

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JUNE 13, 2001  
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 010356 PCK	18	Scheduled to be Heard 6/27/01	18	C 000550 ZSM	7	Favorable Report Adopted
2	N 010564 ZRK	1,2	4 " "	19	C 000107 PCM	1	" "
3	C 010200 ZSM	7	" "	20	C 000282 ZSM	2	" "
4	N 010459 ZRM	4,5	" "	21	C 010104 PCR	3	" "
5	C 010460 ZSM	5	" "	22	N 010037 ZAR	2	Authorization Approved
6	C 010585 PPM	5	" "	23	N 000244(B1) ZRY	cw	Favorable Report Adopted
7	C 010258 PPX	3	Hearing Closed	24	C 010199 ZMY	cw	" "
8	C 010252 PPX	10	" "		Council Mod.		
9	C 000569 PCX	12	" "	25	C 010084 PPK	5	Counsel to Forward Letter
10	C 010304 ZSM	2	" "				to City Council
11	C 010107 ZSM	1	" "				
12	C 010023 ZSM	5	Withdrawn				
13	C 990066 PPR	3	Hearing Closed				
14	C 010346 HAX	4	Favorable Report Adopted				
15	C 010163 ZSX	8	" "				
16	C 000560 PCX	8	" "				
17	C 010197 PQQ	4	" "				

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:															
		Present (P) Absent (A)		In Favor - Y    Oppose - N    Abstain - AB    Recuse - R													
		Calendar Numbers:		14	15	16	17	18	19	20	21	22	23	24			
Joseph B. Rose, Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Albert Abney	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Amanda M. Burden, A.I.C.P.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Irwin Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Kathy Hirata Chin, Esq.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Marilyn G. Gelber	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
William J. Grinker	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Kenneth J. Knuckles, Esq.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
John Merolo, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			

MEETING ADJOURNED AT: 10:51 A.M.

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

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**CITY PLANNING COMMISSION**  

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**WEDNESDAY, JUNE 13, 2001**  

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



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

**[No. 11]**

**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***
- 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**
- MARILYN G. GELBER**
- WILLIAM J. GRINKER**
- KENNETH J. KNUCKLES, *Esq.***
- JOHN MEROLO, *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, JUNE 13, 2001**

Roll Call; approval of minutes .....	1
I. Scheduling of June 27, 2001 .....	1
II. Public Hearings .....	20
III. Reports .....	24
IV. Schedule of Meetings: July 1, 2001 to December 31, 2001 .....	36

**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 June 27, 2001 at 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: \_\_\_\_\_

**JUNE 13, 2001**

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**APPROVAL OF MINUTES OF Regular Meeting of May 23, 2001**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, JUNE 27, 2001  
STARTING AT 10:00 A.M.  
IN CITY HALL  
NEW YORK, NEW YORK**

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**BOROUGH OF BROOKLYN**

**No. 1**

**CD 18**

**C 010356 PCK**

**IN THE MATTER OF an application submitted by the Brooklyn Public Library and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for acquisition of property located at 850 East 59<sup>th</sup> Street (Block 7762, Lot 53), and site selection and acquisition of adjacent property (Block 7762, Lot 46), for continued use as a library.**

**Resolution for adoption scheduling June 27, 2001 for a public hearing.**

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CDs 1, 2 and 4

N 010564 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 **amendment of the Zoning Resolution of the City of New York concerning Article I, Chapter 5, and related Sections, that would permit the legalization of certain loft residences in specified manufacturing areas in Brooklyn.**

Matter in Graytone is new, to be added;

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

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

\* \* \* indicates where unchanged text appears in the Zoning Resolution.

\* \* \*

**Chapter 2  
Construction of Language and Definitions**

**12-00  
RULES FOR CONSTRUCTION OF LANGUAGE**

\* \* \*

**12-10  
DEFINITIONS**

Words in the text or tables of this Resolution which are #*italicized*# shall be interpreted in accordance with the provisions set forth in this Section.

\* \* \*

Incidental alteration - see Alteration, incidental

~~Industrial Loft Advisory Council~~

~~The "Industrial Loft Advisory Council" shall be the council in the Mayor's Office for Economic Development created by Executive Order of the Mayor and composed of representatives of local industry, which may advise the Mayor, the City Planning Commission and its Chairperson, or the Board of Standards and Appeals concerning applications pursuant to the Zoning Resolution. The ILAC shall be an interested party for the purpose of Section 668(c) of the New York City Charter.~~

\* \* \*

## 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, 4, 6 and 8, 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, 6 and 8, and Queens Community Districts 1 and 2, ~~and in Brooklyn Community District 4 in accordance with the provisions of paragraph (f) of Section 15-021~~ 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.

\* \* \*

#### 15-011

#### Special Districts

The Preservation Area of the ~~Special Clinton District~~ is excluded from the applicability of the provisions of this Chapter.

For the purposes of this Chapter, ~~R(M) Districts indicated on the zoning maps for the Special Northside Mixed Use District as M(R) shall be considered Manufacturing Districts, and districts indicated on the zoning map as R(M) or for any Special Mixed Use Districts specified in Section 123-90 shall be considered Residential Districts.~~

\* \* \*

#### 15-02

#### General Provisions



**15-021****Special use regulations**

- (a) In C5 and C6 Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all existing lawful #uses# in Use Groups 17B or E in #buildings# erected prior to December 15, 1961, shall be considered conforming. Such #uses# may be extended within such #buildings#.
- (b) In C6-2M and C6-4M Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all new #uses# listed in Use Groups 17B or E are permitted as-of-right in #buildings# erected prior to December 15, 1961, subject to the provisions of Section 32-42 (Location within Buildings).
- (c) In M1-5 and M1-6 Districts located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980, shall be a permitted #use# provided that a complete application for a determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

All #dwelling units# permitted pursuant to this paragraph (c) shall be required to comply with the requirements of Section 15-22 (Number of Permitted Dwelling Units) or Section 15-026 where applicable, and with Section 15-23 (Light and Air Provisions).

Where the Chairperson of the City Planning Commission has determined that #floor area# was occupied as #dwelling units# on September 1, 1980, and where such #dwelling units# are located in a #building# which, on the date of application to the Department of City Planning under the provisions of this Section, also has #floor area# which is occupied by a #use# listed in Section 15-50 (REFERENCED COMMERCIAL AND MANUFACTURING USES), the Chairperson may permit that any #floor area# in the #building# be used for #dwelling units# provided that:

- (1) the total amount of #floor area# to be used for #dwelling units# does not exceed the amount of #floor area# occupied as #dwelling units# on September 1, 1980;
- (2) any #use# listed in Section 15-50 which is located on #floor area# to be used for #dwelling units# has been offered a new or amended lease within the #building#, with a minimum term of two years from the date of application, at a fair market rental for the same amount of #floor area# previously occupied, and such lease is not subject to cancellation by the landlord;
- (3) any #residential# tenant who occupied a #dwelling unit# shall be relocated to a #dwelling unit# within the #building# with a #floor area# equal to not less than 95 percent of the amount of #floor area# in the #dwelling unit# previously occupied; and

