

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 25, 2001
10:00 A.M. CITY HALL
NEW YORK, NEW YORK 10007**

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

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	N 010720 HAX	4	Scheduled to be Heard 8/8/01	17	C 010622 PPQ	7	Hearing Closed
2	C 010593 HUK	4	" "	18	C 010621 PCQ	7	" "
3	C 010594 ZMK	4	" "	19	C 010504 MMQ	7	" "
4	C 010595 HAK	4	" "	20	C 990291 PPR	1	" "
5	N 010564(A) ZRK	1,2	4 " "	21	C 010356 PCK	18	Favorable Report Adopted
6	C 000353 PCM	4	" "	22	N 010711 PXK	5	" "
7	C 000354 ZMM	4	" "	23	C 010200 ZSM	7	" "
8	C 000355 ZSM	4	" "	24	N 010710 PXQ	12	" "
	C 000356 ZSM	4	" "	25	N 000357 ZAR	2	Authorization Approved
9	C 010098 MMM	4	" "	26	N 010291 ZAR	2	" "
10	C 980160 ZSX	3	Hearing Closed				
11	C 010506 PQX	6	" "				
12	C 010381 PPM	6	Hearing Continued				
13	C 010382 ZMM	6	" "				
14	C 010652 ZMM	5	Hearing Closed				
15	N 010653 ZRM	5	" "				
16	C 010643 MCM	11	" "				

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

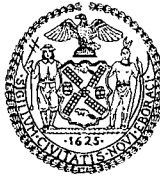
MEETING ADJOURNED AT: 12:50 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 25, 2001

MEETING AT 10:00 A.M.
CITY HALL
NEW YORK, NEW YORK



Rudolph W. Giuliani, Mayor

City of New York

[No. 14]

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**

A

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 25, 2001

Roll Call; approval of minutes	1
I. Scheduling of August 8, 2001	1
II. Public Hearings	21
III. Reports	57

**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 August 8, 2001 at City Hall, Manhattan, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

JULY 25, 2001

APPROVAL OF MINUTES OF Regular Meeting of July 11, 2001

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, AUGUST 8, 2001
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 4

N 010720 HAX

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

- 1) the designation of 1325 Walton Avenue and 25 East Clarke Place (Block 2840, lots 22 and 32), as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area;

to facilitate the development of an eight-story building tentatively known as East Clarke Place Affordable Apartments with 62 units of housing for low-income and homeless families and one superintendent's unit and developed under the New York State Housing Trust Fund Program.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

BOROUGH OF BROOKLYN**Nos. 2, 3, and 4**

(Applications for an amendment to the West Bushwick Urban Renewal Plan, amendment to the Zoning Map, designation of an Urban Development Action Area and Project, and disposition of property)

No. 2**CD 4****C 010593 HUK**

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, **for the West Bushwick Urban Renewal Plan, for the West Bushwick Urban Renewal Area.**

The proposed plan provides for the acquisition of 51 parcels (13 privately owned) to facilitate development of new housing, community facilities, open space and commercial space.

The following properties are proposed for acquisition:

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
1	3145	p/o 1*, p/o 2*, 3*, 5, 6*, 7*, 8*, 11*, p/o 12*
2	3151	p/o 17*, 18*, 19*, 20*, 22*, 24*, 26*, 27*, p/o 28*
3	3151	p/o 9*, 12*, 14*, 15*, 16*, p/o 17*, p/o 28*
4	3151	1*, 2, 3, 5, 6, 8, p/o 9*, p/o 59*, 64*, 65*, 66*, 67, 68, 69*, 70*
5	3145	p/o 1*, p/o 2*, p/o 12*, 14*
6	3151	p/o 28*
7	3151	p/o 9*, p/o 28*, p/o 59*
8	3137	1, 6, 9, 11, 12*, 15*, 17*, p/o 86*, 95*, 97*, 99*
9	3137	p/o 86*
10	3137	24*

Streets to be mapped

3151	100*
3151	p/o 28*

All mapped and/or built streets within the Project Boundary

*City-owned property

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 3

CD 4

C 010594 ZMK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development(HPD) pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 13b:**

- 1) changing from an M1-1 District to an R7-2 District property bounded by Garden Street, Forrest Street, Stanwix Street, Melrose Street, Bushwick Avenue, Arion Place, Beaver Street, and a line 100 feet southerly of Flushing Avenue; and
- 2) establishing within the proposed R7-2 District a C2-4 district bounded by:
 - a) Garden Street, Bushwick Avenue, Arion Place, Beaver Street, a line perpendicular to the northeasterly street line of Beaver Street distant 400 feet northwesterly from the intersection of the northeasterly street line of Beaver Street and a street line perpendicular to the terminus of the southwesterly street line of Bushwick Avenue; and
 - b) Forrest Street, a line 100 feet northeasterly of Bushwick Avenue, a line 100 feet northwesterly of Melrose Street, Stanwix Street, Melrose Street, and Bushwick Avenue,

as shown on a diagram (for illustrative purposes only) dated May 7, 2001.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 4

CD 4

C 010595 HAK

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 properties within the West Bushwick Urban Renewal Area, 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 development of new housing, community facilities, open space and commercial space.

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.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

 No. 5

CDs 1, 2 and 4

N 010564(A) ZRK

IN THE MATTER OF a modified application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, **for amendment of the Zoning Resolution of the City of New York concerning Article I, Chapter 5, and related Sections, that would permit the legalization of certain loft residences in specified manufacturing areas in Brooklyn.**

Matter in Graytone is new, to be added;

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

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

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

* * *

**Chapter 2
Construction of Language and Definitions**

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

* * *

**12-10
DEFINITIONS**

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

* * *

Incidental alteration - see Alteration, incidental

Industrial Loft Advisory Council

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

* * *

**Chapter 5
Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens**

* * *

**15-00
GENERAL PURPOSES**

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~3~~ 6 and 8, and Queens Community Districts 1 and 2, special regulations for the conversion to dwelling units of non-residential buildings or portions thereof erected prior to December 15, 1961, have been established in order to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

* * *

15-01**Applicability**

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, ~~and in Brooklyn Community District 4 in accordance with the provisions of paragraph (f) of Section 15-021,~~ the conversion to #dwelling units# of non-#residential buildings# or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of this Chapter. In addition, in Manhattan Community District 1, in the area south of Murray Street and its easterly prolongation and the Brooklyn Bridge, the conversion to #dwelling units# of non-#residential buildings#, or portion thereof, erected prior to January 1, 1977 shall be subject to the provisions of this Chapter. Existing floor space used for mechanical equipment and not counted as #floor area# in non-#residential buildings# built prior to January 1, 1977 may be converted to #dwelling units# under the provisions of this Chapter.

* * *

15-011**Special Districts**

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

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

* * *

15-02**General Provisions****15-021****Special use regulations**

- (a) In C5 and C6 Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all existing lawful #uses# in Use Groups 17B or E in #buildings# erected prior to December 15, 1961, shall be considered conforming. Such #uses# may be extended within such #buildings#.
- (b) In C6-2M and C6-4M Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all new #uses# listed in Use Groups 17B or E are permitted as-of-right in #buildings# erected prior to December 15, 1961, subject to the provisions of Section 32-42 (Location within Buildings).
- (c) In M1-5 and M1-6 Districts located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980, shall be a permitted

#use# provided that a complete application for a determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

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

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

- (1) the total amount of #floor area# to be used for #dwelling units# does not exceed the amount of #floor area# occupied as #dwelling units# on September 1, 1980;
 - (2) any #use# listed in Section 15-50 which is located on #floor area# to be used for #dwelling units# has been offered a new or amended lease within the #building#, with a minimum term of two years from the date of application, at a fair market rental for the same amount of #floor area# previously occupied, and such lease is not subject to cancellation by the landlord;
 - (3) any #residential# tenant who occupied a #dwelling unit# shall be relocated to a #dwelling unit# within the #building# with a #floor area# equal to not less than 95 percent of the amount of #floor area# in the #dwelling unit# previously occupied; and
 - (4) as a result of such action by the Chairperson #residential uses# will be located on #stories# above #manufacturing uses#.
- (d) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:
- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#.
 - (2) in any #building# for which an alteration application for conversion of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor

~~#enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to convert to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this paragraph (d) shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued.~~

- (e) In C6-1G and C6-2G Districts, in all manufacturing and #commercial buildings# except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, #residential use# shall not be permitted unless the City Planning Commission has granted a special permit pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts). However, if the Chairperson of the City Planning Commission determines that #floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.
- (f) In C8 and M1 Districts, no new #dwelling units# are permitted. However, within such districts, #dwelling units# in the following areas: shall be considered a permitted #use#, provided the requirements of either paragraph (f)(1) or (f)(2) of this Section have been met.

~~(1) Areas in Brooklyn Community District 1~~

- ~~(i) bounded by South 10th Street, Berry Street, Division Avenue and Wythe Avenue;~~
- ~~(ii) — bounded by South 6th Street, Broadway, Driggs Avenue, South 8th Street and Wythe Avenue;~~
- ~~(iii) — bounded by South 4th Street, Driggs Avenue, South 5th Street and Berry Street;~~
- ~~(iv) — bounded by North 4th Street, Berry Street, North 3rd Street and Wythe Avenue;~~
- ~~(v) — bounded by Metropolitan Avenue, Havemeyer Street, Hope Street and Roebling Street; and~~
- ~~(2) An Area in Brooklyn Community District 2, (bounded by Water Street, Washington Street, Plymouth Street, Bridge Street, Front Street, Jay Street, York Street, Washington Street, Front Street and Dock Street;~~

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

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

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

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

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

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

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

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

15-022

Location within building

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

15-023

Notice to residential tenants in mixed use buildings

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

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

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

15-024

Notice of filing to create dwelling units

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

15-025 ~~15-023~~

Double glazed windows

All #dwelling units# in #buildings# which contain one or more #uses# listed in Section 15-50 (REFERENCED COMMERCIAL AND MANUFACTURING USES) and converted under the provisions of this Chapter shall be required to have double glazing on all windows. However, #dwelling units# occupied by #residential# tenants on September 1, 1980, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, or in Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, shall not be required to have double glazed windows.

