

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:**  
**WEDNESDAY, OCTOBER 18, 2000**  
**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 000024 ZMK	6,8	Scheduled to be Heard 11/1/00	17	C 990278 PPQ	10	Hearing Closed
2	C 000613 PPK	8	" "	18	N 010125 PXX	18	Favorable Report Adopted
3	N 000647 ZRK	8	" "	19	N 000286 ZRK	12	" "
4	C 000115 ZSM	5	" "	20	C 000106 ZSM	2	Laid Over
5	C 010018 HUQ	12	" "	21	C 000661 HAM	3	Favorable Report Adopted
6	C 010019 ZMQ	12	" "	22	C 000229 ZSM	4	" "
7	C 010020 HAQ	12	" "	23	C 000649 ZMM	5	" "
8	C 930043 MMX	9	Hearing Closed	24	C 000651 ZSM	5	" "
9	N 010072 HAX	6	" "	25	N 000650 ZRM	4-8	" "
10	C 000577 PPK	2	" "	26	C 000652 ZSM	5	" "
11	N 010057 ZRM	1	" "	27	N 010054 ZAM	2	Authorization Approved
	N O T I C E		" "	28	C 000288 PQQ	12	Favorable Report Adopted
12	C 000639 ZMQ	5	" "				
13	C 990274 ZMQ	10	" "				
14	C 990275 ZSQ	10	" "				
15	C 990276 ZSQ	10	" "				
16	C 990277 ZSQ	10	" "				

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y    Oppose - N    Abstain - AB    Recuse - R													
Calendar Numbers:		18	19	20	21	22	23	24	25	26	27	28			
Joseph B. Rose, Chairman	P	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			
Albert Abney	P	Y	Y	L	Y	Y	Y	Y	Y	Y	Y	Y			
Angela M. Battaglia	A			A											
Amanda M. Burden, A.I.C.P.	A			I											
Irwin Cantor, P.E.	P	Y	Y	D	Y	Y	Y	Y	Y	Y	Y	Y			
Angela R. Cavaluzzi, R.A.	P	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y			
Kathy Hirata Chin, Esq.	P	Y	Y	O	Y	Y	Y	Y	Y	Y	Y	Y			
Alexander Garvin	P	Y	Y	V	Y	Y	Y	Y	Y	Y	Y	Y			
William J. Grinker	P	Y	N	E	Y	Y	Y	Y	Y	Y	Y	Y			
Kenneth J. Knuckles, Esq.	P	Y	Y	R	Y	Y	Y	Y	Y	Y	Y	Y			
John Merolo	P	Y	Y		Y	Y	Y	Y	Y	Y	Y	Y			
Edward T. Rogowsky, Commissioners	P	Y	N		Y	Y	Y	Y	Y	Y	Y	Y			

MEETING ADJOURNED AT: 12:15 P.M.

**COMPREHENSIVE**  
**CITY PLANNING CALENDAR**  
**of**  
**The City of New York**  
—  
**CITY PLANNING COMMISSION**  
—  
**WEDNESDAY, OCTOBER 18, 2000**  
—  
**MEETING AT 10:00 A.M.**  
**in**  
**CITY HALL**



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

**[No. 23]**

**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: [nyc.gov/planning](http://nyc.gov/planning)

## 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 Community Board, 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 \$100.00 for a one 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.*  
**ANGELA R. CAVALUZZI**, *R.A.*  
**KATHY HIRATA CHIN**, *Esq.*  
**ALEXANDER GARVIN**  
**WILLIAM J. GRINKER**  
**KENNETH J. KNUCKLES**, *Esq.*  
**JOHN MEROLO**  
**EDWARD T. ROGOWSKY**, *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, OCTOBER 18, 2000**

Roll Call; approval of minutes .....	1
I. Scheduling of November 1, 2000 .....	1
II. Public Hearings .....	15
III. Reports .....	39

**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 November 1, 2000 in City Hall, Manhattan, 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 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: \_\_\_\_\_

OCTOBER 18, 2000

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**APPROVAL OF MINUTES OF Regular Meeting of October 4, 2000  
and Special Meeting of October 2**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, NOVEMBER 1, 2000  
STARTING AT 10:00 A.M.  
IN CITY HALL,  
NEW YORK, NEW YORK**

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**BOROUGH OF BROOKLYN**

**Nos. 1, 2, and 3**

*(Applications for amendments to the Zoning Map and Zoning Resolution,  
and removal of use restriction, to facilitate the redevelopment of the  
Former Daily News Printing Plant)*

**No. 1**

**CDs 6 & 8**

**C 000024 ZMK**

**IN THE MATTER OF** an application submitted by Shaya B. Developers, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 16c**, changing from an M1-1 District to a C4-4A District property bounded by Pacific Street, a line 100 feet westerly of Carlton Avenue, a line midway between Pacific Street and Dean Street, and a line 100 feet northeasterly of Flatbush Avenue, as shown on a diagram (for illustrative purposes only) dated July 10, 2000 and subject to the conditions of CEQR Declaration E-98.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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No. 2

CD 8

C 000613 PPK

**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 removal of the "newspaper facility" use restriction on property located at 549/559, 539, 535 and 529 Dean Street (Block 1128, Lots 37, 65, 68 and 70).

Note: This restriction was made part of the City Planning Commission's approval on June 6, 1983 Cal. #6), of an application (C 830862 PNK) submitted by the Department of General Services for the disposition of the above referenced properties.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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No. 3

CD 8

N 000647 ZRK

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapter 5 (Residential Conversion of Existing non-Residential Buildings), extending its applicability to Community District 8, Borough of Brooklyn.

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

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

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

. . . indicate unchanged text omitted within a paragraph;

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

\* \* \*

Article I

General Provisions

\* \* \*

Chapter 5

Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens

\* \* \*

15-00

## GENERAL PURPOSES

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~5~~ and ~~6~~, and Queens Community Districts 1 and 2, special regulations for the conversion to dwelling units of non-residential buildings or portions thereof erected prior to December 15, 1961, have been established in order to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

\* \* \*

15-01

## Applicability

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~5~~ and ~~6~~, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings# or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of this Chapter. In addition, in Manhattan Community District 1, in the area south of Murray Street and its easterly prolongation and the Brooklyn Bridge, the conversion to #dwelling units# of non-#residential buildings#, or portion thereof, erected prior to January 1, 1977 shall be subject to the provisions of this Chapter. Existing floor space used for mechanical equipment and not counted as #floor area# in non-#residential buildings# built prior to January 1, 1977 may be converted to #dwelling units# under the provisions of this Chapter.

\* \* \*

15-013

## Building permits and variances issued before the effective date of amendment

- (b) Building permits in Brooklyn Community Districts 1, 2, ~~5~~ and ~~6~~, and 6 and Queens Community Districts 1 and 2

If, before October 25, 1984, a building permit was lawfully issued for an alteration based upon plans filed and pending with the Department of Buildings on or before April 1, 1984, construction pursuant to such permit may be continued.

- (c) Variances

If, before April 9, 1981, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, or before October 25, 1984, in Brooklyn Community Districts 1, 2, ~~5~~ and ~~6~~, and Queens



Community Districts 1 and 2, a variance to permit the conversion of a #building# or portion thereof, to #residential# or #joint living-work quarters for artists use#, which variance has not lapsed pursuant to the provisions of Section 72-23, and a building permit was issued in accordance with the terms of said variance for such conversion by the Department of Buildings within two years of the grant of said variance, construction pursuant to such permit may be continued, without regard to the other provisions of this Chapter.

\* \* \*

15-025

Double glazed windows

All #dwelling units# in #buildings# which contain one or more #uses# listed in Section 15-50 (REFERENCED COMMERCIAL AND MANUFACTURING USES) and converted under the provisions of this Chapter shall be required to have double glazing on all windows. However, #dwelling units# occupied by #residential# tenants on September 1, 1980, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, or in Brooklyn Community Districts 1, 2, 3, 4, 5 and 6 and Queens Community Districts 1 and 2, shall not be required to have double glazed windows.

\* \* \*

Article II

Residence District Regulations

\* \* \*

Chapter 3

Bulk Regulations for Residential Buildings in Residence Districts

23-01

Applicability of This Chapter

The #bulk# regulations of this Chapter apply to any #building or other structure#, other than a #community facility building# or a #building# used partly for #community facility use#, on any #zoning lot# or portion of a #zoning lot# located in any #Residence District#, including all new #developments#, #enlargements# and, where so specified, #extensions# or conversions. As used in this Chapter, the term "any #building#" shall therefore not include a #community facility building# or a #building# used partly for #community facility uses#, the #bulk# regulations for which are set forth in Article II, Chapter 4. In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to #large-scale residential developments# or #residential uses# in #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only to Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

Special regulations applying to conversion to #dwelling units# non-#residential buildings#, or portions thereof, located in Manhattan Community Districts 1, 2, 3, 4, 5, and 6, Brooklyn Community Districts 1, ~~6~~ and 68, and Queens Community Districts 1 and 2 are set forth in Article I, Chapter 5.

\* \* \*

Chapter 8  
The Quality Housing Program

\* \* \*

28-01  
Applicability of this Chapter

The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#.

In other R6, R7, R8, R9 or R10 Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, #residential developments#, or #residential enlargements# where permitted, electing to use the optional Quality Housing #bulk# regulations in Article II, Chapter 3, shall comply with the mandatory Quality Housing Program standards and requirements set forth in this Chapter.

The provisions of Article VII, Chapter 8 (Large-Scale Residential Developments), are not applicable to #residential developments# pursuant to the Quality Housing Program.

The provisions of this Chapter shall not apply to the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, ~~2~~ ~~6~~ and ~~68~~ and Queens Community Districts 1 and 2, unless such conversions meet the requirements for new #residential developments# of Article II (Residence District Regulations).

\* \* \*

Article III  
Commercial District Regulations

\* \* \*

Chapter 2  
Use Regulations

\* \* \*

32-00  
GENERAL PROVISIONS

In order to carry out the purposes and provisions of this Resolution, the #uses# of #buildings or other structures# and of tracts of land have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group. Use Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, including each #use# listed separately therein, are permitted in #Commercial Districts# as indicated in Sections 32-11 to 32-25, inclusive, except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section 32-01 (Special Provisions for Adult Establishments).