- (4) as a result of such action by the Chairperson #residential uses# will be located on #stories# above #manufacturing uses#.
- (d) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:
- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#.
  - (2) in any #building# for which an alteration application for conversion of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor #enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to convert to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this paragraph (d) shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued.
- (e) In C6-1G and C6-2G Districts, in all manufacturing and #commercial buildings# except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, #residential use# shall not be permitted unless the City Planning Commission has granted a special permit pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts). However, if the Chairperson of the City Planning Commission determines that #floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.
- (f) In C8 and M1 Districts, no new #dwelling units# are permitted. However, within such districts, ~~#dwelling units# in the following areas: shall be considered a permitted #use#, provided the requirements of either paragraph (f)(1) or (f)(2) of this Section have been met:~~
- (1) ~~Areas in Brooklyn Community District 1~~
    - (i) ~~bounded by South 10th Street, Berry Street, Division Avenue and Wythe Avenue;~~
    - (ii) ~~bounded by South 6th Street, Broadway, Driggs Avenue, South 8th Street and Wythe Avenue;~~
    - (iii) ~~bounded by South 4th Street, Driggs Avenue, South 5th Street and Berry Street;~~

- (iv) — bounded by North 4th Street, Berry Street, North 3rd Street and Wythe Avenue;
  - (v) — bounded by Metropolitan Avenue, Havemeyer Street, Hope Street and Roebing Street; and
- (2) An Area in Brooklyn Community District 2, bounded by Water Street, Washington Street, Plymouth Street, Bridge Street, Front Street, Jay Street, York Street, Washington Street, Front Street and Dock Street;

#dwelling units# which the Commissioner of the Department of Buildings determines:

- (i) — were occupied on June 4, 1981; and
- (ii) — are located in a #building# in which more than 45 percent of the #floor area# consists of #dwelling units# that were occupied on June 4, 1981.

shall be a permitted #use#, provided that a complete application for a determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than May 30, 1986.

- (1) In the areas bounded by South 4th Street, Driggs Avenue, South 5th Street and Berry Street in Community District 1, Brooklyn, where the Commissioner of Buildings has determined that #dwelling units# were occupied on June 4, 1981 and are located in a #building# in which more than 45 percent of the #floor area# consists of #dwelling units# that were occupied on June 4, 1981, such #dwelling units# shall be a permitted #use#, provided that a complete application for a determination of occupancy has been filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than May 30, 1986.

For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a filing of determination of #residential# occupancy on June 4, 1981 shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

- (2) In the areas shown on the maps in Appendix A (Loft Conversion Areas in Brooklyn) where the Department of Housing Preservation and Development has determined that #floor area# was occupied as #dwelling units# for a continuous 30 day period between September 1, 2000 and November 30, 2000, such #dwelling units# shall be a permitted #use#, provided that a complete application for a determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than (18 months after the effective date of this amendment).

For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy between September 1, 2000 and November 30, 2000, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

The provisions of Section 15-025~~3~~ (Double glazed windows) shall not apply to #dwelling units# permitted pursuant to this paragraph~~3~~ (f). All #dwelling units# permitted pursuant to this paragraph (f) shall be required to have double glazed windows.

#### 15-022

##### Location within building

#Dwelling units# converted under the provisions of this Chapter are not subject to the provisions of Section 32-42 (Location Within Buildings).

#### 15-023

##### Notice to residential tenants in mixed use buildings

~~The owner or developer of a #building# converted under the provisions of this Chapter and containing one or more #dwelling units# and one or more #commercial# or #manufacturing uses# above the first #story# shall be required to notify all prospective #residential# occupants of such #dwelling units# that:~~

- ~~(a) such #dwelling units# are located in a mixed #use building# containing #commercial# or #manufacturing uses# which the City is committed to maintain; and~~
- ~~(b) such prospective occupants should make any investigation they deem necessary to determine that the conditions existing or permitted to exist are not offensive to such prospective occupant.~~

~~Prior to the issuance of a building permit, the owner or developer shall file an affidavit with the Department of Buildings that such notice will be provided in all #residential# leases and offering plans.~~

#### 15-024

##### Notice of filing to create dwelling units

~~Within ten days of filing an application with the Department of Buildings for an alteration permit for #dwelling units#, a duplicate copy of such application shall be sent to the Department of City Planning by the applicant for information purposes.~~

#### 15-025 ~~15-023~~

##### 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, 6 and 8, and Queens Community Districts 1 and 2, shall not be required to have double glazed windows.

#### 15-026 ~~15-024~~

**Special bulk regulations for certain pre-existing dwelling units, joint living-work quarters for artists and loft dwellings**

- (a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111 may be replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#-
- (1) existing on September 1, 1980, for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021¶ paragraph (c), 15-215, 42-133¶ paragraph (a), 42-141¶ paragraph (b), 74-782; or 111-201¶ paragraph (a); or ¶
  - (2) that are registered Interim Multiple Dwellings or are ~~were~~ found covered by the New York City Loft Board¶ pursuant to Article 7C of the New York State Multiple Dwelling Law; or
  - (3) that the New York City Loft Board determines-¶ were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.
- (b) Unless required by the Department of Buildings or Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of Section 111-111, paragraphs (a), (b)(1) and (c).

No #building# that meets the density requirements of Sections 15-111 or 111-111, paragraph (c), may subsequently add additional units or quarters except in accordance thereof. No #building# to which the regulations of this Section have been applied may subsequently add additional units or quarters except in accordance with the requirements of Sections 15-111 or 111-111, paragraph (c).

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111, the following regulations shall apply:
- (1) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#; or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:
    - (i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
    - (ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and

- (iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
- (2) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
- (i) the unit or quarters shall contain one or more windows that open onto either:
    - (a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#, or
    - (b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#, or
    - (c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
    - (d) a #street#, ~~and~~
  - (ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;
  - (iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
  - (iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;
  - (v) the average width of such unit or quarters shall be no less than 14 feet; and
  - (vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

\* \* \*

## 15-21

### Use Regulations - Transfer of Preservation Obligations and Conversion Rights

In C6-2M, C6-4M, M1-5M and M1-6M Districts, the conversion of #floor area# to #dwelling units# in existing non-#residential buildings#, or portions thereof is permitted subject to the certification by the Chairperson of the City Planning Commission that #floor area# has been preserved for #commercial# or #manufacturing uses# in accordance with the provisions of this Section. ~~The applicant shall provide a copy of any application for a certification under this Section to the #Industrial Loft Advisory Council#, c/o Mayor's Office of Economic Development.~~ For the purposes of this Section only, the following mixed-#use# areas are defined:

