

**CITY PLANNING COMMISSION
DISPOSITION SHEET**

**SPECIAL MEETING:
MONDAY, MAY 1, 2000
1:00 P.M. SPECTOR HALL
22 READE STREET, NEW YORK, 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	N 000244(A) ZRY	cw	Scheduled to be Heard 5/23/00				
2	C 000245 ZMK	2	" "				
3	C 000246 ZMM	5,6	" "				

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

MEETING ADJOURNED AT: 4:30 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

MONDAY, MAY 1, 2000

SPECIAL MEETING AT 1:00 P.M.
in
SPECTOR HALL, 22 READE STREET, N.Y., N.Y.



Rudolph W. Giuliani, Mayor
City of New York

Prepared by Rosa R. Romero, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution
on the World Wide Web, visit the Department of City Planning (DCP)
home page at: nyclink.org/planning

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.*
ANGELA R. CAVALUZZI, *R.A.*
KATHY HIRATA CHIN, *Esq.*
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, *Esq.*
WILLIAM J. GRINKER
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.

MAY 1, 2000

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS
TO BE SCHEDULED FOR TUESDAY, MAY 23, 2000
STARTING AT 10:00 A.M.
AT CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 2

C 000245 ZMK

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. 12d and 16c:**

1. changing from a C5-2 District to a C5-2A District property bounded by Pierrepont Street, a line 100 feet westerly of Clinton Street, Livingston Street, a line perpendicular to the northerly street line of Livingston Street distant 218 feet westerly from the intersection of the northerly street line of Livingston Street and the westerly street line of Boerum Place, Joralemon Street, Court Street, Montague Street, and a line 100 feet westerly of Cadman Plaza West;
2. changing from a C6-4 District to a C5-2A District property bounded by Joralemon Street, a line perpendicular to the northerly street line of Livingston Street distant 218 feet westerly from the intersection of the northerly street line of Livingston Street and the westerly street line of Boerum Place, Livingston Street, and Boerum Place;
3. changing from a C6-1 District to a C6-2A District property bounded by Livingston Street, a line 100 feet westerly of Court Street, Atlantic Avenue, and Smith Street;

4. changing from a C6-1 District to an R6B District property bounded by:
 - a. Fulton Street, St. Felix Street, Hanson Place, and Ft. Greene Place; and
 - b. a line bisecting an angle formed by the westerly prolongation of the southerly street line of Schermerhorn Street and the northwesterly prolongation of the northeasterly street line of State Street, a line midway between Schermerhorn Street and State Street, a line 100 feet southeasterly of Smith Street, State Street, and 3rd Avenue;
5. changing from an R6 District to an R6B District property bounded by State Street, a line 100 feet southeasterly of Smith Street, a line midway between State Street and Atlantic Avenue, and a line 240 feet northwesterly of 4th Avenue;
6. changing from an R7-1 District to a C6-1 District property bounded by Tillary Street, Cadman Plaza West, Court Street, Joralemon Street, Adams Street/Brooklyn Bridge Boulevard, Johnson Street, and Cadman Plaza East;
7. changing from an M1-6 District to a C6-4 District property bounded by DeKalb Avenue, a line 250 feet westerly of the westerly street line of Rockwell Place, Fulton Street, and Ashland Place;
8. changing from a C6-1 District to an R7A District property bounded by a line midway between State Street and Atlantic Avenue, a line 130 feet southeasterly of Smith Street, Atlantic Avenue, 3rd Avenue, Dean Street, a line 100 feet southeasterly of 3rd Avenue, Pacific Street, a line 400 feet northwesterly of 4th Avenue, Atlantic Avenue, Flatbush Avenue, State Street, and a line 240 feet northwesterly of 4th Avenue;
9. changing from an R6 District to an R6A District property bounded by Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, and 3rd Avenue;
10. eliminating from an existing R6 District a C2-3 District bounded by Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, and 3rd Avenue;

