursuant to zoning.

(On July 9, 1997, Cal. No. 1, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 25, the hearing was closed.)

For consideration.

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No. 35

CD 1,4

C 970463 ZMX

**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. 6a:

1. changing from an M1-2 District to a C4-4 District property bounded by:
  - a. Gerard Avenue, a line 100 feet southerly of East 149th Street, Walton Avenue, a northerly boundary line of a playground and its westerly prolongation, an easterly boundary line of a playground, a northerly boundary line of a playground and its easterly prolongation, Grand Concourse, a line 50 feet northerly of East 144th Street, a line 100 feet easterly of Grand Concourse, a line 120 feet southerly of East 144th Street, Grand Concourse, East 144th Street, Walton Avenue, and a line bisecting an angle formed by the westerly prolongations of the northerly street line of East 144th Street and the southerly street line of East 146th Street (between Gerard Avenue and Walton Avenue); and

- b. East 149th Street, a line bisecting an angle formed by the northerly prolongations of the easterly street line of Gerard Avenue and the westerly street line of Walton Avenue (between East 149th Street and East 150th Street), a line 100 feet northerly of East 149th Street, Cedar Lane and its southerly and northerly prolongations, the northerly boundary line of the Metro-North Railroad (Hudson Division) Right of Way, Spencer Place and its northerly prolongation, East 150th Street, and Grand Concourse;
2. changing from an M1-2 District to an R6 District property bounded by a line 100 feet northerly of East 149th Street, a line bisecting an angle formed by the northerly prolongations of the easterly street line of Gerard Avenue and the westerly street line of Walton Avenue (between East 149th Street and East 150th Street), a line bisecting an angle formed by the southerly prolongations of the easterly street line of Gerard Avenue and the westerly street line of Walton Avenue (between East 150th Street and East 151st Street) and its northerly prolongation, the northerly boundary line of the Metro-North Railroad (Hudson Division) Right of Way, and Cedar Lane and its northerly and southerly prolongations; and
3. changing from a C8-3 District to a C4-4 District property bounded by East 150th Street, Spencer Place and its northerly prolongation, the northerly boundary line of the Metro-North Railroad (Hudson Division) Right of Way, and Anthony J. Griffin Place and its the northerly prolongation;

as shown on a diagram (for illustrative purposes only) dated March 31, 1997 and subject to the conditions of CEQR Declaration E-81.

(On July 9, 1997, Cal. No. 2, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 26, the hearing was closed.)

For consideration.

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**BOROUGH OF BROOKLYN**

**No. 36**

**CD 3**

**C 900440 MMK**

**IN THE MATTER OF** an application submitted by Department of Parks and Recreation pursuant to Sections 197-c and 199 of the City Charter and Section 5-430 et seq. of the New York City Administrative Code involving the discontinuance and closing of Delmonico Place between Hopkins Street and Ellery Street and the Establishment of a Park within the Broadway Triangle Urban Renewal Area, and any acquisition or disposition of real property related thereto, all in accordance with Map No. V-2558 dated February 25, 1997 and signed by the Borough President.

(On July 9, 1997, Cal. No. 4, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 28, the hearing was closed.)

For consideration.

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No. 37

CD 12

C 950181 GFK

**IN THE MATTER OF** an application submitted by Church Avenue Venture pursuant to Section 197-c of the New York City Charter, for a revocable consent to construct, maintain and use a parking area upon a portion of the southwesterly sidewalk of 36th Street between Old New Utrecht Road and 13th Avenue (Block 5301 Lot 1).

(On July 9, 1997, Cal. No. 5, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 29, the hearing was closed.)

For consideration.

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Nos. 38, 39, 40 and 41

*(Applications for the 9th Amendment to the Atlantic Terminal Urban Renewal Plan for the Atlantic Terminal Urban Renewal Area, zoning map amendments, City map amendments, and the disposition of city-owned property located within Site 3 of the Atlantic Terminal Urban Renewal Area)*

No. 38

CD 2

C 970287 HUK

**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 the 9th amendment to the Atlantic Terminal Urban Renewal Plan for the Atlantic Terminal Urban Renewal Area.

The proposed amendment would:

1. Revise the Land Use map to reflect changes in the City Map.

2. **Revise Section G, "Modification of Plan", to allow mergers and subdivision without approval of the City Planning Commission, if the site plan complies with the intent and provisions of the Plan and all applicable laws.**
3. **Change the definitions of "Residential" and "Commercial" to include open space and deletion of the sentence "No new hotel or other structure for transient residential use is permitted within the project area."**
4. **Remove the "Note" for Parcel 3 regarding automobile parking and vehicle storage that allowed an interim parking use for the site.**
5. **Reorganize, consolidate and eliminate objectives of the plan. Two objectives have been eliminated:**
  - a. **Reorganizing the presently inefficient street pattern.**
  - b. **Provision of a substantial number of housing units of low and moderate cost on land to be disposed for residential purposes built to high standards of design, privacy, light, air and open spaces.**
6. **Update the language of the plan to conform to current standards.**

The proposed amendment would facilitate the construction of a third phase of housing for moderate income families, including 20,000 square feet of park like open space and a 20,000 square foot commercial pad.

(On July 9, 1997, Cal. No. 6, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 30, the hearing was closed.)

**For consideration.**

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No. 39

CD 2

C 960610 MMK

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development 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 a change in the City Map involving a change in the lines and grades within the area bounded by Hanson Place, Fulton Street, Carlton Avenue, Atlantic Avenue and South Portland Avenue and the discontinuance and closing of a portion of Atlantic Commons between Cumberland Street and South Oxford Street and any acquisition or disposition of property related thereto, all in accordance with map

Nos. X-2682 and X-2683, both dated February 14, 1997 and signed by the Borough President.