\* \* \*

**74-782**

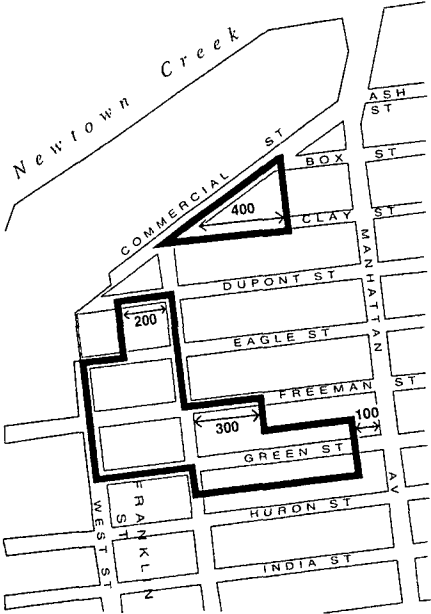
**Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts**

\* \* \*

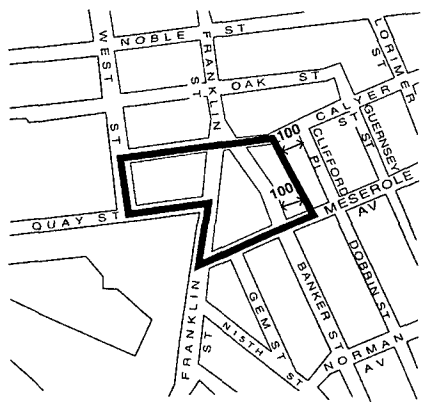
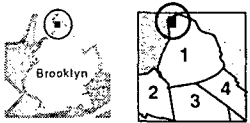
~~The applicant shall provide a copy of any application for a special permit under this Section to the #Industrial Loft Advisory Council#, c/o Mayor's Office of Economic Development.~~

\* \* \*

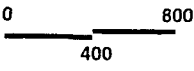
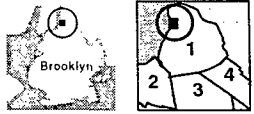
## APPENDIX A Loft Conversion Areas in Brooklyn



Map 1



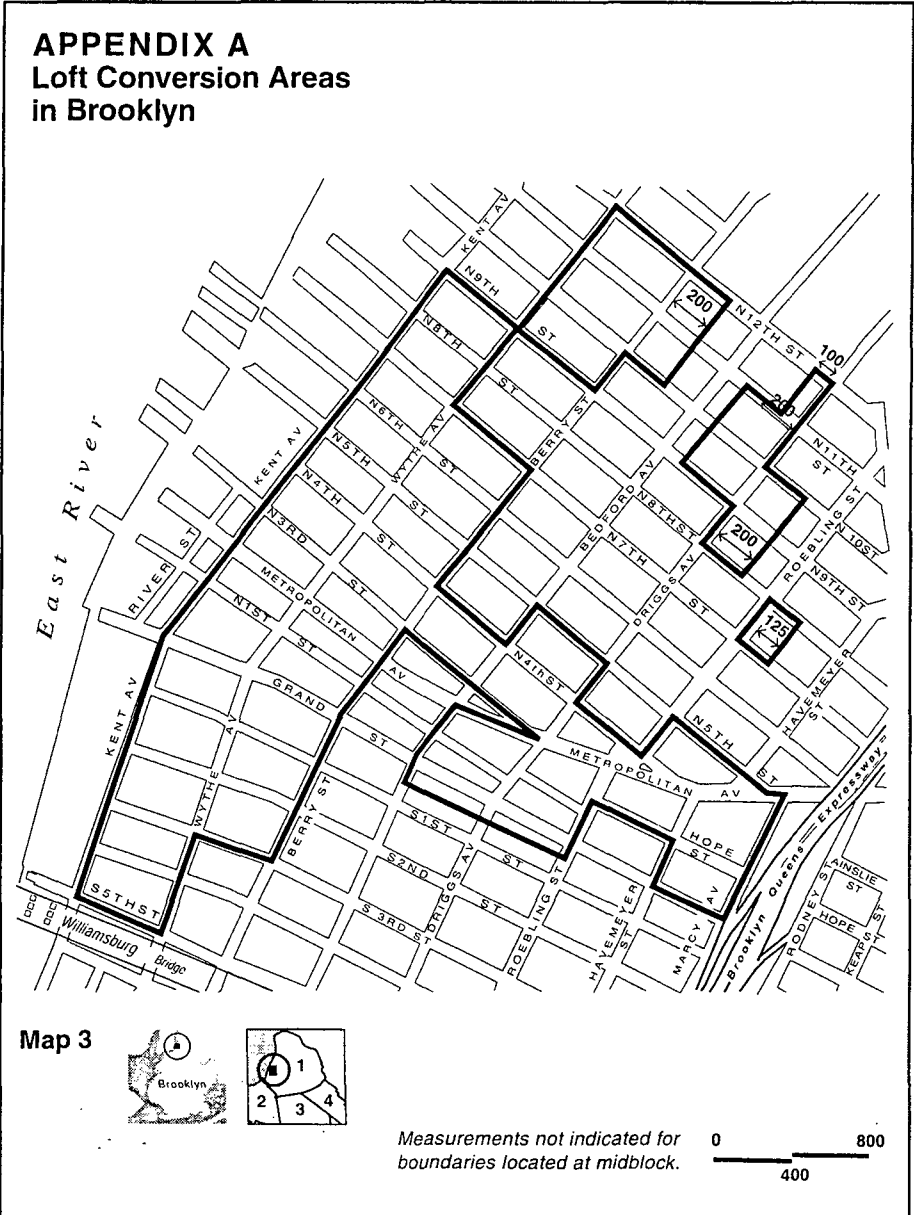
Map 2



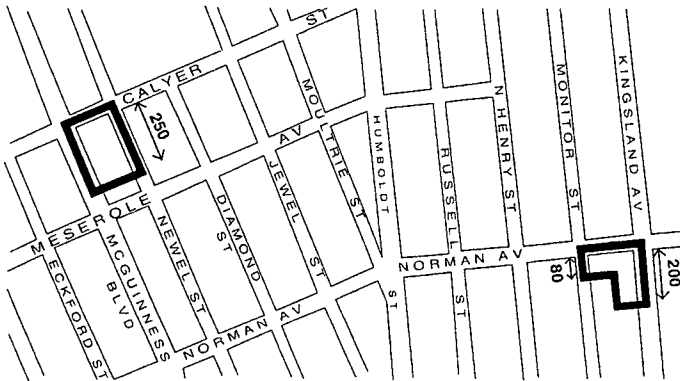
Measurements not indicated for boundaries located at midblock.



