

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, MARCH 4, 1998
10:00 A.M. CITY HALL
NEW YORK, NEW YORK 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 970472 PCK	9	Scheduled to be Heard 3/18/98	19	C 970225 PPX	3	Favorable Report Adopted
2	C 970803 HAM	11	" "	20	C 970279 GFK	5	Laid Over
3	C 980246 ZMM	11	" "	21	C 970734 ZSK	2	" "
4	C 980172(A) ZSM	1	" "	22	C 980112 PPM	11	Favorable Report Adopted
5	N 970082 ZRR	3	" "	23	N 980175 ZRM	1,2	4 Laid Over
6	C 970338 PQK	1	Hearing Closed				
7	C 970339 PQK	1	" "				
8	C 970340 PQK	1	" "				
9	C 970341 PQK	1	" "				
10	C 970342 PQK	1	" "				
11	C 980162 HUM	10	" "				
12	C 980163 ZMM	10	" "				
13	C 980164 HAM	10	" "				
14	C 980193 ZMQ	1	" "				
15	C 980110 ZSR	2	" "				
16	C 910417 ZSR	3	" "				
17	N 970702 NPY	cw	" "				
18	N 980230 ZRY	cw	" "				

COMMISSION ATTENDANCE:	Present (P)	Absent (A)	COMMISSION VOTING RECORD:												
			In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:	19	20	21	22	23										
Joseph B. Rose, Chairman	P		Y		Y										
Victor G. Alicea, Vice Chairman	P		Y		Y										
Albert Abney	P		Y	L	L	Y	L								
Angela M. Battaglia	P		Y	A	A	Y	A								
Amanda M. Burden, A.I.C.P.	P		Y	I	I	Y	I								
Irwin Cantor, P.E.	P		Y	D	D	Y	D								
Kathy Hirata Chin, Esq.	P		Y			Y									
Alexander Garvin	P		Y	O	O	Y	O								
Anthony I. Giacobbe, Esq.	P		Y	V	V	Y	V								
William J. Grinker	P		Y	E	E	Y	E								
Brenda Levin	P		Y	R	R	N	R								
Edward Rogowsky	P		Y			Y									
Jacob B. Ward, Esq., Commissioners	P		Y			Y									

MEETING ADJOURNED AT: 11:29 A.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, MARCH 4, 1998

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



Rudolph W. Giuliani, Mayor
City of New York

[No. 5]

Prepared by Rosa R. Romero, Calendar Officer

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
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.

ORDER OF BUSINESS AND INDEX

WEDNESDAY, MARCH 4, 1998

Roll Call; approval of minutes	1
I. Scheduling March 18, 19981
II. Public Hearings	6
III. Reports	16

**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 March 18, 1998 in City Hall, Room 16, Manhattan, New York at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials and Community Board Chairpersons will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in opposition and those speaking in support of the proposal.

Length of Testimony: In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

Written Comments: If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

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>

WEDNESDAY, MARCH 4, 1998

APPROVAL OF MINUTES OF Regular Meeting of February 18, 1998

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, MARCH 18, 1998
STARTING AT 10:00 A.M.
IN CITY HALL,
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 9

C 970472 PCK

IN THE MATTER OF an application submitted by the Department of Homeless Services and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 681 Clarkson Avenue (Block 4833, part of Lot 1), for use as a transitional residence.

Resolution for adoption scheduling March 18, 1998 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 2 and 3

(Applications for the designation of an Urban Development Action Area and Project, the disposition of city-owned property, and an amendment of the Zoning Map)

No. 2

CD 11

C 970803 HAM

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of 57, 61, 63, 67, 71 and 73 E. 128th Street (Block 1753, Lots 27 - 32), 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, except Block 1753, Lot 28, to a sponsor selected by HPD;

to facilitate construction of two seven story buildings with 103 units of housing for low income and homeless persons, plus one unit for a superintendent, tentatively known as Vincent Cyrus Plaza.

Resolution for adoption scheduling March 18, 1998 for a public hearing.

No. 3

CD 11

C 980246 ZMM

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, changing from a C8-3 District to an R7-2 District property bounded by East 129th Street, a line 70 feet west of Park Avenue, East 128th Street, and a line 100 feet west of Park Avenue, as shown on a diagram (for illustrative purposes only), dated December 22, 1997.