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

Chapter 3  
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

\* \* \*

33-01  
Applicability of this Chapter

The #bulk# regulations of this Chapter apply to #commercial buildings#, #community facility buildings# or #buildings# used partly for #commercial use# and partly for #community facility use#, on any #zoning lot# or portion of a #zoning lot# located in any #Commercial District#, including all new #development# or #enlargements#. As used in this Chapter, the term "any #building#" shall therefore not include a #residential building# or a #mixed building#, the #bulk# regulations for which are set forth in Article III, Chapter 4, and Article III, Chapter 5, respectively. In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to #large-scale residential developments, community facility uses# in #large-scale residential developments# or #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Sections 33-122, 33-123 and 33-126.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 33-12, paragraph (c), 33-14, paragraph (a) and 33-16, paragraph (a).

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

Chapter 4  
Bulk Regulations for Residential Buildings in Commercial Districts

\* \* \*

## Applicability of this Chapter

The #bulk# regulations of this Chapter apply to any #residential building# located on any #zoning lot# or portion of a #zoning lot# in any #Commercial District# in which such #building# is permitted. In addition, the #bulk# regulations of this Chapter or of specified Sections thereof also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 34-114.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Section 34-112.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 3, 4, 5 and 6, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article 1, Chapter 5 (Residential Conversions of Existing Non-Residential Buildings in certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

## Chapter 5

### Bulk Regulations for Mixed Buildings in Commercial Districts

35-00

#### APPLICABILITY AND DEFINITIONS

35-01

#### Applicability of this Chapter

The #bulk# regulations of this Chapter apply to any #mixed building# located on any #zoning lot# or portion of a #zoning lot# in any #Commercial District# in which such #building# is permitted. When two or more #buildings# on a single #zoning lot# are used in any

combination for #uses# which, if located in a single #building#, would make it a #mixed building#, the regulations set forth in Sections 35-21 to 35-23, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings, in Sections 35-31 to 35-33, relating to Applicability of Floor Area and Open Space Regulations to Mixed Buildings, and in Sections 35-41 and 35-42, relating to the Applicability of Lot Area Requirements to Mixed Buildings, shall apply as if such #buildings# were a single #mixed building#. In addition, the #bulk# regulations of this Chapter, or of specified sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross-reference.

Existing #buildings or other structures# that do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying only in Special Purpose Districts are set forth in Articles VIII, IX, X, XI and XII.

All C5-2A Districts shall comply with the regulations of C5-2 Districts except as set forth in Section 35-24.

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 35-23 and 35-412.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~6~~ and ~~6-g~~, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

Article IV  
Manufacturing District Regulations

\* \* \*

Chapter 3  
Bulk Regulations

43-01  
Applicability of this Chapter

The #bulk# regulations of this Chapter apply to any #building or other structure# on any #zoning lot# or portion of a #zoning lot# located in any #Manufacturing District#, including all new #development# or #enlargements#. In addition, the #bulk# regulations of this Chapter or of specified Sections thereof also apply in other provisions of this Resolution where they are incorporated by cross reference.

Existing #buildings or other structures# which do not comply with one or more of the applicable #bulk# regulations are #non-complying buildings or other structures# and are subject to the regulations set forth in Article V, Chapter 4.

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

Special regulations applying only in Special Purpose Districts are set forth in Article VIII, IX, X, XI, and XII.

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961 shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

Article V

Non-conforming Uses and Non-complying Buildings

\* \* \*

Chapter 2

Non-Conforming Uses

\* \* \*

52-31

General Provisions

For the purposes of this Chapter, a change of #use# is a change to another #use# listed in the same or any other Use Group; however, a change in ownership or occupancy shall not, by itself, constitute a change of #use#.

A #non-conforming use# may be changed to any conforming #use#, and the applicable district #bulk# regulations and #accessory# off-street parking requirements shall not apply to such change of #use# or to alterations made in order to accommodate such conforming

#use#, but shall apply to any #enlargement#.

In all zoning districts which mandate compliance with the Quality Housing Program, the provisions of Article II, Chapter 8 shall apply to such change of #use#.

However, notwithstanding the provisions above, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~5~~ and ~~6~~, and Queens Community Districts 1 and 2, the conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to December 15, 1961 shall be subject to the provisions of Article I, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens), unless such conversions meet the requirements for new #residential development# of Article II (Residence District Regulations).

\* \* \*

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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**BOROUGH OF MANHATTAN**

No. 4

CD 5

C 000115 ZSM

**IN THE MATTER OF** an application submitted by Central Parking System of New York, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Sections 13-562 and 74-52 to permit the continuation of an existing seven-story attended public parking garage with roof parking and a maximum capacity of 203 spaces on property located at 33 West 28<sup>th</sup> Street (Block 830, Lot 17) in an M1-6 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.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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**BOROUGH OF QUEENS**

**Nos. 5, 6, and 7**

*(Applications for the 5<sup>th</sup> Amendment to the South Jamaica I Urban Renewal Plan, amendment to the Zoning Map, designation of an Urban Development Action Area and Project, and disposition of property to facilitate construction of low income senior housing)*

**No. 5**

**CD 12**

**C 010018 HUQ**

**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 5th amendment to the South Jamaica I Urban Renewal Plan for the South Jamaica I Urban Renewal Area.

The proposed plan:

1. changes the designated land use of sites 12a and 12b from industrial to residential.
2. combines sites 12a, 12b and 12c to form Site 12.
3. eliminates specific requirements pertaining to the industrial development of sites 12a and 12b.
4. deletes from the plan the following sites which have not be acquired:

<u>Site</u>	<u>Block</u>	<u>Lots</u>
27k(R)	10161	26
30a	10164	16
43	10181	3
46b (part)	12164	34,35,36,37
47a	10191	5,39

5. changes the language and format of the plan to the current standard form and updates the timetable for effectuation of the plan.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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**No. 6**

**CD 12**

**C 010019 ZMQ**

**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. 14d:

- a. changing from an R4 District to an R7-2 District property bounded by Hendrickson Place, 166<sup>th</sup> Street, a line 185 feet northwesterly of Hendrickson Place, and a line 100 feet northeasterly of 166<sup>th</sup> Street; and
- b. changing from an M1-1 District to an R7-2 District property bounded by Hendrickson Place, a line 100 feet northeasterly of 166<sup>th</sup> Street, a line 185 feet northwesterly of Hendrickson Place, 166<sup>th</sup> Street, 107<sup>th</sup> Avenue, and Merrick Boulevard;

as shown on a diagram (for illustrative purposes only) dated July 24, 2000.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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**No. 7**

**CD 12**

**C 010020 HAQ**

**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 107-24 Merrick Boulevard (Block 10170, part of Lot 21), as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and

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

to facilitate construction of a development, tentatively known as Allen Senior Residences, with 330 units of housing for low income elderly persons, in three seven story buildings to be developed under the New York State Housing Trust Fund Program.

**Resolution for adoption scheduling November 1, 2000 for a public hearing.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 8**

**CD 9**

**C 930043 MMX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Transportation and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- a. the elimination of the lines and grades of East 172<sup>nd</sup> Street from the easterly service road of the Arthur V. Sheridan Expressway to a line approximately 135 feet westerly of Bronx River Avenue;
- b. the discontinuance and closing of a portion thereof;
- c. the establishment of two park additions;
- d. any modification of grades necessitated thereby;

and any acquisition or disposition of property related thereto, in accordance with Map No. 13055 dated June 23, 1995 and signed by the Borough President.

(On October 4, 2000, Cal. No. 1, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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CD 6

N 010072 HAX

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for:

- 1) **the designation of 1870 Crotona Avenue (Block 2950, Lots 9 and 11), as an Urban Development Action Area; and**
- 2) **an Urban Development Action Area Project for such area;**

**to facilitate development of a five-story building tentatively known as VIP Crotona, with 53 units for homeless adults and one superintendent's unit.**

(On October 4, 2000, Cal. No. 2, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF BROOKLYN**

CD 2

C 000577 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 72 Poplar Street (Block 211, Lot 15), pursuant to zoning.

(On October 4, 2000, Cal. No. 3, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN**

**No. 11**

*(Amendment of the Zoning Resolution concerning open space in the North Residential Neighborhood of the Special Battery Park City District and modification of the Zone A regulations, including mandatory street walls and building heights)*

**CD 1**

**N 010057 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Battery Park City Authority, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to various sections of Article VIII, Chapter 4, amending the open space provisions of the Special Battery Park City District.

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

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

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

**Article VIII: Special Purpose Districts**

**Chapter 4**

**Special Battery Park City District**

\* \* \*

**84-10**

**ZONE A GENERAL DISTRICT REGULATIONS**

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

**84-11**

**General Provisions**

Except as expressly modified by the provisions of this Chapter, the regulations applying to an R10 District shall apply in subzones A-1, A-2, A-3, A-5 and A-6 of Zone A of the #Special Battery Park City District#.

Notwithstanding any other provision of this Resolution, no #development# may be constructed in subzone A-4 except in accordance with certifications given by the City Planning Commission. #Residential open space#, in subzone A-4 shall be subject to the provisions of Sections 12-10 and 23-12 (~~Permitted Obstructions in Open Space~~) of the Zoning Resolution, and for every #room#, #dwelling unit# there shall be a minimum of 22-0 ~~55.0~~ square feet of #open space#, and for every #rooming unit# there shall be a minimum of ~~44.0~~ square feet of #open space#. All other provisions of this Chapter with respect to Zone A shall not apply to #developments# or #enlargements# in subzone A-4 unless otherwise indicated.

## 84-12

### Use Regulations

In the areas indicated as permitted commercial locations in Appendices 2.3 and 3.3, the #use# regulations applying in a C2 District shall apply, except as provided in Sections 84-031 (Special permit uses), 84-032 (Uses not permitted), 84-121 (Uses along Esplanade) and this Section.