11. establishing within a proposed R6A District a C2-4 District bounded by Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, and 3rd Avenue;
12. establishing within a proposed R7A District a C2-4 District bounded by a line midway between State Street and Atlantic Avenue, a line 130 feet southeasterly of Smith Street, Atlantic Avenue, 3rd Avenue, Dean Street, a line 100 feet southeasterly of 3rd Avenue, Pacific Street, a line 400 feet northwesterly of 4th Avenue, Atlantic Avenue, Flatbush Avenue, State Street, and a line 240 feet northwesterly of 4th Avenue;
13. eliminating a Special Fulton Mall District (FM) bounded by a line 100 feet north of DeKalb Avenue, a line 100 feet northerly of Fulton Street, the southerly street line of Willoughby Street, the easterly street line of Boerum Place, a line 100 feet southerly of Fulton Street, the northwesterly street line of Nevins Street, and the westerly street line of Flatbush Avenue;
14. eliminating a Special Atlantic Avenue District (AA) bounded by Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line midway between Atlantic Avenue and Pacific Street, 3rd Avenue, Pacific Street, a line 100 feet easterly of 3rd Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 200 feet westerly of 4th Avenue, Atlantic Avenue, the westerly street line of 4th Avenue, the westerly street line of Flatbush Avenue, the southerly street line of State Street, a line 240 feet westerly of 4th Avenue, a line midway between State Street and Atlantic Avenue, a line 25 feet easterly of Hoyt Street, State Street, a line 75 feet westerly of Hoyt Street, a line midway between State Street and Atlantic Avenue, and a line 130 feet easterly of Smith Street; and
15. establishing a Special Downtown Brooklyn District (DB) bounded by Tillary Street, Clinton Street, a line 280 feet southerly of Clark Street, a line 100 feet westerly of Clinton Street, Livingston Street, a line 100 feet westerly of Court Street, Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, 3rd Avenue, Pacific Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between Atlantic Avenue and Pacific Street, 4th Avenue, Pacific Street, 5th Avenue, Atlantic Avenue, S. Portland Avenue, Academy Park Place, S.

Elliott Place, Hanson Place, St. Felix Street, Fulton Street, Ashland Place, DeKalb Avenue, the northerly centerline prolongation of Hudson Avenue, a line 230 feet northerly of DeKalb Avenue, the easterly street line of former University Plaza and its northerly prolongation, Willoughby Street, Fleet Place, Fair Street, and Prince Street;

as shown on a diagram (for illustrative purposes only) dated February 14, 2000 and subject to the conditions of CEQR Declaration E-97.

Resolution for adoption scheduling May 23, 2000 for a public hearing.

NOTICE

On Tuesday, May 23, 2000 at 10:00 a.m. in City Hall, a continued public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the Unified Bulk Program and Related Zoning Map and Text Amendments, a proposal by the Department of City Planning for three interrelated zoning actions: 1) the Unified Bulk Program, a citywide zoning text amendment intended to simplify, rationalize and improve controls on the height and massing of development, 2) the Lexington Avenue Rezoning, which would rezone several blocks along Lexington Avenue between East 54th Street and East 57th Street from C5-2A to C5-2.5(MiD) and extend the Special Midtown District to include this area, and 3) zoning map and text amendments to create a new special district in the central business district of Downtown Brooklyn.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review Act (CEQR), CEQR No. 00DCP034Y.

BOROUGH OF MANHATTAN

No. 2

CD 5,6

C 000246 ZMM

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. 8c and 8d:**

- a) changing from a C5-2A District to a C5-2.5 District property bounded by a line midway between East 57th Street and East 56th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 54th Street and East 55th Street, and a line 100 feet westerly of Lexington Avenue; and
- b) establishing a Special Midtown District (MiD) bounded by a line midway between East 57th Street and East 56th Street, a line 100 feet easterly of Lexington Avenue, a line midway between East 54th Street and East 55th Street, and a line 100 feet westerly of Lexington Avenue,

as shown on a diagram (for illustrative purposes only) dated February 14, 2000.