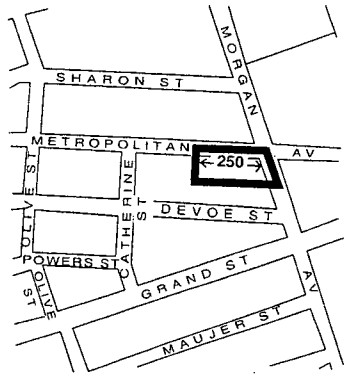
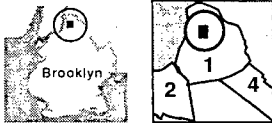
# APPENDIX A Loft Conversion Areas in Brooklyn



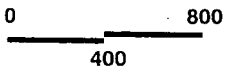
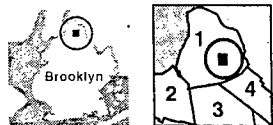
# APPENDIX A Loft Conversion Areas in Brooklyn



**Map 4**  
Corrected  
5/4/01

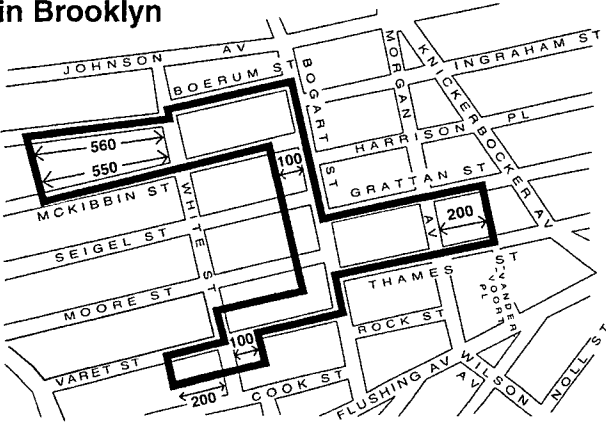


**Map 5**

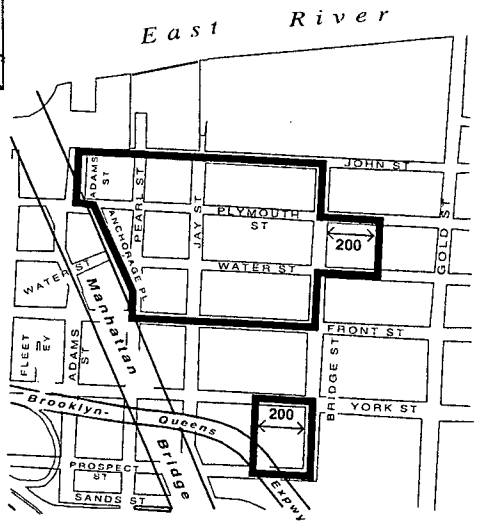
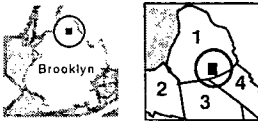


Measurements not indicated for  
boundaries located at midblock.

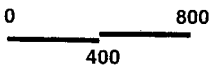
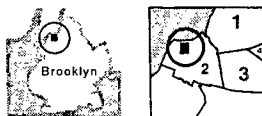
# APPENDIX A Loft Conversion Areas in Brooklyn



Map 6



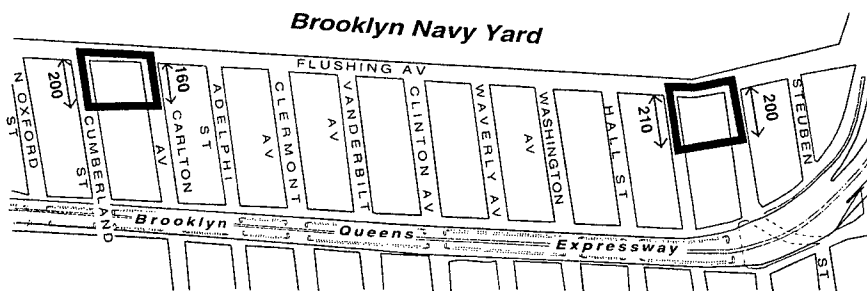
Map 7



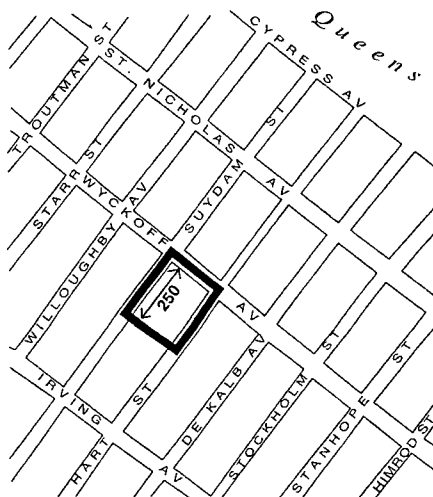
Measurements not indicated for boundaries located at midblock.

# APPENDIX A

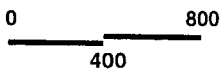
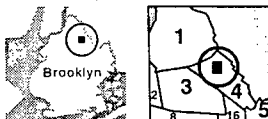
## Loft Conversion Areas in Brooklyn



Map 8



Map 9



Measurements not indicated for boundaries located at midblock.

**Resolution for adoption scheduling June 27, 2001 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**No. 3**

**CD 7**

**C 010200 ZSM**

**IN THE MATTER OF** an application submitted by Carol Management Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Sections 82-60, 13-562 and 74-52 of the Zoning Resolution to allow a below-grade attended public parking garage with a maximum capacity of 140 spaces at the northeasterly corner of Amsterdam Avenue and West 61<sup>st</sup> Street in the cellar and subcellar (Lot 30) of an existing building (Lot 1001-1226) located at 161 West 61<sup>st</sup> Street (Block 1132, Lots 30 and 1001-1226), in a C4-7 District, within the Special Lincoln Center District.**

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

**Resolution for adoption scheduling June 27, 2001 for a public hearing.**

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**Nos. 4, 5, and 6**

**(Proposed amendment to the Zoning Resolution to add two findings to the special permit text for a floor area bonus for the rehabilitation of existing listed theaters, the request for a special permit pursuant to said text, and the disposition of city-owned property in the Special Midtown District's Theater Subdistrict.)**

**No. 4**

**CDs 4 and 5**

**N 010459 ZRM**

**IN THE MATTER OF** an application submitted by Biltmore 47 Associates, LLC, pursuant to Section 201 of the New York City Charter **for amendment of the Zoning Resolution of the City of New York**, concerning Article VIII, Chapter 1 (Special Midtown District), adding findings to Section 81-745 **Floor area bonus for the rehabilitation of existing listed theaters**, as follows:

Matter in greytone is new, to be added;

Matter in ~~strikeout~~ is existing text, to be deleted;

\*\*\* indicates where unchanged text appears in the Resolution

\* \* \*

## 81-745

## Floor area bonus for rehabilitation of existing listed theaters

The Commission by special permit may authorize bonus #floor area# for substantial rehabilitation or restoration of any theater listed as a listed theater in Section 81-742 (~~Restriction on demolition of theaters~~) (Listed Theaters), in accordance with the provisions of this Section.

## (a) Conditions for rehabilitation bonus

As a condition for the issuance of a special permit under the provisions of this Section, the following requirements shall be satisfied:

## (1) Location of development

The #development# for which a theater rehabilitation bonus is granted shall be located on the same #zoning lot# as the listed theater.

## (2) Qualification of substantial rehabilitation

Substantial rehabilitation work qualifying for a #floor area# bonus shall consist of major interior structural changes for the purpose of improving a theater's design and its commercial viability for legitimate theater #use#, or historic restoration of the interior of a theater which has been designated as an interior landmark.