15-026 ~~15-024~~

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

- (a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111 may be replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#-
- (1) existing on September 1, 1980, for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021, paragraph (c), 15-215, 42-133, paragraph (a), 42-141, paragraph (b), 74-782; or 111-201, paragraph (a); or
- (2) that are registered Interim Multiple Dwellings or ~~are~~ were found covered by the New York City Loft Board pursuant to Article 7C of the New York State Multiple Dwelling Law; or
- (3) that the New York City Loft Board determines ~~it~~ it were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

- (b) Unless required by the Department of Buildings or Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of Section 111-111, paragraphs (a), (b)(1) and (c).

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

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111, the following regulations shall apply:
- (1) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#- or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:
 - (i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
 - (ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and
 - (iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
 - (2) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#- or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
 - (i) the unit or quarters shall contain one or more windows that open onto either:
 - (a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; or
 - (b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; or
 - (c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
 - (d) a #street#; and

- (ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;
- (iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
- (iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;
- (v) the average width of such unit or quarters shall be no less than 14 feet; and
- (vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

* * *

15-21

Use Regulations - Transfer of Preservation Obligations and Conversion Rights

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

* * *

74-782

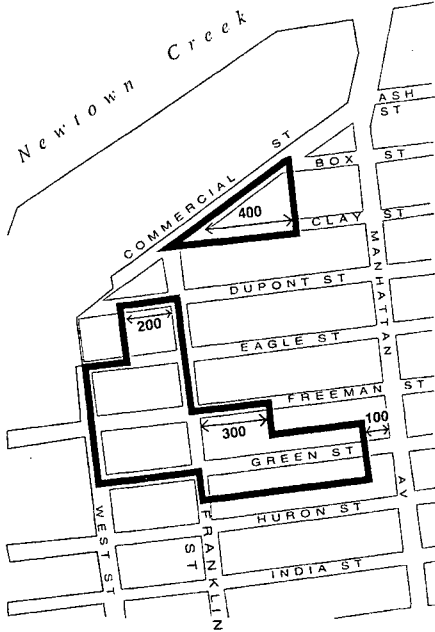
Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts

* * *

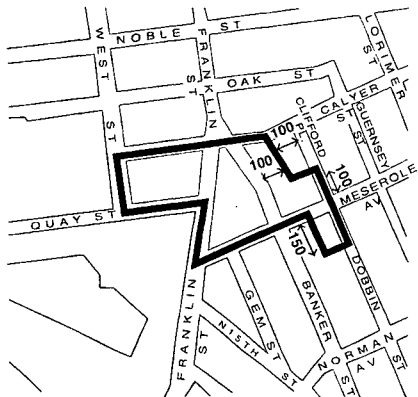
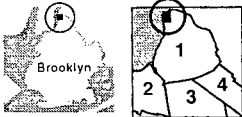
~~The applicant shall provide a copy of any application for a special permit under this Section to the #Industrial Loft Advisory Council#, c/o Mayor's Office of Economic Development.~~

* * *

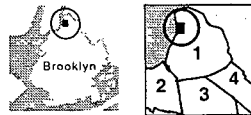
APPENDIX A Loft Conversion Areas in Brooklyn



Map 1



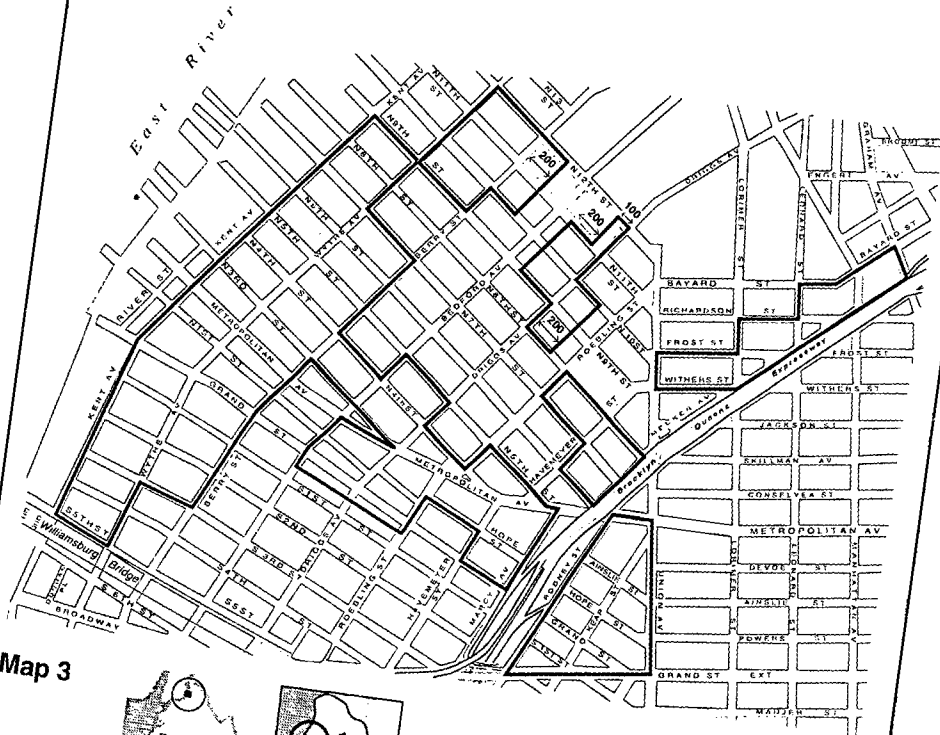
Map 2



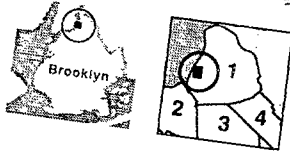
0 400 800

Measurements not indicated for
boundaries located at midblock.

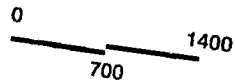
APPENDIX A Loft Conversion Areas in Brooklyn



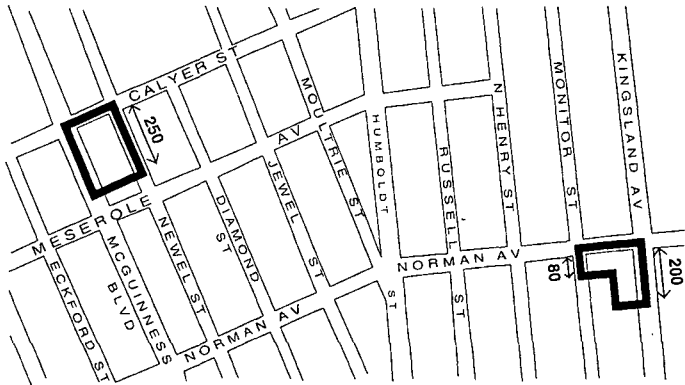
Map 3



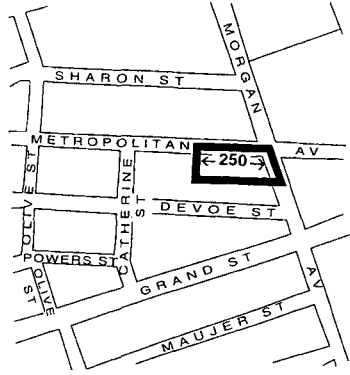
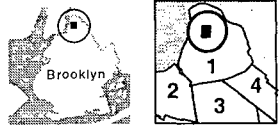
Measurements not indicated for
boundaries located at midblock.



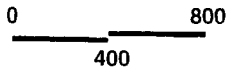
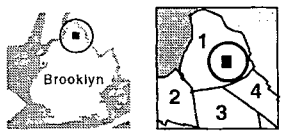
APPENDIX A Loft Conversion Areas in Brooklyn



Map 4

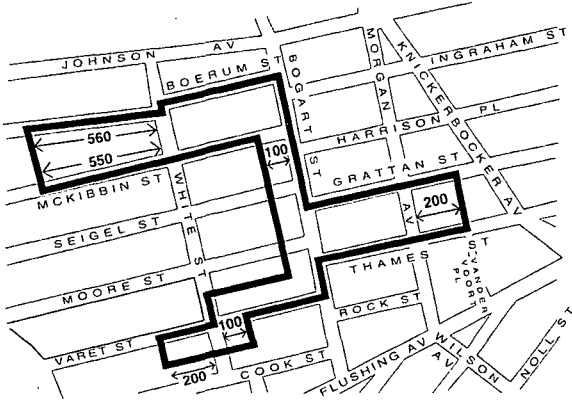


Map 5

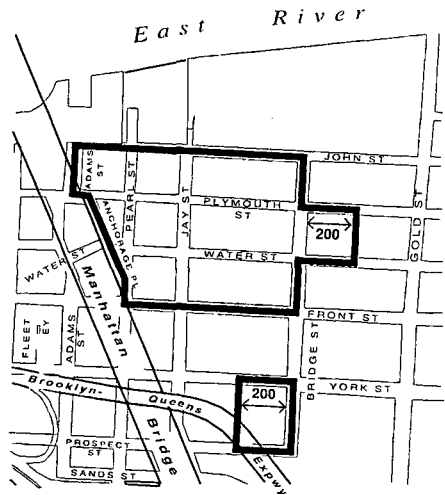
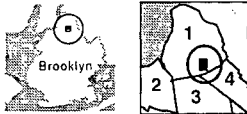


Measurements not indicated for boundaries located at midblock.