(On July 9, 1997, Cal. No. 7, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 31, the hearing was closed.)

For consideration.

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No. 40

CD 2

C 970288 ZMK

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

- 1) eliminating from an existing R7-2 District a C2-3 District bounded by Carlton Avenue, a line 100 feet northerly of Atlantic Avenue, Cumberland Street, and a line perpendicular to the westerly street line of Carlton Avenue distant 550 feet northerly of the former point of intersection of the westerly street line of Carlton Avenue and the northerly street line of Atlantic Avenue;
- 2) changing from a C6-1 District to an R7-2 District property bounded by Carlton Avenue, Atlantic Avenue, South Oxford Street, and a line 100 feet northerly of Atlantic Avenue;
- 3) changing from an R7-2 District to a C6-1 District property bounded by a line midway between South Oxford Street and South Portland Avenue, a line 100 feet northerly of Atlantic Avenue, South Portland Avenue, and a line perpendicular to the easterly street line of South Portland Avenue distant 200 feet northerly of the intersection of the easterly street line of South Portland Avenue and the northerly street line of Atlantic Avenue;
- 4) establishing within the proposed R7-2 District a C2-3 District bounded by Cumberland Street, Atlantic Avenue, South Oxford Street, and a line 100 feet northerly of Atlantic Avenue; and
- 5) establishing within the existing R7-2 District a C2-3 District bounded by Atlantic Commons, Cumberland Street, the prolongation of a line perpendicular to the westerly street line of Carlton Avenue distant 550 feet northerly of the former point of intersection of the westerly street line of Carlton Avenue and the northerly street line of Atlantic Avenue, the easterly street line of South Oxford Street, a line 100 feet northerly of Atlantic Avenue, and South Oxford Street,

as shown on a diagram (for illustrative purposes only) dated March 31, 1997.

(On July 9, 1997, Cal. No. 8, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 32, the hearing was closed.)

For consideration.

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No. 41

CD 2

C 970289 HDK

**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 located within Site 3 of the Atlantic Terminal Urban Renewal Area.

The properties are to be disposed to a developer selected by HPD for development in accordance with the Ninth Amended Atlantic Terminal Urban Renewal Plan.

A list of the specific properties proposed for disposition may be seen at the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th Floor, Brooklyn, NY 11241.

(On July 9, 1997, Cal. No. 9, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 33, the hearing was closed.)

For consideration.

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No. 42

CD 2

C 970379 HAK

**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 407 - 425 Cumberland Street, 176 and 178 Carlton Avenue and 713 - 735 Atlantic Avenue (Block 2006, Lots 1 - 9, part of lots 10, 87, 88, 89, 94, 96 and 97), 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 the New York Foundation for Senior Citizens.

to facilitate construction of a Federal Section 202 Housing for the Elderly development, tentatively known as Cumberland Gardens, containing 104 units of rental housing for elderly persons of low income (plus one unit for a superintendent), in a seven story building.

(On July 9, 1997, Cal. No. 10, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 34. the hearing was closed.)

For consideration.

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**BOROUGH OF MANHATTAN**

No. 43

CD 10

C 970331 PPM

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property, located at 144 West 113th Street (Block 1822, Lot 59) pursuant to zoning.

(On July 9, 1997, Cal. No. 12, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 36, the hearing was closed.)

For consideration.

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**BOROUGH OF QUEENS**

No. 44

CD 14

C 970450 PPQ

**IN THE MATTER OF** an application submitted by the Department of City-wide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of seventy-seven (77) city-owned properties in Broad Channel, subject to certain restrictions.

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

(On July 9, 1997, Cal. No. 14, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 38, the hearing was closed.)

**For consideration.**

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No. 45

*(Amendment of the Zoning Resolution concerning provisions of Article VI, Chapter 2, Section 62-80, to establish a Waterfront Access Plan at the Northern Hunter's Point Waterfront which would modify the general requirements for waterfront public access and visual corridors)*

CD 2

N 970630 ZRQ

**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 the establishment of a Waterfront Access Plan in the Northern Hunter's Point Waterfront concerning Section 62-85.

Matter within # # is defined in Section 12-10 or 62-11.

*[N.B.: All text under Section 62-85 is new text.]*

**62-85 Borough of Queens**

The following Waterfront Access Plans are hereby established within the Borough of Queens. All applicable provisions of Article VI, Chapter 2 remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans.

**Q-1: Northern Hunters Point, as set forth in Section 62-851**

**62-851 Waterfront Access Plan Q-1: Northern Hunters Point**

Maps Q-1a through Q-1c show the boundaries of the area comprising the Northern Hunters Point Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on [the effective date of this amendment], as follows:



Parcel 1:	Block 477, Lot 7
Parcel 2:	Block 477, Lots 13, 15 and 20
Parcel 3:	Block 477, Lot 24
Parcel 4:	Forty-third Avenue between Vernon Boulevard and the East River
Parcel 5:	Block 488, Lot 114
Parcel 6:	Block 488, Lot 1
Parcel 7:	Block 488, Lots 15 and 35; Block 489, Lots 23 and 46
Parcel 8:	Block 25, Lot 15
Parcel 9:	Block 25, Lots 1, 9 and 11
Parcel 10:	Block 26, Lot 10
Parcel 11:	Block 26, Lots 1, 2, 3, 4 and 8
Parcel 12:	Block 26, Lots 17 and 21

(a) Special waterfront yard requirements

The #yard# regulations of Section 62-34 shall be applicable. In addition, for #developments# not required to provide a #waterfront yard# pursuant to Section 62-34, #yards# meeting the dimensional requirements of Section 62-34 shall be provided in connection with any #development#, in accordance with the provisions of Section 62-812, paragraph (f).

