

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 11, 2001
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, N. Y. 10007**

**Rosa R. Romero, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	C 980160 ZSX	3	Scheduled to be Heard 7/25/01	19	C 010484 ZSK	14	Hearing Closed
2	C 010506 PQX	6	" "	20	C 010486 ZSK	14	" "
3	C 010381 PPM	6	" "	21	C 010139 PPK	5	" "
4	C 010382 ZMM	6	" "	22	N 010711 PXK	5	" "
5	C 010652 ZMM	5	" "	23	C 000413 MMM	1	" "
6	N 010653 ZRM	5	" "	24	C 010524 HAM	11	" "
7	C 010643 MCM	11	" "	25	N 010629 ZRM	1	" "
8	C 010622 PPQ	7	" "	26	N 010710 PXQ	12	" "
9	C 010621 PCQ	7	" "	27	C 010258 PPX	3	Favorable Report Adopted
10	C 010504 MMQ	7	" "	28	C 010252 PPX	10	" "
11	C 990291 PPR	1	" "	29	C 000569 PCX	12	" "
12	C 000535 ZSX	10	Hearing Closed	30	C 970578 ZMX	7	" "
13	C 010394 PSX	9	" "	31	C 010304 ZSM	2	" "
14	C 990141 MMX	7, 12	" "	32	C 990066 PPR	3	" "
15	C 010551 HAX	1	" "	33	N 010299 ZAR	2	Authorization Approved
16	C 000023 ZSK	3	" "	34	N 990063 ZCR	2	Certification Approved
17	C 010026 MMK	14	" "		N 990064 ZAR	2	Authorization Approved
18	C010483 ZMK	14	" "				

COMMISSION ATTENDANCE:		Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:			27	28	29	30	31	32	33	34						
Joseph B. Rose, Chairman	P		Y	Y	Y	Y	Y	Y	Y	Y						
Albert Abney	P		Y	Y	Y	Y	Y	Y	Y	Y						
Angela M. Battaglia	P		Y	Y	Y	Y	Y	Y	Y	Y						
Amanda M. Burden, A.I.C.P.	P		Y	Y	Y	Y	Y	Y	Y	Y						
Irwin Cantor, P.E.	P		Y	Y	Y	Y	Y	Y	Y	Y						
Angela R. Cavaluzzi, R.A.	P		Y	Y	Y	Y	Y	Y	Y	Y						
Kathy Hirata Chin, Esq.	P		Y	Y	Y	Y	Y	Y	Y	Y						
Alexander Garvin	P		Y	Y	Y	Y	Y	Y	Y	Y						
Marilyn G. Gelber	P		Y	Y	Y	Y	Y	Y	Y	Y						
William J. Grinker	A															
Kenneth J. Knuckles, Esq.	P		Y	Y	Y	Y	Y	Y	Y	Y						
John Merolo, Commissioners	P		Y	Y	Y	Y	Y	Y	Y	Y						

MEETING ADJOURNED AT: 12:30 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 11, 2001

MEETING AT 10:00 A.M.
SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK



Rudolph W. Giuliani, Mayor

City of New York

[No. 13]

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**

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

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

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

CALENDARS: Any 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

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.

ORDER OF BUSINESS AND INDEX

WEDNESDAY, JULY 11, 2001

Roll Call; approval of minutes	1
I. Scheduling of July 25, 2001	1
II. Public Hearings	39
III. Reports	56

**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 July 25, 2001 at City Hall, Manhattan, New York at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

JULY 11, 2001

APPROVAL OF MINUTES OF Regular Meeting of June 27, 2001

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JULY 25, 2001
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 3

C 980160 ZSX

IN THE MATTER OF an application submitted by the Nazareth Baptist Church pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant Section 74-921 of the Zoning Resolution to allow a church (Use Group 4A) to occupy an existing 1-story building located at 490 East 165th Street (Block 2369, Lots 18 and 20), in an M1-1 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.

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 2

CD 6

C 010506 PQX

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 1997 Bathgate Avenue (Block 3044, Lot 24), for continued use as a day care center.**

Resolution for adoption scheduling July 25, 2001 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 3 and 4

(Applications for the disposition of city-owned property, and an amendment of the Zoning Map to facilitate the development of a park and community environmental center)

No. 3

CD 6

C 010381 PPM

IN THE MATTER OF an application submitted by the Department of Business 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 city-owned property located within Marginal Street, Wharf or Place at the East River between E. 20th and E. 23rd streets, pursuant to zoning.**

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 4

CD 6

C 010382 ZMM

IN THE MATTER OF an application submitted by the Department of Business Services and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of Zoning Map, Section No. 12c, changing from an M2-3 District to an M1-1 District property bounded by a line 100 feet southerly of the easterly prolongation of the southerly street line of East 25th Street, the U.S. Pierhead**

Line of the East River, the U.S. Pierhead and Bulkhead Line of the East River, East 15th Street and its easterly prolongation, the westerly street line of Franklin D. Roosevelt Drive, the northerly prolongation of the easterly boundary line of John J. Murphy Park, and the centerline of the elevated portions of Franklin D. Roosevelt Drive located within Franklin D. Roosevelt Drive, Marginal Street, Wharf or Place and Franklin D. Roosevelt Drive, as shown on a diagram (for illustrative purposes only) dated April 10, 2001.

Resolution for adoption scheduling July 25, 2001 for a public hearing.

Nos. 5 and 6

(Applications for a Map Amendment and zoning text change to expand the Special Midtown District and to establish a Penn Center Subdistrict within it)

No. 5

CD 5

C 010652 ZMM

IN THE MATTER OF an application submitted by Vornado Development pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 8d:**

- 1) changing from a C6-4M District to a C6-4 District property bounded by a line midway between West 34th Street and West 35th Street, Seventh Avenue, West 34th Street, and a line 100 feet westerly of Seventh Avenue; and
- 2) establishing a Special Midtown District bounded by;
 - a) a line midway between West 34th Street and West 35th Street, **a line 100 feet easterly of Seventh Avenue, West 34th Street, and a line 100 feet westerly of Seventh Avenue;**
 - b) West 34th Street, a line 200 feet westerly of Seventh Avenue, West 33rd Street, and Eighth Avenue; and
 - c) West 33rd Street, Seventh Avenue, West 31st Street, and a line 100 feet westerly of Seventh Avenue,

as shown on a diagram (for illustrative purposes only) dated May 21, 2001.

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 6

CD 5

N 010653 ZRM

IN THE MATTER OF an application submitted by Vornado Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Article VIII, Chapter 1 (Special Midtown District) concerning the establishment of the Penn Center Subdistrict, and use, bulk, and special signage regulations.

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

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

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

... indicate unchanged text omitted within a paragraph;

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

* * *

8/6/98

Article VIII - Special Purpose Districts

Chapter 1

Special Midtown District

Table of Contents

GENERAL PURPOSES	81-00
Definitions	81-01
General Provisions	81-02
District Plan	81-03
Subdistricts	81-04
Applicability of Certain Amendments.....	81-05
Applicability of Article VII Provisions	81-06
USE REGULATIONS	81-10
Modifications of Use Regulations in Subdistricts	81-11

Special Retail Continuity Requirements	81-12
Special Permit Use Modifications	81-13
Modification of Sign and Frontage Regulations in the Fifth Avenue Subdistrict ..	81-14
BULK REGULATIONS	81-20
Floor Area Ratio Regulations	81-21
As-of-Right Floor Area Bonuses.....	81-22
Floor Area Bonus for Urban Plazas	81-23
Floor Area, Density and Building Spacing Regulations for Residential Uses	81-24
General Provisions Relating to Height and Setback of Buildings	81-25
Height and Setback Regulations - Daylight Compensation	81-26
Alternate Height and Setback Regulations - Daylight Evaluation	81-27
Minimum Distance Between Buildings	81-28
<u>Incentives by Special Permit for Provisions of Public Amenities.....</u>	<u>81-29</u>
OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS	81-30
General Provisions	81-31
MANDATORY DISTRICT PLAN ELEMENTS	81-40
General Provisions	81-41
Retail Continuity Along Designated Streets	81-42
Street Wall Continuity Along Designated Streets	81-43
Curb Cut Restrictions	81-44
Pedestrian Circulation Space	81-45
Off-Street Relocation or Renovation of a Subway Stair ..	81-46
Major Building Entrances	81-47
Off-Street Improvement of Access to Rail Mass Transit Facility.....	81-48
INCENTIVES BY SPECIAL PERMIT FOR PROVISIONS OF PUBLIC AMENITIES	81-50
General Provisions and Procedures	81-51
<u>SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT ..</u>	<u>81-50</u>
<u>General Provisions.....</u>	<u>81-51</u>

<u>Special Sign Regulations.....</u>	<u>81-52</u>
<u>Special Bulk and Urban Design Regulations.....</u>	<u>81-53</u>
<u>Floor Area Bonus in the Penn Center Subdistrict.....</u>	<u>81-54</u>
SPECIAL REGULATIONS FOR THE GRAND CENTRAL SUBDISTRICT	81-60
General Provisions	81-61
Special Bulk and Urban Design Requirements	81-62
Transfer of Development Rights from Landmark Sites ...	81-63
SPECIAL REGULATIONS FOR THEATER SUBDISTRICT	81-70
General Provisions	81-71
Use Regulations Modified	81-72
Special Signs and Regulations	81-73
Special Incentives and Controls in the Theater Subdistrict	81-74
Special Street Wall and Setback Requirements.....	81-75
SPECIAL REGULATIONS FOR FIFTH AVENUE SUBDISTRICT	81-80
General Provisions	81-81
Special Regulations on Permitted and Required Uses ...	81-82
Special Street Wall Requirements	81-83
Mandatory Regulations and Prohibitions	81-84
SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT	81-90
APPENDIX A - District Maps (1 to 4)	
- Daylight Evaluation Charts (1 to 3)	

1/25/90

Chapter 1
Special Midtown District

8/6/98

81-00
GENERAL PURPOSES

The "Special Midtown District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others,

the following specific purposes:

- (a) to strengthen the business core of Midtown Manhattan by improving the working and living environments;
- (b) to stabilize development in Midtown Manhattan and provide direction and incentives for further growth where appropriate;
- (c) to control the impact of buildings on the access of light and air to the streets and avenues of Midtown;
- (d) to link future Midtown growth and development to improved pedestrian circulation, improved pedestrian access to rapid transit facilities, and avoidance of conflicts with vehicular traffic;
- (e) to preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the quality that makes Midtown vital;
- (f) to continue the historic pattern of relatively low building bulk in midblock locations compared to avenue frontages;
- (g) to improve the quality of new development in Midtown by fostering the provision of specified public amenities in appropriate locations;
- (h) to preserve, protect and enhance the character of the Theater Subdistrict as the location of the world's foremost concentration of legitimate theaters and an area of diverse uses of a primarily entertainment and entertainment-related nature;
- (i) to strengthen and enhance the character of the Eighth Avenue Corridor and its relationship with the rest of the Theater Subdistrict and with the Special Clinton District;
- (j) to create and provide a transition between the Theater Subdistrict and the lower-scale Clinton community to the west;
- (k) to preserve, protect and enhance the scale and character of Times Square, the heart of New York City's entertainment district, and the Core of the Theater Subdistrict, which are characterized by a unique combination of building scale, large illuminated signs and entertainment and entertainment-related uses;
- (l) to preserve, protect and enhance the character of Fifth Avenue as the showcase of New York and national retail shopping;
- (m) to preserve the midblock area around north of the Museum of Modern Art for its special

contribution to the historic continuity, function and ambience of Midtown;