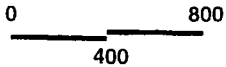
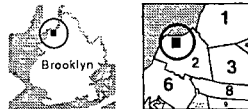
APPENDIX A Loft Conversion Areas in Brooklyn



Map 6

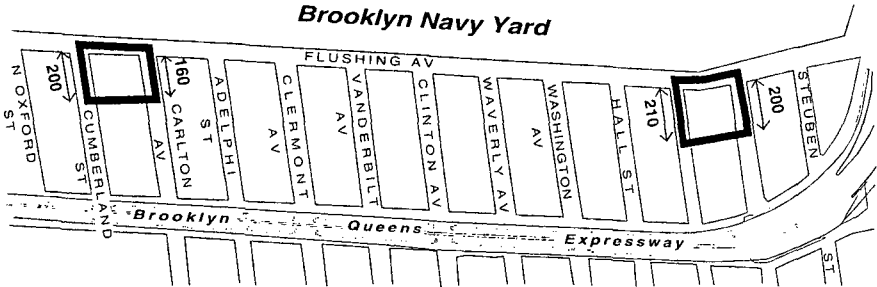


Map 7

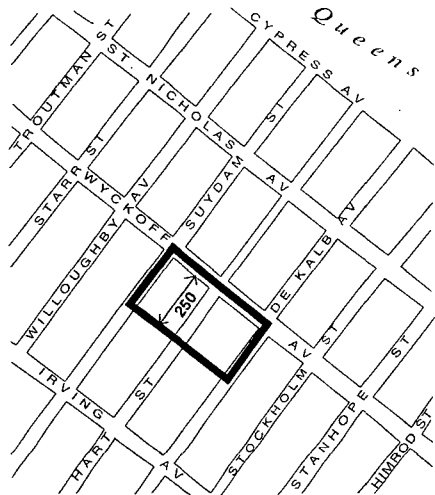
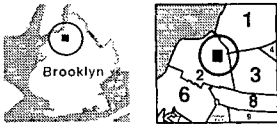


*Measurements not indicated for
boundaries located at midblock.*

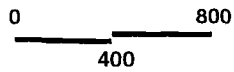
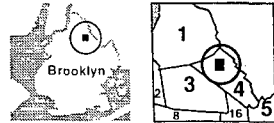
APPENDIX A Loft Conversion Areas in Brooklyn



Map 8



Map 9



Measurements not indicated for boundaries located at midblock.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 6, 7, 8, and 9

(Applications for site selection, amendments of the Zoning and City Map, and the grant of special permits to facilitate development of a sanitation garage)

No. 6

CD 4

C 000353 PCM

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection of property above a portion of West 56th Street and for site selection and acquisition of property located at the northeastern corner of West 55th Street and Twelfth Avenue (Block 1103, Lot 10), for use as a sanitation garage.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 7

CD 4

C 000354 ZMM

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of Zoning Map, Section No. 8c, changing from an M3-2 District to an M1-5 District property bounded by West 55th Street, Twelfth Avenue, West 57th Street, a line perpendicular to the southerly street line of West 57th Street distant 157 feet easterly from the intersection of the easterly street line of Twelfth Avenue and the southerly street line of West 57th Street, a line midway between West 56th Street and West 57th Street, and a line perpendicular to the northerly street line of West 55th Street distant 300 feet easterly from the intersection of the easterly street line of Twelfth Avenue and the northerly street line of West 55th Street, within the Special Clinton District, as shown on a diagram (for illustrative purposes only) dated April 23, 2001.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 8

CD 4

C 000355 ZSM
C 000356 ZSM

IN THE MATTER OF applications (C 000355 ZSM and C 000356 ZSM) submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. (C 000355 ZSM) Section 74-743(3) to allow the location of a proposed building without regard for the applicable yard and height and setback regulations; and
2. (C 000356 ZSM) Section 74-746 to allow a volume above a portion of West 56th Street* that has been eliminated, discontinued and closed, to be considered part of the adjoining zoning lot and to allow development within such volume;

to facilitate the development of a 4-story, approximately 120-foot high sanitation garage, on property generally bounded by West 57th Street, 12th Avenue, West 55th Street, a line 300 feet easterly of 12th Avenue, a line midway between West 56th Street and West 57th Street, and a line 157 feet easterly of 12th Avenue (Block 1103, Lots 10 and 44, Block 1104, Lot 1, including a volume above street grade of a portion of West 56th Street*), in a proposed M1-5 District**, in a general large-scale development, within the Special Clinton District.

* Note: A volume of West 56th Street 16 feet above street grade is proposed to be eliminated, discontinued and closed under a related application (C 010098 MMM) for a change in the City Map.

** Note: The development site is proposed to be rezoned from an M3-2 District to an M1-5 District under a related application (C 000354 ZMM) for a change in the Zoning Map.

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 August 8, 2001 for a public hearing.

 No. 9

CD 4

C 010098 MMM

IN THE MATTER OF an application submitted by the Department of Sanitation (DOS) and the Department of Citywide Administrative Services (DCAS), 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 and the establishment of volumes of portions of West 56th Street,

the adjustment of legal grades necessitated thereby and any acquisition or disposition of real property related thereto, in accordance with Map ACC No. 30209 dated March 5, 2001 and signed by the Borough President

Resolution for adoption scheduling August 8, 2001 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 10

CD 3

C 980160 ZSX

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 1, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 11

CD 6

C 010506 PQX

PUBLIC HEARING:

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.**

(On July 11, 2001, Cal. No. 2, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

Nos. 12 and 13

(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. 12

CD 6

C 010381 PPM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 3, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 6

C 010382 ZMM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 4, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 14 and 15

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

No. 14

CD 5

C 010652 ZMM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 5, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

PUBLIC HEARING:

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

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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)~~
(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)~~
(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	
	C5P	M1-6	C6-4 C6-5 C6-6.5	C5-2.5 C6-4.5 C6-5.5	C6-7T	C5-3 C6-6 C6-7	C5-2.5 C5-3 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}	1.0 ¹	---	1.0 ²	---	---
C. Maximum Total FAR with As-of-Right Incentives	8.0	11.0 ^{1,2} ₂	13.0 ¹	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}	2.4 ¹	---	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)							

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

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)

---	2.0 ³	---	---	---	---	---
-----	------------------	-----	-----	-----	-----	-----

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

9.6	14.4	14.4	No Limit	No Limit	21.6	No ⁵ Limit
-----	------	------	-------------	-------------	------	--------------------------

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.

2. 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).

8/26/92

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 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 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 81-511292 (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 81-511-292 (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, 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 81-52.1 (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 81-5211 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 block front 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;

(3) such signs and sign structure onto which signs are attached shall have a minimum of 10 feet clearance from the adjacent building;

(4) 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;

(5) special lighting effects are provided at the top of any sign structure; and

13 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 block front 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 block front 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;

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 #enlargement# 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 #enlargements# 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 Improvement 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**

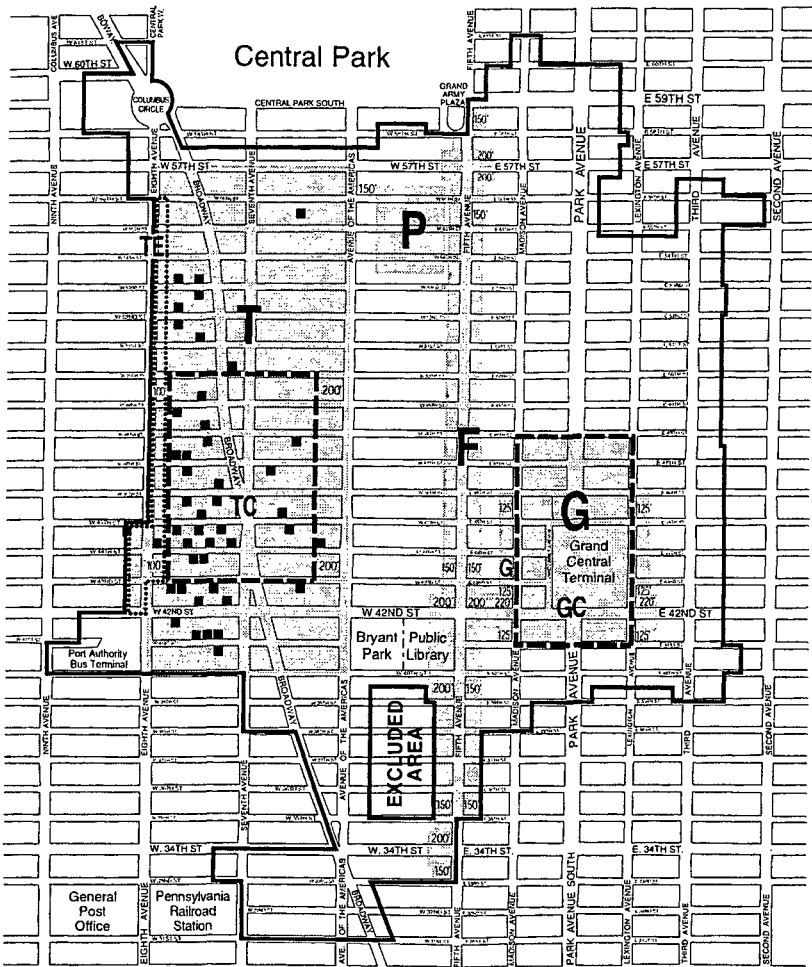
81-541**Rail mass transit facility improvement**

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**

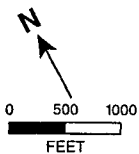
For the #zoning lot# bounded by West 34th Street, Seventh Avenue, West 33rd Street, and Eighth Avenue, which contains at least 10,000 square feet of existing #plaza# or other bonused public amenity in the Penn Center Subdistrict, the maximum allowed #floor area# bonus for all existing #plaza# or other 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#.