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

- (a) in any #development# containing an #arcade# required in Section 84-134 (Mandatory arcades), any permitted #use# may be located above the first #story# ceiling and below the second #story# ceiling; and
- (b) supermarkets are permitted with no limitation on #floor area#.

Notwithstanding any other provisions of this Resolution, the #zoning lot# south of First Place and east of Battery Place may be #developed# either with #residential uses#, #transient hotel uses#, or as a #building# containing both #residential# and hotel #uses#. In the case of a #development# containing hotel #uses# on this #zoning lot#, a #physical culture or health establishment# shall may be permitted.

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

- (1) that the non-#residential uses# are located in a portion of the #mixed building# that has separate access to the outside with no opening of any kind to the #residential# portion of the #building# at any #story#;
- (2) that the non-#residential uses# are not located directly over any #story# containing

#dwelling units#, and

- (3) that the modifications shall not adversely affect the #residential# character of the area.

\* \* \*

~~84-122~~

~~Uses permitted within public open space areas~~

~~Public open space areas located between Murray Street and Warren Street as indicated in Appendix 3.6, shall be improved at or above grade for use by the public as open areas for passive and/or active recreational #uses#.~~

84-13

**Bulk Regulations**

#Residential# and community facility #bulk# regulations otherwise applicable in R10 Districts are modified to the extent set forth in this Section and Sections 84-131 through 84-135, inclusive.

The height and setback regulations otherwise applicable in R10 Districts are superseded by the regulations set forth in Sections 84-131 (Floor area regulations), 84-132 (Mandatory front building walls), 84-134 (Mandatory arcades) and 84-135 (Limited height of buildings).

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

The provisions of Section 23-70 (MINIMUM DISTANCE BETWEEN BUILDINGS) may be modified by the Battery Park City Authority. Prior to the granting of any such modification, the Authority shall make the following findings:

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



width of not less than eight feet.

#### 84-131

##### Floor area regulations

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

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

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

#### 84-132

##### Mandatory front building walls

~~Except as set forth in paragraph (f) of this Section,~~ Where Appendices 2.1 or 3.1 shows a requirement for a #development# in Zone A to be built to a #mandatory front building wall line#, any such #development# shall have a mandatory front building wall coincident with and constructed along such #mandatory front building wall line#, which shall rise without setback for a height above #curb level# ~~not less nor more than the amount~~ <sup>as</sup> specified in this Section, except that, at building entrances, openings below the second #story# ceiling in the mandatory front building walls will be permitted to provide access to courtyards:

- (a) ~~E~~ Except as set forth in paragraph (d) of this Section, with respect to any 60-85 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 60 feet nor more than 85 feet;
- (b) ~~W~~ With respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 2.1, a height of not less than 110 feet nor more than 135 feet, ~~provided,~~ ~~h~~ However, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;
- (c) ~~O~~ On the portion of any #zoning lot# designated as a #special height location# in Appendix 2.2, a height of not less than the otherwise applicable amount set forth in paragraphs (a) or (b) of this Section and not more than the maximum height indicated in Appendix 2.2 or in paragraph (e)(1) of Section 84-135 (Limited height of buildings);

- (d) ~~W~~with respect to any #zoning lot# south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above #curb level##;
- (e) ~~W~~with respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet;
- (f) ~~with respect to any 110-230 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 230 feet, except that:~~
- (1) ~~the length of the mandatory front building wall in excess of a height of 135 feet shall not exceed 120 feet along any frontage;~~
  - (2) ~~where the length of the #mandatory front building wall line# along #street lines# intersecting North End Avenue exceeds 100 feet, the mandatory front building wall in excess of a height of 135 feet shall not exceed a length of 75 feet along North End Avenue. However, the length of the mandatory front building wall along #street lines# intersecting North End Avenue may be reduced to not less than 100 feet in order to accommodate landscaping and other improvements within or adjacent to the public open space areas shown in Appendix 3.6;~~
  - (3) ~~a setback of ten feet at a height of 135 feet is required along all street frontages, except Park Place West, at a height of 135 feet;~~
  - (4) ~~a setback of not less than five feet and not more than ten feet is required in other locations at a height of 135 feet, as shown in Appendix 3.1; and~~
  - (5) ~~a setback of not less than five feet is required at a height of 210 feet on all sides of the building, except for #special height locations#, provided in Section 84-135 (Limited height of buildings), and shown in Appendix 3.2;~~
- (f)(g) ~~W~~with respect to any 150-250 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 150 feet nor more than 250 feet; except that the height may not exceed ~~either~~ 150 feet for more than 120 feet or 75 percent of the length of a building's ~~the site's~~ western property line, whichever is less, and a setback of not less than five feet and not more than ten feet is required at a height of 150 feet. ~~Where Appendix 3.1 shows a requirement for a #development# to be built to a #mandatory front building wall line# along frontage on River Terrace, any such #development# may have a mandatory front building wall coincident with and constructed along a line setback one and one-half feet from the #street line# along River Terrace to accommodate landscaping treatment as required by the Battery Park City Authority; and~~
- (g)(h) ~~O~~n the portion of any #zoning lot# designated as a #special height location# in Appendix 3.2, a height of not less than the otherwise applicable amount set forth in

paragraphs (e) or (f) or ~~(g)~~ of this Section and not more than the height shown in Appendices ~~3.1~~ and 3.2.

Subject to the provisions of Section 84-133 (Front wall recesses), the mandatory front building wall requirements set forth in this Section shall also apply to all #developments# along all #street lines# within 50 feet of the intersection with any #mandatory front building wall line#. For the next 20 feet along the #street line#, the mandatory front building wall requirements are optional except that, for any #development# north of Vesey Street and Vesey Place, the mandatory front building wall requirements are optional for the next 25 feet. The height limit of 85 feet shall apply along #street lines# or to #developments# not subject to the mandatory front building wall requirements.

\* \* \*

#### 84-135

##### Limited height of buildings

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

- (a) any portion of a #building# required to have an exterior wall coincident with a 110-135 foot #mandatory front building wall line#, as provided in Section 84-132 (Mandatory front building walls), may be built to a height of up to 135 feet above #curb level#;
- (b) ~~any portion of a #building# required to have an exterior wall coincident with a 110-230 foot #mandatory front building wall line#, as provided in Section 84-132 and is be built subject to the requirements contained in paragraph (f) therein, may to a height of up to 230 feet above #curb level#;~~
- (b)(c) portions of a #building# required to have an exterior wall coincident with a 150-250 foot #mandatory front building wall line#, as provided in Section 84-132, may be built to a height of up to 250 feet above #curb level#;
- (e)(d) on the portion of any #zoning lot# designated as a #special height location# in Appendices 2.2 or 3.2, a #building# may be built to the height above #curb level# indicated in Appendices 2.2 or 3.2, subject to the following:
  - (1) on any #development# south of First Place and east of Battery Place with a mandatory front building wall, the area of which, below the level of the second story ceiling, occupies 100 percent of the frontage along its #mandatory front building wall line#, a height of not more than 450 feet, provided, however, that a setback of not more than 10 feet may be provided at a height of 85 feet or more above #curb level#;
  - (2) on ~~#zoning lots# located north of First Place, south of Third Place, and east of~~

~~Battery Place, #special height locations#, not to exceed heights of 135 feet or 360 feet above #curb level#, are permitted as indicated in Appendix 2.2, provided that a setback of 10 feet is provided at a height of 35 feet above #curb level# along any #narrow street# frontage.~~

~~3) On the #zoning lot# at the southeast corner of Chambers Street and North End Avenue, the #special height location# indicated in Appendix 3.2 shall apply only if such #zoning lot# is occupied by #school# and #residential uses# and the portion of the #building# above a height of 135 feet above #curb level# does not exceed a #lot coverage# of 40 percent. and~~

~~4) on the #zoning lot# at the northeast corner of Murray Street and North End Avenue, a #special height location# of 320 feet above #curb level# is permitted as indicated in Appendix 3.2, subject to the requirements contained in Section 84-132, paragraph(1).~~

~~(d)(e)~~ Sections 23-62 (Permitted Obstructions) and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a #building or other structure# that exceeds an established height limit shall be subject to the following provisions:

(1) The following shall not be considered obstructions and may thus penetrate a maximum height limit:

Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of the street walls# of the #building# measured at any level where such penetration occurs

Elevator or stair bulkheads, roof water tanks, or cooling towers or other #accessory# mechanical equipment (including enclosures walls), each of which shall have a width of no more than 30 feet. provided that either The sum of the products, in square feet, of the #aggregate widths of street walls# of such obstructions facing each #street# frontage times their average heights, in feet, shall not exceed a figure equal to four eight times the width, in feet, of the #street wall# of the #building# facing such frontage at #curb level#. or the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building# and the height of all such obstructions does not exceed 40 feet

Flagpoles and aerials

Parapet walls, not more than four feet high

Wire, chain link or other transparent fences

(2) The Chairperson of the City Planning Commission may, by certification, permit the obstructions set forth in paragraph (d)(1) of this Section to be concealed by an

enclosure wall. An enclosure wall, for the purposes of this Section, is a vertical structure that serves to surround a space that is unroofed and contains no #floor area#. No portion of the enclosure wall shall be at an angle of more than 45 degrees from the vertical. The gross area of each face of the enclosure wall, in square feet, shall not exceed a figure equal to eight times the width of the wall of that face of the #building# at #curb level#. All obstructions, permitted pursuant to this paragraph, are exempt from the size restrictions of paragraph (d)(1) and must be completely located within the enclosure wall.

- (3) The City Planning Commission may permit, by authorization, an increase in the size of the enclosure wall beyond that permitted by certification, provided that the Commission finds:

~~(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:~~

- (i) that the width of such additional enclosure wall at each building face does not exceed 80 percent of the width of the enclosure wall ~~as allowed in paragraph (c)(1)~~ certified pursuant to paragraph (d)(2) of this Section;
- (ii) that the additional area of the enclosure wall at each ~~building~~ face of the #building# is not more than 50 percent of the area ~~permitted as-of-right allowed in paragraph (d)(2)~~; and
- (iii) that the enclosure wall is compatible with the #building# and the urban design goals of the Special District and complements the design by providing a decorative top; ~~and~~

- (e)(f) In #special height locations# in Appendices 2.2 and 3.2, no portion of a #building#, including permitted obstructions, shall exceed a height of 450 feet above #curb level#.