- (n) to expand and enhance the pedestrian circulation network connecting Grand Central Terminal to surrounding development, to minimize pedestrian congestion and to protect the area's special character;
- (o) to expand the retail, entertainment, and commercial character of the area around Pennsylvania Station and to enhance its role as a major transportation hub in the city;

(p) to provide freedom of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms without the need for special development permissions or "negotiated zoning"; and

(r) to promote the most desirable use of land and building development in accordance with the District Plan for Midtown and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

8/6/98

81-024

Integration clauses

- (a) The underlying zoning districts shall be deemed to be integral parts of the #Special Midtown District#. If the underlying zoning district of any #zoning lot# shall be amended or shall be nullified by any court of competent jurisdiction, such amendment or adjudication shall be construed to amend the #Special Midtown District# to remove such #zoning lot# from the #Special Midtown District# whereupon the regulations of the prior underlying district shall apply.
- (b) The #bulk# regulations contained in Sections 81-20 through 81-2829 shall be deemed to be an integral unit and no modification thereof shall be permitted, except in accordance with the provisions of Section 200 of the New York City Charter. If any sentence, clause, paragraph or part of Sections 81-20 through 81-2829 shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not be confined in its operation to the sentence, clause, paragraph or part thereof directly involved in the controversy in which such judgement shall have been rendered, but shall also be construed to invalidate and prohibit the application of the remainder of Sections 81-20 through 81-2829. However, any such judgement shall not act to invalidate any other sentence, paragraph, clause, section or chapter of the Zoning Resolution.

8/26/92

81-03

District Plan

The regulations of this Chapter are designed to implement the #Special Midtown District# Plan.

The District Plan partly consists of the following four maps:

- Map 1 Special Midtown District and Subdistricts
- Map 2 Retail and Street Wall Continuity
- Map 3 Subway Station and Rail Mass Transit Facility Improvement Areas
- Map 4 Network of Pedestrian Circulation

The maps are located in Appendix A of this Chapter and are hereby incorporated and made a part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

8/6/98

81-04

Subdistricts

In order to carry out the purposes and provisions of this Chapter, four special Subdistricts are established within the #Special Midtown District#. In each of these Subdistricts certain special regulations apply which do not apply in the remainder of the #Special Midtown District#. The Subdistricts are outlined on Map 1 (Special Midtown District and Subdistricts) in Appendix A.

The Subdistricts, together with the Sections of this Chapter specially applying to each, are as follows:

Subdistricts	Sections Having Special Application
<u>Penn Center Subdistrict</u>	<u>81-50</u>
Grand Central Subdistrict	81-60
Theater Subdistrict	81-70
Fifth Avenue Subdistrict	81-80
Preservation Subdistrict	81-90

The Subdistricts are also subject to all other regulations of the #Special Midtown District# and, where applicable pursuant to Section 81-023, the #Special Clinton District# and the underlying districts, except as otherwise specifically provided in the Subdistrict regulations themselves.

12/19/00

81-066

Special permit modifications of Section 81-40 and certain Sections of Article VII, Chapter 7

The City Planning Commission, by special permit, for #zoning lots# where the #lot area# is at least 60,000 square feet or that occupy an entire #block#, may permit modification of the mandatory district plan elements of Section 81-40 or the provisions of Article VII, Chapter 7, that determine the distribution of permitted #floor area# on such #zoning lots#, and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements. However, no exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.

The modifications shall be subject to the following findings:

- (a) that the modifications of mandatory plan elements, ~~or~~ #floor area# allocation, ~~or~~ #rear yard# and #court# regulations, result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#;
- (b) that a substantial majority of the #zoning lot# is either vacant at the time of certification for review, pursuant to Section 197-c of the New York City Charter, or contains #buildings# that will be an integral part of the #development#, both physically and programmatically;
- (c) that the design, scale and location of the new #buildings# or #enlarged buildings# are compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;
- (d) that such modifications will not unduly obstruct the access of light and air to surrounding properties;
- (e) that any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;
- (f) that such modifications of mandatory plan elements or #floor area# allocation are

consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements.

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

5/13/82

81-20

BULK REGULATIONS

8/27/98

81-211

Maximum floor area ratio for non-residential or mixed buildings

- (a) For non-#residential buildings# or #mixed buildings#, the basic maximum #floor area ratios# of the underlying districts shall apply as set forth in this Section.
- (b) In the #Special Midtown District#, the basic maximum #floor area ratio# on any #zoning lot# may be increased by bonuses or other #floor area# allowances only in accordance with the provisions of this Chapter, and the maximum #floor area ratio# with such additional #floor area# allowances shall in no event exceed the amount set forth for each underlying district in the following table:

**MAXIMUM FLOOR AREA ALLOWANCES FOR SPECIFIED FEATURES
AND MAXIMUM FLOOR AREA RATIOS BY DISTRICTS**

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	Maximum #Floor Area Ratio# (FAR)						
	Outside the Grand Central Subdistrict					Grand Central Subdistrict	
		C5-2.5					
	C6-4	C6-4.5		C5-3			
	C6-5	C6-5.5		C6-6		C5-3	
	C5P	M1-6	C6-6.5	C6-7T	C6-7	C5-2.5	C6-6

A. Basic Maximum FAR

8.0 10.0 12.0 14.0 15.0 12.0 15.0

B. Maximum As-of-Right #Floor Area# Allowances:(District-wide Incentives), #Urban plaza# (Section 81-23)

--- 1.0^{1,2} 1.0¹ --- 1.0² --- ---

C. Maximum Total FAR with As-of-Right Incentives

8.0 11.0^{1,2,7} 13.0¹ 14.0 16.0 12.0 15.0

D. Maximum Special Permit #Floor Area# Allowances:(District-wide Incentives), Subway station improvement (Section 74-634)

--- 2.0^{1,6} 2.4¹ --- 3.0 2.4 3.0

E. Maximum Total FAR with District-wide and As-of-Right Incentives

8.0 12.0 14.4 14.0 18.0 14.4 18.0

F. Maximum Special Permit #Floor Area# Allowances in Penn Center Subdistrict: Mass Transit Facility Improvement (Section 81-541)

--- 2.0 --- --- 3.0 --- ---

G. Maximum Total FAR with As-of-Right, District-Wide, and Penn Center Subdistrict Incentives:

--- 12.0 --- --- 18.0 --- ---

F. Maximum As-of-Right #Floor Area# Allowances in Theater Subdistrict:

Development rights (FAR) of a "granting site" (Section 81-744)

--- 10.0 12.0 14.0 15.0 --- ---

Maximum amount of transferable development rights (FAR) from "granting sites" that may be utilized on a "receiving site" (Section 81-744(a))

--- 2.0 2.4 2.8 3.0 --- ---

Inclusionary Housing (Sections 23-90 and 81-22)

--- 2.0³ --- --- --- --- ---

G: Maximum Total FAR with As-of-Right #Floor Area# Allowances in Theater Subdistrict

---	12.0	14.4	16.8	18.0	---	---
-----	------	------	------	------	-----	-----

H: Maximum #Floor Area# Allowances by Authorization in Eighth Avenue Corridor (Section 81-744(b))

---	2.4	---	---	---	---	---
-----	-----	-----	-----	-----	-----	-----

Maximum Total FAR with As-of-Right and Theater Subdistrict Authorizations

---	14.4	14.4	16.8	18.0	---	---
-----	------	------	------	------	-----	-----

(j) Maximum Special Permit #Floor Area# Allowances in Theater Subdistrict:

Rehabilitation of "listed theaters" (Section 81-745)

---	4.4	2.4	2.8	3.0	---	---
-----	-----	-----	-----	-----	-----	-----

Maximum amount of transferable development rights (FAR) from "granting sites" that may be utilized on "receiving sites" (Section 81-744(c))

---	---	---	2.8	3.0	---	---
-----	-----	-----	-----	-----	-----	-----

Floor Area for New Legitimate Theater (Section 81-748)

---	---	---	2.0	2.0	---	---
-----	-----	-----	-----	-----	-----	-----

K: Maximum Total FAR with Theater Subdistrict Incentives, District-wide Incentives and As-of-Right Incentives

8.0	14.4	14.4	21.6	21.6	14.4	18.0
-----	------	------	------	------	------	------

L: Maximum FAR of Lots Involving Landmarks:

Maximum FAR of a lot containing non-bonusable landmark (Section 74-711 or as-of-right)

8.0	10.0	12.0	14.0	15.0	12.0	15.0
-----	------	------	------	------	------	------

Development rights (FAR) of a landmark lot for transfer purposes (Section 74-79)

8.0	10.0	13.0 ⁴	14.0	16.0	12.0	15.0
-----	------	-------------------	------	------	------	------

Maximum amount of transferable development rights (FAR) from landmark #zoning lot# that may be utilized on:

(a) an "adjacent lot" (Section 74-79)	1.6	2.0	2.4	No Limit	No Limit	2.4	No Limit
(b) a "receiving lot" (Section 81-634)	---	---	---	---	---	1.0	1.0
(c) a "receiving lot" (Section 81-635)	---	---	---	---	---	9.6	6.6
M. Maximum Total FAR of a Lot with Transferred Development Rights from Landmark #Zoning Lot#, Theater Subdistrict Incentives, District-wide Incentives and As-of-Right Incentives				No Limit	No Limit	21.6	No ⁵ Limit
	9.6	14.4	14.4				

-
- ¹ Not available for #zoning lots# located wholly within Theater Subdistrict Core.
 - ² Not available within the Eighth Avenue Corridor.
 - ³ Applicable only within that portion of the Theater Subdistrict also located within the Special Clinton District.
 - ⁴ 12.0 in portion of C6-5.5 District within the Theater Subdistrict Core.
 - ⁵ Limited to 21.6 FAR on a "receiving lot" pursuant to Section 81-635 in the Grand Central Subdistrict.
 - ⁶ Not available on west side of Eighth Avenue within the Eighth Avenue Corridor.
 - ⁷ 12.0 FAR for #zoning lots# with full block frontage on Seventh Avenue and West 34th Street pursuant to Section 81-542 (Retention of floor area bonus for plazas or other public amenities).