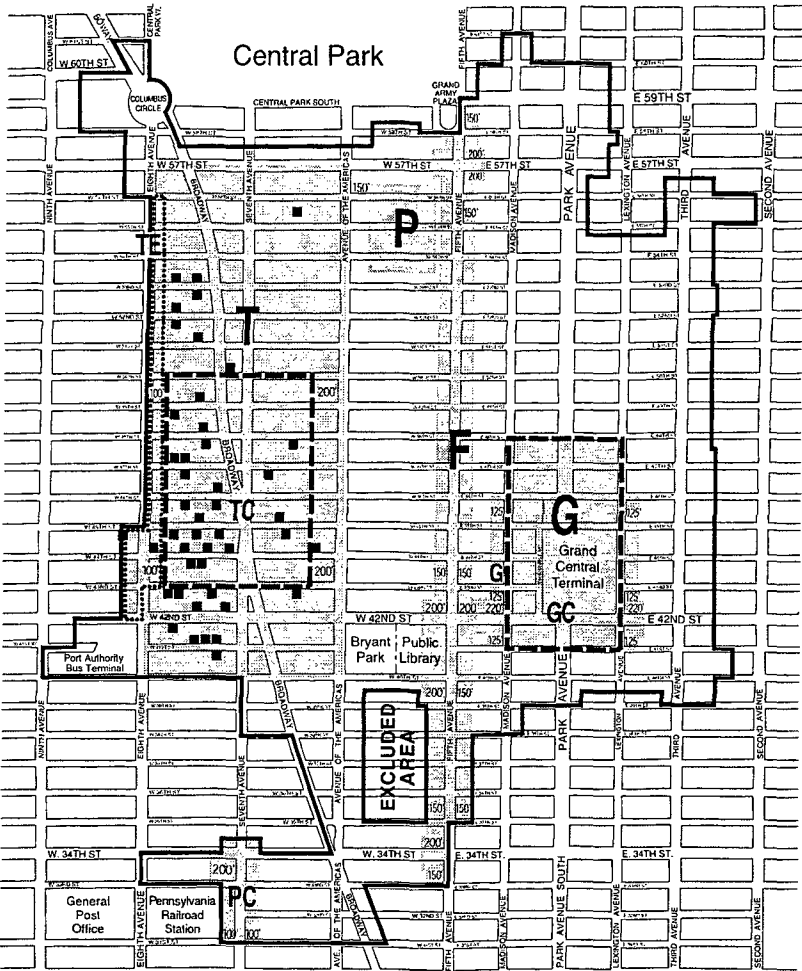
MIDTOWN DISTRICT PLAN

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



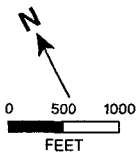
EXISTING



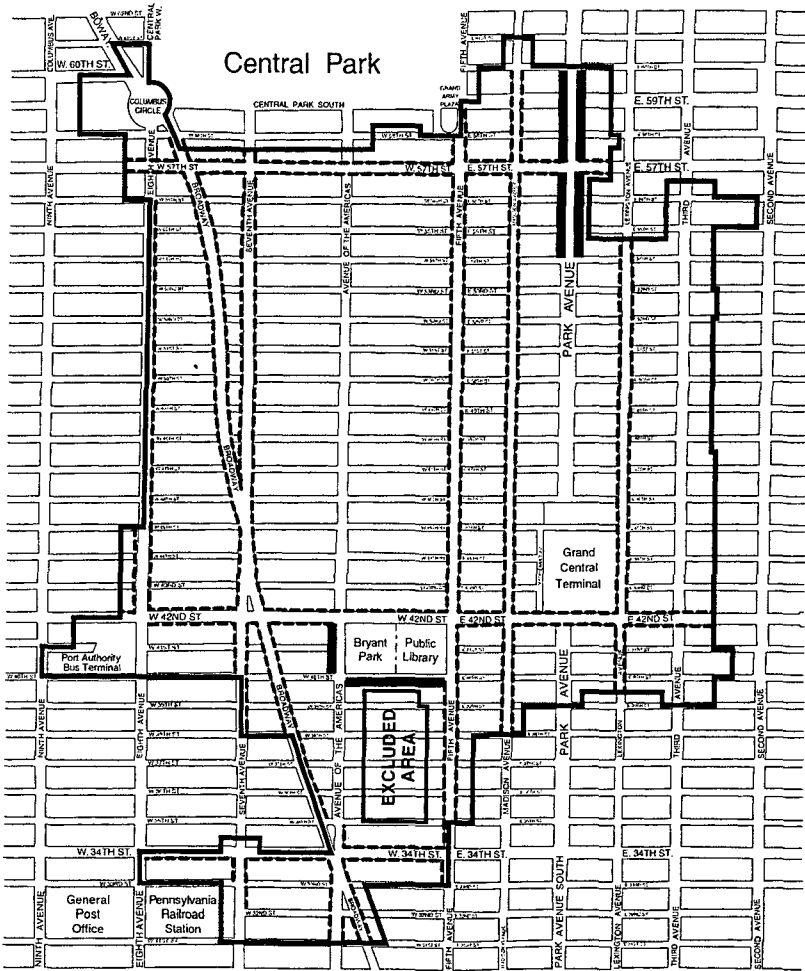
MIDTOWN DISTRICT PLAN

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

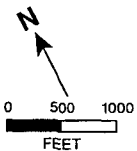


PROPOSED

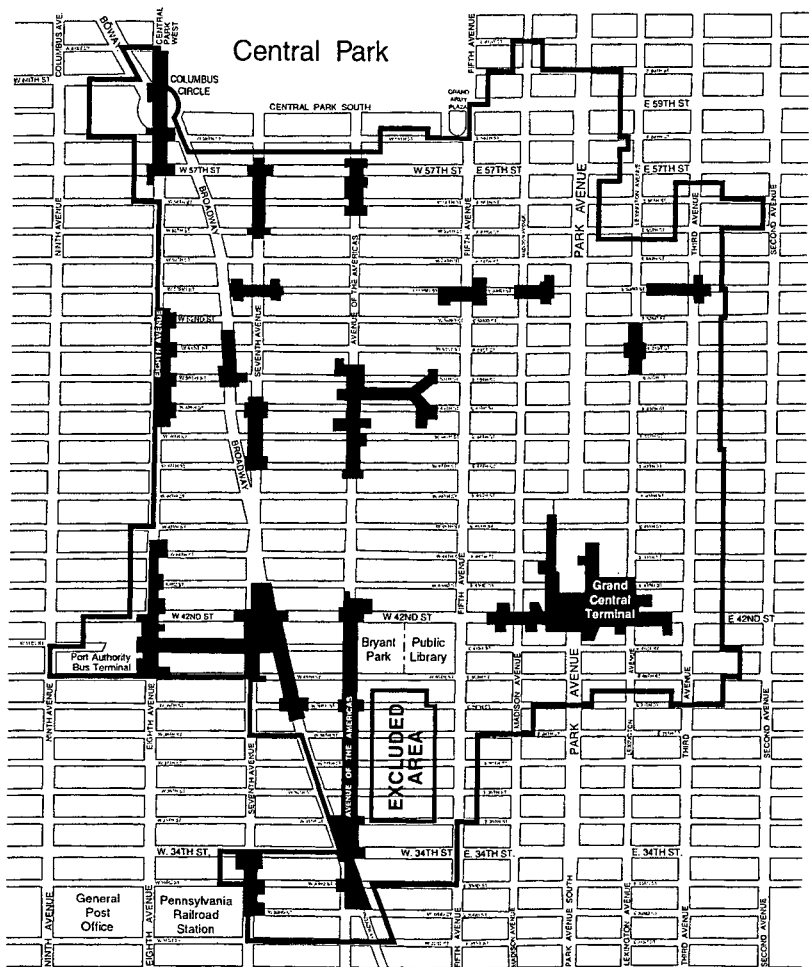


MIDTOWN DISTRICT PLAN
 MAP 2 - RETAIL AND STREET WALL CONTINUITY

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

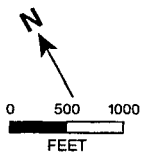


PROPOSED

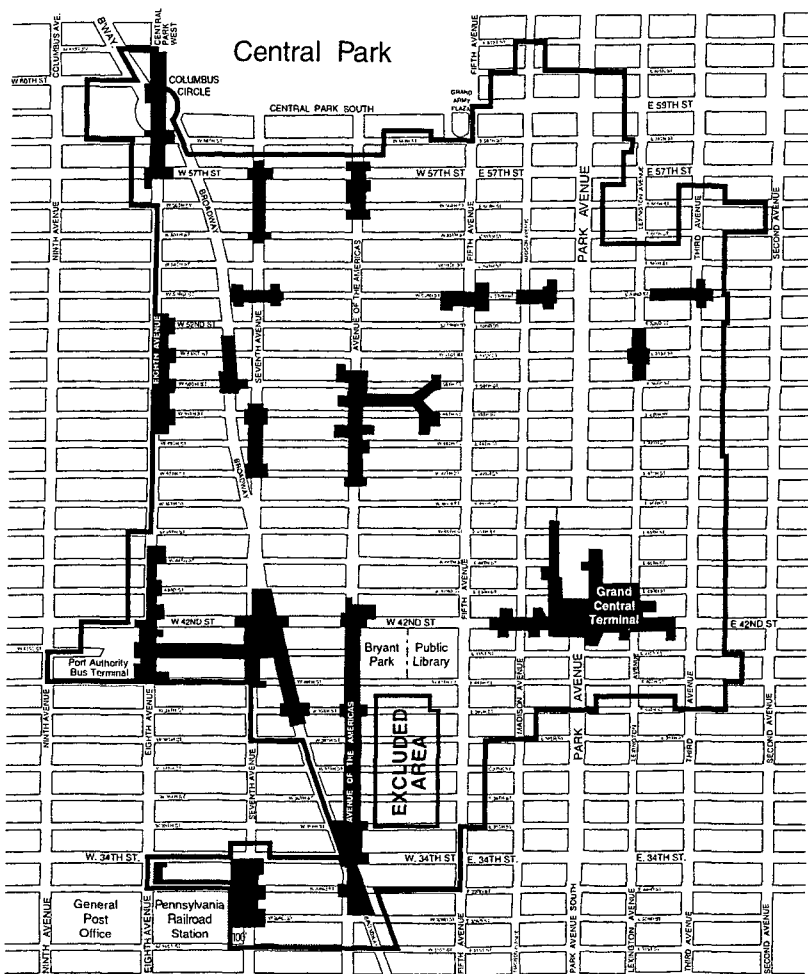


MIDTOWN DISTRICT PLAN MAP 3 - SUBWAY STATION IMPROVEMENT AREAS

— Special Midtown District



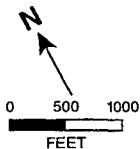
EXISTING



MIDTOWN DISTRICT PLAN

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

— Special Midtown District



PROPOSED

(On July 11, 2001, Cal. No. 6, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