Substantial rehabilitation may include, without limitations, such work as expanding stage wings, re-raking the orchestra, increasing rehearsal, dressing room or lobby space, or historic restoration. It may also include reconversion to legitimate theater #use# of an original legitimate theater currently in other #use#. Substantial rehabilitation does not mean normal theater maintenance, painting or improvements to mechanical systems alone.

## (3) Timing and commitment

- (i) There shall be a contractual commitment or commitments for the construction work involved in the substantial rehabilitation;
- (ii) the requirements of Section 81-743 (Required assurances for continuance of legitimate theater use) shall be satisfied;
- (iii) a rehabilitation bonus shall not be granted for a substantial rehabilitation completed before May 13, 1982.

## (b) Amount of rehabilitation bonus

The amount of bonus #floor area# granted for a qualifying theater rehabilitation shall be at the discretion of the City Planning Commission after consideration of the following findings by the Commission:

- (1) how and to what extent the proposed rehabilitation will improve the theater's suitability for #use# as a legitimate theater;
- (2) how the proposed rehabilitation will contribute toward satisfying the needs of the Theater Subdistrict;
- (3) whether the bonus #floor area# will unduly increase the bulk of any new #development# or #enlargement#, density of population or intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area; and
- (4) whether the distribution and location of such #floor area# bonus will adversely affect the surrounding area by restricting light and air or otherwise impair the essential character or future #development# of the surrounding area.

Such bonus #floor area# shall not exceed 20 percent of the basic maximum #floor area# permitted on the development's #zoning lot# by the regulations of the underlying district, except that in the case of a C6-4, C6-5, or M1-6 underlying District, the bonus #floor area# shall not exceed 44 percent of the basic maximum #floor area# permitted in such underlying District.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas!

Resolution for adoption scheduling June 27, 2001 for a public hearing.

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No. 5

CD 5

C 010460 ZSM

**IN THE MATTER OF** an application submitted by Biltmore 47 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 81-745\* of the Zoning Resolution to permit bonus floor area for the substantial rehabilitation and restoration of the Biltmore Theater, which is designated as a "listed theater" pursuant to Section 81-742, to apply to a new 61-story mixed building which is to be constructed at the northeast corner of West 47<sup>th</sup> Street, and Eighth Avenue (Block 1019, Lots 1, 2, 3, 63 and 64), on a zoning lot generally bounded by West 47<sup>th</sup> Street, Eighth Avenue, and West 48<sup>th</sup> Street (Block 1019, Lots 1, 2, 3, 5, 8, 59, 60, 61, 63, and 64), within the Special Midtown District, Theater Subdistrict Core (TC) and Theater Subdistrict Eighth Avenue Corridor (TE), in C6-4 and C6-5 Districts.

\* Note: Section 81-745 of the Zoning Resolution is proposed to be amended under a related application for a text amendment (N 010459 ZRM).

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 June 27, 2001 for a public hearing.**

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No. 6

**CD 5**

**C 010585 PPM**

**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 disposition to the Economic Development Corporation of development rights from city-owned property located at 784/86 Eighth Avenue (Block 1019, Lot 61), pursuant to zoning.**

**Resolution for adoption scheduling June 27, 2001 for a public hearing.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 7**

**CD 3**

**C 010258 PPX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of a portion of one (1) city-owned property located at 445 East 163<sup>rd</sup> Street (Block 2385, Lot 1), pursuant to zoning.**

(On May 23, 2001, Cal. No. 1, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 8**

**CD 10**

**C 010252 PPX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of six (6) city-owned properties, pursuant to zoning.**

A list and description of the properties can be seen at the Bronx Office of the Department of City Planning, 1 Fordham Plaza -Room 502, Bronx, N.Y. 10458.

(On May 23, 2001, Cal. No. 2, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 9

CD 12

C 000569 PCX

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for site selection and acquisition of property located west of Bullard Avenue and south of East 241<sup>st</sup> Street** (Block 5064, part of Lots 78 and 85), **for use as a parking lot.**

(On May 23, 2001, Cal. No. 3, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**BOROUGH OF MANHATTAN**

No. 10

CD 2

C 010304 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by Cooper Square Associates Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant Section 74-781 of the Zoning Resolution to permit the modification of the use regulations of Section 42-14D(2)(b) to allow retail uses (Use Group 6) on the ground floor and in the cellar of an existing 6-story building located at 32 Cooper Square** (Block 544, Lot 38), in an M1-5B District, within the NoHo 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 May 23, 2001, Cal. No. 4, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 11

CD 1

C 010107 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Founders Albatross Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit pursuant to Section 111-50 of the Zoning Resolution to permit the modification of the use provisions of Section 111-101 to allow a loft dwelling unit on the ground floor of an existing seven-story building with Interim Multiple Dwelling units on floors two through six, located at 430 Greenwich Street (Block 218, Lot 9), within the Tribeca West Historic District, in Area B2 of the Special Tribeca Mixed Use District (TMU), in an M1-5 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 May 23, 2001, Cal. No. 5, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 12

CD 5

C 010023 ZSM

**CONTINUED PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by 1029 Sixth, LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of special permit pursuant to Sections 13-562, 74-52 and 81-13 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 408 spaces on portions of the ground floor, second floor, third floor, sub-cellar and second sub-cellar of a proposed building at 1029 Avenue of the Americas (Block 814, Lots 30, 34, 35 and 45), in a C5-3 District, within 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, N.Y. 10007.

(On May 9, 2001, Cal. No. 2, the Commission scheduled May 23, 2001 for a public hearing which has been duly advertised. On May 23, 2001, Cal. No. 8, the hearing was continued.)

**Close the hearing.**

---

**BOROUGH OF STATEN ISLAND**

No. 13

CD 3

C 990066 PPR

**PUBLIC HEARING:**

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

<u>Block</u>	<u>Lot</u>	<u>Address</u>
4645	32	Amboy Road
4470	148	Clarke Avenue

(On May 23, 2001, Cal. No. 6, the Commission scheduled June 13, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**III. REPORTS**

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**BOROUGH OF THE BRONX**

**No. 14**

**CD 4**

**C 010346 HAX**

**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 1454, 1458 & 1460 Shakespeare Avenue (Block 2872, Lots 111, 116 and 117), 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 1454 & 1458 Shakespeare Avenue (Block 2872, Lots 111 & 116 ) to a developer selected by HPD;

to facilitate construction of a six story building, tentatively known as Shakespeare Senior Housing, with 78 units of housing for low income elderly, plus one superintendent's unit, to be developed under the federal Section 202 Supportive Housing Program for the Elderly.

(On April 25, 2001, Cal. No. 1, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 4, the hearing was closed.)