81-253**Special provisions for Grand Central, Theater, Fifth Avenue, Penn Center, and Preservation Subdistricts**

The provisions of Sections 81-26 (Height and Setback Regulations) and 81-27 (Alternate Height and Setback Regulations) are supplemented and modified by special provisions applying in the Fifth Avenue Subdistrict, as set forth in Section 81-81 (General Provisions) and Section 81-83 (Special Street Wall Requirements) or in the Theater Subdistrict as set forth in Sections 81-71 (General Provisions) and 81-75 (Special Street Wall and Setback Requirements) or in the Grand Central Subdistrict as set forth in Sections 81-61 (General Provisions), 81-621 (Special street wall requirements) and 81-622 (Special height and setback requirements) or in the Penn Center Subdistrict as set forth in Section 81-532 (Special street wall requirements).

The provisions of Sections 81-26 and 81-27 are not applicable in the Preservation Subdistrict, where front wall heights and setbacks are regulated by the provisions of Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT).

[Note: this section 81-29 was formerly 81-50 which is now proposed for Special Regulations for the Penn Center Subdistrict.]

81-29**INCENTIVES BY SPECIAL PERMIT FOR PROVISIONS OF PUBLIC AMENITIES****81-291****General Provisions and Procedures**

The City Planning Commission may grant special permits authorizing for non-residential# or mixed buildings#, #floor area# bonuses in accordance with the provisions of this Section.

81-292**Subway station improvements**

Except in the Preservation Subdistrict and except for #zoning lots# located wholly within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions), the City Planning Commission may grant special permits for #floor area# bonuses for non-residential# or mixed buildings#, in accordance with the provisions of Section 24-634 (Subway station improvements in commercial zones of 10' FAR and above in Manhattan).

The subway stations where such improvements are permitted are listed in the following table and shown on Map 3 (Subway Station and Rail Mass Transit Facility Improvement Areas) in Appendix A.

MIDTOWN SUBWAY STATIONS

<u>Station</u>	<u>Line</u>
<u>34th St-Penn Station</u>	<u>Broadway-7th Ave IRT</u>
<u>34th St-Penn Station</u>	<u>8th Ave IND</u>
<u>34th St-Herald Square</u>	<u>6th Ave IND/Broadway BMT</u>
<u>42nd St</u>	<u>8th Ave IND</u>
<u>42nd St-Times Square</u>	<u>Broadway-7th Ave IRT/Broadway BMT</u>
<u>42nd St</u>	<u>6th Ave IND</u>
<u>42nd St-Grand Central</u>	<u>Lexington Ave IRT</u>
<u>47th-50th St/Rockefeller Center</u>	<u>6th Ave IND</u>
<u>49th St</u>	<u>Broadway BMT</u>
<u>50th St</u>	<u>8th Ave IND</u>
<u>50th St</u>	<u>Broadway-7th Ave IRT</u>
<u>51st St</u>	<u>Lexington Ave IRT</u>
<u>7th Ave (53rd St)</u>	<u>6th Ave IND</u>
<u>Fifth Ave (53rd St)</u>	<u>Queens IND</u>
<u>Lexington Ave-3rd Ave (53rd St)</u>	<u>Queens IND</u>
<u>57th St</u>	<u>Broadway BMT</u>
<u>57th St</u>	<u>6th Ave IND</u>
<u>59th St-Columbus Circle</u>	<u>7th Ave IRT/8th Ave IND</u>

5/13/82

81-40**MANDATORY DISTRICT PLAN ELEMENTS**

2/10/99

81-41**General Provisions**

The provisions of Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS) specify mandatory planning and urban design features to be provided in connection with new #developments# or #enlargements#. Requirements which apply generally or with minor specified exceptions throughout the #Special Midtown District# are fully set forth in the provisions of Section 81-40. For requirements which are not generally applicable but tied to specific locations within the District, the locations where these requirements apply are shown on Map 2 (Retail and Street Wall Continuity) or Map 3 (Subway Station and Rail Mass Transit Facility Improvement Areas) in Appendix A.

The provisions of Section 81-40 are all primarily oriented toward the accommodation and well-being of pedestrians. The requirements pertain to a number of elements which are interrelated and complement one another but are set forth in different sections because they can be treated separately. Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity along Designated Streets) and 81-44 (Curb Cut Restrictions) are a group of sections with closely related purposes concerned with amenity and the well-being and safety of pedestrians. Sections 81-45 to 81-48, inclusive, are all concerned primarily with pedestrian traffic circulation. Major building entrances are focal points of heavy pedestrian traffic, so that controls on the locations of these entrances as set forth in Section 81-48 are closely related to the pedestrian circulation space requirements.

Special district plan requirements for the Penn Center Subdistrict are set forth in Section 81-50 (SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT), special district plan requirements for the Grand Central Subdistrict are set forth in Section 81-60 (SPECIAL REGULATIONS FOR THE GRAND CENTRAL SUBDISTRICT), special district plan requirements for the Theater Subdistrict are set forth in Section 81-70 (SPECIAL REGULATIONS FOR THEATER SUBDISTRICT), special district plan requirements for the Fifth Avenue Subdistrict are set forth in Section 81-80 (SPECIAL REGULATIONS FOR FIFTH AVENUE SUBDISTRICT) and special district plan requirements for the Preservation Subdistrict are set forth in Section 81-90 (SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT).

2/10/99

81-42**Retail Continuity along Designated Streets**

On designated retail #streets# (see Appendix A, Map 2), for any #developments# or

#enlargements# fronting on such #streets#, #uses# located on the ground floor level or within five feet of #curb level# shall be limited to retail, personal service or amusement #uses# permitted by the underlying zoning district regulations but not including #uses# in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 and 12D or automobile showrooms or plumbing, heating or ventilating equipment showrooms. Museums and libraries shall be permitted. A building's #street# frontage shall be allocated exclusively to such #uses#, except for:

- (a) lobby space or entrance space;
- (b) entrance areas to subway station improvements for which bonus #floor area# is granted and #street wall# continuity restrictions waived pursuant to Sections 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) and 81-~~511~~292 (Subway station improvements);
- (c) one or more of the following pedestrian circulation spaces subject to the #street wall# continuity requirements of Section 81-43 (Street Wall Continuity Along Designated Streets):
 - (1) relocated subway stairs provided in accordance with Sections 37-03 and 81-46 (Off-Street Relocation or Renovation of a Subway Stair);
 - (2) through #block# connections provided in accordance with paragraph (h) of Section 37-073 (Design standards for pedestrian circulation spaces); and
 - (3) off-street improvements of access to rail mass transit facilities provided in accordance with Section 81-48 (Off-Street Improvement of Access to Rail Mass Transit Facility).

Except as provided in the following sentence, in no event shall the length of #street# frontage occupied by lobby space, entrance space and/or a building entrance recess exceed in total 40 feet or 25 percent of the building's total #street# frontage exclusive of any frontage occupied by a relocated subway stair, a through #block# connection, an off-street improvement of access to rail mass transit facility or the entrance area to a bonused subway station improvement. However, the total length of #street# frontage occupied by lobby space and/or entrance space need not be less than 20 feet.

Storefronts for the permitted ground floor #uses# shall be not more than 10 feet from the #street line# or, where an arcade is provided with supporting columns at the #street line#, not more than 10 feet from the supporting columns.

Access to each retail, personal service or amusement establishment required under this Section shall be provided directly from the designated retail #street#. Where more than one entrance is provided to the establishment, direct access from the designated retail #street# shall be provided via the entrance with the greatest aggregate clear opening width. At least

50 percent of the #street wall# surface of each required establishment shall be glazed with clear untinted transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with #signs#. For the purpose of this glazing requirement, the establishment's #street wall# surface shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less.

#Developments# or #enlargements# on designated retail #streets# located within the boundaries of the Penn Center Subdistrict, the Theater Subdistrict, or the Fifth Avenue Subdistrict shall be subject to the respective Subdistrict retail requirements (Sections 81-531, 81-72 and 81-82).

All #street# frontages of #developments# or #enlargements# on #zoning lots# located within the Theater Subdistrict Core as defined in Section 81-71 (General Provisions) shall meet the ground level and entertainment-related #use# requirements of Section 81-72 (Use Regulations Modified).

2/10/99

81-43

Street Wall Continuity Along Designated Streets

On designated #streets# where #street wall# continuity is required (see Appendix A, Map 2) and, between 43rd and 50th Streets, on the #narrow street# frontages of #zoning lots# with #street# frontage on Seventh Avenue and/or Broadway, the surface of the #street wall# of a new #development# or #enlargement#, for the minimum length and height set forth in this Section, shall be within 10 feet of the #street line# or within 10 feet of a permitted arcade's supporting columns at the #street line#, except that on 57th Street, 42nd Street, 34th Street and Fifth Avenue, no #street wall# setback below a height of 85 feet is permitted. The length of the #street wall# subject to setback restrictions shall be at least 80 percent of the length of the #front lot line# along the specified #street#, measured at the specific heights or anywhere above the specific heights indicated on the following table. At those specific heights or anywhere above those specific heights, the #street wall# must extend continuously within 10 feet of the #street line# for all of its required length, except that: on 57th Street, 42nd Street, 34th Street, and Fifth Avenue, at a height of 85 feet or above, the #street wall# must extend continuously without setback for at least 75 percent of its required length and no portion of its required length shall be set back more than 10 feet from the #street line#; and, for #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway, any portion of the required length of a #street wall# which lies behind a #sign# required under the provisions of Section 81-732 (Special Times Square signage requirements) may be set back up to 15 feet from the #street line#.

The minimum height of a #street wall# subject to the setback restrictions shall be as follows:

Length of #Zoning Lot# Frontage	Minimum Height of a #Street Wall# Subject to the Setback Restrictions
For #zoning lots# with frontages of 50 feet or less on the designated #street#	Four #stories# or 50 feet above #curb level# whichever is less
For #zoning lots# with frontages of more than 50 feet on the designated #street#	Six #stories# or 85 feet above #curb level# whichever is less

#Developments# which are in their entirety no more than two #stories# in height shall be exempt from the minimum #street wall# height requirements.

Pedestrian circulation spaces may be provided to meet the requirements of Sections 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair) or 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility) subject to the setback restrictions of this Section and to the minimum length of the #street wall# subject to such setback restrictions. However, the City Planning Commission may waive such restrictions for a subway entrance area which is part of a subway station or a rail mass transit facility improvement for which bonus #floor area# is granted, in accordance with the provisions of Sections 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) and, 81-51-292 (Subway station improvements) and 81-542 (Rail mass transit facility improvement); or an off-street improvement of access to a rail mass transit facility that has been certified in accordance with Section 81-48 .

Except on 57th Street, 42nd Street, 34th Street and Fifth Avenue, below the minimum height of a #street wall# subject to the setback restriction, recesses (whose depth shall be measured in all cases from the #street line#) shall be permitted only as follows: no recesses greater than 15 feet deep shall be permitted, recesses up to 15 feet deep shall be limited in their aggregate area to no more than 30 percent of the area of the #street wall# below the minimum required #street wall# height; in addition, recesses up to 12 feet deep shall be limited in their aggregate area to no more than 20 percent of the area of the #street wall# below the minimum required #street wall# height, and recesses up to 10 feet deep shall not be limited in their aggregate area.