Resolution for adoption scheduling May 23, 2000 for a public hearing.

NOTICE

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This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review Act (CEQR), CEQR No. 00DCP034Y.

CITYWIDE

No. 3

CITYWIDE

N 000244(A) ZRY

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for **amendment of the Zoning Resolution** of the City of New York relating to various sections as follows:

Modifications to the Proposal proposed to be Calendared for the second Hearing

Modifications to the following components of the proposal are proposed to be calendared for review and comment at the second Public Hearing, as described below. All references to Zoning Resolution sections are to the proposed text referred on 2/14/00.

Standard Envelope Controls

Modification of the Standard Envelope controls to eliminate the rear yard setback regulations of section 23-663(a).

Modification of the section 23-522(a) Standard Envelope controls to permit a 5 foot reduction of the required 10 foot front setback to 5 feet if a landscaped area of not less than 5 feet is provided at grade.

Modification of section 23-522(a) to provide the wide street Standard Envelope to Non-profit Housing for the Elderly located on narrow streets in R6 Districts.

Alternate Envelope in Medium Density Districts

Modification of sections 23-522(b)(1) and 23-522(b)(2) to eliminate the 33 percent minimum coverage requirement for developments located on a zoning lot which does not contain existing buildings.

Modification of section 23-522(b)(1) to restrict the Alternate height and setback regulations for buildings or other structures that are located on a zoning lot that has a side lot line contiguous for a distance of at least 70 feet, on which a building is located that exceeds the standard building height by at least 10 feet; to situations in which such building which exceeds the standard building height by at least 10 feet existed at the date of adoption of the proposal.

Modification of section 23-522(b)(1) to restrict the narrow street applicability of the Alternate height and setback regulations for buildings or other structures that are located on a zoning lot that has a side lot line contiguous for a distance of at least 70 feet, on which a building is located that exceeds the standard building height by at least 10 feet; to situations in which such existing building is located wholly or partially beyond 100 feet of a wide street.

Modification of section 23-522(b)(1) to restrict the height of the building or other structure developed pursuant to the Alternate height and setback regulations when such buildings or other structures that are located on a zoning lot that has a side lot line contiguous for a distance of at least 70 feet, on which a building is located that exceeds the standard building height by at least 10 feet; to not more than the height of the building which exceeds the standard building height.

Modification of section 23-522(b)(3) to waive the 33% minimum coverage regulation by authorization in order to permit buildings to use the Alternate height and setback regulations when an existing building which is located on the same zoning lot exceeds the standard building height by more than 10 feet.

Community Facility Envelopes

Modification of the chart in section 24-11 to increase the permitted lot coverage of community facility buildings on interior lots from 65 to 70 percent in R6 through R10 districts and to increase the permitted lot coverage of community facility buildings on corner lots from 70 to 100 percent in R6 and R7-1 districts, from 70 to 100 percent in R7-2 and from 75 to 100 percent in R8 through R10 districts.

Tower-on-a-Base Regulations

Modification of sections 23-531(b) and 53-622(h) to reduce the 33 percent minimum tower coverage regulation to 25 percent.

Modification of section 35-622(f) to exclude any existing floor area located below a height of 150 feet when calculating maximum tower coverage in C4, C5 and C6 districts.

Modification of section 35-53 to re-establish all existing rear yard equivalents for developments on through lots in C4, C5 and C6 districts when any required building base of such developments does not contain residential floor area.

Modification of the street wall regulations of sections 23-531(c)(1) and 35-622(a) to permit larger corner cut-outs (up to 15 feet on a wide street and 20 feet on a narrow street) and to further regulate the distance between such cut-outs and other permitted recesses.

Sliver Regulations

Modification of section 23-552 to: 1) restore the exemption of all stories located above the required base from the sliver regulations in the contextual districts, except in C6-4X Districts, 2) apply this same regulation to the Standard Envelope and 3) increase the exemption from the sliver regulations of the top story of all buildings developed pursuant to the tower-on-a-base regulations to the top four stories of such buildings.