(b) Area wide modifications

The following provisions shall apply to #developments# required to provide public access pursuant to Section 62-40:

- (1) Paragraph (a) of Section 62-415 (Requirements for supplemental public access areas) shall be inapplicable except where specifically stated otherwise in this Plan.
- (2) Paragraph (b) of Section 62-415 shall be inapplicable. In lieu thereof, for #developments# listed in 62-40, paragraph (a), required public access shall be provided in accordance with Sections 62-411, 62-412, 62-413 and 62-414, as modified by this Plan.

However, for #developments# that include WD #uses# and would otherwise be permitted to provide public access pursuant to Section 62-415, paragraph (b), the location of the public access areas specified in this Plan may be moved upland from the #shoreline# the minimum distance required to accommodate the upland water-dependent functions of such #developments#, provided the relocation allows for a continuous public walkway connecting to #shore public walkways# on all adjoining #zoning lots#.

(c) Special public access and visual corridor provisions applying on Anable Basin

The following provisions shall apply to certain #developments# on Parcels 8, 9, 10, 11 and 12:

- (1) In the event that a #building or other structure#, existing at the time that a public access area is required, is located so that the minimum dimensional provisions of Sections 62-411 and 62-412 cannot be met without requiring the partial or complete demolition of such #building or other structure#, the required width of such a public access area shall be reduced to the width between the seaward edge of the #waterfront yard# or #lot line# and the existing #building or other structure#. However, the minimum width of a #shore public walkway# shall be six feet and that of an #upland connection# shall be twelve feet. In no case shall a #shore public walkway# have a width less than ten feet for a continuous distance of more than 300 feet.
  - (2) In the event that a #building or other structure#, existing at the time a public access area is required, is located so that the minimum dimensional standards for public access pursuant to paragraph (c)(1) of this Section cannot be met without requiring the partial or complete demolition of such #building or other structure#, all public access requirements for such #development# shall be waived.
  - (3) In addition to the Public Access Area Design Prototypes permitted pursuant to Section 62-61 (Design Options and Methodology), a #shore public walkway# required in conjunction with a #development# involving existing #buildings or other structures#, or required on any #zoning lot# having a #shoreline# length of less than 150 feet, may be improved pursuant to Section 62-633 (Shore public walkway - Prototype III: Low-intensity walkway).
  - (4) Within any portion of a #shore public walkway# having a width of less than ten feet the minimum width of the circulation path shall be six feet and all planting requirements shall be waived.
- (d) Special public access provisions by parcel

The provisions of Section 62-41 (Requirements for waterfront public access) and Section 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the following designated locations which are shown in the Plan map, Q-1b:

- (1) Parcel 1

No #upland connection# shall be required within Parcel 1 and all provisions relating to #upland connections# shall be inapplicable; however, a direct connection shall be provided between the #shore public walkway# and Queensbridge Park.

## (2) Parcel 2

An #upland connection# shall be located between Vernon Boulevard and the #shore public walkway# within the flexible location zone shown on the Plan map, Q-1b, which is the westerly prolongation of Queens Plaza South either 1) along the northerly tax lot line of lot 15, block 477, and its extension to Vernon Boulevard if such tax lot is developed as a #zoning lot# separate from lot 13, block 477 or 2) continuously adjoining the boundary between Parcels 1 and 2.

## (3) Parcel 3

No #upland connection# shall be required within Parcel 3 and all provisions relating to #upland connections# shall be inapplicable; however, a direct connection shall be provided between the #shore public walkway# and the public access area provided on Parcel 4.

## (4) Parcel 4 [N.B. Parcel 4 is a mapped #street#.]

- (i) A continuous public access area shall be provided across the westerly termination of 43rd Avenue adjoining the East River and connecting without interruption to the #shore public walkways# on Parcels 3 and 5. Such public access area shall have a minimum width of 40 feet and be improved consistent with the design standards set forth in Section 62-632, paragraphs (a) and (c)(1), for a Moderate-intensity walkway. Landscaped screening shall be provided along any open or enclosed storage areas, maintenance vehicle parking or similar uses adjoining the public access area. Fencing may be provided to assure physical control of non-publicly accessible upland areas.
- (ii) The remaining portion of Parcel 4 shall provide pedestrian access from Vernon Boulevard to the public access area designated in paragraph (4)(i). The New York City Waterfront Symbol with the words "Public Waterfront" shall be installed at the intersection of any pedestrian access area with Vernon Boulevard.
- (iii) In the event that 43rd Avenue is demapped as a #street# within Parcel 4 a #shore public walkway# and #upland connection# shall be provided on Parcel 4 pursuant to Sections 62-40 and 62-60 within the westerly prolongation of 43rd Avenue.

Section 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) shall be inapplicable.

## (5) Parcel 5

## (i) #Shore public walkway#

In addition to the Public Access Area Design Prototypes permitted pursuant to Section 62-61 (Design Options and Methodology), a #shore public walkway# required in conjunction with a #development# which involves only an #enlargement, extension or change of use#, may be improved pursuant to Section 62-634 (Shore public walkway - Prototype IV: Open-recreation walkway).