**For consideration.**

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## No. 15

CD 8

C 010163 ZSX

**IN THE MATTER OF** an application submitted by The Riverdale Country School, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit and authorizations pursuant to the following sections of the Zoning Resolution:**

1. **Section 105-433: a special permit to allow the alteration of steep slopes, the removal of rock outcrops, and the alteration of aquatic features;**
2. **Section 105-421: an authorization to allow the modification of the existing natural topography;**
3. **Section 105-423: an authorization to allow the removal of 121 trees of six inches or more caliper; and**
4. **Section 105-45: a certification regarding compliance with the Special Review Provisions;**

**to facilitate the enlargement of an existing athletic field, the construction of a new athletic field, the demolition of an existing building, the construction of a new classroom building, the relocation of an existing building, and the reconfiguration of the internal vehicular and pedestrian circulation system in connection with the expansion of a school campus on property generally bounded by Fieldston Road, West 253<sup>rd</sup> Street, Post Road, West 252<sup>nd</sup> Street, and a line approximately 315 feet northeasterly of West 250<sup>th</sup> Street (Block 5817, part of Lot 1788, Block 5828, part of Lots 3527 and 3547, Block 5836, Lots 3262, 3268, part of Lots 3127, 3266, and 3101), in R1-2 and R4 Districts, within the Special Natural Area District (NA-2).**

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 April 25, 2001, Cal. No. 4, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 7, the hearing was closed.)

**For consideration.**

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 No. 16

CD 8

C 000560 PCX

**IN THE MATTER OF** an application by the New York Public Library and the Department of Citwide Administrative Services, pursuant to Section 197-c of the New York City Charter for **site selection and acquisition of property located at 285 West 231<sup>st</sup> Street (Block 5713, p/o Lot 120), for use as a public library.**

(On April 25, 2001, Cal. No. 5, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 8, the hearing was closed.)

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 17**

**CD 4**

**C 010197 PQK**

**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 272 Moffat Street (Block 3448, Lot 15), for continued use as a day care center.**

(On April 25, 2001, Cal. No. 6, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 9, the hearing was closed.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**No. 18**

**CD 7**

**C 000550 ZSM**

**IN THE MATTER OF an application** submitted by Town Sports International pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to permit modification of the regulations of Sections 12-10 (Physical culture or health establishments) and 22-10 (USES PERMITTED AS-OF-RIGHT) to allow the extension of an existing commercial health establishment in portions of the basement and cellar of an existing building located at 23 West 73<sup>rd</sup> Street (Block 1126, Lot 14), within the Central Park West - West 73<sup>rd</sup>-74th Street Historic District and the Upper West Side-Central Park West Historic District, in an R8B 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 April 11, 2001, Cal. No. 2, the Commission scheduled April 25, 2001 for a public hearing. On April 25, 2001, Cal. No. 12, the hearing was closed.)

**For consideration.**

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**No. 19**

**CD 1**

**C 000107 PCM**

**IN THE MATTER OF an application** by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter **for site selection and acquisition of property located at the Holland Tunnel Rotary** (Block 213 p/o Lot 1), **for construction of a water tunnel** (Shaft 29B) for City Water Tunnel No. 3.

(On April 25, 2001, Cal. No. 7, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 10, the hearing was closed.)

**For consideration.**

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**No. 20**

**CD 2**

**C 000282 ZSM**

**IN THE MATTER OF an application** submitted by 14-16 Wooster Street Owners Corp. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to permit the modification of the use regulations of Section 42-14D(2)(b) to allow Use Group 6 uses (retail) below the floor level of the second story of an existing 7-story building located at 14-16 Wooster Street** (Block 229, Lot 13), within the SoHo-Cast Iron Historic District, in an M1-5B 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 April 25, 2001, Cal. No. 8, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 11, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND****No. 21****CD 3****C 010104 PCR**

**IN THE MATTER OF an application** by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter **for site selection and acquisition of the following properties:**

(Block 6573, Lots 61 & 63) located on the northerly side of Capellan Street, and the westerly side of Tuckahoe Avenue;

(Block 5227, Lot 35) located on the northwesterly side of Ramblewood Avenue and the northerly side of Oakdale Street;

(Block 6810, Lot 99) located on the easterly side of Sharrot Avenue, and the northerly side of Latourette Street;

(Block 6901, Lot 275) located on the northerly side of Amboy Road, south of Wheeling Avenue (record street), and east of Scudder Avenue, with a portion in the bed of Scudder Avenue;

(Block 6944, Lots 4, 30, p/o 40, p/o 71, p/o 165) located on the northerly side of Amboy Road, the easterly side of Maguire Avenue, the westerly side of Terrace Avenue, and the southerly side of Albourne Avenue, and partially in the bed of Albourne Avenue, a record street;

(Block 6276, Lot 52) located on the southerly side of Detroit Avenue, east of Belfield Avenue, and the northwesterly side of North Railroad Street;

(Block 6268, Lot 1) located on the southeasterly side of Stafford Avenue, the northwesterly side of Belfield Avenue, and the northwesterly side of Sinclair Avenue;

(Block 5697, Lot 7, p/o Lot 37, p/o Lot 40) located on the northerly side of Carlton Blvd., the westerly side of Detroit Avenue, the easterly side of Edgegrove Avenue, and the southerly side of Grantwood Avenue;

(Block 8007, Lots 12 and 43) located on the southerly side of the SIRT the westerly side of Richmond Valley Road, the northwesterly side of Amboy Road; and the bed of Ionia Avenue, south of Arden Avenue for 440 feet; **for the storage and conveyance of storm water.**

(On April 25, 2001, Cal. No. 10, the Commission scheduled May 9, 2001 for a public hearing. On May 9, 2001, Cal. No. 13, the hearing was closed.)

**For consideration.**

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## No. 22

CD 2

N 010037 ZAR

**IN THE MATTER OF** an application submitted by Venture Realty LLC **for the grant of authorizations** pursuant to sections 105-421 and 105-423 of the Zoning Resolution involving the modification of existing topography and the alteration of botanic environments including removal of trees **to allow for the construction of a two story one-family residence located at 373 Ocean Terrace (Block 687, Lot 35) within the Special Natural Area District (NA-1).**

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6<sup>th</sup> Floor, Staten Island, New York 10301.

**For consideration.**

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 CITYWIDE

## Nos. 23 and 24

*(Applications for a Zoning Text Amendment and for an Amendment of the Zoning Map for the Proposed Unified Bulk Program)*

## No. 23

CITYWIDE

N 000244(B1) ZRY

An application, number N000244(B1)ZRY, filed by the Department of City Planning on behalf of the City Planning Commission containing portions of the Unified Bulk Program included in application number N000244ZRY, the modified application number N000244(A)ZRY and/or the modified application number N000244(B)ZRY which were the subject of Public Hearings held on April 25, 2000, May 23, 2000 and/or January 31, 2001. These portions of the Unified Bulk Program include:

- the proposed unified regulations for residential density. This proposed control, as contained in the original application (number N000244ZRY) would regulate the maximum number of dwelling units permitted on a zoning lot. The maximum residential floor area permitted on a zoning lot would be divided by a factor, varying by district, to determine the maximum permitted number of dwelling units on that lot. Other methods of regulating density, including limitations on "zoning rooms" rather than dwelling units, special requirements for conversions of non-residential buildings that exceed the floor area ratio permitted in the underlying zoning district, and lot area set asides in buildings that contain community facility or commercial as well as residential use, would be eliminated.