On 57th Street, 42nd Street, 34th Street and Fifth Avenue, below the minimum height of a #street wall# subject to the setback restriction, recesses (whose depth shall be measured in all cases from the #street line#) shall be permitted only as follows: no recesses greater than 10 feet deep shall be permitted, recesses up to 10 feet deep shall be limited in their aggregate area to no more than 30 percent of the area of the #street wall# below the minimum required #street wall# height; in addition, recesses up to two feet deep shall be limited in their aggregate area to no more than 20 percent of the area of the #street wall# below the minimum required #street wall# height and recesses up to one foot deep shall not be limited in their aggregate area.

The restrictions on recesses shall not apply to arcades, corner arcades, subway stairs relocated within the #building#, through #block# connections within the #building# or building entrance recess areas within the #building#, where such spaces are provided in accordance with the requirements and design standards of Sections 81-45 or 81-46 and provided that such spaces shall be subject to a maximum height limit of 30 feet. Any recesses in the #residential# portion of a #building# shall comply with the #outer court# regulations of Section 23-84.

No arcades, sidewalk widenings or #urban plazas# shall be permitted on Fifth Avenue, 34th Street, 42nd Street or 57th Street frontages. Between 42nd and 56th Street, no arcades or #urban plazas# shall be permitted on Eighth Avenue. Between 43rd and 50th Streets, no arcades or #urban plazas# shall be permitted on Seventh Avenue or Broadway and, with the exception of marquees and #signs#, any area between the Seventh Avenue or Broadway #street line# and any required #street wall# below the height of the first required setback, including permitted recesses, shall be open from #curb level# to the sky in its entirety. Any such area shall be at the same elevation as the adjoining sidewalk, directly accessible to the public at all times and free of all obstructions at ground level, including #street# trees. On the remaining #streets# designated for #street wall# continuity, arcades, if provided, shall be not less than 10 feet in depth and not more than 30 feet high. Arcades shall not be counted toward the recess allowances.

For #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway the minimum and maximum heights of #street walls# subject to the setback restrictions on all #street# frontages shall be in accordance with Section 81-75 (Special Street Wall and Setback Requirements).

For #zoning lots# located wholly or partially within the Eighth Avenue Corridor, the minimum and maximum heights of #street walls# subject to the setback restrictions on all #street# frontages shall be in accordance with Section 81-75.

On Fifth Avenue, the minimum required #street wall# height without setback shall be 85 feet and the maximum allowable #street wall# height without setback shall be 125 feet. Above the maximum #street wall# height, a setback of at least 10 feet shall be required. (See Section 81-83).

Existing #buildings# on a #zoning lot# shall be included in measurements of the #street wall#. No existing #building# shall be altered such that a #non-compliance# with the provisions of this Section is created, nor shall an existing degree of #non-compliance# with these provisions be increased.

8/6/98

81-46

Off-Street Relocation or Renovation of a Subway Stair

Where a #development# or #enlargement# is constructed on a #zoning lot# that contains at least 5,000 square feet of #lot area# and fronts on a sidewalk containing a stairway entrance or entrances into a subway station, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances shall be provided in accordance with the provisions of Section 37-03 (Off-Street Relocation or Renovation of a Subway Stair). A relocated or renovated subway stair may be counted as pedestrian circulation space in accordance with the provisions of Section 37-07 (Requirements for Pedestrian Circulation Space).

The subway stations where such improvements are required are listed in the following table and shown on Map 3 (Subway Station Improvement Areas) in Appendix A.

Station	Line
34th St-Penn Station	Broadway-7th Ave.IRT
34th St-Penn Station	8th Ave.IND
34th St-Herald Square	6th Ave.IND/Broadway BMT
42nd St.	8th Ave.IND
42nd St-Times Square	Broadway-7th Ave.IRT/ Broadway BMT
42nd St.	6th Ave.IND
42nd St-Grand Central	Lexington Ave.IRT
47th-50th St/Rockefeller Center	6th Ave.IND
49th St.	Broadway BMT
50th St.	8th Ave. IND
50th St.	Broadway-7th Ave. IRT
51st St.	Lexington Ave. IRT
7th Ave (53rd St)	6th Ave. IND
Fifth Ave (53rd St)	Queens IND
Lexington Ave-3rd Ave (53rd St)	Queens IND
57th St	Broadway BMT

57th St

6th Ave.IND

59th St-Columbus Circle

7th Ave.IRT/8th Ave.IND

5/13/82

81-50

~~INCENTIVES BY SPECIAL PERMIT FOR PROVISIONS OF PUBLIC AMENITIES~~

8/6/98

81-51

~~General Provisions and Procedures~~

~~The City Planning Commission may grant special permits authorizing, for non-#residential# or #mixed buildings#, #floor area# bonuses in accordance with the provisions of this Section.~~

8/27/98

81-511

~~Subway station improvements~~

~~Except in the Preservation Subdistrict and except for #zoning lots# wholly within the Theater Subdistrict Core, as defined in Section 81-71 (General Provisions), the City Planning Commission may grant special permits authorizing, for non-#residential# or #mixed buildings#, #floor area# bonuses in accordance with the provisions of Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan).~~

~~The subway stations where such improvements are permitted are listed in the following table and shown on Map 3 (Subway Station Improvement Areas) in Appendix A.~~

MIDTOWN SUBWAY STATIONS

Station	Line
34th St-Penn Station	Broadway-7th Ave.IRT
34th St-Herald Square	6th Ave.IND/Broadway BMT
42nd St.	8th Ave.IND
42nd St-Times Square	Broadway-7th Ave.IRT/ Broadway BMT
42nd St.	6th Ave.IND
42nd St-Grand Central	Lexington Ave.IRT
47th-50th St/Rockefeller Center	6th Ave.IND
49th St.	Broadway BMT
50th St.	8th Ave. IND
50th St.	Broadway-7th Ave. IRT
51st St.	Lexington Ave. IRT
7th Ave (53rd St)	6th Ave. IND
Fifth Ave (53rd St)	Queens IND
Lexington Ave-3rd Ave (53rd St)	Queens IND
57th St	Broadway BMT
57th St	6th Ave.IND
59th St-Columbus Circle	7th Ave.IRT/8th Ave.IND

81-50**SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT****81-51****General Provisions**

In order to establish the Penn Center Subdistrict as a destination and enhance its retail, entertainment and commercial character and expand accessibility to its transportation network, special regulations are set forth governing the location and type of #signs#, urban design and streetscape relationships, and the improvement of pedestrian circulation to and from public transit facilities:

The regulations of Section 81-50 (SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT), are applicable only in the Penn Center Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part:

81-52

Sign Regulations

The provisions of this section shall apply to all #zoning lots# with frontage along Seventh Avenue:

- (a) #Signs# unlimited in area, including #advertising signs#, #flashing signs#, and #illuminated signs# shall be permitted to a height of 60 feet above #curb level#. Below a height of 14 feet above #curb level#, such #signs# shall not occupy more than 50 percent glazed #street wall# surface required pursuant to Section 81-42, nor shall such #signs# be located within ten feet of an entrance to a rail mass transit facility or subway station.

No #signs# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for other signs, except that #signs# within 40 feet of the intersection of two #streets# may project up to eight feet across a #street line#.

However, on a #zoning lot# that contains or is adjacent to an entrance or entrances to a rail mass transit facility or subway station, no permit shall be issued for any #signs# that extend or are located above a height of 40 feet above #curb level#, unless each such entrance is clearly identified with transit informational #signs# pursuant to Section 81-521 (Rail mass transit and subway entrance informational signs).

- (b) #Signs# above a height of 40 feet on any #building# listed on the State and/or National Register of Historic Places, or any #building# formally determined eligible for inclusion on the Register, may be permitted upon authorization by the City Planning Commission that the proposed methodology for attaching such #signs# shall be reversible, and such #signs# shall not be disruptive to the historic fabric of the #building#.

- (c) #Signs#, including #advertising signs#, #flashing signs# and #illuminated signs#, unlimited in area, above a height of 60 feet and below a height of 120 feet above #curb level#, may be permitted at the intersection of two #streets# by the City Planning

Commission upon certification that:

- (a) such #signs# are located on #zoning lots# that contain an entrance to or are adjacent to an entrance to a rail mass transit facility and or subway station;
 - (b) such #signs# and #sign# structure onto which #signs# are attached are within 40 feet of the intersection of two #streets#;
 - (c) such #signs# project no more than 8 feet beyond the #street line#;
 - (d) such #signs# are no wider than 40 feet each;
 - (e) special lighting effects are provided at the top of any #sign# structure; and
 - (f) the requirements for transit informational #signs# of Section 81:521 are met;
- (d) #Signs# including #advertising signs#, #flashing signs# and #illuminated signs# above a height of 60 feet and below a height of 120 feet above #curb level# may be permitted on the west blockfront of Seventh Avenue between West 31st and West 33rd Streets by the City Planning Commission upon certification that:
- (1) such #signs# are within 30 feet of the centerline of the westerly prolongation of West 32nd Street;
 - (2) such #signs# are no wider than 40 feet each;
- 16: such #signs# and #sign# structure onto which #signs# are attached shall have a minimum of 10 feet clearance from the adjacent #building#;
- 17: such #sign# structure onto which #signs# are attached shall not unduly obstruct or impede pedestrian circulation into, through, or along the open area on the #zoning lot# and shall allow visibility throughout the open area;
- 18: special lighting effects are provided at the top of any #sign# structure; and
- 19: the requirements for transit informational #signs# of Section 81:521 are met;
- (e) #Signs# including #advertising signs#, #flashing signs# and #illuminated signs#

above a height of 150 feet and below a height of 180 feet above #curb level#, may be permitted along the #block# on the west blockfront of Seventh Avenue between West 31st and West 33rd Streets, upon authorization by the City Planning Commission that such #signs# are consistent with the goals of the Penn Center Subdistrict.