\* \* \*

#### 84-144

##### Location of curb cuts

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

- (a) for the #zoning lot# bounded to the north by a mapped public place, to the west by North Park, to the south by Chambers Street and to the east by Marginal Street, the

aggregate width of all curb cuts shall not exceed 40 feet;

- (b) for the #zoning lot# bounded by Warren Street to the north, River Terrace to the west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15-foot curb cuts;
- (c) for the #zoning lot# bounded by Murray Street to the north, River Terrace to the west, North End Avenue to the east and Vesey Place to the south, the aggregate width of all curb cuts shall not exceed 40 feet, including a 25-foot wide curb cut as access to the #accessory# off-street parking facility; and
- (d) for the #zoning lot# south of First Place and east of Battery Place, the aggregate width of all curb cuts shall not exceed 50 feet; and
- ~~(e) for each #zoning lot# located on the east side of Battery Place between First Place and Third Place, the aggregate width of all curb cuts shall not exceed 40 feet;~~

\* \* \*

**Appendix 2.1 (Special Battery Park City District Mandatory Front Building Walls)**  
*(modification of map)*

**Appendix 2.2 (Special Battery Park City District Special Height Locations)**  
*(modification of map)*

**Appendix 2.3 (Special Battery Park City District Permitted Commercial Locations)**  
*(modification of map)*

\* \* \*

**Appendix 3.1 (Special Battery Park City District Mandatory Front Building Walls)**  
*(modification of map)*

**Appendix 3.2 (Special Battery Park City District Special Height Locations)**  
*(modification of map)*

**Appendix 3.3 (Special Battery Park City District Permitted Commercial Locations)**  
*(modification of map)*

\* \* \*

~~**Appendix 3.6 (Special Battery Park City District Public Open Space Areas)**~~  
*(modification of map)*

(On October 2, 2000, Cal. No. 1, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**NOTICE**

**On Wednesday, October 18, 2000, at 10:00 a.m. in City Hall, a public hearing is being held by the Battery Park City Authority (BPCA), pursuant to the State Environmental Quality Review Act (SEQRA) to receive comments related to the Draft Fifth Supplement (DEIS) to the Final Environmental Impact Statement for an amendment of the Zoning Resolution of the City of New York relating to various sections of Article VIII, Chapter 4, amending the open space provisions of the Special Battery Park City District.**

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**BOROUGH OF QUEENS**

**No. 12**

**CD 5**

**C 000639 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. 13b, 13d and 17c:**

1. changing from an R4 District to an R5B district property bounded by a line 100 feet southerly of Metropolitan Avenue, Tonsor Street, Himrod Street, Grandview Avenue, Stanhope Street, Woodward Avenue, Hart Street, Onderdonk Avenue, DeKalb Avenue, the northwesterly prolongation of a line 100 feet northeasterly of Seneca Avenue, Suydam Street and its southwesterly prolongation, Onderdonk Avenue, and Starr Street;
2. changing from an R5 District to an R5B District property bounded by:
  - a. a line 100 feet southerly of Metropolitan Avenue, Fresh Pond Road, Menahan Street, a line 100 feet southwesterly of Fresh Pond Road, 69<sup>th</sup> Avenue, 60<sup>th</sup> Lane, 71<sup>st</sup> Avenue, 60<sup>th</sup> Street, a line midway between 70<sup>th</sup> Avenue and 71<sup>st</sup> Avenue and its southwesterly prolongation, Forest Avenue, 70<sup>th</sup> Avenue, a line 150 feet

southwesterly of Forest Avenue, Catalpa Avenue, Forest Avenue, 68<sup>th</sup> Road, a line 100 feet northeasterly of Woodward Avenue, a line 150 feet southwesterly of Forest Avenue and its northwesterly prolongation, Putnam Avenue, Forest Avenue, Greene Avenue, a line 100 feet southerly of Metropolitan Avenue, 60<sup>th</sup> Street, and a line perpendicular to the northeasterly street line of 60<sup>th</sup> Street distant 125 feet southeasterly from the intersection of the northeasterly street line of 60<sup>th</sup> Street and the southerly street line of Metropolitan Avenue;

- b. Traffic Avenue, Fremont Street, Madison Street, 64<sup>th</sup> Street, a line midway between Palmetto Street and Woodbine Street, a line 100 feet northeasterly of Fresh Pond Road, and Menahan Street;
  - c. a line 100 feet southeasterly of Stephen Street, a line 100 feet southerly of Myrtle Avenue, a line midway between Summerfield Street and Decatur Street, Seneca Avenue, Decatur Street, Cypress Avenue, a line midway between Norman Street and Summerfield Street, a line 150 feet northeasterly of Wyckoff Avenue, Stephen Street, a line 450 feet northeasterly of Wyckoff Avenue, George Street, Cypress Avenue, a line midway between Weirfield Street and Centre Street, a line 150 feet southwesterly of Seneca Avenue, Centre Street, the northeasterly boundary line of a park and its northwesterly and southeasterly prolongations, George Street, a line 200 feet southwesterly of Seneca Avenue, Summerfield Street, a line 100 feet northeasterly of Seneca Avenue, Stephen Street, and Forest Avenue; and
  - d. 67<sup>th</sup> Avenue and its prolongations, 65<sup>th</sup> Place, the northwesterly terminus of 65<sup>th</sup> Place, the northeasterly street line of 65<sup>th</sup> Place, Shaler Avenue, Cypress Hills Street, 62<sup>th</sup> Street, a line 100 feet northeasterly of Cypress Hills Street, and a line 100 feet northeasterly of Fresh Pond Road;
3. changing from an R6 District to an R5B District property bounded by:
- a. a line 150 feet southwesterly of Cypress Avenue, Hancock Street, Wyckoff Avenue, and Jefferson Avenue;
  - b. a line 100 feet southwesterly of Grandview Avenue, a line midway between Linden Street and Gates Avenue, a line 100 feet northeasterly of Fairview Avenue, and Stanhope Street ;
  - c. a line 100 feet southwesterly of Fairview Avenue, Grove Street, a line 100 feet northeasterly of Woodward Avenue, and Stanhope Street;
  - d. Forest Avenue, Putnam Avenue, a line 150 feet southwesterly of Forest Avenue and its northwesterly prolongation, a line 100 feet northeasterly of Woodward Avenue, a line midway between Linden Street and Gates Avenue, a line 100 feet southwesterly of Fairview Avenue, and Madison Street;



- e. a line 100 feet southwesterly of Woodward Avenue, a line midway between Woodbine Street and Madison Street, a line 100 feet northeasterly of Onderdonk Avenue, and a line midway between Stockholm Street and Stanhope Street;
  - f. a line 100 feet southwesterly of Onderdonk Avenue, Harman Street, a line 100 feet northeasterly of Seneca Avenue, and DeKalb Avenue;
  - g. Catalpa Avenue, a line 150 feet southwesterly of Forest Avenue, 70<sup>th</sup> Avenue, and Onderdonk Avenue; and
  - h. a line 100 feet southerly of Metropolitan Avenue, Forest Avenue, Gates Avenue, a line 100 feet northeasterly of Grandview Avenue, Himrod Street, and Tonsor Street;
4. changing from an M1-1 District to an R5B District property bounded by a line 100 feet southerly of Metropolitan Avenue, 60<sup>th</sup> Street, and a line perpendicular to the northeasterly street line of 60<sup>th</sup> Street distant 125 feet southeasterly from the intersection of the southerly street line of Metropolitan Avenue and the northeasterly street line of 60<sup>th</sup> Street;
  5. changing from an R4 District to an R6B District property bounded by a line 100 feet northerly of Metropolitan Avenue, Eliot Avenue, Metropolitan Avenue, the southeasterly leg of Greene Avenue, Forest Avenue, Metropolitan Avenue, Tonsor Street, a line 100 feet southerly of Metropolitan Avenue, Starr Street, Metropolitan Avenue, and a line 100 feet southwesterly of 53<sup>rd</sup> Street;
  6. changing from an R5 District to an R6B District property bounded by:
    - a. Metropolitan Avenue, Fresh Pond Road, a line 100 feet southerly of Metropolitan Avenue, a line perpendicular to the northeasterly street line of 60<sup>th</sup> Street distant 125 feet southeasterly from the intersection of the southerly street line of Metropolitan Avenue and the northeasterly street line of 60<sup>th</sup> Street, and a line 150 feet northeasterly of 60<sup>th</sup> Street;
    - b. Menahan Street, Fresh Pond Road, Menahan Street, a line 100 feet northeasterly of Fresh Pond Road, a line midway between Palmetto Street and Woodbine Street, 64<sup>th</sup> Street, Madison Street, Fremont Street, a line 100 feet southeasterly of Madison Street, a line 150 feet northeasterly of Fresh Pond Road, 67<sup>th</sup> Avenue, a line 100 feet northeasterly of Fresh Pond Road, a line 100 feet northeasterly of Cypress Hills Street, 62<sup>nd</sup> Street, Cypress Hills Street, the northwesterly boundary line of the Metropolitan Transportation Authority/Long Island Rail Road Right-of-Way and its prolongations, Myrtle Avenue, 61<sup>st</sup> Street, a line 100 feet southerly of Myrtle Avenue, a line 100 feet southeasterly of Stephen Street, Forest Avenue, a line midway between 70<sup>th</sup> Avenue and 71<sup>st</sup> Avenue and its southwesterly prolongation, 60<sup>th</sup> Street, 71<sup>st</sup> Avenue, 60<sup>th</sup> Lane, 69<sup>th</sup> Avenue, and a line 100 feet southwesterly

of Fresh Pond Road;