CD 11

C 010643 MCM

PUBLIC HEARING:

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).**

(On July 11, 2001, Cal. No. 7, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

Nos. 17, 18, and 19

(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. 17

CD 7

C 010622 PPQ

PUBLIC HEARING:

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

(On July 11, 2001, Cal. No. 8, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.



No. 18

CD 7

C 010621 PCQ

PUBLIC HEARING:

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.**

(On July 11, 2001, Cal. No. 9, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.



No. 19

CD 7

C 010504 MMQ

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 10, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.



BOROUGH OF STATEN ISLAND

No. 20

CD 1

C 990291 PPR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of nine (9) City-owned properties pursuant to zoning.

(On July 11, 2001, Cal. No. 11, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF BROOKLYN

No. 21

CD 18

C 010356 PCK

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

(On June 13, 2001, Cal. No. 1, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 14, the hearing was closed.)

For consideration.

No. 22

CD 5

N 010711 PXX

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at **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. On July 11, 2001, Cal. No. 22, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 23

CD 7

C 010200 ZSM

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

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

(On June 13, 2001, Cal. No. 3, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 24

CD 12

N 010710 PXQ

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. On July 11, 2001, Cal. No. 26, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 25

CD 2

N 000357 ZAR

IN THE MATTER OF an application submitted by Thomas Sagona for the grant of authorizations pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environments and removal of trees and alteration of other natural features (steep slope) to facilitate development of a single-family residence with accessory swimming pool on property located at 283 Nugent Street (Block 2272, Lots 59, 63 and 65) within an R1-2 district 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.

 No. 26

(Request for the grant of authorizations of compliance with special review provisions to allow the development of a detached one-family residence with a semi-circular driveway and a two car garage within the Special Natural Area District)

CD 2

N 010291 ZAR

IN THE MATTER OF an application submitted by Vincent Dimino for the grant of authorizations pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environment including removal of trees and alteration of other natural features (steep slopes) to allow the construction of a detached one-family residence, with a semi-circular driveway and a two car garage located at Benedict Road (Block 867, Lot 24) 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.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 25, 2001

MEETING AT 10:00 A.M.
CITY HALL
NEW YORK, NEW YORK



Rudolph W. Giuliani, Mayor

City of New York

[No. 14]

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**

A

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 25, 2001

Roll Call; approval of minutes	1
I. Scheduling of August 8, 2001	1
II. Public Hearings	21
III. Reports	57

**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 August 8, 2001 at City Hall, Manhattan, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

JULY 25, 2001

APPROVAL OF MINUTES OF Regular Meeting of July 11, 2001

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, AUGUST 8, 2001
STARTING AT 10:00 A.M.
IN CITY HALL
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 4

N 010720 HAX

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

- 1) the designation of 1325 Walton Avenue and 25 East Clarke Place (Block 2840, lots 22 and 32), as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area;

to facilitate the development of an eight-story building tentatively known as East Clarke Place Affordable Apartments with 62 units of housing for low-income and homeless families and one superintendent's unit and developed under the New York State Housing Trust Fund Program.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

BOROUGH OF BROOKLYN**Nos. 2, 3, and 4**

(Applications for an amendment to the West Bushwick Urban Renewal Plan, amendment to the Zoning Map, designation of an Urban Development Action Area and Project, and disposition of property)

No. 2**CD 4****C 010593 HUK**

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, **for the West Bushwick Urban Renewal Plan, for the West Bushwick Urban Renewal Area.**

The proposed plan provides for the acquisition of 51 parcels (13 privately owned) to facilitate development of new housing, community facilities, open space and commercial space.

The following properties are proposed for acquisition:

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
1	3145	p/o 1*, p/o 2*, 3*, 5, 6*, 7*, 8*, 11*, p/o 12*
2	3151	p/o 17*, 18*, 19*, 20*, 22*, 24*, 26*, 27*, p/o 28*
3	3151	p/o 9*, 12*, 14*, 15*, 16*, p/o 17*, p/o 28*
4	3151	1*, 2, 3, 5, 6, 8, p/o 9*, p/o 59*, 64*, 65*, 66*, 67, 68, 69*, 70*
5	3145	p/o 1*, p/o 2*, p/o 12*, 14*
6	3151	p/o 28*
7	3151	p/o 9*, p/o 28*, p/o 59*
8	3137	1, 6, 9, 11, 12*, 15*, 17*, p/o 86*, 95*, 97*, 99*
9	3137	p/o 86*
10	3137	24*

Streets to be mapped

3151	100*
3151	p/o 28*

All mapped and/or built streets within the Project Boundary

*City-owned property

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 3

CD 4

C 010594 ZMK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development(HPD) pursuant to Sections 197-c and 201 of the New York City Charter for an **amendment of the Zoning Map, Section No. 13b:**

- 1) changing from an M1-1 District to an R7-2 District property bounded by Garden Street, Forrest Street, Stanwix Street, Melrose Street, Bushwick Avenue, Arion Place, Beaver Street, and a line 100 feet southerly of Flushing Avenue; and
- 2) establishing within the proposed R7-2 District a C2-4 district bounded by:
 - a) Garden Street, Bushwick Avenue, Arion Place, Beaver Street, a line perpendicular to the northeasterly street line of Beaver Street distant 400 feet northwesterly from the intersection of the northeasterly street line of Beaver Street and a street line perpendicular to the terminus of the southwesterly street line of Bushwick Avenue; and
 - b) Forrest Street, a line 100 feet northeasterly of Bushwick Avenue, a line 100 feet northwesterly of Melrose Street, Stanwix Street, Melrose Street, and Bushwick Avenue,

as shown on a diagram (for illustrative purposes only) dated May 7, 2001.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 4

CD 4

C 010595 HAK

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 properties within the West Bushwick Urban Renewal Area, 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 development of new housing, community facilities, open space and commercial space.

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.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

 No. 5

CDs 1, 2 and 4

N 010564(A) ZRK

IN THE MATTER OF a modified application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, **for amendment of the Zoning Resolution of the City of New York concerning Article I, Chapter 5, and related Sections, that would permit the legalization of certain loft residences in specified manufacturing areas in Brooklyn.**

Matter in Graytone is new, to be added;

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

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

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

* * *

**Chapter 2
Construction of Language and Definitions**

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

* * *

**12-10
DEFINITIONS**

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

* * *

Incidental alteration - see Alteration, incidental

~~Industrial Loft Advisory Council~~

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

* * *

**Chapter 5
Residential Conversion of Existing Non-Residential Buildings in Certain Community Districts in the Boroughs of Manhattan, Brooklyn and Queens**

* * *

**15-00
GENERAL PURPOSES**

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, ~~3~~ 6 and 8, and Queens Community Districts 1 and 2, special regulations for the conversion to dwelling units of non-residential buildings or portions thereof erected prior to December 15, 1961, have been established in order to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

* * *

15-01**Applicability**

In Manhattan Community Districts 1, 2, 3, 4, 5 and 6, Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, and in Brooklyn Community District 4 in accordance with the provisions of paragraph (f) of Section 15-021, the conversion to #dwelling units# of non-#residential buildings# or portions thereof, erected prior to December 15, 1961, shall be subject to the provisions of this Chapter. In addition, in Manhattan Community District 1, in the area south of Murray Street and its easterly prolongation and the Brooklyn Bridge, the conversion to #dwelling units# of non-#residential buildings#, or portion thereof, erected prior to January 1, 1977 shall be subject to the provisions of this Chapter. Existing floor space used for mechanical equipment and not counted as #floor area# in non-#residential buildings# built prior to January 1, 1977 may be converted to #dwelling units# under the provisions of this Chapter.

* * *

15-011**Special Districts**

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

For the purposes of this Chapter, ~~R(M) Districts indicated on the #zoning maps# for the Special Northside Mixed Use District as M(R) shall be considered #Manufacturing Districts#, and districts indicated on the #zoning map# as R(M) or for any Special Mixed Use Districts specified in Section 23-90 shall be considered #Residential Districts#.~~

* * *

15-02**General Provisions****15-021****Special use regulations**

- (a) In C5 and C6 Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all existing lawful #uses# in Use Groups 17B or E in #buildings# erected prior to December 15, 1961, shall be considered conforming. Such #uses# may be extended within such #buildings#.
- (b) In C6-2M and C6-4M Districts in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, all new #uses# listed in Use Groups 17B or E are permitted as-of-right in #buildings# erected prior to December 15, 1961, subject to the provisions of Section 32-42 (Location within Buildings).
- (c) In M1-5 and M1-6 Districts located within the rectangle formed by West 23rd Street, Fifth Avenue, West 31st Street and Eighth Avenue, no new #dwelling units# shall be permitted. However, #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on September 1, 1980, shall be a permitted

#use# provided that a complete application for a determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy on September 1, 1980, shall be deemed to permit #residential use# as-of-right for such #dwelling units#.