## (ii) #Upland connection#

A single #upland connection# shall be provided through Parcel 5 between Vernon Boulevard and the #shore public walkway#. The #upland connection# shall be located within either 1) the flexible location zone indicated on the Plan map, Q-1b, having as its southerly boundary a line 500 feet south of 43rd Avenue and as its northerly boundary a line 200 feet north of such southerly boundary or 2) a raised pedestrian sidewalk immediately adjoining a #building# provided both the sidewalk and #building# were existing on [the effective date of this amendment]. In the latter case, the requirements of Section 62-414, paragraph (b), 62-622 (Upland connections) and 62-641 (Design requirements for upland connections) shall be inapplicable, however, any vehicular way interrupting the raised sidewalk shall be marked as a pedestrian crosswalk by paint striping or other visually distinctive method. A direct connection shall be provided between the #shore public walkway# and the public access areas on Parcels 4 and 6.

## (iii) #Supplemental public access area#

Notwithstanding paragraph (b)(1) of this Section and the locational requirements of Section 62-63 (Specific Design Requirements for Public Access Area Prototypes), a #supplemental public access area# shall be provided pursuant to Section 62-415, paragraph (a), that shall be located within the flexible location zone described in paragraph (ii) above, and immediately adjacent to the intersection of the #shore public walkway# and any #upland connection# if the #upland connection# is located therein. The #supplemental public access area# shall be improved as a single #supplemental public access area#; however, residual public access area, not exceeding the quantity permitted by Section 62-61 (Design Options and Methodology), may also be provided.

## (6) Parcel 6

Sections 62-40 and 62-60 shall be inapplicable if public access is provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, as such may be modified pursuant to the terms of the Declaration and in accordance with Section 62-12 (Applicability to Developments within the Waterfront Area). If public access is not provided pursuant to the Declaration, as such may be modified, then public access shall be provided in accordance with Sections 62-40 and 62-60 as modified by paragraph (b) of this Section.

## (7) Parcel 7

## (i) #Shore public walkway#

The #shore public walkway# shall be located within the flexible location zone shown on the Plan map, Q-1b, having as its westerly boundary the seaward edge of the #waterfront yard# and as its easterly boundary a line perpendicular to the northerly #streetline# of 44th Drive 600 feet westerly of Vernon Boulevard. The area between the seaward edge of the #waterfront yard# and the #shore public walkway# shall be subject to the provisions of Section 62-342 (Rear yards and waterfront yards).

For #developments# on a #zoning lot# having a #building or other structure#, existing on [the effective date of this amendment] and which #developments# would retain the existing #building or other structure#, any portion of which is located within the #waterfront yard#, the #shore public walkway# may be improved pursuant to Section 62-633 (Shore public walkway - Prototype III: Low-intensity walkway). In addition, any portion of the #shore public walkway# located on a #platform# existing on [the effective date of this amendment] shall be exempt from the planting requirements of Section 62-63 (Specific Design Requirements for Public Access Design Prototypes) except that trees shall be required; however, such trees may be located off the #platform# anywhere within or immediately adjoining the #shore public walkway#.

## (ii) #Upland connection#

No #upland connection# shall be required within Parcel 7 and all provisions relating to #upland connections# shall be inapplicable, however, a direct connection shall be provided between the #shore public walkway# and 44th Drive.

## (8) Parcel 8

An #upland connection# shall be provided through Parcel 8 and shall be located within the flexible location zone shown on the Plan map, Q-1b, having as its westerly boundary the westerly #street line# of 5th Street and as its easterly boundary a line 250 feet east of such #street line#. In the event that a #building or other structure#, existing at the time an #upland connection# is required, is located within the southerly prolongation of 5th Street the #upland connection# may be located anywhere within the zone, otherwise, the #upland connection# shall be located within the southerly prolongation of 5th Street. In addition, a direct connection shall be provided between the #shore public walkway# and 44th Drive at the northwesterly termination of the #shore public walkway#.

## (9) Parcels 9, 10 and 11

## (i) #Shore public walkway#

Except as provided in paragraph (c) of this Section, a #shore public walkway# shall be required across each parcel; however, on any #zoning lot# existing [on the effective date of this amendment] having a #shoreline# length of less than 150 feet, the width of the #shore public walkway# may be reduced to 16 feet, consisting of a ten foot wide pedestrian circulation zone and six foot wide buffer zone. In addition, the width may be further reduced as permitted pursuant to paragraph (c)(1) of this Section.

## (ii) #Upland connection#

Except as provided in paragraph (c) of this Section and on any #zoning lot# with a #shoreline# length less than 100 feet, an #upland connection# shall be provided between Vernon Boulevard and the #shore public walkway# within the flexible location zone shown on the Plan map, Q-1b, having as its northerly boundary the westerly prolongation of the southerly #street line# of 45th Avenue and as its southerly boundary the westerly prolongation of the southerly #street line# of 45th Road. In the event that Parcels 10 and 11 are #developed# as a single #zoning lot# and the #upland connection# has not been provided prior to such #development# of Parcels 10 and 11 the #upland connection# shall be located within the westerly prolongation of 45th Road. Notwithstanding the requirements of Section 62-414 (Requirements for upland connections), on any #zoning lot# having a #shoreline# length of less than 150 feet the required width of an #upland connection# may be reduced to 16 feet consisting of a ten foot wide pedestrian circulation zone and two three foot wide buffer zones.

In addition, the width may be further reduced as permitted pursuant to paragraph (c)(1) of this Section.

(10) Parcel 12

No #upland connection# shall be required within Parcel 12 and all provisions relating to #upland connections# shall be inapplicable; however, a direct connection shall be provided between the #shore public walkway# and 5th Street.

(e) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on the Plan map, Q-1c:

(1) Parcels 1 and 2

A #visual corridor# shall be provided through Parcels 1 and 2 to the pierhead line as the westerly prolongation of Queens Plaza South. In the event that tax lot 13, block 477 is #developed# as a single #zoning lot# all #visual corridor# requirements on that lot shall be waived.