While the proposed density control would work in the same manner as described in the original application, there are certain technical differences in the drafting of the revised density regulations, because this alternative maintains existing height

factors and open space ratios in R6, R7 and R8 districts, existing floor area ratios and the existing separation between the Quality Housing optional regulations and the 1961 "height factor" regulations. The floor area ratio applied to the divisor (maximum residential floor area permitted on the zoning lot) would be, in R6 districts within 100 feet of a wide street, 2.43 for "height factor" developments and Quality Housing developments within the Manhattan Core; and 3.0 for Quality Housing developments outside the Manhattan Core. In R6 districts beyond 100 feet of a wide street, the floor area ratio applied to the divisor would be 2.2 for both Quality Housing and "height factor" developments, except that for "height factor" developments with a permitted FAR greater than 2.2, the actual permitted FAR would be used, up to the maximum of 2.43. In R7 districts within 100 feet of a wide street, the floor area ratio applied to the divisor would be 3.44, except for Quality Housing developments outside the Manhattan Core, for which it would be 4.0. Beyond 100 feet of a wide street, it would be 3.44 in all cases. In R8 districts within 100 feet of a wide street, the floor area ratio applied to the divisor would be 6.02, except for Quality Housing developments outside the Manhattan Core, for which it would be 7.2. Beyond 100 feet of a wide street, it would be 6.02 in all cases.

In conjunction with this change, the amount of community facility floor area permitted in buildings containing residential use in R3-2, R4, R5, R5B, R6 and R7-1 districts would be limited as described in the original application. This would maintain the effect of the current lot area set-aside controls in controlling the amount of community facility floor area in such buildings, but in a more straightforward and comprehensible manner.

Additionally, density would be allocated to portions of a split lot in accordance with the method contained in the original application (number N000244ZRY);

- the proposed special permit for the elimination or reduction in size of a bonused public amenity as contained in the original application (number N000244ZRY);
- the proposed certification for a reduction in non-bonused open areas on zoning lots with bonused public amenities as contained in the original application (number N000244ZRY);
- the proposed unified balcony regulations, as contained in the original application (number N000244ZRY) and modified in application number N000244(A)ZRY;
- the proposed C5-2A district and the elimination of the existing C5-2A district as contained in the original application (number N000244ZRY). The proposed C5-2A district would be similar to the existing C4-7A and C6-4A districts, except that uses would be limited to those permitted in a C5 district;
- the proposed modifications of the Special Midtown District requiring street walls on narrow streets, and the elimination of the plaza bonus for zoning lots fronting on wide streets in C5-2.5 districts as contained in the modified application number N000244(A)ZRY. (The area now zoned C5-2A is proposed to be rezoned C5-2.5/Special Midtown District in the related Zoning Map Change application number C010199ZMY.); and

- the Special Downtown Brooklyn District contained in the second modified application (number N000244(B)ZRY), with the following modifications:
  - there would be no height limit in any non-contextual districts (those without an A, B or X letter suffix, but including C6-1A) mapped within the Special Downtown Brooklyn District, except as described below for C6-1 districts. This would be consistent with the provisions of the underlying districts, which are not proposed to be modified as part of this application;
  - the height and setback regulations for C5-4, C6-1 and C6-4 districts would be modified. For buildings utilizing the tower alternative, there would be no height limits in C5-4 and C6-4 districts. The 495 foot height limit proposed in the original application would apply to C6-1 districts in the special district. In C5-4, C6-1 and C6-4 districts, residential buildings that utilize the tower alternative would not be required to be developed with a contextual base, consistent with the current underlying regulations. However, a contextual building base would be required along those streets which required it in the modified application. This application also proposes to eliminate the current tower encroachment provisions applying to commercial and community facility buildings in commercial districts for any tower with a floorplate of 15,000 square feet or less which was included in the modified application number N000244(B)ZRY. For buildings that do not utilize the tower alternative, the regulations would be identical to those included in the modified application except that the Quality Housing Program, which was eliminated in the original application, would continue to apply as an alternative for residential buildings. The height and setback regulations for C5-4, C6-1 and C6-4 districts would be written into the special district text since the use of cross-references to generic districts would no longer be feasible;
  - four blocks, bounded by Schermerhorn and Livingston Streets, Smith Street and Third Avenue, which were added to this area in the modified application, would be deleted from the Schermerhorn Street Height Limitation Area. Rather, these blocks would be subject to the special regulations for C6-1 districts, with a height limit of 495 feet, as in the original application;
  - within the Schermerhorn Street Height Limitation Area, the eastern block frontage of Smith Street between Schermerhorn and State Streets would be in Area A, with a height limit of 210 feet, as in the original application, rather than in Area B, with a height limit of 140 feet, as in the modified application;
  - within C6-1 districts, height factors and open space ratios would not apply in determining floor area ratios and lot coverage for non-Quality Housing residential buildings. Instead the coverage requirements of the Schermerhorn Street Height Limitation Area specified in the original application would apply;

- the bulkhead modifications included in the original application would apply in the special district; and
- all existing bonus provisions would apply for residential, commercial and community facility buildings in C6-1 and C6-2 districts mapped within the Special Downtown Brooklyn district. This would be consistent with the provisions of the underlying districts, which are not proposed to be modified in this application. The bonuses would be inapplicable in Area B of the Schermerhorn Street Height Limitation Area.

(On the following dates, the Commission held public hearings on: April 25, 2000, Cal. No. 1, N 000224 ZRY; May 23, 2000, Cal. Nos. 3, N 000244 ZRY and Cal. No. 4, N 000244(A) ZRY; and, January 31, 2001, Cal. Nos. 20, N 000244(B) ZRY, Cal. No. 21, N 000244 ZRY, and Cal. No. 22, N 000244(A) ZRY. The hearings were closed.)

**For consideration.**

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**No. 24**

**CD 2 Brooklyn  
CD 5 & 6 Manhattan**

**C 010199 ZMY**

**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 relating to:**

- Section Nos. 12d and 16c in Brooklyn:**
  - changing from a C5-2 District to a C5-2A District property bounded by Pierrepont Street, a line 100 feet westerly of Clinton Street, Livingston Street, a line perpendicular to the northerly street line of Livingston Street distant 218 feet westerly from the intersection of the northerly street line of Livingston Street and the westerly street line of Boerum Place, Joralemon Street, Court Street, Montague Street, and a line 100 feet westerly of Cadman Plaza West;
  - changing from a C6-4 District to a C5-2A District property bounded by Joralemon Street, a line perpendicular to the northerly street line of Livingston Street distant 218 feet westerly from the intersection of the northerly street line of Livingston Street and the westerly street line of Boerum Place, Livingston Street, and Boerum Place;
  - changing from a C6-1 District to a C6-2A District property bounded by Livingston Street, a line 100 feet westerly of Court Street, Atlantic Avenue, and Smith Street;

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

Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, and 3<sup>rd</sup> Avenue;