Resolution for adoption scheduling March 18, 1998 for a public hearing.

 No. 4

CD 1

C 980172(A) ZSM

IN THE MATTER OF an application submitted by 195 Hudson Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an unattended accessory parking garage with a maximum capacity of 27 spaces in the cellar of an existing 6-story building located at 195 Hudson Street (Block 222, Lot 12), in an M1-5 District, within the Special Lower Manhattan Mixed Use District, Area B2.

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

Resolution for adoption scheduling March 18, 1998 for a public hearing.

 BOROUGH OF STATEN ISLAND

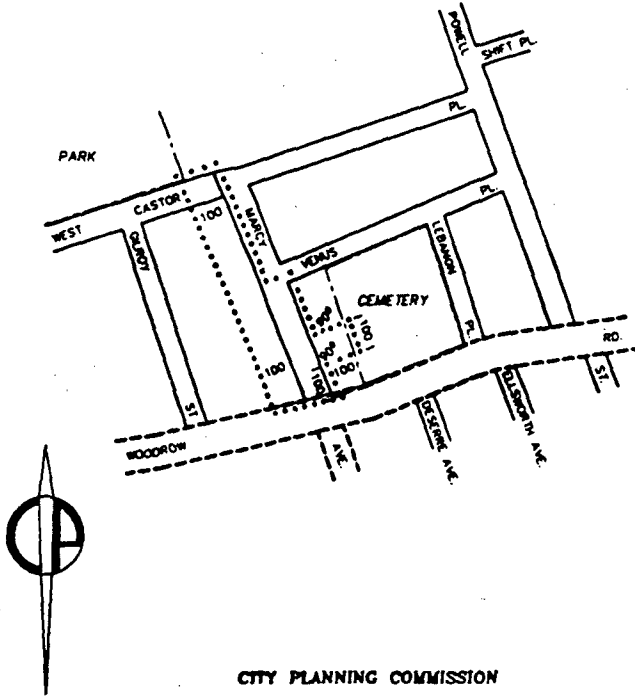
No. 5

CD 3

N 970082 ZRR

IN THE MATTER OF an application submitted by Sheldon Lobel, P. C. pursuant to Section 201 of the New York City Charter for an amendment of Appendix A Section 107-06 of the Zoning Resolution, Special South Richmond Development District,

involving modification of the boundaries of the designated open space as shown on the South Richmond Special District Plan, Section No. 33a, by deleting property bounded by the north street line of West Castor Place, the west street line of Marcy Avenue and its north prolongation, the west prolongation of the south street line of Venus Place, the east street line of Marcy Avenue, a line perpendicular to the east street line of Marcy Avenue distant 200 feet north of the west prolongation of the north street line of Woodrow Road from the angle point located 104.11 feet east of the intersection of the north street line of Woodrow Road and the east street line of Marcy Avenue, a line 100 feet east of Marcy Avenue, a line perpendicular to the east street line of Marcy Avenue distant 100 feet north of the west prolongation of the north street line of Woodrow Road from the angle point located 104.11 feet east of the intersection of the north street line of Woodrow Road and the east street line of Marcy Avenue, the north street line of Woodrow Road, and a line 100 feet west of Marcy Avenue and its north prolongation, Borough of Staten Island, Community District 3, as shown on a diagram (for illustrative purposes only), dated January 5, 1998.



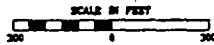
CITY PLANNING COMMISSION
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

CHANGE IN DESIGNATED OPEN SPACE OF SECTION 107-06 OF ZONING
RESOLUTION, IN SOUTH RICHMOND SPECIAL DISTRICT PLAN MAP.

33a
BOROUGH OF
STATEN ISLAND

New York, Referral Date
JANUARY 5, 1998



NOTE:

- Indicates Zoning District boundary of open space network.
- The area enclosed by the fine dotted line delineates areas deleted from the designated open space network within the Special South Richmond Development District.
- Indicates a 20 Foot Setback if there is no parking within the setback.
35 Foot Setback if parking is provided within the setback.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

Resolution for adoption scheduling March 18, 1998 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 6

CD 1

C 970338 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 50 Kent Avenue (Block 2287, Lot 1), for continued use as a garage.