(2) Parcel 3

The requirement for #visual corridors# on Parcel 3 is waived.

(3) Parcel 4 [N.B. Parcel 4 is a mapped #street#.]

Forty-third Avenue shall be provided as a visual corridor.

(4) Parcel 5

A #visual corridor# shall be provided through Parcel 5 to the pierhead line within the flexible location zone described in paragraph (d)(5)(ii) of this Section and coincident with any #upland connection# provided therein.

(5) Parcel 6

Sections 62-42 (Requirements for Visual Corridors) and 62-642 (Design requirements for visual corridors) shall be inapplicable if a visual corridor is provided pursuant to restrictive declaration number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as may subsequently be modified pursuant to the terms of the Declaration and in accordance with Section 62-12 (Applicability to Developments within the Waterfront Area). If the visual corridor is not provided pursuant to the Declaration, as such

may be modified, then a #visual corridor# shall be provided in accordance with Sections 62-40 and 62-60.

(6) Parcel 7

The requirement for #visual corridors# on Parcel 7 is waived.

(7) Parcel 8

A #visual corridor# shall be provided through Parcel 8 as the southerly prolongation of 5th Street.

(8) Parcels 9, 10 and 11

A #visual corridor#, if required pursuant to Section 62-40, shall be located through Parcel 9, 10 or 11 from Vernon Boulevard using the locational criteria for, and coincident with, the #upland connection# required pursuant to paragraph (d)(9)(ii) of this Section.





(9) Parcel 12

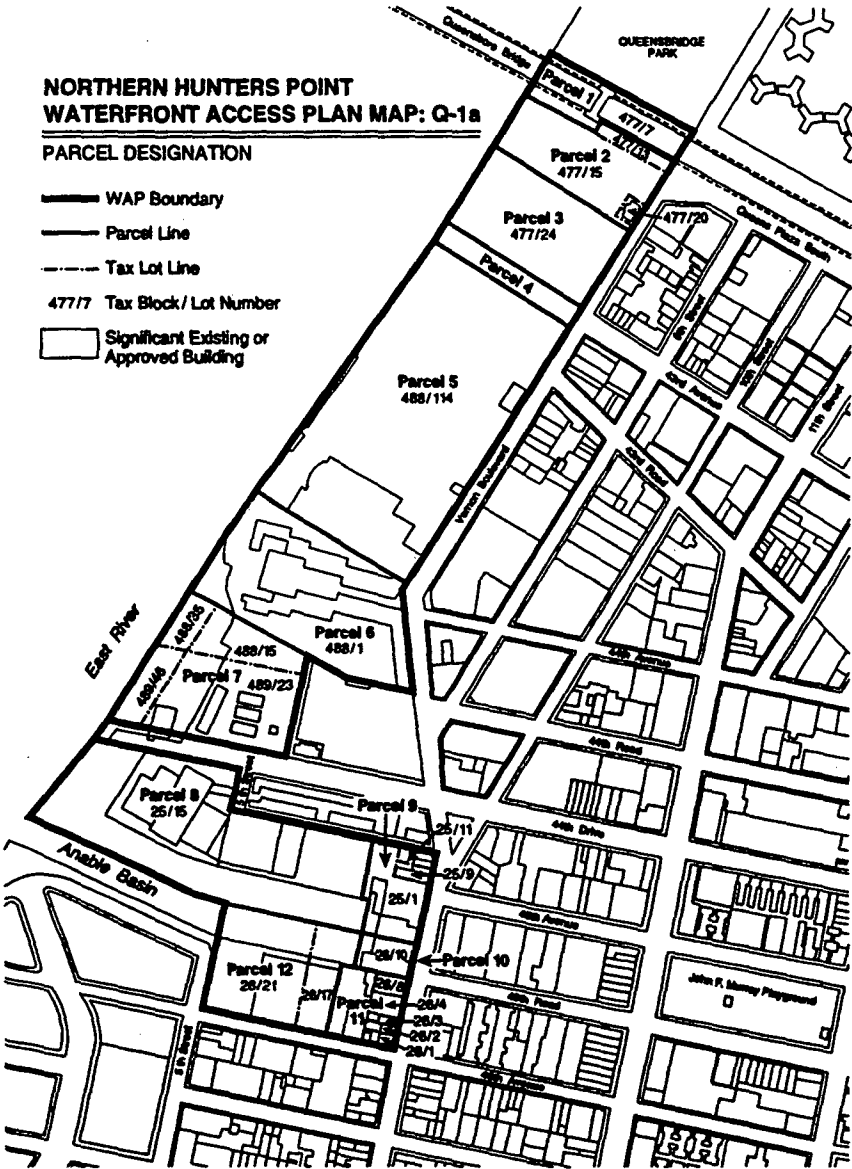
The requirement for #visual corridors# on Parcel 12 is waived.