- l. establishing within a proposed R7A District a C2-4 District bounded by a line midway between State Street and Atlantic Avenue, a line 130 feet southeasterly of Smith Street, Atlantic Avenue, 3<sup>rd</sup> Avenue, Dean Street, a line 100 feet southeasterly of 3<sup>rd</sup> Avenue, Pacific Street, a line 400 feet northwesterly of 4<sup>th</sup> Avenue, Atlantic Avenue, Flatbush Avenue, State Street, and a line 240 feet northwesterly of 4<sup>th</sup> Avenue;
- m. eliminating a Special Fulton Mall District (FM) bounded by a line 100 feet north of DeKalb Avenue, a line 100 feet northerly of Fulton Street, the southerly street line of Willoughby Street, the easterly street line of Boerum Place, a line 100 feet southerly of Fulton Street, the northwesterly street line of Nevins Street, and the westerly street line of Flatbush Avenue;
- n. eliminating a Special Atlantic Avenue District (AA) bounded by Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line midway between Atlantic Avenue and Pacific Street, 3<sup>rd</sup> Avenue, Pacific Street, a line 100 feet easterly of 3<sup>rd</sup> Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 200 feet westerly of 4<sup>th</sup> Avenue, Atlantic Avenue, the westerly street line of 4<sup>th</sup> Avenue, the westerly street line of Flatbush Avenue, the southerly street line of State Street, a line 240 feet westerly of 4<sup>th</sup> Avenue, a line midway between State Street and Atlantic Avenue, a line 25 feet easterly of Hoyt Street, State Street, a line 75 feet westerly of Hoyt Street, a line midway between State Street and Atlantic Avenue, and a line 130 feet easterly of Smith Street; and
- o. establishing a Special Downtown Brooklyn District (DB) bounded by Tillary Street, Clinton Street, a line 280 feet southerly of Clark Street, a line 100 feet westerly of Clinton Street, Livingston Street, a line 100 feet westerly of Court Street, Atlantic Avenue, Court Street, Pacific Street, a line 75 feet easterly of Court Street, a line bisecting an angle formed by the northwesterly prolongations of the southwesterly street line of Atlantic Avenue and the northeasterly street line of Pacific Street, a line midway between Atlantic Avenue and Pacific Street, 3<sup>rd</sup> Avenue, Pacific Street, a line 100 feet southeasterly of 3<sup>rd</sup> Avenue, a line midway between Atlantic Avenue and Pacific Street, 4<sup>th</sup> Avenue, Pacific Street, 5<sup>th</sup> Avenue, Atlantic Avenue, S. Portland Avenue, Academy Park Place, S. Elliott Place, Hanson Place, St. Felix Street, Fulton Street, Ashland Place, DeKalb Avenue, the northerly centerline prolongation of Hudson Avenue, a line 230 feet northerly of DeKalb Avenue, the easterly street line of former University Plaza and its northerly prolongation, Willoughby Street, Fleet Place, Fair Street, and Prince Street;

as shown on a diagram (for illustrative purposes only) dated January 8, 2001 and subject to the conditions of CEQR Declaration E-97;

**2. Section Nos. 8c and 8d in Manhattan:**

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

as shown on a diagram (for illustrative purposes only) dated January 8, 2001; and

**3. Section No. 8d in Manhattan:**

- a. changing from a C5-2 District to a C5-2A District property bounded by East 38<sup>th</sup> Street, Madison Avenue, East 35<sup>th</sup> Street, a line 100 feet easterly of Madison Avenue, a line midway between East 34<sup>th</sup> Street and East 35<sup>th</sup> Street, a line 100 feet westerly of Park Avenue, East 32<sup>nd</sup> Street, a line 100 feet westerly of Park Avenue South, East 27<sup>th</sup> Street, Madison Avenue and its southerly prolongation, East 23<sup>rd</sup> Street, West 23<sup>rd</sup> Street, a line 100 feet westerly of Broadway, West 26<sup>th</sup> Street, a line 100 feet westerly of Fifth Avenue, West 33<sup>rd</sup> Street, Fifth Avenue, East 34<sup>th</sup> Street, and a line 100 feet easterly of Fifth Avenue;
- b. changing from a C6-4 District to a C6-4A District property bounded by West 33<sup>rd</sup> Street, a line 100 feet westerly of Fifth Avenue, West 31<sup>st</sup> Street, and a line 200 feet easterly of Broadway; and
- c. changing from a C6-4M District to a C6-4A District property bounded by East 23<sup>rd</sup> Street, Park Avenue South, East 22<sup>nd</sup> Street, and Broadway,

as shown on a diagram (for illustrative purposes only) dated January 8, 2001.

(On April 11, 2001, Cal. No. 7, the Commission scheduled April 25, 2001 for a public hearing. On April 25, 2001, Cal. No. 21, the hearing was closed.)

**For consideration.**

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IV. CITY PLANNING COMMISSION 2001 SCHEDULE OF MEETINGS  
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
JULY	1	2	3	4 INDEPENDENCE DAY	5	6	7	*Public Meeting will be held in Spector Hall at 22 Reade Street on Wednesday, July 11th.
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14	
	15	16	17	18	19	20	21	
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28	
	29	30	31					
AUGUST				1	2	3	4	
	5	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11	
	12	13	14	15	16	17	18	
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25	
	26	27	28	29	30	31		
SEPTEMBER							1	*Review Session will be held on Tuesday, Sept. 4th only if needed.  ***Public Meeting will be held in Spector Hall at 22 Reade St. on Wednesday, Sept. 12th.  ***Public Meeting at City Hall will be held on Tuesday, September 25th.
	2	3 LABOR DAY	4 *REVIEW SESSION	5	6	7	8	
	9	10 REVIEW SESSION	11	12 **CPC PUBLIC MEETING	13	14	15	
	16	17	18 ROSH HASHANAH	19	20	21	22	
	23 30	24 REVIEW SESSION	25 ***CPC PUBLIC MEETING	26	27 YOM KIPPUR	28	29	
OCTOBER		1	2	3	4	5	6	*Review Session will be held on Tuesday, October 9th.
	7	8 *COLUMBUS DAY OBSERVED	9 *REVIEW SESSION	10 CPC PUBLIC MEETING	11	12	13	
	14	15	16	17	18	19	20	
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27	
28	29	30	31					
NOVEMBER					1	2	3	
	4	5 REVIEW SESSION	6 ELECTION DAY	7 CPC PUBLIC MEETING	8	9	10	
	11	12	13	14	15	16	17	
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22 THANKSGIVING	23	24	
	25	26	27	28	29	30		
DECEMBER							1	*Public Meetings will be held in Spector Hall at 22 Reade Street on both Wednesday, December 5th and Wednesday, December 19th.
	2	3 REVIEW SESSION	4	5 *CPC PUBLIC MEETING	6	7	8	
	9	10 HANUKKAH	11	12	13	14	15	
	16	17 REVIEW SESSION	18	19 *CPC PUBLIC MEETING	20	21	22	
	30	31	24 CHRISTMAS	25	26	27	28	

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.

Public meetings are held on the second floor of City Hall in Room 16 (former Board of Estimate Chambers) starting at 10:00 A.M. except on July 11th, September 12th, December 5th and December 19th when they'll be held in Spector Hall at 22 Reade Street.