- c. Forest Avenue, Catalpa Avenue, Woodward Avenue, a line 150 feet southwesterly of Forest Avenue, and 68<sup>th</sup> Road;
  - d. a line 150 feet southwesterly of Forest Avenue, Stephen Street, a line 100 feet northeasterly of Seneca Avenue, Summerfield Street, a line 200 feet southwesterly of Seneca Avenue, George Street, the northeasterly boundary line of a park and its northwesterly and southeasterly prolongations, Centre Street, a line 150 feet southerly of Myrtle Avenue, and George Street;
  - e. Forest Avenue, Woodbine Street, a line 150 feet southwesterly of Forest Avenue, a line 150 feet southwesterly of Grandview Avenue, and Gates Avenue;
  - f. Cypress Avenue, Summerfield Street, a line 150 feet northeasterly of Wyckoff Avenue, and a line midway between Norman Street and Summerfield Street;
  - g. Greene Avenue, 60<sup>th</sup> Street, and a line 100 feet southerly of Metropolitan Avenue; and
  - h. 68<sup>th</sup> Road, a line 100 feet northeasterly of Woodward Avenue, and a line 150 feet southwesterly of Forest Avenue;
7. changing from an R6 District to an R6B District property bounded by:
- a. a line 100 feet northeasterly of Grandview Avenue, Gates Avenue, a line 150 feet southwesterly of Grandview Avenue, a line 150 feet southwesterly of Forest Avenue, Woodbine Street, Forest Avenue, Madison Street, a line 100 feet southwesterly of Fairview Avenue, a line midway between Linden Street and Gates Avenue, a line 100 feet northeasterly of Woodward Avenue, a line 150 feet southwesterly of Forest Avenue, Woodward Avenue, Catalpa Avenue, Seneca Avenue, Cornelia Street, a line 150 feet northerly of Myrtle Avenue, a line 150 feet northeasterly of Cypress Avenue, Putnam Avenue, Cypress Avenue, Madison Street, a line 100 feet southwesterly of Cypress Avenue, Palmetto Street, St. Nicholas Avenue, Menahan Street, Cypress Avenue, DeKalb Avenue, a line 100 feet northeasterly of Seneca Avenue, Harman Street, a line 100 feet southwesterly of Onderdonk Avenue, DeKalb Avenue, Onderdonk Avenue, Hart Street, Woodward Avenue, Stanhope Street, a line 100 feet northeasterly of Woodward Avenue, Grove Street, a line 100 feet southwesterly of Fairview Avenue, Stanhope Street, a line 100 feet northeasterly of Fairview Avenue, a line midway between Linden Street and Gates Avenue, a line 100 feet southwesterly of Grandview Avenue, Stanhope Street, Grandview Avenue, and Himrod Street, excluding the property described in subparagraph 3e above;
  - b. a line 150 feet southerly of Myrtle Avenue, a line 150 feet southwesterly of

Cypress Avenue, Jefferson Avenue, Wyckoff Avenue, and a line midway between Madison Street and Putnam Avenue; and

- c. Metropolitan Avenue, Forest Avenue, a line 100 feet southerly of Metropolitan Avenue, and Tonsor Street;
8. changing from an M1-1 District to an R6B District property bounded by Metropolitan Avenue, a line 150 feet northeasterly of 60<sup>th</sup> Street, a line perpendicular to the northeasterly street line of 60<sup>th</sup> Street distant 125 feet southeasterly from the intersection of the southerly street line of Metropolitan Avenue and the northeasterly street line of 60<sup>th</sup> Street, a line 100 feet southerly of Metropolitan Avenue, 60<sup>th</sup> Street, and Greene Avenue;
  9. changing from a C4-3 District to an R6B District property bounded by:
    - a. a line 100 feet southwesterly of Cypress Avenue, Madison Street, a line 150 feet northeasterly of St. Nicholas Avenue, and a line midway between Palmetto Street and Woodbine Street; and
    - b. Seneca Avenue, Centre Street, a line 150 feet southwesterly of Seneca Avenue, and a line midway between Weirfield Street and Centre Street;
  10. changing from an R5 District to a C4-3A District property bounded by Forest Avenue, Stephen Street, a line 150 feet southwesterly of Forest Avenue, and George Street;
  11. changing from a C4-3 District to a C4-3A District property bounded by Cypress Avenue, Putnam Avenue, a line 150 feet northeasterly of Cypress Avenue, a line 150 feet northerly of Myrtle Avenue, Cornelia Street, Seneca Avenue, Catalpa Avenue, Onderdonk Avenue, 70<sup>th</sup> Avenue, Forest Avenue, George Street, a line 150 feet southerly of Myrtle Avenue, Centre Street, Seneca Avenue, a line midway between Centre Street and Weirfield Street, a line 150 feet southwesterly of Seneca Avenue, Hancock Street, a line 150 feet southwesterly of Cypress Avenue, a line 150 feet southerly of Myrtle Avenue, Madison Street, Myrtle Avenue, St. Nicholas Avenue, Palmetto Street, a line 100 feet southwesterly of Cypress Avenue, a line midway between Palmetto Street and Woodbine Street, a line 150 feet northeasterly of St. Nicholas Avenue, and Madison Street;
  12. changing from an R6 District to a C4-3A District property bounded by a line 150 feet southerly of Myrtle Avenue, a line midway between Madison Street and Putnam Avenue, Wyckoff Avenue, and Madison Street;
  13. changing from an M1-1 District to an M1-4D District property bounded by Hancock Street, a line 150 feet southwesterly of Seneca Avenue, a line midway between Weirfield Street and Centre Street, Cypress Avenue, George Street, a line 400 feet northeasterly of Wyckoff Avenue, Stephen Street, a line 150 feet northwesterly of

Wyckoff Avenue, Summerfield Street, Cypress Avenue, Decatur Street, Seneca Avenue, a line midway between Summerfield Street and Decatur Street, a line 100 feet southerly of Myrtle Avenue, 61<sup>st</sup> Street, a line 100 feet southeasterly of 60<sup>th</sup> Lane, 60<sup>th</sup> Lane, a line 100 feet northerly of 75<sup>th</sup> Avenue, the northwesterly boundary line of Evergreen Park and its prolongations, Seneca Avenue, St. Felix Avenue, Cypress Avenue, Cody Avenue, Wyckoff Avenue, a line 150 feet southeasterly of Decatur Street, a line 100 feet southwesterly of Wyckoff Avenue, Decatur Street, Wyckoff Avenue, a line midway between Covert Street and Schaefer Street, a line 100 feet southwesterly of Wyckoff Avenue, Eldert Street, and Wyckoff Avenue;

14. changing from an R5 District to an M1-4D District property bounded by George Street, a line 450 feet northeasterly of Wyckoff Avenue, Stephen Street, and a line 400 feet northeasterly of Wyckoff Avenue;
15. changing from an M1-1 District to an M1-4 District property bounded by Cypress Avenue, St. Felix Avenue, Cooper Avenue, a southeasterly boundary line of the Metropolitan Transportation Authority/Long Island Rail Road Right-of-Way and its northeasterly prolongation, Irving Avenue and its southeasterly prolongation, Eldert Street and its southwesterly prolongation, a line 100 feet southwesterly of Wyckoff Avenue, a line midway between Covert Street and Schaefer Street, Wyckoff Avenue, Decatur Street, a line 100 feet southwesterly of Wyckoff Avenue, a line 150 feet southeasterly of Decatur Street, Wyckoff Avenue, and Cody Avenue;
16. changing from an R4 District to an M1-1 District property bounded by Eliot Avenue, 60<sup>th</sup> Place, and Metropolitan Avenue;
17. eliminating from an existing R4 District a C1-2 District bounded by a line 100 feet southwesterly of 53<sup>rd</sup> Street, Flushing Avenue, 53<sup>rd</sup> Street, Nurge Avenue, 54<sup>th</sup> Street, Arnold Avenue, a line 150 feet northerly of Metropolitan Avenue, Andrews Avenue, 55<sup>th</sup> Street, and Metropolitan Avenue,
18. eliminating from an existing R5 District a C1-2 District bounded by:
  - a. Menahan Street, Fresh Pond Road, Menahan Street, a line 150 feet northeasterly of Fresh Pond Road, Linden Street, a line 150 feet southwesterly of Fresh Pond Road, Grove Street, and a line midway between Fresh Pond Road and 61<sup>st</sup> Street;
  - b. Palmetto Street, a line 150 feet northeasterly of Fresh Pond Road, 67<sup>th</sup> Avenue, a line bisecting an angle formed by the prolongation of the southwesterly street line of 62<sup>nd</sup> Street and the northeasterly street line of Fresh Pond Road, Catalpa Avenue, a line 100 feet northeasterly of Fresh Pond Road, a line 100 feet northeasterly of Cypress Hills Street, 62<sup>nd</sup> Street, Cypress Hills Street, 70<sup>th</sup> Avenue, a line 150 feet southwesterly of Fresh Pond Road, Catalpa Avenue, Fresh Pond Road, 68<sup>th</sup> Road, a line 150 feet southwesterly of Fresh Pond Road, Madison Street, the northeasterly and northwesterly boundary lines of Albert C. Benninger Playground, and a line