**NORTHERN HUNTERS POINT  
WATERFRONT ACCESS PLAN MAP: Q-1a**

**PARCEL DESIGNATION**

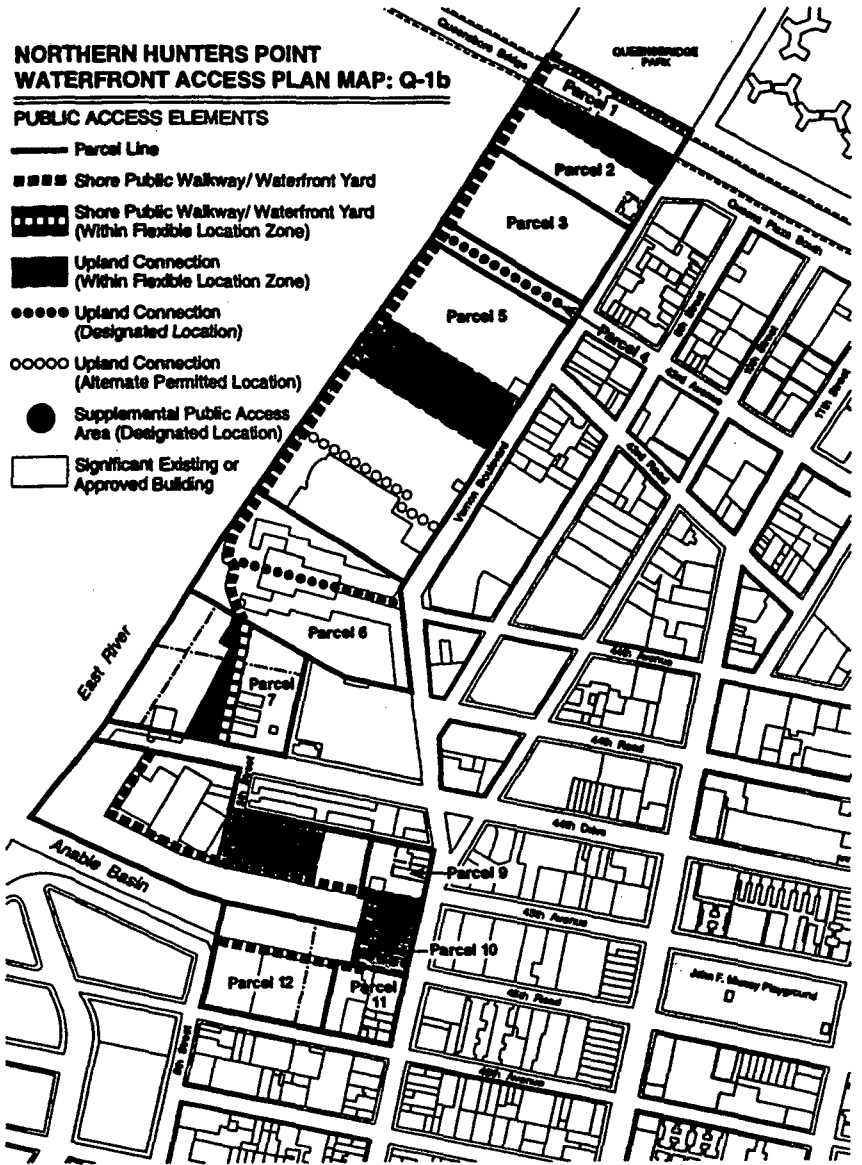
-  WAP Boundary
-  Parcel Line
-  Tax Lot Line
- 4777 Tax Block / Lot Number
-  Significant Existing or Approved Building



**NORTHERN HUNTERS POINT  
WATERFRONT ACCESS PLAN MAP: Q-1b**

**PUBLIC ACCESS ELEMENTS**

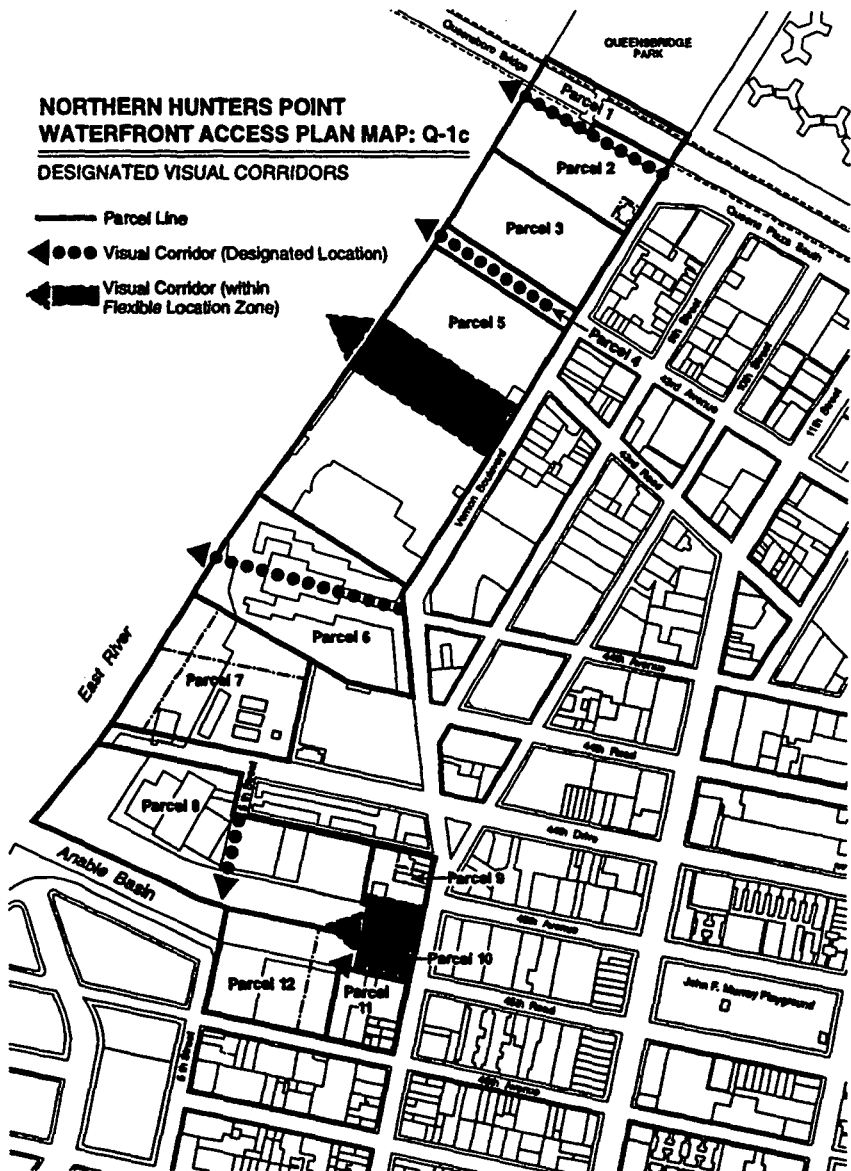
- Parcel Line
- ▣▣▣▣ Shore Public Walkway/ Waterfront Yard
- ▣▣▣▣ Shore Public Walkway/ Waterfront Yard (Within Flexible Location Zone)
- ▣ Upland Connection (Within Flexible Location Zone)
- Upland Connection (Designated Location)
- Upland Connection (Alternate Permitted Location)
- Supplemental Public Access Area (Designated Location)
- Significant Existing or Approved Building