81-521:

Rail mass transit and subway entrance informational signs

For a #zoning lot# that contains or is adjacent to an entrance or entrances to a rail mass transit facility or subway station, no permit shall be issued for any #signs# that extend or are located above a height of 40 feet above #curb level#, unless each such entrance is clearly identified with rail mass transit or subway entrance informational #signs# in accordance with the following paragraphs (a) and (b):

(a) Rail mass transit or subway entrance informational #signs# shall prominently and permanently identify the entrance on both #streets# of a #corner lot#. Where rail mass transit or subway entrance informational #signs# are provided at the western blockfront of Seventh Avenue between West 31st and West 33rd Streets, such #signs# shall prominently and permanently identify the entrance to Pennsylvania Station to pedestrians on both Seventh Avenue and West 32nd Street. All such informational #signs# shall comply with the following requirements:

- 1) such #signs# shall contain only transit information;
- 2) such #signs# shall be illuminated and located no less than 12 feet above and no more than 25 feet above #curb level#;
- 3) such #signs# shall contain the word "Subway" and/or appropriate other rail mass transit identification and transit line symbols. The graphic standards shall adhere to New York City Transit or other pertinent transit agency standards with all letters no less than 3 feet and transit symbols no less than 2 feet in dimension;
- 4) such #signs# shall be no less than 30 feet in length on each #street# and shall extend farther than 30 feet in order to include the actual entrance, and
- 5) such #signs# may project up to 5 feet beyond the #street line#;

2) At the rail mass transit or subway entrance, a marquee shall be provided to further identify the entrance. The entrance marquee shall comply with the following requirements:

- 1) such marquee shall contain only transit information;

- (2) such marquee shall be illuminated and located no less than 12 feet above and no more than 25 feet above #curb level#;
- (3) such marquee shall have a minimum length of 20 feet or the full width of the entry, whichever is less;
- (4) such marquee shall project no less than 5 feet beyond the transit or subway informational #sign#; and
- (5) such marquee shall include the mass transit identification and transit line symbols, which shall be illuminated and meet the minimum dimensions as per (a) above and, by doing so, shall satisfy those requirements;

81-53

Special Bulk and Urban Design Requirements

In addition to the requirements set forth in Section 81-25 (General Provisions Relating to Height and Setback of Buildings) and Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of this Section shall apply to a #development# or #enlarge-ment# having 50 percent or more of its #zoning lot area# within the Penn Center Subdistrict. For the purposes of this Section, all such #zoning lots# shall be deemed to be entirely within the Subdistrict. If any of the provisions of Sections 81-25, 81-40 and 81-53 are in conflict, the regulations of this Section shall govern.

81-531

Special retail frontage requirements

The provisions of Section 81-42 (Retail Continuity along Designated Streets) shall apply within the Penn Center Subdistrict. However, the requirements that at least 50 percent of the #street wall# surface of each ground floor establishment be glazed with clear, untinted, transparent material, and not more than 50 percent of such transparent surface be painted or obstructed with #signs# shall not apply to any informational signs or marquees provided to identify rail mass transit or subway entrances in accordance with Section 81-52 (Sign Regulations).

81-532

Special street wall requirements

The provisions of Section 81-43 (Street Wall Continuity along Designated Streets) shall be modified to require that the front building wall of all #developments# and #enlarge-ments# along the Seventh Avenue frontage of #zoning lots# shall be a minimum of 85 feet above #curb level# or the full height of the #building#, whichever is less.

In addition, the restrictions on permitted recesses contained in Section 81-43 shall not apply to pedestrian circulation spaces provided in accordance with Section 81-46 (Off-Street Relocation or Renovation of a Subway Stair) or Section 81-48 (Off-Street Improve-

ment of Access to Rail Mass Transit Facility) nor to interstitial spaces between #signs# or between building walls and #signs#.

81-54

Floor Area Bonus in the Penn Center Subdistrict

81-541

Rail mass transit facility improvement

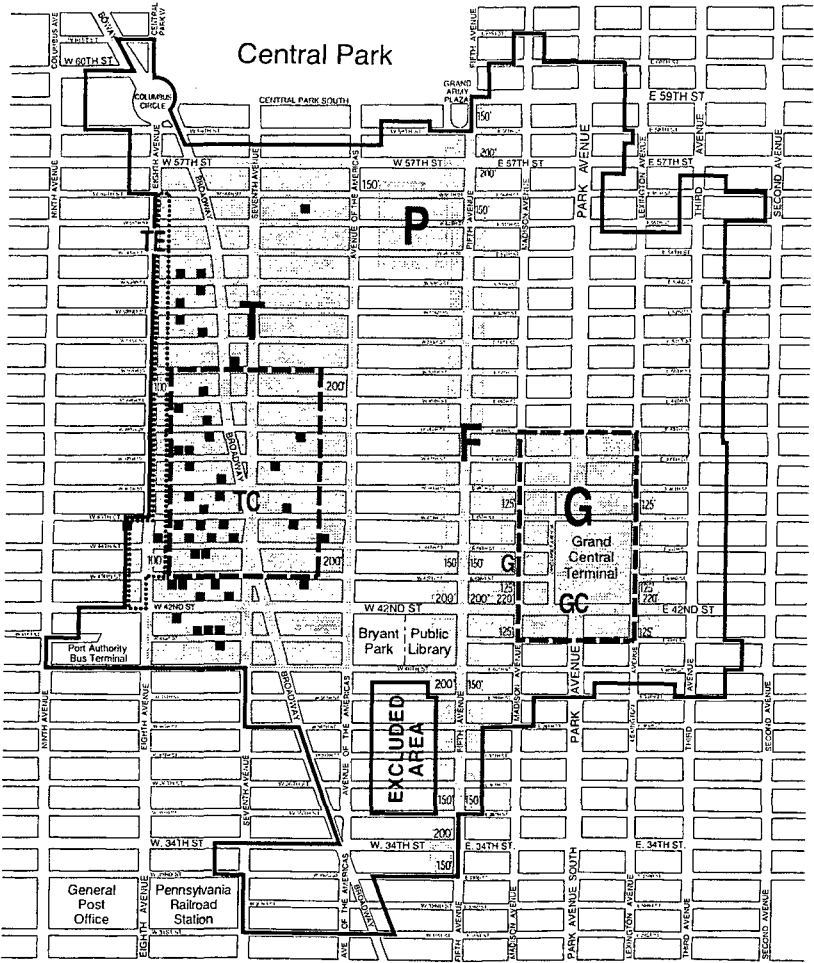
In addition to the provisions of Section 81-29 (Incentives by Special Permit for Provisions of Public Amenities), the City Planning Commission may grant #floor area# bonuses for subway station improvements for non-#residential# or #mixed buildings#, in accordance with Section 81-29 (Incentives by Special Permit for Provisions of Public Amenities) and Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) and may modify or waive the provisions of Section 81-43 (Street Wall Continuity Along Designated Streets) in accordance with the provisions of Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) provided that such improvement is approved by the entities which own and/or operate the rail mass transit facility.

For the purposes of this Section, improvements to any rail mass transit facility within the Subdistrict qualifies for bonus #floor area# in accordance with the provisions of Section 74-634, as modified herein.

81-542

Retention of floor area bonus for plazas or other public spaces

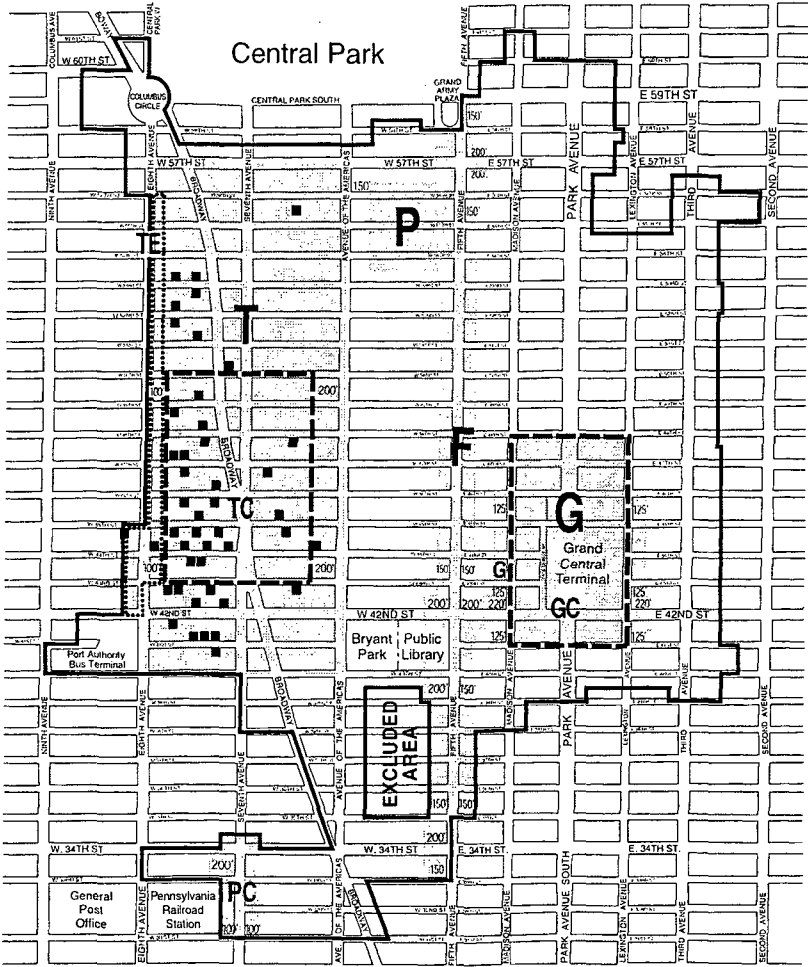
For the #zoning lot# bounded by West 34th Street, Seventh Avenue, West 33rd Street, and Eighth Avenue, which contains at least 10,000 square feet of existing #plaza# or other bonused public amenity in the Penn Center Subdistrict, the maximum allowed #floor area# bonus for all existing #plaza# or other public amenities on the #zoning lot# may be retained at the amount allowed prior to [date of the amendment], subject to all other provisions of this Resolution, notwithstanding inclusion of such #zoning lot# within the #Special Midtown District#.