150 feet southwesterly of Fresh Pond Road; and

- c. Gates Avenue, a line 150 feet northeasterly of Forest Avenue, a line midway between 70<sup>th</sup> Avenue and 71<sup>st</sup> Avenue, 60<sup>th</sup> Street, 71<sup>st</sup> Avenue, a line 150 feet northeasterly of 60<sup>th</sup> Lane, a line 150 feet northerly of Myrtle Avenue, 60<sup>th</sup> Lane, Myrtle Avenue, Summerfield Street, a line 150 feet southerly of Myrtle Avenue, Norman Street, Forest Avenue, Stephen Street, a line 150 feet southwesterly of Forest Avenue, George Street, Forest Avenue, 70<sup>th</sup> Avenue, a line 150 feet southwesterly of Forest Avenue, Catalpa Avenue, Woodward Avenue, a line 150 feet southwesterly of Forest Avenue and its northwesterly prolongation, Putnam Avenue, Forest Avenue, Woodbine Street, a line 150 feet southwesterly of Forest Avenue, and a line 150 feet southwesterly of Grandview Avenue;
19. eliminating from an existing R4 District a C2-2 District bounded by 56<sup>th</sup> Street, a line 100 feet northerly of Metropolitan Avenue, a line 100 feet northwesterly of Eliot Avenue, 62<sup>nd</sup> Avenue, 60<sup>th</sup> Place, Metropolitan Avenue, Greene Avenue, Forest Avenue, and Metropolitan Avenue;
  20. eliminating from an existing R5 District a C2-2 District bounded by:
    - a. Linden Street, a line 150 feet northeasterly of Fresh Pond Road, Palmetto Street, and a line 150 feet southwesterly of Fresh Pond Road; and
    - b. 70<sup>th</sup> Avenue, Cypress Hills Street, the northwesterly boundary line of the Metropolitan Transportation Authority/Long Island Rail Road Right-of-Way and its prolongations, Myrtle Avenue, 61<sup>st</sup> Street, a line 100 feet southerly of Myrtle Avenue, Summerfield Street, Myrtle Avenue, 60<sup>th</sup> Lane, a line 150 feet northerly of Myrtle Avenue, and a line 150 feet southwesterly of Fresh Pond Road;
  21. eliminating from an existing R6 District a C2-2 District bounded by:
    - a. Cypress Avenue, Madison Street, a line 100 feet southwesterly of Cypress Avenue, and Palmetto Street; and
    - b. Grove Street, a line 150 feet northeasterly of St. Nicholas Avenue, Palmetto Street, and St. Nicholas Avenue;
  22. establishing within a proposed R6B District a C2-4 District bounded by:
    - a. a westerly boundary line of Ahawith Chesed Cemetery and its northerly prolongation, a line 100 feet southerly of Metropolitan Avenue, Starr Street, and Metropolitan Avenue;
    - b. a line 100 feet northerly of Metropolitan Avenue, Eliot Avenue, Metropolitan Avenue, Fresh Pond Road, a line 100 feet southerly of Metropolitan Avenue,

Greene Avenue, Forest Avenue, a line 100 feet southerly of Metropolitan Avenue, Tonsor Street, Metropolitan Avenue, Amory Court, a line 100 feet southerly of Metropolitan Avenue, Grandview Avenue, Metropolitan Avenue, and a line 100 feet southwesterly of 53<sup>rd</sup> Street;

- c. Linden Street, a line 100 feet northeasterly of Fresh Pond Road, Palmetto Street, and a line 100 feet southwesterly of Fresh Pond Road;
  - d. Cypress Hills Street, the northwesterly boundary line of the Metropolitan Transportation Authority/Long Island Rail Road Right-of-Way and its prolongations, Myrtle Avenue, 61<sup>st</sup> Street, a line 100 feet southerly of Myrtle Avenue, Summerfield Street, Myrtle Avenue, 60<sup>th</sup> Lane, a line 100 feet southeasterly of 71<sup>st</sup> Avenue, a line 100 feet northeasterly of 60<sup>th</sup> Lane, a line 100 feet northerly of Myrtle Avenue, a line 100 feet southwesterly of Fresh Pond Road, and 70<sup>th</sup> Avenue;
  - e. Stockholm Street, a line 100 feet northeasterly of Seneca Avenue, Greene Avenue, and a line 100 feet southwesterly of Seneca Avenue;
  - f. Grove Street, a line 100 feet northeasterly of St. Nicholas Avenue, Palmetto Street, and St. Nicholas Avenue;
  - g. Palmetto Street, Cypress Avenue, Madison Street, and a line 100 feet southwesterly of Cypress Avenue; and
  - h. a line midway between Madison Street and Putnam Avenue, a line 100 feet northeasterly of Wyckoff Avenue, Jefferson Avenue, and Wyckoff Avenue;
23. establishing within a proposed R5B District a C2-4 District bounded by:
- a. Jefferson Avenue, a line 100 feet northeasterly of Wyckoff Avenue, Hancock Street, and Wyckoff Avenue; and
  - b. Summerfield Street, a line 100 feet northeasterly of Cypress Avenue, Decatur Street, and Cypress Avenue;
24. establishing within a proposed R6B District a C1-4 District bounded by:
- a. Menahan Street, Fresh Pond Road, Menahan Street, a line 100 feet northeasterly of Fresh Pond Road, Linden Street, and a line 100 feet southwesterly of Fresh Pond Road;
  - b. Palmetto Street, a line 100 feet northeasterly of Fresh Pond Road, a line 100 feet northeasterly of Cypress Hills Street, 62<sup>nd</sup> Street, Cypress Hills Street, 70<sup>th</sup> Avenue, a line 100 feet southwesterly of Fresh Pond Road, Catalpa Avenue, Fresh Pond

Road, 68<sup>th</sup> Road, and a line 100 feet southerly of Fresh Pond Road;

- c. Forest Avenue, a line midway between 70<sup>th</sup> Avenue and 71<sup>st</sup> Avenue and its southwesterly prolongation, 60<sup>th</sup> Street, 71<sup>st</sup> Avenue, a line 100 feet northeasterly of 60<sup>th</sup> Lane, a line 100 feet southeasterly of 71<sup>st</sup> Avenue, 60<sup>th</sup> Lane, Myrtle Avenue, Summerfield Street, a line 100 feet southerly of Myrtle Avenue, and a line 100 feet southeasterly of Stephen Street;
  - d. Greene Avenue, a line 100 feet northeasterly of Seneca Avenue, Catalpa Avenue, Seneca Avenue, Cornelia Street, and a line 100 feet southwesterly of Seneca Avenue;
  - e. Bleecker Street, Onderdonk Avenue, Grove Street, and a line 100 feet southwesterly of Onderdonk Avenue;
  - f. Bleecker Street, a line 100 feet northeasterly of Woodward Avenue, Palmetto Street, and a line 100 feet southwesterly of Woodward Avenue;
  - g. Menahan Street, a line 100 feet northeasterly of Grandview Avenue, Grove Street, and Grandview Avenue;
  - h. Linden Street, a line 100 feet northeasterly of Grandview Avenue, Forest Avenue, Woodbine Street, a line 100 feet southwesterly of Forest Avenue, a line 100 feet southwesterly of Grandview Avenue, Gates Avenue, and Grandview Avenue; and
  - i. Forest Avenue, Catalpa Avenue, Woodward Avenue, and 68<sup>th</sup> Road;
25. establishing within a proposed R5B District a C1-4 District bounded by:
- a. Gates Avenue, a line 100 feet northeasterly of Forest Avenue, a line midway between 70<sup>th</sup> Avenue and 71<sup>st</sup> Avenue and its southwesterly prolongation, Forest Avenue, 70<sup>th</sup> Avenue, a line 100 feet southwesterly of Forest Avenue, Catalpa Avenue, Forest Avenue, 68<sup>th</sup> Road, a line 100 feet northeasterly of Woodward Avenue, a line 100 feet southwesterly of Forest Avenue and its northwesterly prolongation, Madison Street, and Forest Avenue; and
  - b. Fresh Pond Road, Menahan Street, a line 100 feet southwesterly of Fresh Pond Road, and a line 100 feet southerly of Metropolitan Avenue;
26. establishing within an existing R4 District a C2-4 District bounded by:
- a. 62<sup>nd</sup> Avenue, 60<sup>th</sup> Place, Eliot Avenue, a line 100 feet northerly of Metropolitan Avenue, and a line 100 feet northwesterly of Eliot Avenue;
  - b. Nurge Avenue, 54<sup>th</sup> Street, and a line 100 feet northerly of Metropolitan Avenue;

and

- c. 53rd Street, a line 100 feet northerly of Metropolitan Avenue, a line 100 feet southwesterly of 53<sup>rd</sup> Street, and Flushing Avenue;

as shown on a diagram (for illustrative purposes only) dated June 26, 2000.

(On October 4, 2000, Cal. No. 4, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**Nos. 13, 14, 15,16, and 17**

*(Applications for an amendment to the zoning map, the grant of special permits, and disposition of city-owned property to facilitate a food store and public parking lot)*

**No. 13**

**CD 10**

**C 990274 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Liberty Associates, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning map, Section No. 18a** establishing within the existing R5 District a C1-2 District bounded by a line 265 feet north of Liberty Avenue, 98th Street, a line 150 feet north of Liberty Avenue, and a line midway between 97th and 98th streets, as shown on a diagram (for illustrative purposes only) dated July 24, 2000.

(On October 4, 2000, Cal. No. 5, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 14

CD 10

C 990275 ZSQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Liberty 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 74-511 of the Zoning Resolution** to permit an unattended public parking lot with a maximum capacity of 100 spaces on property generally bounded by Liberty Avenue, 98<sup>th</sup> Street, a line 265 feet north of Liberty Avenue, and 97<sup>th</sup> Street (Block 9120, Lots 25, 27, 29, 34, 40 and 42), in C1-2/R4 and C1-2\*/R5 Districts.

Note: The establishment of a C1-2 District within the existing R5 District is proposed under a related application for an amendment of the Zoning Map (C 990274 ZMQ).

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 October 4, 2000, Cal. No. 6, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 15

CD 10

C 990276 ZSQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Liberty 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 74-922 of the Zoning Resolution** to permit a food store (U.G. 6A) with more than 10,000 square feet of floor area on property generally bounded by Liberty Avenue, 98<sup>th</sup> Street, a line 460 feet north of Liberty Avenue, and 99<sup>th</sup> Street (Block 9121, Lots 20, 21, 23, 24, 30, 32, 63 and 66), in an M1-2 District, within a general large scale development.

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 October 4, 2000, Cal. No. 7, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No.16**

**CD 10**

**C 990277 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Liberty 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 74-743(a)(3) of the Zoning Resolution** to permit the location of a building without regard to the required front yard regulations of Section 43-304 to facilitate the development of a food store on property located generally bounded by Liberty Avenue, 98<sup>th</sup> Street, a line 460 feet north of Liberty Avenue, and 99<sup>th</sup> Street (Block 9121, Lots 20, 21, 23, 24, 30, 32, 63 and 66), within a general large scale development, in an M1-2 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, N.Y. 10007.