**NORTHERN HUNTERS POINT  
WATERFRONT ACCESS PLAN MAP: Q-1c**

**DESIGNATED VISUAL CORRIDORS**

- Parcel Line
- ◀●●● Visual Corridor (Designated Location)
- ◀■■■ Visual Corridor (within Flexible Location Zone)



(On July 9, 1997, Cal. No. 24, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 48, the hearing was closed.)

**For consideration.**

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**No. 46**

**CD 7**

**N 980053 ZAQ**

**IN THE MATTER OF** an application submitted by Selfhelp Community Services for the grant of an authorization pursuant to Section 23-631(h) of the Zoning Resolution to allow a building to penetrate the height and setback regulations set forth in Section 23-631(b) in an R3-2 District to facilitate the development of a 5-story, 70-unit non-profit residence for the elderly on property located at 42-25 Kissena Boulevard (Block 5200, Lots 6, 24, 51 and 151), in R3-2 and R6 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, N.Y. 10007.

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 47**

**CD 1**

**C 970271 ZMR**

**IN THE MATTER OF** an application submitted by the New Brighton Citizens Committee, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 21a and 21c:

- 1) changing from an R4 District to an R3X District property bounded by Richmond Terrace, a line equidistant between Jersey Street and York Avenue, Carlyle Street, York Avenue, Eadie Place and its easterly prolongation, Franklin Avenue, Cassidy Place, Henderson Avenue, Lafayette Avenue, a line 100 feet southerly of Fillmore Street, a line 175 feet westerly of Lafayette Avenue, Fillmore Street, Franklin Avenue, Fillmore Street, and York Avenue;
- 2) changing from an R5 District to an R3X District property bounded by Carlyle Street, a line bisecting an angle formed by the southerly prolongations of the easterly street line of York Avenue and the westerly street line of Jersey Street (between Carlyle

Street and Pauw Street), Pauw Street, and York Avenue;

- 3) changing from an R4 District to an R2 District property bounded by Eadie Place and its easterly prolongation, York Avenue, East Buchanan Street, and Franklin Avenue; and
- 4) changing from an R3-2 District to an R2 District property bounded by East Buchanan Street, York Avenue, Prospect Avenue, Clinton Avenue, Henderson Avenue, Cassidy Place, and Franklin Avenue;

within the Special Hillside Preservation District, as shown on a diagram (for illustrative purposes only) dated April 28, 1997.

(On July 9, 1997, Cal. No. 25, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 50, the hearing was closed.)

For consideration.

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No. 48

CD 1

N 940282 ZAR

**IN THE MATTER OF** an application submitted by Dennis Dell'Angelo for the grant of authorizations pursuant to Sections 105-421 and 105-423 of the Zoning Resolution, involving the modification of existing topography and botanic environment to allow construction of a 2-story enlargement, an open porch and above-ground swimming pool on property located at 110 Wadsworth Road (Block 3066, Lots 371, 375 and 381) within the Special Natural Area District (NA-3).

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.

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## CITYWIDE

No. 49

*(Amendment of the Zoning Resolution concerning the modification of Article VI, Chapter 2 relating to yard regulations and public access and visual corridor requirements, including provisions relating to the adoption of Waterfront Access Plans, for developments in the Waterfront Area)*

Citywide

N 970629 ZRY

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 various sections in Article VI, Chapter 2 concerning yard; public access and visual corridor requirements, including design standards; and Waterfront Access Plans.

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

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

Matter within # # is defined in Section 12-10 or 62-11.

Article VI, Chapter 2 Special Regulations Applying in the Waterfront Area

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62-34 Special Yard Regulations on Waterfront Blocks

~~#Yard# regulations for #zoning lots# within #waterfront blocks# shall be governed by the provisions of this Section. However, the provisions of Sections 62-341 and 62-342 shall not apply to WD #uses# or, in C8 or #Manufacturing Districts#, to #developments# comprised #predominantly# of #uses# in Use Groups 16, 17 or 18. For #developments# containing WD #uses# or, in C8 or #manufacturing Districts#, #developments# comprised predominantly of #uses# in Use Group 16, 17 or 18, #yards# shall be provided in accordance with applicable district regulations. For all other #developments#, #yards# shall be provided in accordance with the provisions of Sections 62-341 and 62-342, except that no #yard regulations shall be applicable on #piers# or #floating structures# nor may #piers# or #floating structures# be used to satisfy any #yard# requirements.~~

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**62-676 Paving**

Paving in waterfront public access areas shall comply with the following:

(a) Paving shall consist of unit pavers or wood decking, except as follows:

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- (2) In shore public walkways (Prototype III: Low-intensity walkway and Prototype IV: Open-recreation walkway), crushed stone, woodchips or asphalt may be used in lieu of unit pavers or wood decking.