Manufacturing District Envelopes

Modification of section 43-332 to provide the wide street envelope (with an increase in the height limit from 185 feet to 210 feet) to the narrow street through lot portion of a zoning lot which also contains two corner lots in a M1-6 district.

Modification of section 43-256 to eliminate the rear yard requirement for the through lot portion of a zoning lot which also contains two corner lots in a M1-6 district.

Mechanical Space/ Bulkheads

Modification of sections 35-61 and 43-32(j) to permit accessory antennas or antenna masts of unlimited height, provided that the horizontal lot coverage of such antenna or antenna mast does not exceed 18 feet in any direction, as a permitted obstruction of the height and setback regulations in M, C4, C5 and C6 districts.

Modification of section 43-32(d)(3) to permit bulkheads with a lot coverage of not more than 40 percent and a height limit of 60 feet for all Use Group 6D accessory mechanical equipment in M Districts.

Split Lot Regulations

Modification of the section 74-72 special permit to allow the transfer of floor area between portions of a split lot not otherwise permitted by section 77-00 and to waive the other split lot requirements of section 77-00, by special permit.

Modification of the Comparable Districts chart of section 77-42 to limit the comparability of C4-7, C5-2, C5-4, C6-4, C6-5 and C6-8 to only those M1-6 districts which are subject to the tower regulations of section 43-34, and to make other M1-6 districts comparable to C4-7A, C5-2A and C6-4A districts.

Modification of the Special Union Square District, section 118-00, to permit the residential floor area from a portion of a split lot located outside of the special district to be transferred to the portion of the split lot located within the special district.

Lower Density Districts

Modification of section 23-521(a) to apply the R4-1 height and setback regulations, with a 25 foot perimeter wall and a maximum height of 35 feet, to R1 and R2 districts.

Vesting

Modification of section 11-332 to provide an additional 6 months, for a total of 9 months by approval of the Board of Standards and Appeals to complete construction for "other construction" which has a Building Permit but has not completed construction on the date of adoption.

Special Midtown District/ Lexington Avenue Zoning Map Amendment

Modification of section 81-211 to prohibit plazas within 100 feet of a wide street in C5-2.5 districts and modification of Map 2 to extend mandatory street wall continuity requirements on the 55th and 56th street side streets within 100 feet of

Lexington Avenue.

Special Downtown Brooklyn District

Modification of section 101-11(a) and Map 6 of the Special Downtown Brooklyn District to restrict the blocks between Schmerhorn and Livingston streets to the Standard Envelope with a maximum height limit of 210 feet.

Modification of section 101-11(a) to permit the use of the minimum base height of the underlying C6-1 district for development pursuant to the Standard Envelope.

Modification of sections 101-10, 101-11(b), 101-12 and Maps 2, 3 and 4 of the special district to extend the mandatory retail continuity and fenestration requirements to Smith Street between Atlantic Avenue and Fulton Street and Bridge, Jay and Lawrence streets between Willoughby and Fulton streets.

Modification of Map 6 of the special district to make the portion of Smith Street between Atlantic and State streets now part of Area A, part of Area B which reduces the height limit from 210 feet to 140 feet.

Special Bay Ridge District

Modification of section 114-51 to restrict the floor area ratio in Area E to 3.17 and section 114-53 to retain the 60 percent parking requirement on lots of more than 10,000 square feet in R7-1 districts in Area E.

Clarifications and Corrections

Clarifications and corrections are also proposed to the following sections as described below:

- | | |
|-----------|---|
| 12-10 | Definition of lot coverage clarified to exclude permitted obstructions. |
| 23-122(d) | clarification on measurement of recessed balconies |
| 23-133 | Open space requirement added for zoning lots containing tall buildings in R6 R7 and R8 Districts. |

Clarification that lot coverage for non-profit residences for the elderly on zoning lots containing tall buildings is restricted as set forth in Section 23-133.