(On February 18, 1998, Cal. No. 1, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 7

CD 1

C 970339 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 314 Rutledge Street (Block 2228, Lot 16), for continued use as a garage.

(On February 18, 1998, Cal. No. 2, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 8

CD 1

C 970340 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 306 Rutledge Street (Block 2228, Lot 11), for continued use as a garage.

(On February 18, 1998, Cal. No. 3, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

CD 1

C 970341 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 525 Johnson Avenue (Block 2987, Lot 16), for continued use as a garage.

(On February 18, 1998, Cal. No. 4, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 10

CD 1

C 970342 POK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 145 Randolph Street (Block 2976, Lot 45), for continued use as a parking lot.

(On February 18, 1998, Cal. No. 5, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

Nos. 11, 12 and 13

(Applications for the first amendment to the Milbank-Frawley West Urban Renewal Plan, an amendment of the Zoning Map, the designation of an urban development action area and project, and the disposition of city-owned property)

No. 11

CD 10

C 980162 HUM

PUBLIC HEARING:

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 first amendment to the Milbank Frawley Circle - West Urban Renewal Plan for the Milbank Frawley Circle - West Urban Renewal Area.

The amended plan proposes the following changes:

1. Sites formally known as 3A and 20 would be incorporated into Site 36.
2. The land use of former Site 20 would be changed from residential and/or open space to residential and/or commercial.
3. Land use restrictions relating to floor area ratio, building height, street wall, curb cuts and commercial uses would apply to Site 36.

The proposed changes would facilitate mixed use development as part of Phase II of the ANCHOR/Partnership Plaza Retail Demonstration Program on Sites 36, 32B and 3C of the Milbank Frawley Circle - West Urban Renewal Area.

(On February 18, 1998, Cal. No. 6, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 12

CD 10

C 980163 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b:

1. eliminating from an existing R7-2 District a C1-4 District bounded by West 116th Street, a line 450 feet easterly of Lenox Avenue-Malcolm X Boulevard, a line midway between West 116th Street and West 117th Street, a line 100 feet easterly of Lenox Avenue-Malcolm X Boulevard, West 117th Street, and Lenox Avenue-Malcolm X Boulevard; and
2. changing from an R7-2 District to a C4-5X District property bounded by West 116th Street, a line 450 feet easterly of Lenox Avenue-Malcolm X Boulevard, West 117th Street, and Lenox Avenue-Malcolm X Boulevard;

as shown on a diagram (for illustrative purposes only) dated November 17, 1997.

(On February 18, 1998, Cal. No. 7, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

CD 10

C 980164 HAM

PUBLIC HEARING:

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
- a) the designation of the following properties as an Urban Development Action Area:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
1599	69	68 W. 116th St.
1600	1	120-22 Malcolm X Blvd.
1600	3	128 Malcolm X Blvd.
1600	7	71 W. 116th St.
1600	9	57 W. 116th St.
1600	11	49-51 W. 116th St.
1600	13	45-47 W. 116th St.
1600	19	35 W. 116th St.
1600	54	56-60 W. 117th St.
1600	69	142 Malcolm X Blvd.
1600	26	19-21 W. 116th St.
1600	27	15-17 W. 116th St.

- b) an Urban Development Action Area Project for such area;
and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a sponsor/developer selected by HPD;

to facilitate mixed use development as part of Phase II of the ANCHOR/Partnership Plaza Retail Demonstration Program on Sites 36, 32B and 3C of the Milbank Frawley Circle - West Urban Renewal Area.

(On February 18, 1998, Cal. No. 8, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 14

CD 1

C 980193 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b:

- 1) eliminating from an existing R5 District a C1-2 District bounded by a line 200 feet north of 34th Avenue, 41st Street, a line 150 feet north of 34th Avenue, 42nd Street, 34th Avenue, 44th Street, a line 150 feet south of 34th Avenue, 41st Street, a line 100 feet south of 34th Avenue, and a line midway between Steinway Street and 41st Street;
- 2) eliminating from an existing R5 District a C2-1 District bounded by 34th Avenue, 47th Street, Northern Boulevard, a line 150 feet south of 34th Avenue, and 44th Street;
- 3) changing from a C4-2 District to a C4-2A District property bounded by 28th Avenue, a line midway between Steinway Street and 41st Street, 34th Avenue, and a line midway between 38th Street and Steinway Street;
- 4) changing from an M1-1 District to a C4-2A District property bounded by 34th Avenue, a line midway between Steinway Street and 41st Street, Northern Boulevard, and a line midway between 38th Street and Steinway Street;