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

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

- (1) the total amount of #floor area# to be used for #dwelling units# does not exceed the amount of #floor area# occupied as #dwelling units# on September 1, 1980;
 - (2) any #use# listed in Section 15-50 which is located on #floor area# to be used for #dwelling units# has been offered a new or amended lease within the #building#, with a minimum term of two years from the date of application, at a fair market rental for the same amount of #floor area# previously occupied, and such lease is not subject to cancellation by the landlord;
 - (3) any #residential# tenant who occupied a #dwelling unit# shall be relocated to a #dwelling unit# within the #building# with a #floor area# equal to not less than 95 percent of the amount of #floor area# in the #dwelling unit# previously occupied; and
 - (4) as a result of such action by the Chairperson #residential uses# will be located on #stories# above #manufacturing uses#.
- (d) In M1-6 Districts located within the rectangle formed by West 35th Street, Fifth Avenue, West 40th Street and Sixth Avenue, no #dwelling units# shall be permitted, except that:
- (1) #dwelling units# which the Chairperson of the City Planning Commission determines were occupied on May 18, 1981, shall be a permitted #use# provided that a complete application to permit such #use# is filed by the owner of the #building# or the occupant of the #dwelling unit# not later than June 21, 1983. For the purposes of Article 7C of the New York State Multiple Dwelling Law, such a determination of #residential# occupancy shall be deemed to permit #residential use# as-of-right for such #dwelling unit#.
 - (2) in any #building# for which an alteration application for conversion of #floor area# used for non-#residential use# to #dwelling units# or for an #extension# or minor

~~#enlargement# of existing #residential use#, was filed prior to May 18, 1981, #dwelling units# shall be permitted, provided that such alterations shall comply with the regulations in effect on the date of such filing. The right to convert to #dwelling units# or #extend# or #enlarge# existing #residential use# pursuant to the provisions of this paragraph (d) shall expire one year from July 23, 1981, unless a temporary or permanent certificate of occupancy has been issued.~~

- (e) In C6-1G and C6-2G Districts, in all manufacturing and ~~#commercial buildings#~~ except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, ~~#residential use#~~ shall not be permitted unless the City Planning Commission has granted a special permit pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts). However, if the Chairperson of the City Planning Commission determines that ~~#floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.~~
- (f) In C8 and M1 Districts, no new ~~#dwelling units#~~ are permitted. However, within such districts, ~~#dwelling units# in the following areas: shall be considered a permitted #use#, provided the requirements of either paragraph (f)(1) or (f)(2) of this Section have been met.~~

~~(1) Areas in Brooklyn Community District 1~~

- ~~(i) bounded by South 10th Street, Berry Street, Division Avenue and Wythe Avenue;~~
- ~~(ii) bounded by South 6th Street, Broadway, Driggs Avenue, South 8th Street and Wythe Avenue;~~
- ~~(iii) bounded by South 4th Street, Driggs Avenue, South 5th Street and Berry Street;~~
- ~~(iv) bounded by North 4th Street, Berry Street, North 3rd Street and Wythe Avenue;~~
- ~~(v) bounded by Metropolitan Avenue, Havemeyer Street, Hope Street and Roebling Street; and~~

~~(2) An Area in Brooklyn Community District 2, bounded by Water Street, Washington Street, Plymouth Street, Bridge Street, Front Street, Jay Street, York Street, Washington Street, Front Street and Dock Street;~~

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

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

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

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

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

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

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

The provisions of Section 15-0253 (Double glazed windows) shall not apply to #dwelling units# permitted pursuant to this paragraph (f). All #dwelling units# permitted pursuant to this paragraph (f) shall be required to have double glazed windows.

15-022

Location within building

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

15-023

Notice to residential tenants in mixed-use buildings

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

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

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

15-024

~~Notice of filing to create dwelling units~~

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

15-025 ~~15-023~~

Double glazed windows

All #dwelling units# in #buildings# which contain one or more #uses# listed in Section 15-50 (REFERENCED COMMERCIAL AND MANUFACTURING USES) and converted under the provisions of this Chapter shall be required to have double glazing on all windows. However, #dwelling units# occupied by #residential# tenants on September 1, 1980, in Manhattan Community Districts 1, 2, 3, 4, 5 and 6, or in Brooklyn Community Districts 1, 2, 6 and 8, and Queens Community Districts 1 and 2, shall not be required to have double glazed windows.

15-026 ~~15-024~~

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

- (a) The minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111 may be replaced by the requirements of this Section for #dwelling units#, #joint living-work quarters for artists# or #loft dwellings#-
- (1) existing on September 1, 1980, for which a determination of #residential# or #joint living-work quarters for artists# occupancy has been made pursuant to Sections 15-021[§] paragraph (c), 15-215, 42-133[§] paragraph (a), 42-141[§] paragraph (b), 74-782; or 111-201[§] paragraph (a); or [§]
 - (2) ~~1~~ that are registered Interim Multiple Dwellings or are ~~were~~ found covered by the New York City Loft Board[§] pursuant to Article 7C of the New York State Multiple Dwelling Law; or
 - (3) ~~2~~ that the New York City Loft Board determines ~~it~~ were occupied for #residential use# or as #joint living-work quarters for artists# on September 1, 1980.

- (b) Unless required by the Department of Buildings or Loft Board for the legalization of Interim Multiple Dwelling Units in the implementation of Article 7C of the New York State Multiple Dwelling Law, #dwelling units# or #joint living-work quarters for artists# described in paragraph (a) and existing on such dates may not be divided subsequently into units or quarters of less than 1,200 square feet, and #loft dwellings# may not be divided subsequently into dwellings that do not meet the requirements of Section 111-111, paragraphs (a), (b)(1) and (c).

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

- (c) In lieu of the stated minimum size, #yard#, and density requirements of Sections 15-111, 15-22, 43-17 and 111-111, the following regulations shall apply:
- (1) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#, or #loft dwelling# may be no less than 415 square feet of #floor area#, provided that all of the following requirements are met:
 - (i) the unit or quarters shall contain one or more windows that open onto a #street# or thirty foot #yard#;
 - (ii) the area of such required window shall be not less than eight percent of the #floor area# of the unit or quarters and 50 percent of the area of such required window shall be openable; and
 - (iii) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width; or
 - (2) The minimum size of a #dwelling unit#, #joint living-work quarters for artists#, or #loft dwelling# may be no less than 600 square feet of #floor area#, provided that all of the following requirements are met:
 - (i) the unit or quarters shall contain one or more windows that open onto either:
 - (a) a ten foot #yard#, where the window sill of such required window is at least 23 feet above #curb level#; or
 - (b) a 15 foot #yard#, where the window sill of such required window is less than 23 feet above #curb level#; or
 - (c) a #court# with a minimum dimension of 15 feet perpendicular to such required window and 375 square feet or more in area; or
 - (d) a #street#, ~~and~~

- (ii) the minimum horizontal distance between such required window opening onto a #yard# and any wall opposite such window on the same or another #zoning lot# shall be at least 15 feet;
- (iii) the area of such required window shall be no less than five percent of the #floor area# of the unit or quarters, and 50 percent of the area of such required window shall be openable;
- (iv) the interior dimension of the wall in which such required window is located shall be no less than 12 feet in width;
- (v) the average width of such unit or quarters shall be no less than 14 feet; and
- (vi) not less than two-thirds of the #floor area# of the unit or quarters shall have a floor-to-ceiling height of nine feet or more.

* * *

15-21

Use Regulations - Transfer of Preservation Obligations and Conversion Rights

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

* * *

74-782

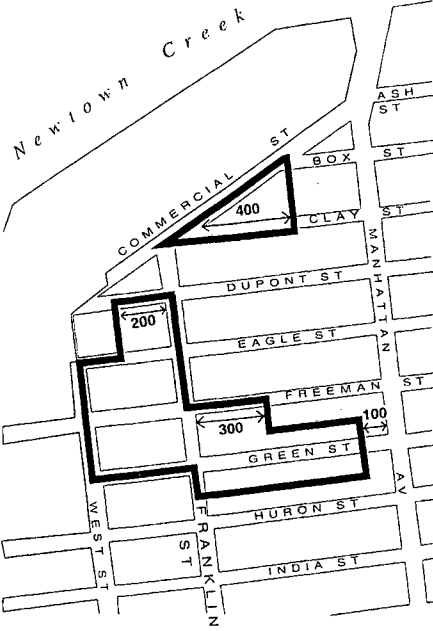
Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5A, M1-5B, M1-5M and M1-6M Districts

* * *

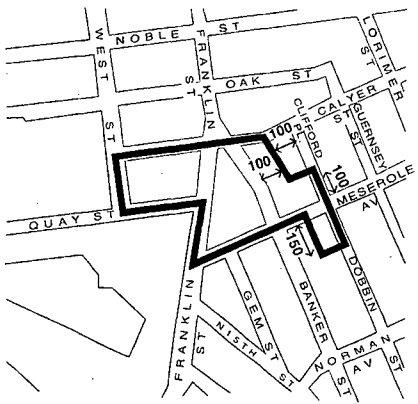
~~The applicant shall provide a copy of any application for a special permit under this Section to the #Industrial Loft Advisory Council#, c/o Mayor's Office of Economic Development.~~

* * *

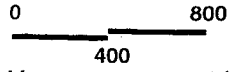
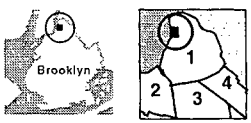
APPENDIX A Loft Conversion Areas in Brooklyn



Map 1



Map 2

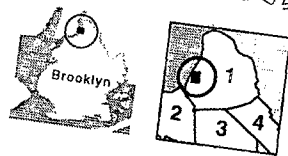


Measurements not indicated for boundaries located at midblock.