- 23-135 FAR for non-profit residences for the elderly in R6 and R6A Districts restored to 3.9 from 4.0
- 23-22 Language restricting dwelling units in R1 through R5 districts to one family added. (This restriction currently exists in Section 23-224).
- 23-24 Method used for determining allowable density for mixed buildings clarified.
- 23-43 passageway connecting two lobbies measured from yard level rather than grade.
- 23-469 Rewritten for clarity and ability to eliminate special district cross referencing.
- 23-521(d) Side and rear setback requirements for R5 Districts relocated from Section 23-661.
- 23-521(h) Cross reference to 23-66 eliminated
- 23-522(b)(5) R10H exclusion added
- 23-523(b) Rear setback requirement for R6 through R10 contextual districts relocated from Section 23-633. Cross reference to Section 23-531 corrected
- 23-531(a) R10H exclusion added
- 23-55 Section renumbered (was 23-56); cross references changed in Sections 23-51 and 23-52
- 23-551 Section renumbered (was 23-561); cross references changed in Sections 11-12 and 12-10
- 23-552 Section renumbered (was 23-562); cross references changed in Sections 24-482, 33-462, 34-24(d) and 35-61

Any "applicable" height limitations added for clarity

- 23-661 Section required setback above 30 feet. Eliminated for R1 and R2 Districts as proposed 23-521(a) requires setback above 25 feet and provisions relating to R5 Districts relocated to Section 23-521(d)
- 23-662 Obsolete side and rear yard setback regulations eliminated
- 23-663(b) Rear setback requirement for contextual districts relocated to Section 23-523(b)(3)
- 24-11 Rule limiting FAR to 10 in CB 7 Manhattan restored
- 24-111 chart containing special floor are regulations for community facilities with sleeping accommodations restored and rounded
- 24-153 Section relating to open space made inapplicable to R9 Districts, since this district would no longer have an open space requirement
- 24-20 Method used for determining allowable density in mixed buildings clarified
- 24-422 Clarification that building with a 140 foot height limit cannot contain residential use
- 24-43 R10H exclusion added (also effects 24-431 and 24-432)
- 24-433 New Section for R10X Towers
- 25-621(b)(2) R6B, R7B and R8B deleted; they are covered in paragraph (c) and (d)
- 33-422 Clarification that building with a 140 foot height limit cannot contain residential use, but may contain up to 2 floors of any permitted commercial use
- 35-33 Residential lot coverage for mixed buildings excluded for first story in C1, C2 and C3 Districts, and for first and second stories in new buildings in C1 and C2 Districts with R9 and R10 equivalents

Residential lot coverage for mixed buildings excluded for first and second stories in C4, C5 and C6 Districts, and applied above second story at level of lowest story containing residential use
- 35-40 Method used for determining allowable density in mixed buildings

clarified

- 35-62 Clarification that sliver rules do not apply to mixed buildings in high C non-contextual zones
- 35-621 Heading with lists of districts reformatted
- 35-622(a) Street wall required to extend along entire wide street frontage (existing rule)
- 35-622(j) 150 ft limitation added for existing structures
- 43-32(d) "accessory" added for mechanical equipment
- 74-24 First 2 paragraphs rewritten for clarity
- 74-72 First 2 paragraphs rewritten for clarity
- 74-54 To be eligible for CF special permit, building cannot contain residential use, but may contain up to 2 floors of commercial use, where permitted
- 78-31(a) Modification of "periphery" description to clarify when a height and setback waiver is by special permit or by authorization
- 81-23 The provisions for urban plazas in Article 3, Chapters 3, 4 and 5 are made inapplicable, to clarify that a special permit is not required in C4, C5 or C6 Districts where 25% or more of the floor area is in residential use
- 81-243 Section deleted; no longer necessary since 23-469 amended
- 111-104(c) Area A3. Maximum FAR eliminated; not necessary since no modification is made

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