MIDTOWN DISTRICT PLAN
 MAP 1 - SPECIAL MIDTOWN DISTRICT AND SUB DISTRICTS

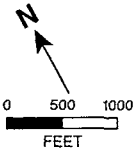
- F** Fifth Avenue Subdistrict
 - G** Grand Central Subdistrict
 - P** Preservation Subdistrict
 - T** Theater Subdistrict
 - GC** Grand Central Subdistrict Core
 - TC** Theater Subdistrict Core
 - TE** Theater Subdistrict Eighth Avenue Corridor
- Listed Theaters
- Special Midtown District

EXISTING

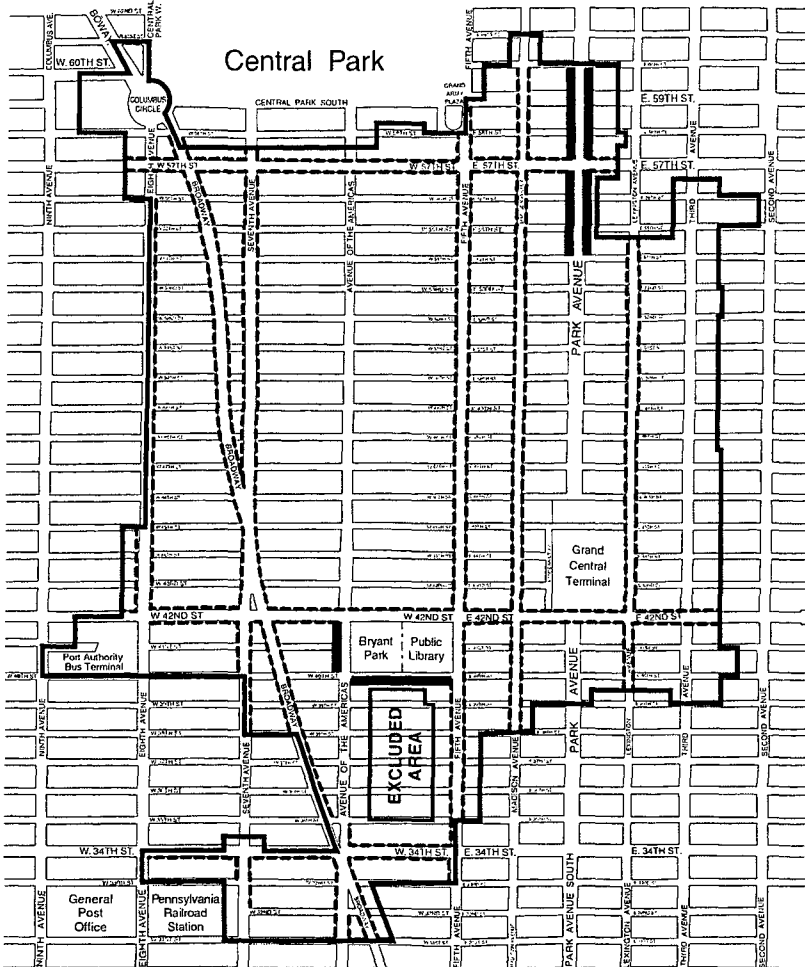


MIDTOWN DISTRICT PLAN
 MAP 1 - SPECIAL MIDTOWN DISTRICT AND SUB DISTRICTS

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

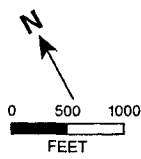


PROPOSED

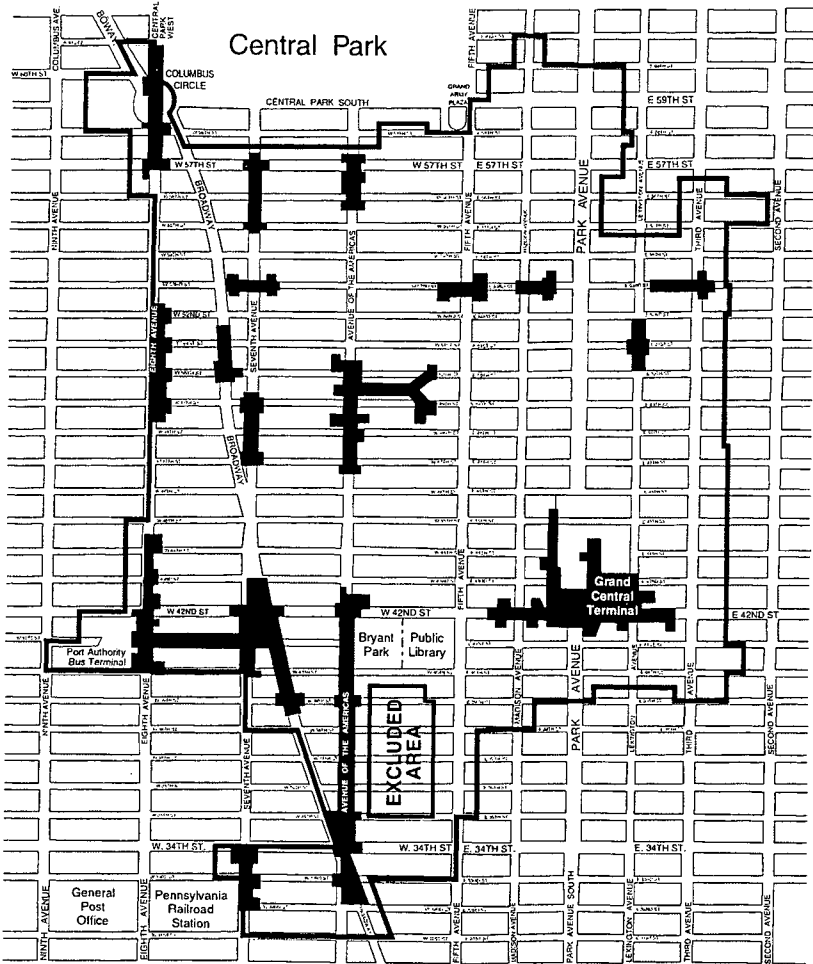


MIDTOWN DISTRICT PLAN MAP 2 - RETAIL AND STREET WALL CONTINUITY

- Retail and Street Wall Continuity required
- Only Street Wall Continuity required
- Special Midtown District

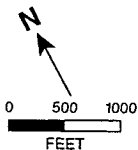


PROPOSED

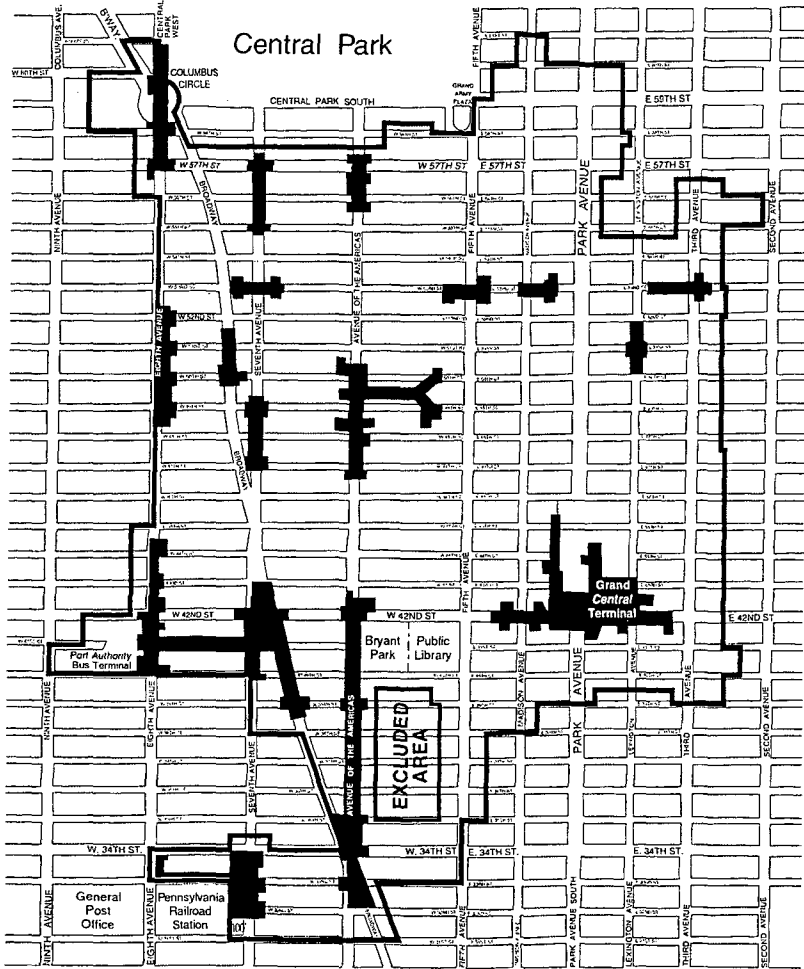


MIDTOWN DISTRICT PLAN
MAP 3 - SUBWAY STATION IMPROVEMENT AREAS

— Special Midtown District



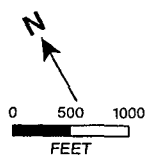
EXISTING



MIDTOWN DISTRICT PLAN

MAP 3 - SUBWAY STATION AND RAIL MASS TRANSIT FACILITY IMPROVEMENT AREAS

— Special Midtown District



PROPOSED

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 7

CD 11

C 010643 MCM

IN THE MATTER OF an application submitted by the Department of Parks and Recreation, pursuant to Section 197-c of the New York City Charter, **for a major concession for an amphitheater and related facilities in an approximately 9.2 acre portion of Randall's Island Park, generally located east of the Harlem River, south of an existing golf facility and west of Downing Stadium and the Triborough Bridge (Block 1819, part of Lot 203).**

Resolution for adoption scheduling July 25, 2001 for a public hearing.

BOROUGH OF QUEENS

Nos. 8, 9, and 10

(Applications for an amendment to the City Map, disposition of city-owned property, site selection and acquisition to facilitate development of a park and Fire Department training facility at Fort Totten)

No. 8

CD 7

C 010622 PPQ

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 to the Economic Development Corporation, located at Fort Totten, Building 102 (Block 5917, part of Lot 1), subject to the provisions of the federal public benefit conveyance documents.**

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 9

CD 7

C 010621 PCQ

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services and the Fire Department pursuant to Section 197-c of the New York City Charter, **for the acquisition of property located at Fort Totten**, (Block 5917, part of Lot 1), and the site selection of property located at Fort Totten, (Block 5917, part of Lot 1), **for use as a fire training academy.**

A list and discription of the properties can be seen at the Staten Island Office of the Department of City Planning, 130 Syuyvesant Place, 6th Floor, Staten Island, New York 10301.

Resolution for adoption scheduling July 25, 2001 for a public hearing.

No. 10

CD 7

C 010504 MMQ

IN THE MATTER OF an application submitted by the Department of Parks and Recreation (DPR), and the Fire Department (FD), pursuant to sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the establishment of:

- 1- a new street system,
- 2- Fort Totten Park,
- 3- a New York City Bulkhead Line,
- 4- grades, and
- 5- the delineation of easements/corridors,

all within the area bounded by the Cross Island Parkway, Little Bay, the East River and Little Neck Bay, and any acquisition or disposition of property related thereto, in accordance with map No. 4961, dated April 30, 2001 and signed by the Borough President.

Resolution for adoption scheduling July 25, 2001 for a public hearing.

BOROUGH OF STATEN ISLAND

No. 11

CD 1

C 990291 PPR

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 nine (9) City-owned properties pursuant to zoning.**

Resolution for adoption scheduling July 25, 2001 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 12

CD 10

C 000535 ZSX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Little Sisters of The Poor pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-90 of the Zoning Resolution to permit the development of a 30-bed nursing home on portions of the first, second and third floors of a proposed 4-story community facility building on property bounded by Monsignor Halpin Place, Throggs Neck Boulevard, Schurz Avenue and Hollywood Avenue** (Block 5452, Lot 90), in an R4 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 June 27, 2001, Cal. No. 1, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 9

C 010394 PSX

PUBLIC HEARING:

IN THE MATTER OF an application by the Fire Department and the Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, **for site selection of property located on Zerega and Havemeyer avenues, north of Lacombe Avenue** (Block 3540, part of lot 1), for use as an ambulance station.

(On June 27, 2001, Cal. No. 2, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 14

CDs 7,12

C 990141 MMX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Bronx Borough Presidents's Office and 3170 Webster Avenue Associates, 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, discontinuance and closing of Burke Avenue between Webster Avenue and Bronx Boulevard, the elimination of the Bronx River Parkway Reservation, the layout of a park addition, the adjustment of grades necessitated thereby, **and any acquisition or disposition of real property related thereto**, in accordance with map No 13087, dated April 3, 2001 and signed by the Borough President.