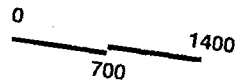
APPENDIX A Loft Conversion Areas in Brooklyn



Map 3

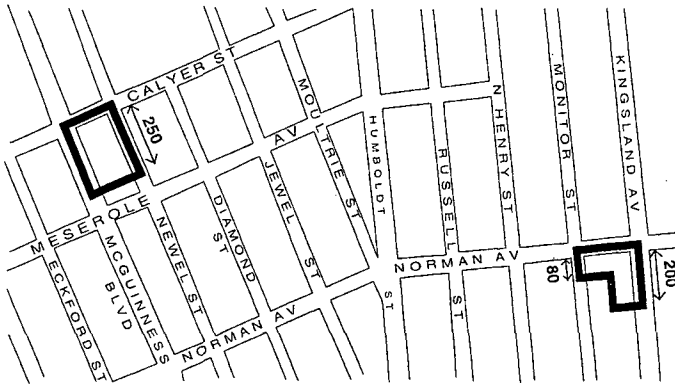


Measurements not indicated for
boundaries located at midblock.

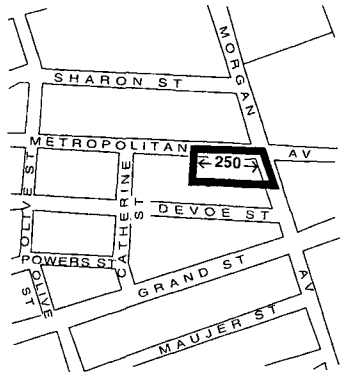
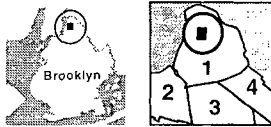


APPENDIX A

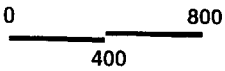
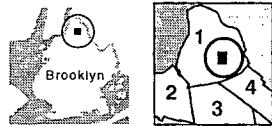
Loft Conversion Areas in Brooklyn



Map 4



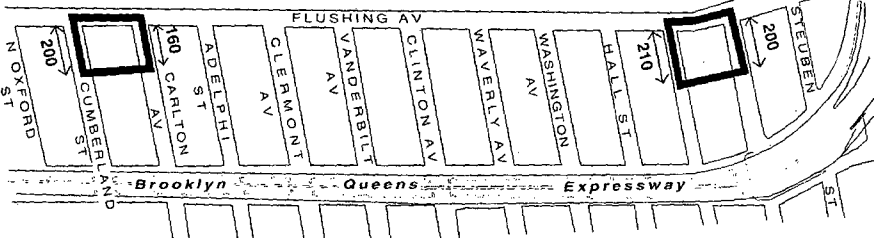
Map 5



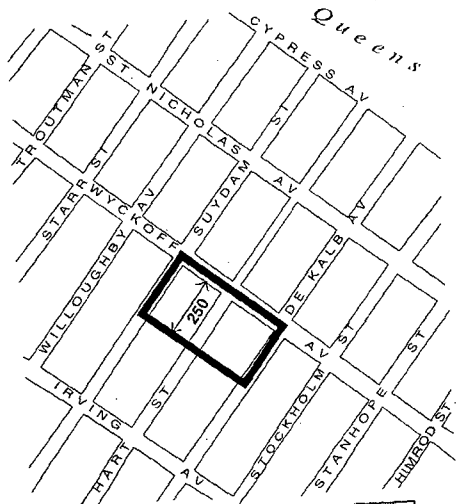
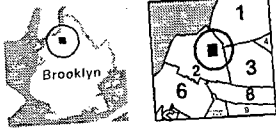
Measurements not indicated for boundaries located at midblock.

APPENDIX A Loft Conversion Areas in Brooklyn

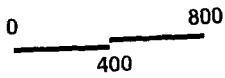
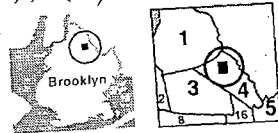
Brooklyn Navy Yard



Map 8



Map 9



Measurements not indicated for
boundaries located at midblock.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 6, 7, 8, and 9

(Applications for site selection, amendments of the Zoning and City Map, and the grant of special permits to facilitate development of a sanitation garage)

No. 6

CD 4

C 000353 PCM

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection of property above a portion of West 56th Street and for site selection and acquisition of property located at the northeastern corner of West 55th Street and Twelfth Avenue (Block 1103, Lot 10), for use as a sanitation garage.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 7

CD 4

C 000354.ZMM

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of Zoning Map, Section No. 8c, changing from an M3-2 District to an M1-5 District property bounded by West 55th Street, Twelfth Avenue, West 57th Street, a line perpendicular to the southerly street line of West 57th Street distant 157 feet easterly from the intersection of the easterly street line of Twelfth Avenue and the southerly street line of West 57th Street, a line midway between West 56th Street and West 57th Street, and a line perpendicular to the northerly street line of West 55th Street distant 300 feet easterly from the intersection of the easterly street line of Twelfth Avenue and the northerly street line of West 55th Street, within the Special Clinton District, as shown on a diagram (for illustrative purposes only) dated April 23, 2001.

Resolution for adoption scheduling August 8, 2001 for a public hearing.

No. 8

CD 4

C 000355 ZSM
C 000356 ZSM

IN THE MATTER OF applications (C 000355 ZSM and C 000356 ZSM) submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. (C 000355 ZSM) Section 74-743(3) to allow the location of a proposed building without regard for the applicable yard and height and setback regulations; and
2. (C 000356 ZSM) Section 74-746 to allow a volume above a portion of West 56th Street* that has been eliminated, discontinued and closed, to be considered part of the adjoining zoning lot and to allow development within such volume;

to facilitate the development of a 4-story, approximately 120-foot high sanitation garage, on property generally bounded by West 57th Street, 12th Avenue, West 55th Street, a line 300 feet easterly of 12th Avenue, a line midway between West 56th Street and West 57th Street, and a line 157 feet easterly of 12th Avenue (Block 1103, Lots 10 and 44, Block 1104, Lot 1, including a volume above street grade of a portion of West 56th Street*), in a proposed M1-5 District**, in a general large-scale development, within the Special Clinton District.

* Note: A volume of West 56th Street 16 feet above street grade is proposed to be eliminated, discontinued and closed under a related application (C 010098 MMM) for a change in the City Map.

** Note: The development site is proposed to be rezoned from an M3-2 District to an M1-5 District under a related application (C 000354 ZMM) for a change in the Zoning Map.

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 August 8, 2001 for a public hearing.

 No. 9

CD 4

C 010098 MMM

IN THE MATTER OF an application submitted by the Department of Sanitation (DOS) and the Department of Citywide Administrative Services (DCAS), 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 and the establishment of volumes of portions of West 56th Street,

the adjustment of legal grades necessitated thereby **and any acquisition or disposition of real property related thereto**, in accordance with Map ACC No. 30209 dated March 5, 2001 and signed by the Borough President

Resolution for adoption scheduling August 8, 2001 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 10

CD 3

C 980160 ZSX

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 1, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 11

CD 6

C 010506 PQX

PUBLIC HEARING:

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.**

(On July 11, 2001, Cal. No. 2, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

Nos. 12 and 13

(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. 12

CD 6

C 010381 PPM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 3, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 6

C 010382 ZMM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 4, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 14 and 15

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

No. 14

CD 5

C 010652 ZMM

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 5, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

CD 5

N 010653 ZRM

PUBLIC HEARING:

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

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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
Penn Center Subdistrict	81-50
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	
		C6-4	C5-2.5 C6-4.5		C5-3 C6-6		C5-3
	C5P	M1-6	C6-5.5 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}	1.0 ¹	---	1.0 ²	---	---
C. Maximum Total FAR with As-of-Right Incentives	8.0	11.0 ^{1,2} ₂	13.0 ¹	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}	2.4 ¹	---	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
<u>F. Maximum Special Permit #Floor Area# Allowances in Penn Center Subdistrict: Mass Transit Facility Improvement (Section 81-541)</u>							
		<u>2.0</u>			<u>3.0</u>		
<u>G. Maximum Total FAR with As-of-Right, District-Wide, and Penn Center Subdistrict Incentives:</u>							
		<u>12.0</u>			<u>18.0</u>		
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

9.6	14.4	14.4	No Limit	No Limit	21.6	No ⁵ Limit
-----	------	------	-------------	-------------	------	--------------------------

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.