(On October 4, 2000, Cal. No. 8, the Commission scheduled October 18, 2000 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 17**

**CD 10**

**C 990278 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 103-54 99<sup>th</sup> Street** (Block 9121, Lot 30), pursuant to zoning.

**III. REPORTS**

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**BOROUGH OF THE BRONX**

**No. 18**

**CD 5**

**N 010125 PXX**

**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 2439 Creston Avenue (Block 3173, Lot 40). (Community Board 5 Office)

(On September 21, 2000, the Commission duly advertised October 4, 2000 for a public hearing. On October 4, 2000, Cal. No. 10, the hearing was closed.

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 19**

*(An amendment to the Zoning Resolution to allow as-of-right certain detached and semi-detached one- and two-family homes in Community District 12 to encroach ten feet into the required rear yard.)*

**CD 12**

**N 000286 ZRK**

**IN THE MATTER OF** an application submitted by the South Brooklyn Community Organization pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Section 23-146 (Optional Provisions for Certain R5 and R6 Districts in Brooklyn) and Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences), to allow as-of-right certain detached and semi-detached one- and two-family homes in Community District 12 to encroach ten feet into the required rear yard.

Matter in ~~Graytone~~ is new, to be added  
Matter in ~~Strikeout~~ is old, to be deleted;  
Matter within # # is defined in the Zoning Resolution.

## ARTICLE II - RESIDENCE DISTRICT REGULATIONS

\* \* \*

### Chapter 3

#### Bulk Regulations for Residential Buildings in Residence Districts

\* \* \*

### 23-10

#### OPEN SPACE AND FLOOR AREA REGULATIONS

\* \* \*

### 23-14

#### Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio

\* \* \*

### 23-146

#### Optional provisions for certain R5 and R6 Districts in Brooklyn

### R5 R6

Within the area bounded by 39<sup>th</sup> Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61<sup>st</sup> Street and Fort Hamilton Parkway in Community Board 12, in the Borough of Brooklyn, special optional regulations as set forth in this Section are applicable for a #development# or #enlargement# involving a #building# used exclusively as a one-, #two-# or three #family residence#, provided such #development# or #enlargement# complies with all of the provisions of this Section. Except as modified by the provisions of this Section, the regulations of R5 and R6 Districts remain in effect.

- (a) Floor area, lot coverage, open space, lot area per dwelling unit or room, and height factor regulations

\* \* \*

b. Building height

\* \* \*

c. Front yards

\* \* \*

d. Side yards

\* \* \*

**(e) Rear yards**

**Single or two-family residences consisting of detached, semi-detached or zero-lot line buildings may project up to ten feet into a required rear yard or rear yard equivalent, provided that there is a side yard of at least 8 feet for such semi-detached or zero-lot line buildings, and that the total width of side yards for a detached building is at least eight feet. In addition, such rear yard projection shall not be permitted for semi-detached buildings that constitute the end buildings of a row of attached buildings.**

**(e)(f) Outer court and minimum distance between legally required windows and walls or lot lines**

\* \* \*

**(g) Off-street parking in R5 and R6 Districts**

\* \* \*

ARTICLE VII - ADMINISTRATION

\* \* \*

Chapter 3  
Special Permits by the Board of Standards and Appeals

\* \* \*

\* \* \*

73-622

Enlargement of single- and two-family detached and semi-detached residences

The Board of Standards and Appeals may permit an #enlargement# of a #single# or #two-family detached# or #semi-detached residence# within the following areas:

- (a) Community Districts 10, 11 and 15, in the Borough of Brooklyn; and
- (b) ~~R5 and R6 Districts within the area bounded by 39<sup>th</sup> Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61<sup>st</sup> Street and Fort Hamilton Parkway in Community District 12, in the Borough of Brooklyn; and~~
- (e) ~~(b)~~ R2 Districts within the area bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue, Community District 14, in the Borough of Brooklyn.

Such #enlargement# may create a new #non-compliance#, or increase the amount or degree of any existing #non-compliance#, with the applicable #bulk# regulations for #lot coverage#, #open space#, #floor area#, #side yard#, #rear yard# or perimeter wall height regulations, provided that:

\* \* \*

(On August 23, 2000, Cal. No. 1, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 5, the hearing was closed. On October 4, 2000, Cal. No. 16, the item was laid over.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**No. 20**

**CD 2**

**C 000106 ZSM**

**IN THE MATTER OF** an application submitted by 60 Greene Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the provisions of:

- 1. a. Section 42-14D(1)(a) to allow joint living-work quarters for artists in a proposed penthouse on the roof of a building erected prior to December 15, 1961; and**
  - b. Section 43-17 to allow a building that will contain joint living-work quarters for artists to be enlarged; and**
- 2. Section 42-14D(2)(a) to allow retail use (Use Group 6) on the ground floor and in a portion of the cellar of a building occupying more than 3600 square feet of lot area;**

**of an existing 5-story building at 60 Greene Street (Block 485, Lot 1), in an M1-5A District within the SoHo Cast Iron Historic District.**

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

(On September 6, 2000, Cal. No. 1, the Commission scheduled September 20, 2000 for a public hearing. On September 20, 2000, Cal. No. 3, the hearing was closed.)

**For consideration.**

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## No. 21

CD 3

C 000661 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 138 Stanton Street (Block 355, Lot 77), 113 & 111 Norfolk Street (Block 353, Lots 31 & 32), and 143 & 141 Norfolk Street (Block 354, Lots 25 & 26), as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

**to facilitate construction of three buildings, tentatively known as Norfolk Apartments II**, with 52 units of rental housing for low income persons, to be developed under the New York State Housing Trust Fund.

(On September 6, 2000, Cal. No. 2, the Commission scheduled September 20, 2000 for a public hearing. On September 20, 2000, Cal. No. 4, the hearing was closed.)

**For consideration.**

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No. 22

CD 4

C 000229 ZSM

**IN THE MATTER OF** an application submitted by Chelsea West 26 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 211 spaces on portions of the ground floor and cellar of a proposed mixed-used building located at 220 West 26<sup>th</sup> Street (Block 775, Lot 46), in a C6-2A District.



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

(On August 23, 2000, Cal. No. 4, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 8, the hearing was closed. )

**For consideration.**

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**Nos. 23, 24, and 25**

*(Applications for amendments to the Zoning Map,  
Zoning Resolution, and the grant of a special permit for  
the expansion of the Museum of Modern Art)*

**No. 23**

**CD 5**

**C 000649 ZMM**

**IN THE MATTER OF** an application submitted by The Museum of Modern Art pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 8c** changing from a C5-P District to a C5-2.5 District property bounded by West 53<sup>rd</sup> Street, a line 225 feet southeasterly of Avenue of the Americas, a line midway between West 53<sup>rd</sup> Street and West 54<sup>th</sup> Street and a line 150 feet northwesterly of Fifth Avenue, as shown on a diagram (for illustrative purposes only) dated June 26, 2000.

(On August 23, 2000, Cal. No. 5, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 9, the hearing was closed.)

**For consideration.**

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CD 5

C 000651 ZSM

**IN THE MATTER OF** an application submitted by The Museum of Modern Art pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of:**

1. **a special permit pursuant to Section 81-066\* of the Zoning Resolution to modify:**
  - a. **the provisions of Article VII, Chapter 7 to allow the distribution of permitted floor area without regard for district boundary lines; and**
  - b. **the rear yard requirements of Section 33-26 to allow development within a required 20-foot rear yard at the easterly portion of the zoning lot; and**
2. **an authorization pursuant to Section 81-90(1) of the Zoning Resolution to modify the mandatory street wall requirements to allow the minimum height along a portion of the West 54th Street frontage to be less than 72 feet above curb level;**

**in connection with a proposed enlargement of an existing museum use on property located at 11 West 53<sup>rd</sup> Street (Block 1269, Lots 11, 12, 13, 14, 20, 58 and 165), in C5-P, C5-2.5\*\* and C5-3 Districts, partially within the Preservation Subdistrict\* and partly within the Fifth Avenue Subdistrict, in the Special Midtown District.**

Notes: \* Section 81-066 is proposed to be changed and a portion of the Preservation Subdistrict is proposed to be eliminated under a related application for an amendment of the Zoning Resolution (N 000650 ZRM).

\*\* A C5-2.5 District is proposed to be mapped under a related application for an amendment of the Zoning Map (C 000649 ZMM).

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

(On August 23, 2000, Cal. No. 6, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 10, the hearing was closed.)

**For consideration.**

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## No. 25

CDs 4, 5, 6, 7, and 8

N 000650 ZRM

IN THE MATTER OF an application submitted by the Museum of Modern Art, pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York, to Section 81-066 Special Permit Modifications of Section 81-40 and Section 77-00 and to Section 81-00, Appendix A, Map 1, *Special Midtown District and Subdistricts*, as follows:

\* \* \* \* \*

## 81-066

**Special Permit Modifications of Section 81-40 and Section 77-00 Certain Sections of Article VII, Chapter 7**

On application, [the City Planning Commission] by special permit, for #zoning lots# where the #lot area# is at least 60,000 square feet or that occupy an entire #block# after public notice and hearing and subject to Board of Estimate action, may permit modification of the mandatory district plan elements of Section 81-40 and the or the provisions of Article VII Chapter 7, that determine the allocation distribution of permitted #floor area# on such #zoning lots# without regard to the provisions of Section 77-22 irrespective of the date when the #zoning lot# was created; subject to the following: and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements. However, no exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#

- (a) The #lot area# of the #zoning lot# shall be at least 60,000 square feet and shall contain complete #wide street block# frontage, or such #zoning lot# shall occupy an entire #block#.
- (b) The modifications shall be subject to Commission shall make the following findings:
- (1) That the modifications of mandatory plan elements# or #floor area# allocation, #rear yard# and #court# regulations result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#;
- (2) that a substantial majority of the #zoning lot# which is either vacant at the time of certification for review# pursuant to Section 197-c of the New York City Charter, or contains buildings that will be an integral part of the #development#, both physically and programmatically;
- (2) That the cleared portion of the #zoning lot# is of sufficient size to ensure

that the design, scale and location of the new #buildings# or #enlarged buildings# is ~~are~~ compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#.