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**62-722 Modification of waterfront yard, public access and visual corridor requirements**

The City Planning Commission may:

- (a) authorize modification of the requirements of Section 62-342 (Rear yards and waterfront yards), Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS), and a Waterfront Access Plan adopted pursuant to Section 62-80 (WATERFRONT ACCESS PLANS) in conjunction therewith, Section 62-342 (Rear yards and waterfront yards). The Commission may also authorize a portion or all of the required waterfront public access to be provided off-site on an adjoining public property.

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As a condition to the granting of such authorization the Commission shall find that:

- (1) the regulations would result in an unfeasible development due to the presence of existing buildings or other structures or unique shoreline conditions such as wetlands; or
- (2) strict adherence to the regulations would adversely affect existing topography, vegetation or views having environmental, historic or aesthetic value to the public; or
- (3) for a commercial, or community facility or manufacturing development it would be impractical to satisfy the development's programmatic requirements while adhering to the regulations.

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- (b) authorize modifications of the requirements of Section 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) and a Waterfront Access Plan adopted pursuant to Section 62-80 (WATERFRONT ACCESS PLANS).

As a condition to the granting of such authorization, the Commission shall find that:

- (1) such modifications are necessary to accommodate modifications pursuant to paragraph (a) of this Section; or
- (2) such modifications would result in a layout or design of the public access areas that is functionally equivalent or superior to the design prescribed by strict adherence to the provisions of Section 62-60 of the Waterfront Access Plan.

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#### 62-80 WATERFRONT ACCESS PLANS

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#### 62-811 Establishment of Waterfront Access Plans

The City Planning Commission and City Council may adopt a Waterfront Access Plan as an amendment to this Resolution pursuant to Section 200 or 201 of the City Charter and in accordance with the provisions of Sections 62-812 (Elements of a Waterfront Access Plan), 62-813 (Conditions for the adoption of a Waterfront Access Plan) and this Section in order to adjust the waterfront public access and #visual corridor# requirements of Sections 62-40 and 62-60, or retain the #waterfront block bulk# regulations of Section 62-30 on newly-created non-#waterfront blocks# within a specifically defined portion of the #waterfront area#, or establish #waterfront yard# requirements for #developments# otherwise exempt from the requirements of Section 62-34 (Special Yard Regulations on Waterfront Blocks). To adopt such Waterfront Access Plans after November 1, 1997, this Resolution must be amended, pursuant to Sections 200 or 201 of the City Charter, to provide for an extension of such date.

\* \* \*

#### 62-812 Elements of a Waterfront Access Plan

A Waterfront Access Plan may:

\* \* \*



(f) for #developments# where a #waterfront yard# is not otherwise required by Section 62-34, establish requirements for a #waterfront yard# provided such plan does not impose a requirement greater than would be required by the provisions of Section 62-341 or 62-342 as modified by the further provisions of this paragraph for such other #developments#. #Enlargements# of #buildings or other structures# existing on the effective date of the Waterfront Access Plan shall be permitted within such #waterfront yard# provided that the #enlargement# is for WD or Use Group 16, 17 or 18 #uses# and no portion of the #enlargement#, other than permitted obstructions, is within 20 feet of the seaward edge of the #waterfront yard#. In addition, obstructions shall be permitted within such #waterfront yard# pursuant to applicable district #yard# regulations, except that no #building# or portion of a #building# shall be permitted within 10 feet of the seaward edge of such #waterfront yard#.

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### 62-813 Conditions for adoption of a Waterfront Access Plan

As a condition precedent to its approval of a Waterfront Access Plan, the City Planning Commission shall find, in its report to the City Council for adoption, that such plan 1) ~~would improve public use and enjoyment of the waterfront, thereby serving to implement the goals set forth in Section 62-00, and 2) meets any one of the following:~~

- (a) ~~would improve public use and enjoyment of the waterfront, thereby serving to implement the goals set forth in Section 62-00; and~~
- (b) (a) is necessary to link #public parks# or other public areas along the waterfront or to the waterfront, and such linkage would not necessarily be achieved solely by the provisions of Sections 62-34, 62-40 and 62-60; or
- (c) (b) is necessary to accommodate unique shore conditions ~~or the retention of existing #buildings or other structures#, including the existence of bridges, viaducts or railways, that would not be adequately accommodated~~ addressed by the provisions of Sections 62-34, 62-40 and 62-60; or
- (d) (c) is necessary to accommodate unique topography or natural features such as wetlands conditions, significant grade changes, geologic formations, natural vegetation or wildlife habitats, which natural features or topography would not be adequately accommodated by the provisions of Sections 62-34, 62-40 and 62-60; or
- (e) (d) is necessary to create a better physical or visual relationship of the waterfront to significant upland #streets# or to preserve significant views of the water or historic structures from such #streets#, which would not necessarily be achieved by the provisions of Sections 62-34, 62-40 and 62-60; or

- (f) (e) is necessary to achieve public access to the waterfront in an area characterized by large undeveloped tracts of land with a limited number of public #streets# leading to the shore; or
- (g) (f) is necessary to maintain #visual corridors# that would be extinguished by a #street# de-mapping after October 25, 1993 or to maintain #visual corridors# from certain upland #streets# that would be exempted from such requirements as the result of an intervening #street# mapping after October 25, 1993; or
- (h) (g) is necessary to retain the #bulk# regulations of Section 62-30 on certain #blocks# that would be exempted from such requirements as the result of an intervening #street# mapping after October 25, 1993.

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(On July 9, 1997, Cal. No. 27, the Commission scheduled August 6, 1997 for a public hearing. On August 6, 1997, Cal. No. 51, the hearing was closed.)

For consideration.

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