~~2.0 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).~~

8/26/92

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 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 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-James 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 81-511292 (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 81-511-292 (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 81-52.1 (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 block front 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;
- 10) such #signs# and #sign# structure onto which #signs# are attached shall have a minimum of 10 feet clearance from the adjacent #building#;
- 11) 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;
- 12) special lighting effects are provided at the top of any #sign# structure; and

§ 81-521 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 2 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 #enlargement# 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 #enlargements# 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 Improvement 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**

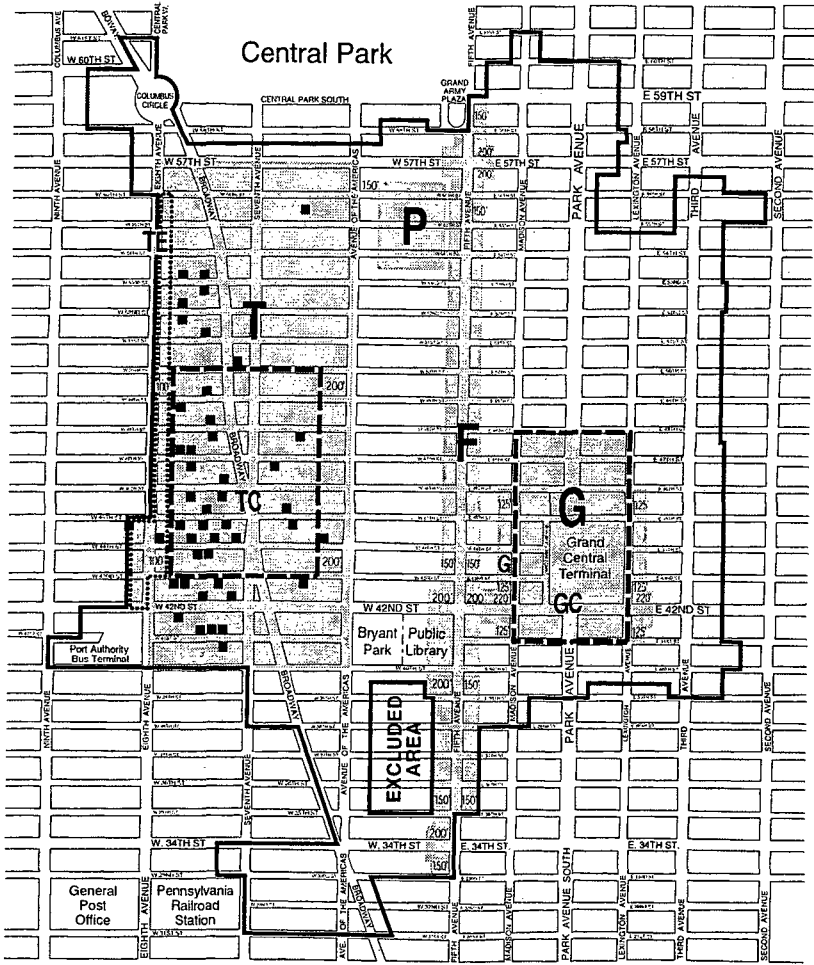
81-541**Rail mass transit facility improvement**

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#.

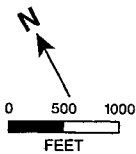


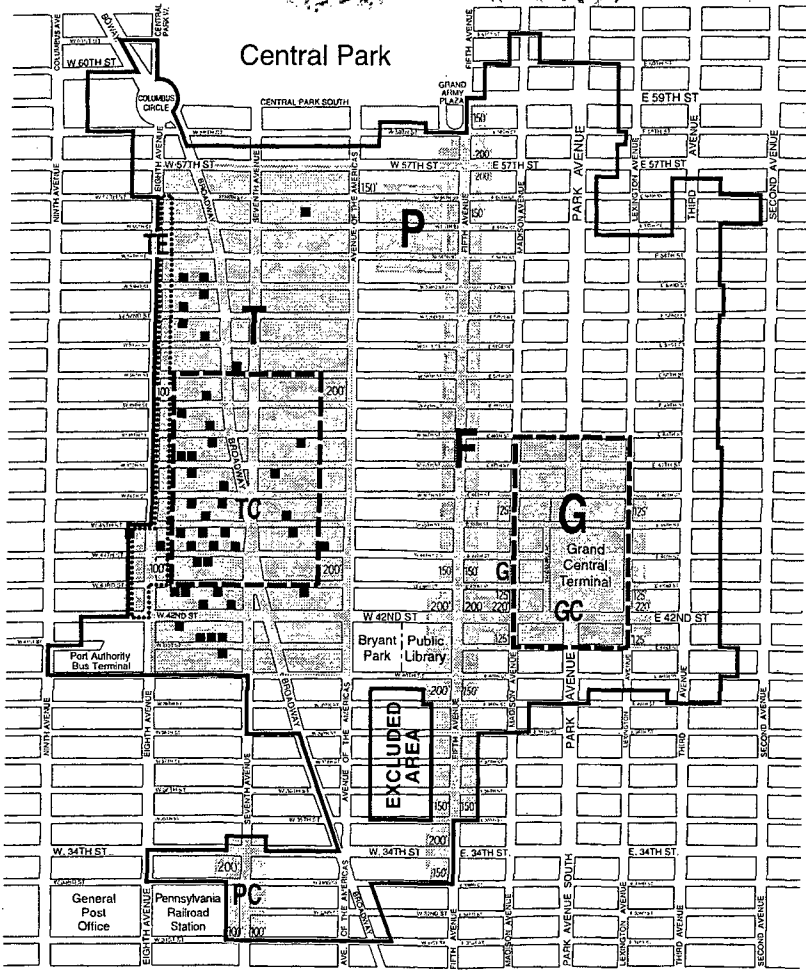
MIDTOWN DISTRICT PLAN

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

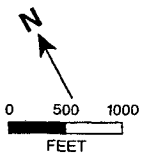




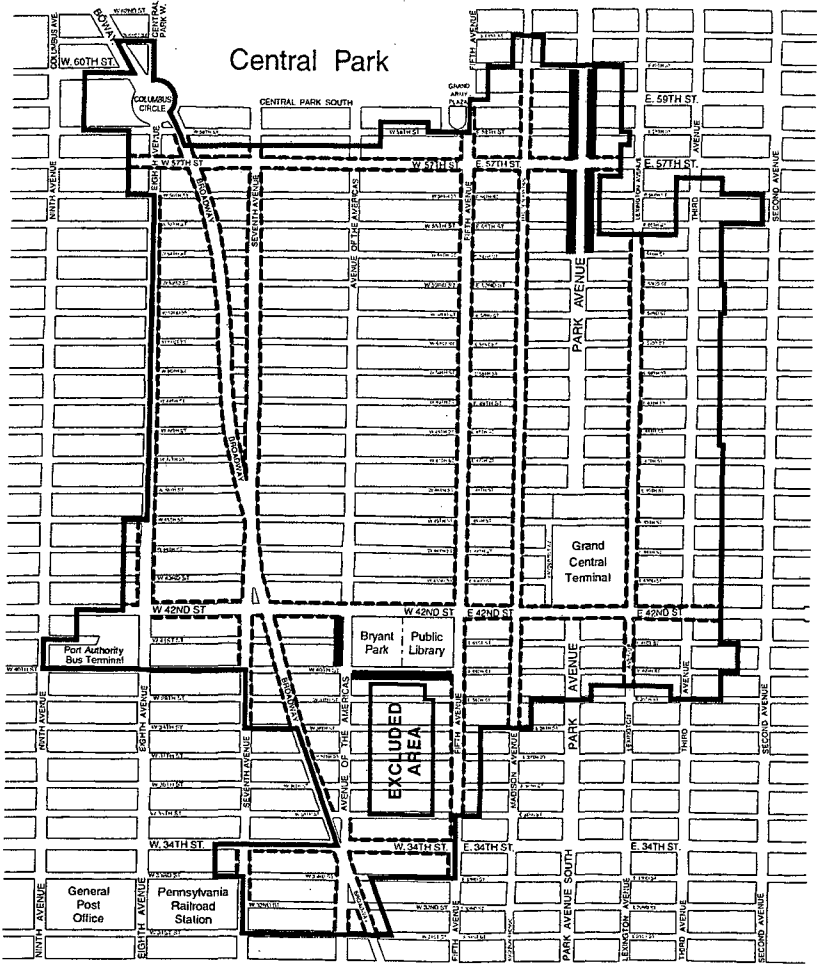
MIDTOWN DISTRICT PLAN

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

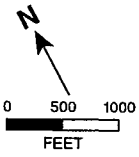


PROPOSED



MIDTOWN DISTRICT PLAN MAP 2 - RETAIL AND STREET WALL CONTINUITY

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



EXISTING

(On July 11, 2001, Cal. No. 6, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

CD 11

C 010643 MCM

PUBLIC HEARING:

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).**

(On July 11, 2001, Cal. No. 7, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

Nos. 17, 18, and 19

(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. 17

CD 7

C 010622 PPQ

PUBLIC HEARING:

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

(On July 11, 2001, Cal. No. 8, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

CD 7

C 010621 PCQ

PUBLIC HEARING:

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.**

(On July 11, 2001, Cal. No. 9, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 19

CD 7

C 010504 MMQ

PUBLIC HEARING:

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.

(On July 11, 2001, Cal. No. 10, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

No. 20

CD 1

C 990291 PPR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of nine (9) City-owned properties pursuant to zoning.

(On July 11, 2001, Cal. No. 11, the Commission scheduled July 25, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF BROOKLYN

No. 21

CD 18

C 010356 PCK

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

(On June 13, 2001, Cal. No. 1, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 14, the hearing was closed.)

For consideration.

No. 22

CD 5

N 010711 PXX

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 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. On July 11, 2001, Cal. No. 22, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 23

CD 7

C 010200 ZSM

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

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

(On June 13, 2001, Cal. No. 3, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 24

CD 12

N 010710 PXQ

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. On July 11, 2001, Cal. No. 26, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 25

CD 2

N 000357 ZAR

IN THE MATTER OF an application submitted by Thomas Sagona for the grant of authorizations pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environments and removal of trees and alteration of other natural features (steep slope) **to facilitate development of a single-family residence with accessory swimming pool on property located at 283 Nugent Street (Block 2272, Lots 59, 63 and 65) within an R1-2 district 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.

 No. 26

(Request for the grant of authorizations of compliance with special review provisions to allow the development of a detached one-family residence with a semi-circular driveway and a two car garage within the Special Natural Area District)

CD 2

N 010291 ZAR

IN THE MATTER OF an application submitted by Vincent Dimino **for the grant of authorizations** pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environment including removal of trees and alteration of other natural features (steep slopes) **to allow the construction of a detached one-family residence, with a semi-circular driveway and a two car garage located at Benedict Road (Block 867, Lot 24) 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.