~~(d) that such modifications will not unduly obstruct access of light and air to surrounding properties.~~

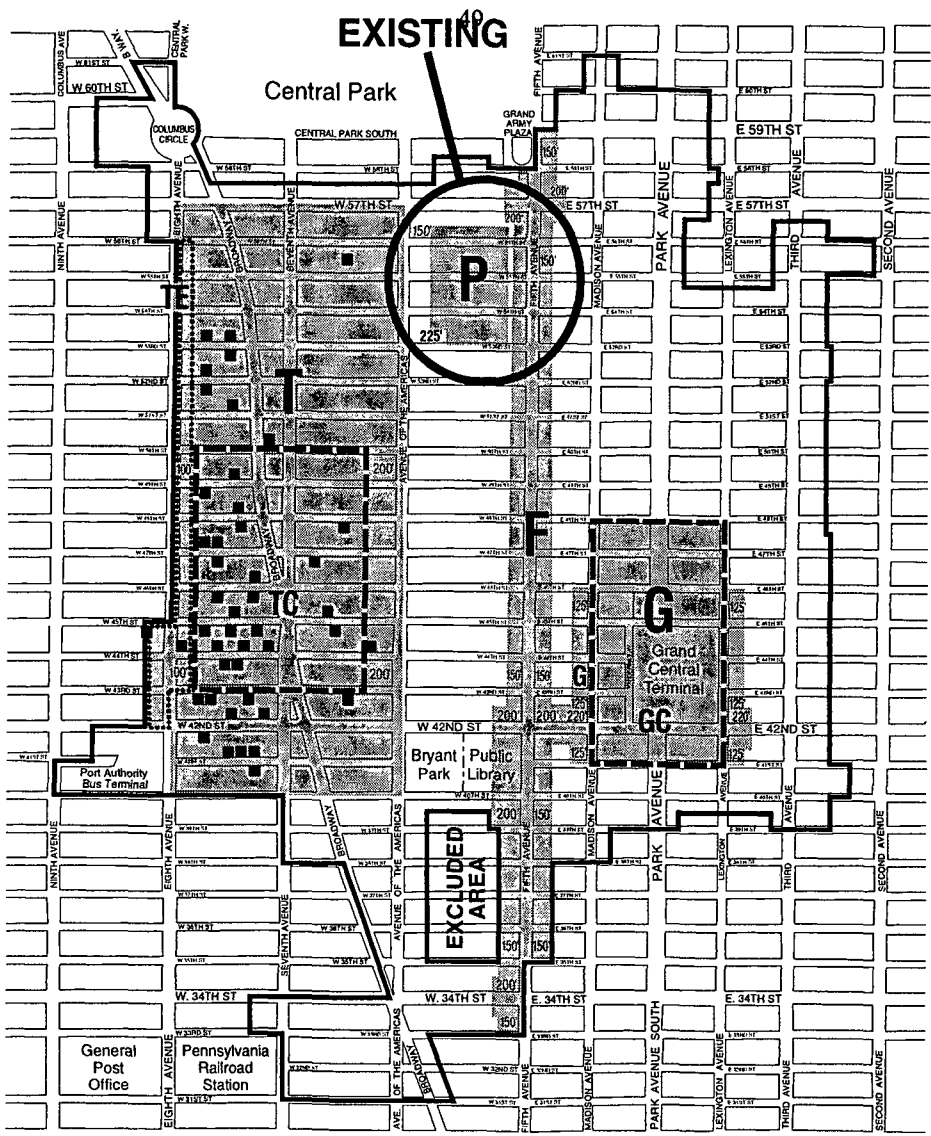
~~(3) That any adverse impact on retail continuity is minimized by a site plan which that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#.~~

~~(4) That such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements.~~

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

~~No exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.~~

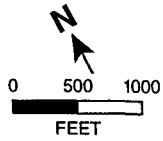
\* \* \* \* \*

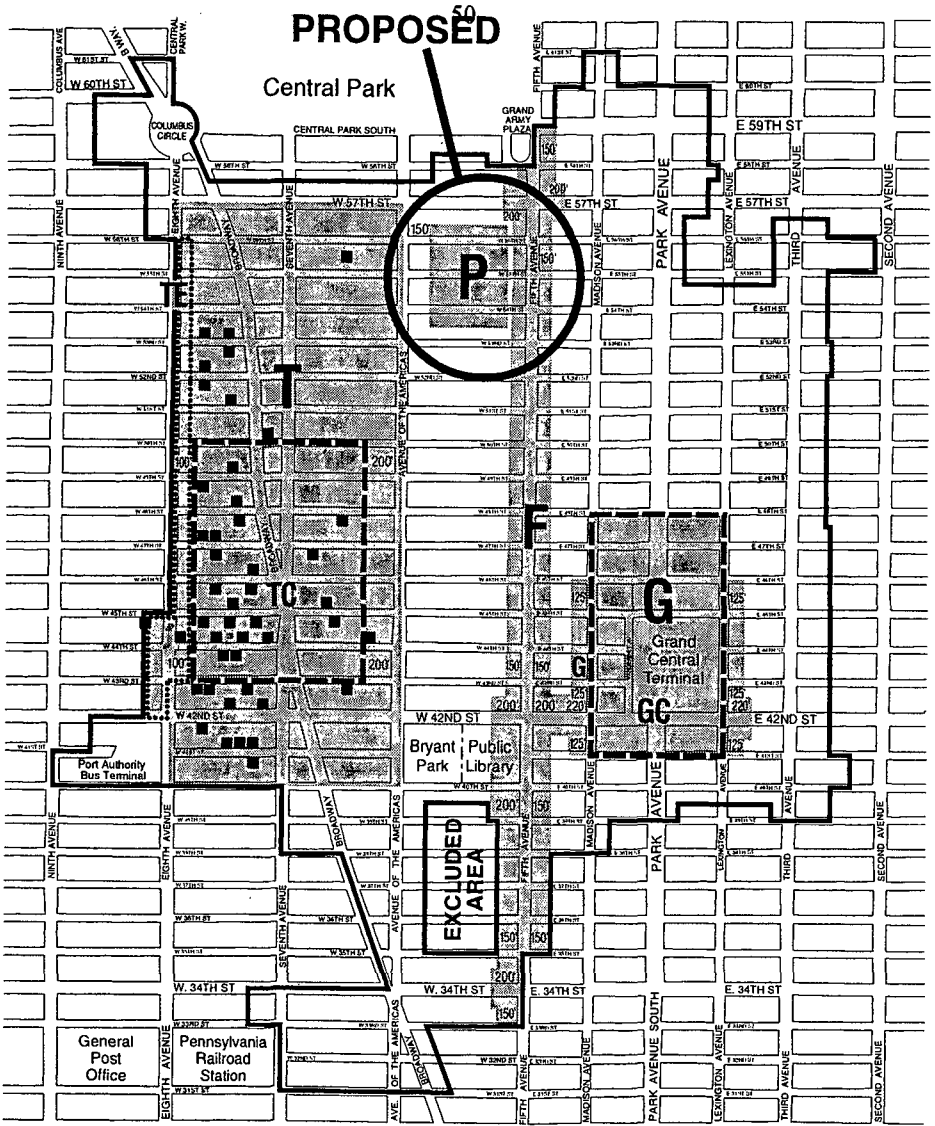


# MIDTOWN DISTRICT PLAN

MAP 1 - SPECIAL MIDTOWN DISTRICT AND SUB DISTRICTS

- F** Fifth Avenue Subdistrict
- G** Grand Central Subdistrict
- P** Preservation Subdistrict
- T** Theater Subdistrict
- GC** Grand Central Subdistrict Core
- TC** Theater Subdistrict Core
- TE** Theater Subdistrict Eighth Avenue Corridor
- Listed Theaters
- Special Midtown District

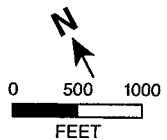




# MIDTOWN DISTRICT PLAN

## MAP 1 - SPECIAL MIDTOWN DISTRICT AND SUB DISTRICTS

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- Listed Theaters
- Special Midtown District



(On August 23, 2000, Cal. No. 7, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 11, the hearing was closed.)

**For consideration.**

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No. 26

CD 5

C 000652 ZSM

**IN THE MATTER OF** an application submitted by the 900 Eighth Avenue Condominium LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 to allow an attended public parking garage with a maximum capacity of 355 spaces on the first through fourth floors and to allow floor space up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), in a proposed residential building at 900 Eighth Avenue (Block 1025, Lots 1, 10, and 58), in C6-4 and C6-5 Districts, within the Theatre Subdistrict of the Special Midtown 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 August 23, 2000, Cal. No. 8, the Commission scheduled September 6, 2000 for a public hearing. On September 6, 2000, Cal. No. 12, the hearing was closed. On October 4, 2000, Cal. No. 17, the item was laid over.)

**For consideration.**

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No. 27

CD 2

N 010054 ZAM

**IN THE MATTER OF** an application submitted by the C-Squarewood, LLC, for the grant of an authorization, pursuant to Section 42-142 of the Zoning Resolution, to modify the use regulations of Section 42-14D(1)(b) to allow twenty-six units of joint living work quarters for artists in a building with lot coverage greater than 5,000 square feet located at 52-62 Cooper Square (Block 544, Lots 32, 36, 37) in an M1-5B District.

Plans for this proposal are on file with the City Planning Commission and may be seen at the Manhattan Office of the Department of City Planning, 22 Reade Street, Room 6W, New York, NY 10007.

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 28**

**CD 12**

**C 000288 PQQ**

**IN THE MATTER OF an application** submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for acquisition of property located at 108-10 Sutphin Boulevard (Block 11946, Lot 121) for continued use as a day care center.**

(On September 6, 2000, Cal. No. 4, the Commission scheduled September 20, 2000 for a public hearing. On September 20, 2000, Cal. No. 7, the hearing was closed.)

**For consideration.**

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