- 5) changing from an R5 District to an R6B District property bounded by a line 200 feet north of 34th Avenue, 41st Street, a line 100 feet north of 34th Avenue, a line 50 feet west of 47th Street, 34th Avenue, 46th Street, a line 100 feet south of 34th Avenue, and a line midway between 41st Street and Steinway Street;
- 6) changing from an R5 District to an M1-1 District property bounded by 34th Avenue, 47th Street, Northern Boulevard, a line 150 feet south of 34th Avenue, 44th Street, a line 100 feet south of 34th Avenue, and 46th Street;
- 7) establishing within a proposed R6B District a C1-4 District bounded by a line 200 feet north of 34th Avenue, 41st Street, a line 100 feet north of 34th Avenue, 42nd Street, 34th Avenue, 44th Street, a line 100 feet south of 34th Avenue, and a line midway between Steinway Street and 41st Street; and
- 8) establishing within a proposed R6B District a C2-4 District bounded by 34th Avenue, 46th Street, a line 100 feet south of 34th Avenue, and 44th Street;

as shown on a diagram (for illustrative purposes only) dated December 1, 1997.

(On February 18, 1998, Cal. No. 9, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 15

CD 2

C 980110 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Carmel Richmond Nursing Home, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-90 of the Zoning Resolution to permit the enlargement of an existing nursing home and Section 74-902 to permit the allowable community facility floor area ratio of Section 24-11 to apply to a proposed approximately 9,160 square foot enlargement of an existing nursing home without an increase in the total number of beds (300) on property located at 88 Old Town Road (Block 3307, Lots 5, 84, 85), on the south side of Old Town

Road, 95 feet east of Wilson Street, in an R3-2 District.

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

(On February 18, 1998, Cal. No. 10, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

CD 3

C 910417 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Baywatch Builders Limited pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit by the City Planning Commission pursuant to the following Sections of the Zoning Resolution:

- a) **Section 78-312(c)**, to allow the modification of front yard regulations as set forth in Sections 23-45 and 107-461 and the modification of maximum aggregate width of street walls as set forth in Section 23-463, on the periphery of the development;
- b) **Section 78-312(d)**, to allow the modification of street wall height and setback regulations as set forth in Section 23-631(b), on the periphery of the development; and
- c) **Section 78-312(f)**, to allow the modification of minimum distance between buildings requirements as set forth in Section 23-711;

to allow the development of sixteen (16) additional dwelling units on the site of the former sewage treatment plant (Block 7860, Lot 25) within the Surfside Village I large-scale residential development bounded by Sprague Avenue, Surf Avenue, Loretto Street and the easterly prolongation of Clermont Avenue, in an R3-2 District, in the Special South Richmond Development District.

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

(On February 18, 1998, Cal. No. 11, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 17

Citywide

N 970702 NPY

PUBLIC HEARING:

IN THE MATTER OF a plan concerning revision of New York City's Waterfront Revitalization Program, submitted by the Department of City Planning for consideration pursuant to Section 197-a of the New York City Charter. The plan is called, "The New Waterfront Revitalization Program: A Proposed 197-a Plan."

The proposed plan can be reviewed at the City Planning Commission, 22 Reade Street, Room 6N, New York, New York 10007.

(On February 18, 1998, Cal. No. 12, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

Citywide

N 980230 ZRY

PUBLIC HEARING:

(Amendment of the Zoning Resolution to extend the Sunset Provision of Section 11-15, Environmental Requirements, from its current expiration date of July 1, 1998, by three years to the year 2001. The Sunset Provision requires the adoption of hazardous materials testing and remediation standards by the N.Y.C. Department of Environmental Protection by July 1, 1998.)

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendments of the Zoning Resolution of the City of New York relating to the extension of the Sunset Provision of Section 11-15, Environmental Requirements.

