

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

MONDAY, JANUARY 8, 2001

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



Rudolph W. Giuliani, Mayor
City of New York
Prepared by Rosa R. Romero, Calendar Officer

CITY PLANNING COMMISSION

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

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
ALBERT ABNEY
ANGELA M. BATTAGLIA
AMANDA M. BURDEN, *A.I.C.P.*
IRWIN G. CANTOR, *P.E.*
ANGELA R. CAVALUZZI, *R.A.*
KATHY HIRATA CHIN, *Esq.*
ALEXANDER GARVIN
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.

REPORTS

BOROUGH OF BROOKLYN

Nos. 1 and 2

*(Applications for amendments to the Zoning Map and
City Map to facilitate a retail development)*

No. 1

CD 18

C 990719 ZMK

IN THE MATTER OF an application submitted by Flatlands Development Co., LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section No. 23a**, establishing within an existing R3-2 District a C2-3 District bounded by Flatlands Avenue, East 59th Street, Avenue J, and East 57th Street, as shown on a diagram (for illustrative purposes only) dated August 7, 2000, and subject to the conditions of CEQR Declaration E-99.

NOTE: East 58th Street is proposed to be eliminated under a related application for a change in the City Map (C 990720 MMK).

(On November 15, 2000, Cal. No. 3, the Commission scheduled November 29, 2000 for a public hearing. On November 29, 2000, Cal. No. 13, the hearing was closed. On December 27, 2000, Cal. No. 15, the item was laid over.)

For consideration.

No. 2

CD 18

C 990720 MMK

IN THE MATTER OF an application submitted by Flatlands Development Co., LLC, pursuant to sections 197-c and 199 of the New York City Charter and section 5-430 *et seq.* of the New York City Administrative Code for an **amendment to the City Map involving the elimination of East 58th Street between Flatlands Avenue and Avenue J, the discontinuance and closing of a portion thereof, the adjustment of grades necessitated thereby, and any acquisition or disposition of property related thereto**, in accordance with map Nos. X-2641 and N-2642, dated June 27, 2000 and signed by the Borough President.

(On November 15, 2000, Cal. No. 4, the Commission scheduled November 29, 2000 for a public hearing. On November 29, 2000, Cal. No. 14, the hearing was closed. On December 27, 2000, Cal. No. 16, the item was laid over.)

For consideration.

BOROUGH OF MANHATTAN

No. 3

CD 5,6,8

N 010145 BDM

IN THE MATTER OF an application submitted by the Department of Business Services on behalf of the East Mid-Manhattan Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the formation of the East Mid-Manhattan Business Improvement District.**

(On November 1, 2000, Cal. No. 5, the Commission scheduled November 15, 2000 for a public hearing. On November 15, 2000, Cal. No. 20, the hearing was closed. On December 13, 2000, Cal. No. 26, the item was laid over.)

For consideration.

No. 4

(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

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 use§), 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 as~~ 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;~~ however, that a setback of not more than 10 feet may be provided

at a height of 85 feet or more above #curb level#;

- (c) On the portion of any #zoning lot# designated as a #special height location# in 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) With respect to any #zoning lot# south of West Thames Street, east of South End Avenue, north of Third Place and west of Battery Place, a height of not less than 18 feet nor more than 85 feet above #curb level#;
- (e) With respect to any 110-135 foot #mandatory front building wall line# shown in Appendix 3.1, a height of not less than 110 feet nor more than 135 feet;

(f) with respect to any 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;

(g) 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 set back 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

(h) On 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), (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 shall 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)~~ (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)~~ (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 85 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 (f);~~

~~(d)(e)~~ (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 aerals

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 (e)(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. On October 18, 2000, Cal. No. 11, the hearing was closed. On December 27, 2000, Cal. No. 19, the item was laid over.)

For consideration.

BOROUGH OF QUEENS

Nos. 5, 6, and 7

(Applications for amendments to the City and Zoning Maps, and disposition of city-owned property to facilitate an air cargo facility)

No. 5

CD 13

C 000272 MMQ

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation (EDC) and the Department of Parks and Recreation, pursuant to sections 197-c and 199 of the New York City Charter **for an amendment to the City Map involving the elimination of a portion of Idlewild Park, the establishment of International Airport Center Boulevard between 182nd Street and Brookville Boulevard, the elimination of a public place and the establishment of it as park, the adjustment of grades necessitated thereby, and any acquisition or disposition of property related thereto**, in accordance with map No.4954, dated May 11, 2000 and signed by the Borough President.

(On November 15, 2000, Cal. No. 11, the Commission scheduled November 29, 2000 for a public hearing. On November 29, 2000, Cal. No. 21, the hearing was closed. On December 27, 2000, Cal. No. 24, the item was laid over.)

For consideration.

No. 6

CD 13

C 000304 ZMQ

IN THE MATTER OF an application submitted by the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 19b and 25a:**

1. establishing an M1-1 District on a portion of former parkland* bounded by the northeasterly street line of International Airport Center Boulevard*, and the southeasterly, southwesterly, and westerly boundary lines of Idlewild Park*; and
2. changing from an R3-2 District to an M1-1 District property bounded by International Airport Center Boulevard* the southwesterly prolongation of the southeasterly boundary line of Idlewild Park*, the northeasterly street line of International Airport Center Boulevard*, and the southerly prolongation of the Westerly boundary line of Idlewild Park*;

as shown on a diagram (for illustrative purposes only) dated August 7, 2000.

* Note: Refer to related application for an Amendment to the City Map (C 000272 MMQ) for proposed changes to Idlewild Park and the establishment of International Airport Center Boulevard.

(On November 15, 2000, Cal. No. 12, the Commission scheduled November 29, 2000 for a public hearing. On November 29, 2000, Cal. No. 22, the hearing was closed. On December 27, 2000, Cal. No. 25, the item was laid over.)

For consideration.

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, for the disposition to the Economic Development Corporation of one (1) city-owned property located on International Airport Center Boulevard (Rockaway Boulevard) (Block 13791, part of lot 21), pursuant to zoning.

(On November 15, 2000, Cal. No. 13, the Commission scheduled November 29, 2000 for a public hearing. On November 29, 2000, Cal. No. 23, the hearing was closed. On December 27, 2000, Cal. No. 26, the item was laid over.)

For consideration.