(On June 27, 2001, Cal. No. 3, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 1

C 010551 HAX

PUBLIC HEARING:

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property generally located on the eastern portion of the block bounded by Third and Elton avenues and E. 157th and E. 158th streets, Site 9 within the Melrose Commons Urban Renewal Area (Block 2379, Lots 49-57 and 60), as an Urban Development Action Area;
 - b) an Urban Development Action Area Project for such area; and

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

to facilitate construction of a seven story building, tentatively known as La Casa de Felicidad, with 84 units of housing for elderly persons of low income, plus one superintendent's unit, to be developed under the federal Section 202 program.

(On June 27, 2001, Cal. No. 4, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 16

CD 3

C 000023 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Dekalb Avenue Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow a supermarket (Use Group 6) in excess of 10,000 square feet and Use Group 10A uses with no limitation on floor area on a portion of the ground floor of an existing 2-story building on property located at 585 DeKalb Avenue (Block 1764, Lot 1, 20 24 and 29), in an M1-5 District, within the Bedford-Stuyvesant I Urban Renewal Area.**

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

(On June 27, 2001, Cal. No. 5, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 17, 18, 19, and 20

(Applications for amendments to the City and Zoning Maps, and the grant of special permits to facilitate the construction of a retail and parking complex)

No. 17

CD 14

C 010026 MMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Triangle Equities Development, LLC, and the New York City Economic Development Corporation, 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, discontinuance and closing of a public place, generally located south of Avenue H, between Nostrand and Flatbush avenues, the adjustment of grades necessitated thereby, **and any acquisition or disposition of real property related thereto**, in accordance with map No. X-2647, dated December 21, 2000 and Map No. X- 2749, dated March 30, 2001, and signed by the Borough President.

(On June 27, 2001, Cal. No. 6, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 18

CD 14

C 010483 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Triangle Equities Development Company LLC and 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 No. 23a**, changing from a C8-2 District to a C8-4 District property bounded by Avenue H, Flatbush Avenue, the former southerly line of a public place* and its easterly and westerly prolongations, and Nostrand Avenue, as shown on a diagram (for illustrative purposes only) dated March 26, 2001.

* Note: Refer to related application for an amendment of the city map, C 010026 MMK for proposed changes to public place.

(On June 27, 2001, Cal. No. 7, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CD 14

C 010484 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Triangle Equities Development Company LLC and the Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution** to permit an unattended public parking garage with a maximum capacity of 552 spaces on a zoning lot, bounded by Avenue H, Flatbush Avenue, the former southerly boundary line of a public place* and its easterly and westerly prolongations, and Nostrand Avenue (Block 7576, Lots 27, 29, and 33 and Block 7577, Lots 50 and 56), in a proposed C8-4 District**.

* Refer to related application for an amendment to the City Map, C 010026 MMK for proposed changes to the public place.

** A C8-4 District is proposed to be mapped under related application for an amendment of the Zoning Map C 010483 ZMK.

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 June 27, 2001, Cal. No. 8, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

CD 14

C 010486 ZSK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Triangle Equities Development Company LLC and the Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution** to permit portions of a railroad right-of-way which will be completely covered over by a permanent platform to be included in the lot area for the development of a retail and parking complex on a zoning lot, bounded by Avenue H, Flatbush Avenue, the former southerly boundary line of a public place* and its easterly and westerly prolongations, and Nostrand Avenue (Block 7576, Lots 27, 29, and 33 and Block 7577, Lots 50 and 56), in a proposed C8-4 District**.

- * Refer to related application for an amendment to the City Map, C 010026 MMK for proposed changes to the public place.
- ** A C8-4 District is proposed to be mapped under related application for an amendment of the Zoning Map C 010483 ZMK.

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 June 27, 2001, Cal. No. 9, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 21

CD 5

C 010139 PPK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, **for the disposition of fifty-eight (58) city-owned properties pursuant to zoning.**

A list and description of the properties can be seen in the Brooklyn Office of the Department of City Planning, 16 Court Street, 7th floor, Brooklyn, NY 11241.

(On June 27, 2001, Cal. No. 10, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 22

CD 5

N 010711 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located **at 465 Fountain Avenue** (Block 4292, Lot 61) (Community Based Response Team Offices (CBRT)).

(On June 27, 2001, the Commission duly advertised July 11, 2001 for a public hearing.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 23

CD 1

C 000413 MMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Battery Park City Authority (BPCA) pursuant to Sections 197-c and 199 of the New York City Charter, **for an amendment to the City Map** involving the elimination of Park Place West between River Terrace and Marginal Street Wharf or Place, the adjustment of legal grades necessitated thereby, **and any acquisition or disposition of real property related thereto**, located in Battery Park City, in accordance with Map Acc No.30208, dated February 28, 2001, and signed by the Borough President.

(On June 27, 2001, Cal. No. 11, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

 No. 24

CD 11

C 010524 HAM

PUBLIC HEARING:

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of 169/71, 173/75, 177 & 179 E. 109th Street (Block 1637, Lots 28, 30, 31, and 32), as an Urban Development Action Area;
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate construction of a six story building, tentatively known as the Ortiz Wittenberg Residence, with 44 units of housing for low income families and formally homeless persons, to be developed under the New York State Supportive Housing Program.

(On June 27, 2001, Cal. No. 12, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 25

(Amendment of the Zoning Resolution concerning the proposed expansion of the Museum of Jewish Heritage in the Special Battery Park City District)

CD 1

N 010629 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Battery Park City Authority, pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article VIII, Chapter 4 concerning the mandatory front building walls, curb cut location and mandatory arcades regulations of Sections 84-132, 84-144 and Appendices 2.4 and 2.6 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 of the Zoning Resolution

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

84-132

Mandatory front building walls

Except as set forth in paragraph (f) and (i) 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# 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) 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) 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. However, 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 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 (d)(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 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 applicable amount set forth in paragraphs (e), (f) or (g) of this Section and not more than the height shown in Appendix 3.2.
- (i) on the #zoning lot# south of First Place and west of Battery Place, the eastern mandatory front building wall may be located within 30 feet from the eastern #mandatory front building wall line#, and the southern mandatory front building wall may be reduced in length up to 30 feet along the southern #mandatory front building wall line# within 30 feet from the intersection with the eastern #mandatory building wall line#.

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 their 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.

84-144

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

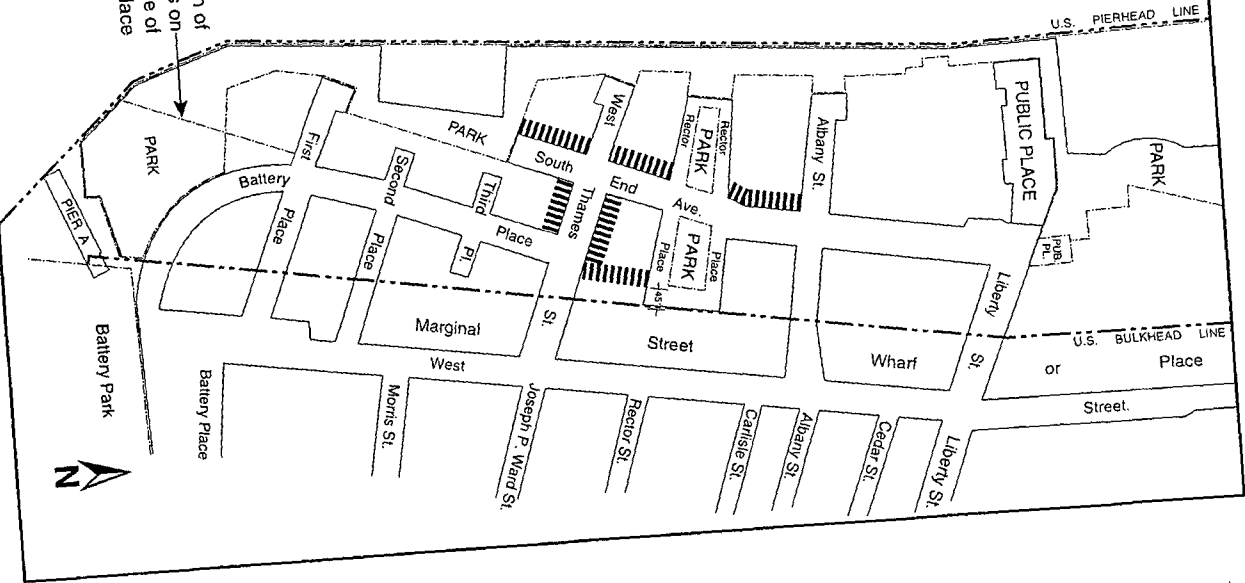
west, North End Avenue to the east and Park Place West to the south, the aggregate width of all curb cuts shall not exceed 30 feet, comprised of two 15 foot curb cuts;

- (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 to the #accessory# off-street parking facility;
- (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.
- (f) for the #zoning lot# south of First Place and west of Battery Place, the aggregate width of all curb cuts shall not exceed 24 feet.

APPENDIX 2.4 Special Battery Park City District Mandatory Arcades

||||| Mandatory Arcade
Locations

(PROPOSED TO BE ADDED)