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

11-15
Environmental Requirements

* * *

(c) Sunset provision

The DEP shall adopt rules pursuant to Chapter 45 of the Charter of the City of New York which shall establish:

- (1) standards for determining potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not an (E) designation shall be imposed on any tax lot; and
- (2) testing and remediation standards and protocols for potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not the environmental requirements relating to such (E) designation(s) have been satisfied so as to warrant the removal of such designation.

The requirements for the adoption of rules set forth in paragraph (c) of this Section, inclusive, shall not be construed to prohibit either the imposition or the removal of an (E) designation, in accordance with law, prior to the adoption of such rules.

In the event that such rules are not adopted by DEP by July 1, ~~1998~~ **2001**, the provisions of this Section as they relate to potential hazardous material contamination, except for underground gasoline storage tanks, shall lapse.

* * *

(On February 18, 1998, Cal. No. 13, the Commission scheduled March 4, 1998 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 19

CD 3

C 970225 PPX

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 five (5) city-owned properties, pursuant to zoning:

Block	Lot	Address or Location
2394	23	412 East 168th Street
2719	17	1200 Tiffany Street
2979	11	1226 Southern Boulevard
2981	19	1506 Southern Boulevard
2991	61	1856 Boston Road

(On January 21, 1998, Cal. No. 1, the Commission scheduled February 4, 1998 for a public hearing. On February 4, 1998, Cal. No. 13, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 20

CD 5

C 970279 GFK

IN THE MATTER OF an application submitted by Martin Gallent pursuant to Section 197-c of the New York City Charter, for a revocable consent to construct, maintain and use a bridge over Logan Street between Linden Boulevard and Stanley Avenue, approximately 290 ft. south of Linden Boulevard connecting two one story industrial buildings.

On January 21, 1998, Cal. No. 2, the Commission scheduled February 4, 1998 for a public hearing. On February 4, 1998, Cal. No. 14, the hearing was closed.)

For consideration.

No. 21

CD 2

C 970734 ZSK

IN THE MATTER OF an application submitted by the Landmarks Preservation Commission on behalf of 71 Pierrepont Associates pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to permit modification of the following bulk regulations:

- o Section 23-145: to allow the maximum lot coverage to exceed 65 percent for a Quality Housing Program development;
- o Section 23-533(a): to reduce the 60-foot minimum depth open area requirement;
- o Section 23-633(a)(2): to allow the street wall to be located on the street line for a Quality Housing Program development; and
- o Section 23-711: to modify the requirements of the standard minimum distance between buildings on the same zoning lot;

to facilitate the construction of a two-story and cellar one-family building to be developed pursuant to the Quality Housing Program at 43 Love Lane (Block 236, Lots 10 & 21), on a through lot with an existing residential building, within the Brooklyn Heights Historic District, in R7-1 and Limited Height 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, NY 10007.

(On January 21, 1998, Cal. No. 3, the Commission scheduled February 4, 1998 for a public hearing. On February 4, 1998, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 22

CD 11

C 980112 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 ten (10) 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, 22 Reade Street, 6th Floor, New York 10007.

(On January 21, 1998, Cal. No. 4, the Commission scheduled February 4, 1998 for a public hearing. On February 4, 1998, Cal. No. 16, the hearing was closed.)

For consideration.

 No. 23

CD 1,2 and 4

N 980175 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter for amendments of the Zoning Resolution of the City of New York, relating to Sections 62-14, 62-27, 62-412, 62-416, and 62-711 concerning parks along the Hudson River south of 59th Street in Manhattan.

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

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

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

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

* * *

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# other than those provided in publicly-accessible private parks #developed# pursuant to Section 62-416 (Special regulations for zoning lots that include publicly-accessible private parks), 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.

* * *

62-27

Special Use Regulations for Public Parks, Playgrounds or Private Parks

#Public parks#, playgrounds or private parks shall be a permitted use in M2 and M3 Districts within the #waterfront area# in Community Districts 1, 2 and 4 in the Borough of Manhattan.

* * *

62-412

Requirements for public access on piers

* * *

Notwithstanding the preceding requirements, when a #pier# is #developed predominantly# with the following WE #uses#: a #public park# or playground or publicly accessible private park, the waterfront public access requirement on the #pier# pursuant to this Section 62-41 through 62-416 and Section 62-60 shall be deemed to be satisfied by such #use#.