Extension of
Front Walks on
West Side of
Battery Place

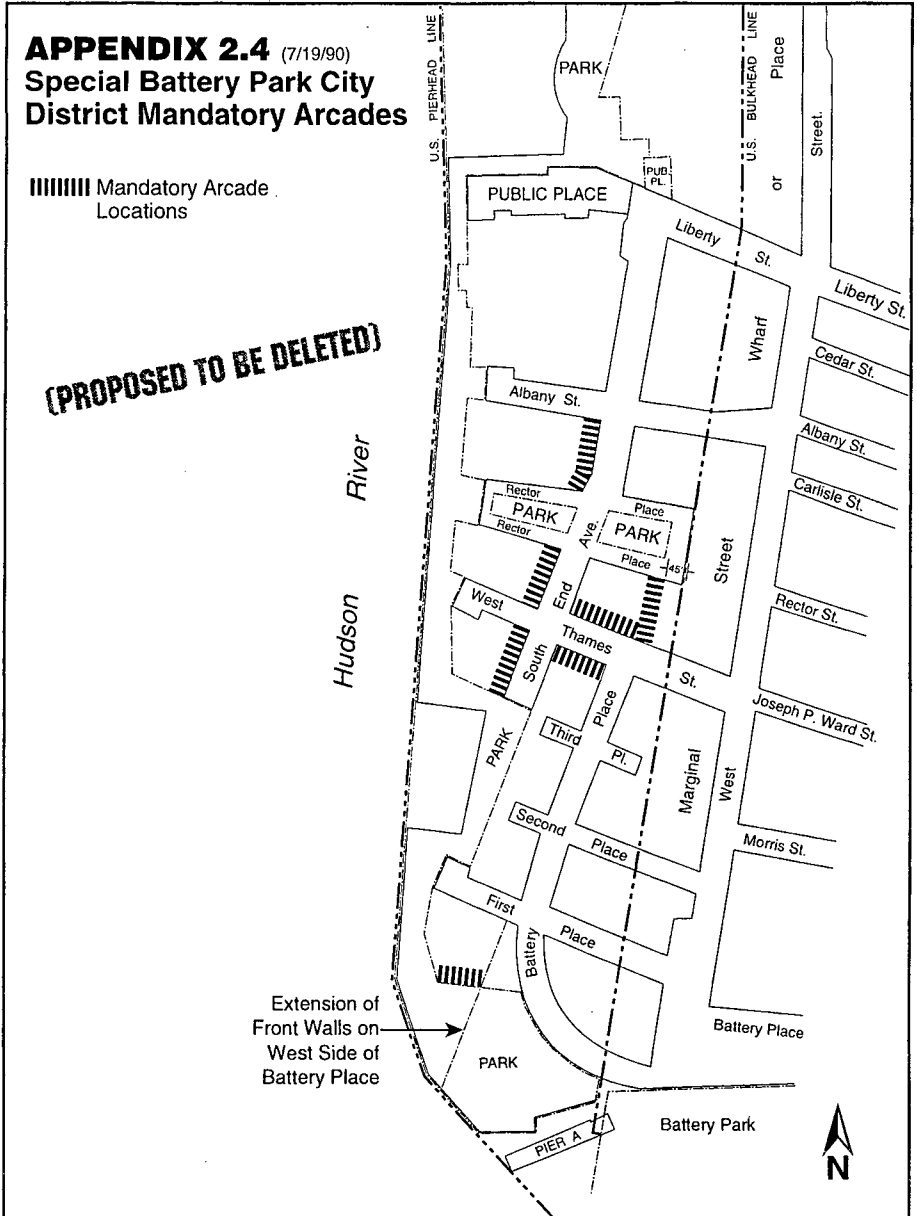


APPENDIX 2.4 (7/19/90) Special Battery Park City District Mandatory Arcades

||||||| Mandatory Arcade Locations

(PROPOSED TO BE DELETED)

Extension of Front Walls on West Side of Battery Place



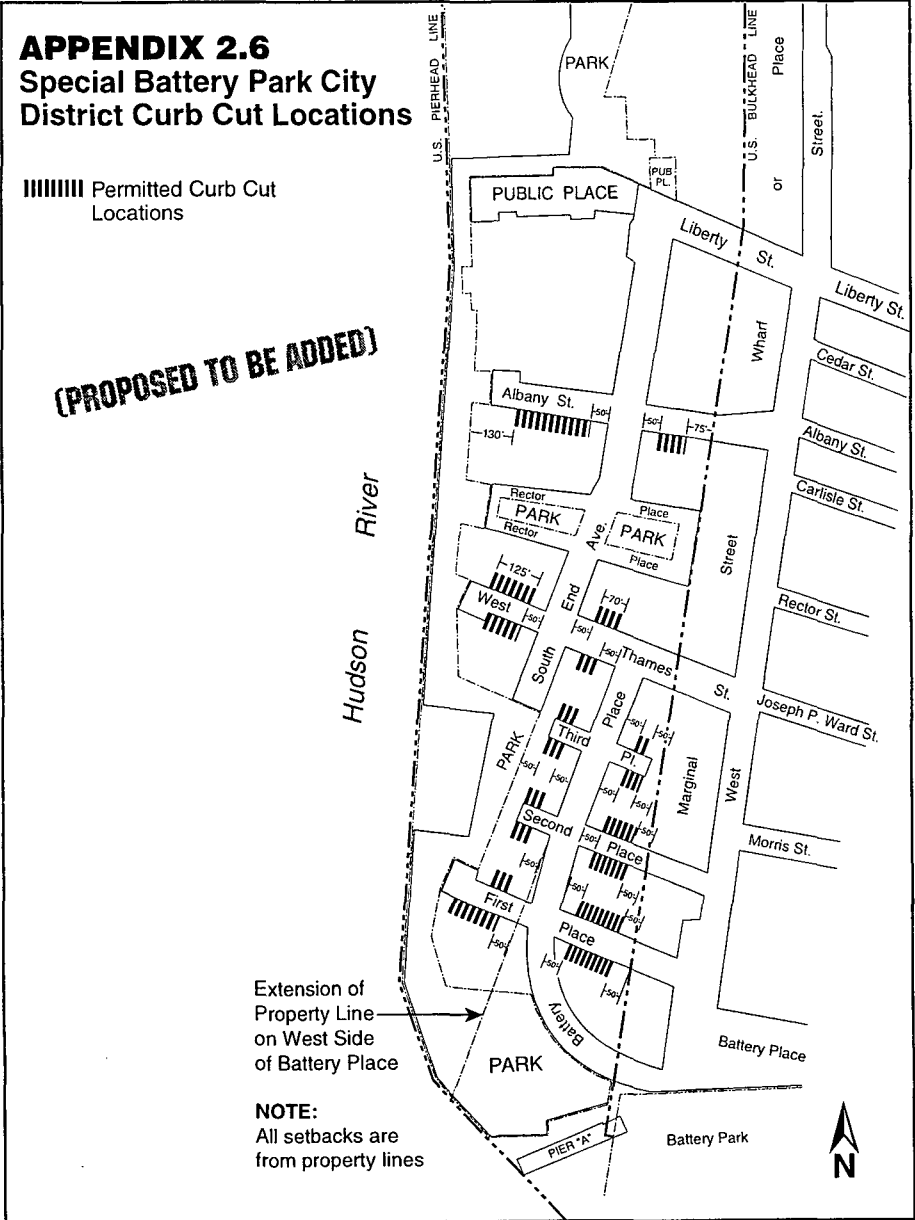
APPENDIX 2.6 Special Battery Park City District Curb Cut Locations

||||||| Permitted Curb Cut Locations

(PROPOSED TO BE ADDED)

Extension of Property Line on West Side of Battery Place

NOTE:
All setbacks are from property lines

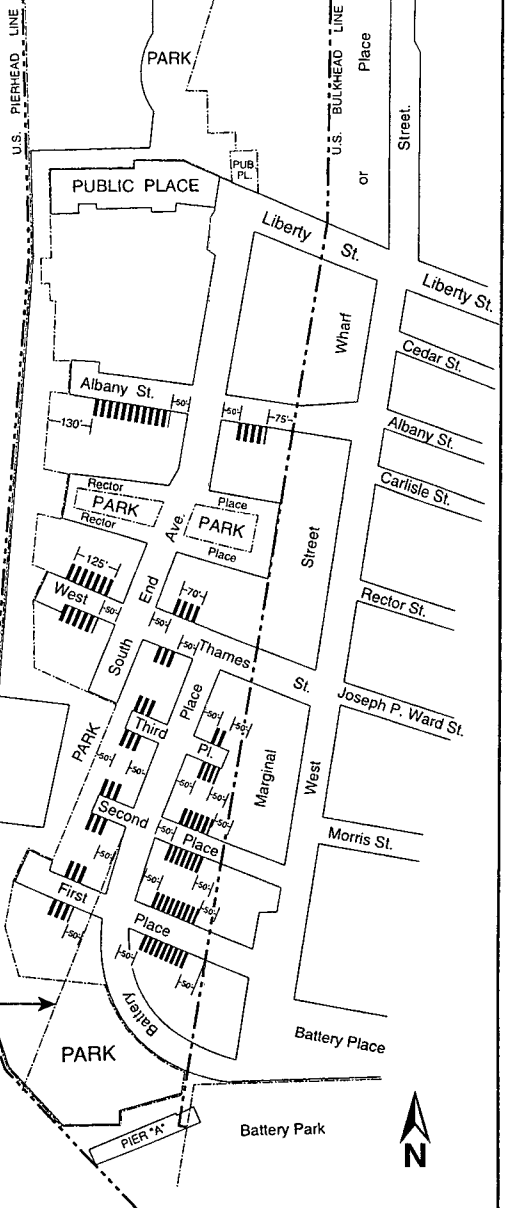


APPENDIX 2.6 (7/19/90) Special Battery Park City District Curb Cut Locations

||||||| Permitted Curb Cut Locations

(PROPOSED TO BE DELETED)

Hudson River



Extension of Property Line on West Side of Battery Place

NOTE:
All setbacks are from property lines

(On June 27, 2001, Cal. No. 13, the Commission scheduled July 11, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 26

CD 12

N 010710 PXQ

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at **168-25 Jamaica Avenue** (Block 9799, Lot 1) (Agency for Child Development (ACD) Resource Center.)

(On June 27, 2001, the Commission duly advertised July 11, 2001 for a public hearing.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 27

CD 3

C 010258 PPX

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of a portion of one (1) city-owned property located at 445 East 163rd 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. On June 13, 2001, Cal. No. 7, the hearing was closed.)

For consideration.

No. 28

CD 10

C 010252 PPX

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of 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. On June 13, 2001, Cal. No. 8, the hearing was closed.)

For consideration.

No. 29

CD 12

C 000569 PCX

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 241st 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. On June 13, 2001, Cal. No. 9, the hearing was closed.)

For consideration.

No. 30

CD 7

C 970578 ZMX

IN THE MATTER OF an application submitted by Jimmy Rodriguez pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 3c**, changing from an R6 District to a C8-3 District property bounded by a southerly boundary line of a park and its westerly prolongation, a westerly boundary line of a park and its southerly prolongation, Landing Road, and the westerly street line of the Major Deegan Expressway, as shown on a diagram (for illustrative purposes only) dated February 12, 2001.

(On May 9, 2001, Cal. No. 1, the Commission scheduled May 23, 2001 for a public hearing. On May 23, 2001, Cal. No. 7, the hearing was closed. On June 27, 2001, Cal. No. 22, the item was laid over.)

For consideration.

BOROUGH OF MANHATTAN

No. 31

CD 2

C 010304 ZSM

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. On June 13, 2001, Cal. No. 10, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 32

CD 3

C 990066 PPR

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. On June 13, 2001, Cal. No. 13, the hearing was closed.)

For consideration.

No. 33

CD 2

N 010299 ZAR

IN THE MATTER OF an application submitted by Glen V. Cutrona Associates 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 an accessory pool located at 40 Louise Lane (Block 687, Lot 290) 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, 6th Floor, Staten Island, New York 10301.

For consideration.

No. 34

CD 2

**N 990063 ZCR
N 990064 ZAR**

IN THE MATTER OF an application submitted by Vincent Martinelli 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 and removal of trees and certification pursuant to Section 105-45 for compliance with special review provisions (restoration plan) to facilitate development of a single-family residence on property located at 131 Saint Andrews Road (Block 2245, Lot 1) in 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, 6th Floor, Staten Island, New York 10301.

For consideration.