* * *

62-416

Special regulations for zoning lots that include publicly accessible private parks

In M2 and M3 Districts as permitted in Section 62-27, where a #zoning lot# or adjoining #zoning lots# are #predominantly developed# as a publicly accessible private park, the requirements of this Section 62-41 through 62-416 and Section 62-60 shall be deemed satisfied for that portion of the #zoning lots# occupied by such park #use#, provided that:

- (a) such park is comprised of a minimum of nine acres of land above water and the #water coverage# of #piers# or #platforms#, located on the #zoning lot# or the #zoning lot# and adjoining #zoning lots#, and has at least 600 feet of #shoreline#;
- (b) such park provides a continuous paved walkway along the entire portion of the #zoning lots# occupied by such #use# with a minimum clear width of no less than 12 feet, within 40 feet of the #shoreline# for at least 75 percent of those portions of the private park that abut the #shoreline#;
- (c) such walkway connects with all other #shore public walkways# on the #zoning lot# and adjoining #zoning lots# and any adjoining public sidewalks or other pedestrian areas within #pier# public access areas, a public #street#, #public park#, another publicly accessible private park or other public place;
- (d) such walkway shall be open and accessible from #pier# public access areas, a public #street#, #public park#, publicly accessible private park or other public place at intervals over the length of the park not exceeding 1,000 feet with an average of 600 feet, by a continuous paved walkway with a minimum clear width of not less than 10 feet;
- (e) such park is open and accessible to the public from dawn to dusk, except when hazardous conditions are present that would affect public safety and except that the park may be closed to the public for not more than one day per year other than Saturday, Sunday or a public holiday, to preserve any ownership interest in the park;
- (f) a maintenance and operation agreement providing for the maintenance and operation of the park in good condition is entered into with the Department of Parks and Recreation (DPR), except that no such maintenance and operation agreement shall be required for a park developed and maintained by the State or the City of New York, any subdivision or agency of the State or the City, or any public authority or other entity created pursuant to state or local statute for the purpose of operating such a park; and

(g) #visual corridors# shall be provided in accordance with Section 62-42 (Requirements for Visual Corridors).

Any maintenance and operation agreement required pursuant to paragraph (f) of this Section shall include a requirement that prior to obtaining any building permit or opening any portion of the park to the public, the property owner or operator of the park shall post security in the form of a maintenance bond, letter of credit, or other security acceptable to DPR, with DPR in an amount certified by a registered architect or landscape architect to be sufficient to cover 125 percent of the cost of maintaining the park for a 12 month period following its final completion, and that such security shall be replaced every five years with new security in an amount sufficient to cover 125 percent of the then current annual cost of maintaining the park, as certified by a registered architect or landscape architect, for the life of the park. Any maintenance and operation agreement shall be attached to or included within a duly recorded, signed declaration of restrictions, indexed against the #zoning lot#, binding the owners and any lessees, tenants, successors and assigns to maintain and operate the park in conformance with this Section 62-416 and with the maintenance and operation agreement for the life of the park. The filing of such Declaration, where required, shall be a precondition to certification pursuant to paragraph (e) of Section 62-711.

Any portion of a #zoning lot# that is not #developed# for a park #use# shall be subject to all of the requirements of this Chapter, including the requirements of Section 62-41 through 62-416 and Section 62-60. For purposes of determining obligations pursuant to this Chapter, such portions of a #zoning lot# not #used# for park purposes shall be treated as a separate #zoning lot# or separate #zoning lots#, except that the entire #zoning lot# including the portion #used# for park purposes shall be considered in determining #lot area# for purposes of Section 62-411 (Requirements for shore public walkways).

* * *

62-711

Waterfront public access and visual corridors

No excavation or building permit shall be issued for any #development# on a #waterfront block#, or any other #block# included within a Waterfront Access Plan, until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Business Services, as applicable, that either:

* * *

(e) that, for the #development# of a publicly-accessible private park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 (Special regulations for zoning lots that include publicly accessible private parks).

(On January 21, 1998, Cal. No. 5, the Commission scheduled February 4, 1998 for public hearing. On February 4, 1998, Cal. No. 17, the hearing was closed.)

For consideration.
