

# CITY PLANNING COMMISSION DISPOSITION SHEET

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

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

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	C 010427 PQX	4	Scheduled to be Heard 10/24/01	19	C 010709 ZMM	6	Hearing Closed
2	C 010428 PQX	4	" "	20	C 010712 ZSM	6	" "
3	C 010714 HAM	11	" "	21	C 010713 ZSM	6	" "
4	C 010122 ZMQ	1	" "		NOTICE		" "
5	C 010552 ZSX	8	Hearing Closed	22	C 010689 ZMM	4	" "
6	C 010554 ZSX	8	" "	23	C 010556 ZMM	4	" "
7	C 010555 ZSX	8	" "	24	C 000507 PPM	10	" "
8	C 010567 PQX	6	" "	25	C 010547 ZMM	8	Hearing Continued
9	C 010070 PPK	5	" "	26	C 010548 ZSM	8	" "
10	C 020002 HUM	11	" "		NOTICE		" "
11	C 020003 HAM	11	" "	27	C 010126 PCM	2	Hearing Closed
12	C 010675 HUM	3	" "	28	N 010510 ZRM	11	" "
13	C 010676 ZMM	3	" "	29	C 010511 ZMM	11	" "
14	C 010677 HDM	3	" "	30	C 010513 HDM	11	" "
15	C 010678 ZSM	3	" "	31	C 010185 ZMQ	1	Laid Over
16	C 010230 ZSM	1	Hearing Continued	32	C 010620 PPQ	12	Hearing Closed
17	C 010311 ZSM	1	Hearing Closed	33	C 010655 PQQ	2	" "
18	C 010708 PPM	6	" "	34	C 010601 ZMR	1	Laid Over

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

MEETING ADJOURNED AT: 6:45 P.M.

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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, OCTOBER 10, 2001**

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**MEETING AT 10:00 A.M. AT CITY HALL  
(LOCATION IS SUBJECT TO CHANGE)  
NEW YORK, NEW YORK**



**Rudolph W. Giuliani, Mayor**

**City of New York**

**[No. 19]**

**Prepared by Rosa R. Romero, Calendar Officer**

To view the Planning Commission Calendar and/or the Zoning Resolution on the World Wide Web, visit the Department of City Planning (DCP) home page at: [nyc.gov/planning](http://nyc.gov/planning)

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

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

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

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**CALENDARS:** Any Community Board, civic association or non-profit organization may write the Calendar Officer of the Commission to be placed on the mailing list to receive the Comprehensive City Planning Commission Calendar which consists of the City Planning Commission Public Meeting Calendar, Supplemental Calendar and Special Meeting Calendar, and Community Board Public Hearing Notices. Calendars are also available to the public in the Calendar Information Office, 22 Reade Street, Room 2E, New York, N.Y. 10007. Any other individual or organization wishing to be placed on the calendar mailing list may do so by sending a certified check, made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216. The fee, including tax, is \$100.00 for a one year subscription.

**For Calendar Information:** call (212) 720-3368, 3369, 3370.

**Note to Subscribers:** Notify us of change of address by writing to:

**City Planning Commission**  
Calendar Information Office  
22 Reade Street - Room 2E  
New York, New York 10007-1216

**B**  
**CITY PLANNING COMMISSION**

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

- JOSEPH B. ROSE**, *Chairman*
- ALBERT ABNEY**
- ANGELA M. BATTAGLIA**
- AMANDA M. BURDEN**, *A.I.C.P.*
- IRWIN G. CANTOR**, *P.E.*
- ANGELA R. CAVALUZZI**, *R.A.*
- KATHY HIRATA CHIN**, *Esq.*
- ALEXANDER GARVIN**
- MARILYN G. GELBER**
- WILLIAM J. GRINKER**
- KENNETH J. KNUCKLES**, *Esq.*
- JOHN MEROLO**, *Commissioners*
- ROSA R. ROMERO**, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in City Hall, Manhattan, unless otherwise ordered.

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**ORDER OF BUSINESS AND INDEX**

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**WEDNESDAY, OCTOBER 10, 2001**

Roll Call; approval of minutes .....	1
I. Scheduling of October 24, 2001 .....	1
II. Public Hearings .....	4
III. Reports .....	41

**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 October 24, 2001 at City Hall, Manhattan, New York at 10:00 a.m. **PLEASE NOTE THAT THIS LOCATION IS SUBJECT TO CHANGE.**

**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

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

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

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

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

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

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

Subject \_\_\_\_\_

Date of Hearing \_\_\_\_\_ Calendar No. \_\_\_\_\_

Borough \_\_\_\_\_ Identification No.: \_\_\_\_\_ CB No.: \_\_\_\_\_

Position: Opposed \_\_\_\_\_

In Favor \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Organization (if any) \_\_\_\_\_

Address \_\_\_\_\_ Title: \_\_\_\_\_

OCTOBER 10, 2001

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APPROVAL OF MINUTES OF Regular Meeting of September 25, 2001

(PLEASE NOTE THAT DUE TO THE TRAGEDY OF SEPTEMBER 11, 2001,  
THE PUBLIC MEETING OF SEPTEMBER 12, 2001 WAS NOT HELD)

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I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, OCTOBER 24, 2001  
STARTING AT 10:00 A.M.

IN CITY HALL

(PLEASE NOTE THAT THIS LOCATION IS SUBJECT TO CHANGE)  
NEW YORK, NEW YORK

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**BOROUGH OF THE BRONX**

No. 1

CD 4

C 010427 PQX

**IN THE MATTER OF an application** submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for acquisition of property located at 1330 Morris Avenue, Apt. No. A-1, (Block 2785, Lot 16) for continued use as an Agency Operated Boarding Home.**

**Resolution for adoption rescheduling October 24, 2001 for a public hearing.**

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No. 2

CD 4

C 010428 PQX

**IN THE MATTER OF an application** submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for acquisition of property located at 1330 Morris Avenue Apt. No. A-4 (Block 2785, Lot 16) for continued use as an Agency Operated Boarding Home.**

**Resolution for adoption rescheduling October 24, 2001 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**No. 3**

**CD 11**

**C 010714 HAM**

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 1991, 1995 & 2001 First Avenue and 336 E. 103<sup>rd</sup> Street, Site 7 within the Metro North I Urban Renewal Area (Block 1674, Lot 23), as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate construction of a building with approximately 231 units of housing, neighborhood retail and community facility space.

**Resolution for adoption rescheduling October 24, 2001 for a public hearing.**

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**BOROUGH OF QUEENS**

**No. 4**

**CD 1**

**C 010122 ZMQ**

**IN THE MATTER OF** an application submitted by Astoria Sports Complex, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 9b**, changing from an M1-1 District to an M1-5 District property bounded by 38th Street, 35th Avenue, 37th Street, and a line 240 feet northeasterly of 35th Avenue, as shown on a diagram (for illustrative purposes only) dated June 25, 2001.

**Resolution for adoption rescheduling October 24, 2001 for a public hearing.**

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II. PUBLIC HEARINGS

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**BOROUGH OF THE BRONX**

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

**(Applications for the grant of special permits to allow the alteration of natural features, the enlargement of an existing nursing home, and to permit an unattended accessory parking garage)**

**No. 5**

**CD 8**

**C 010552 ZSX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Hebrew Home for the Aged at Riverdale, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 105-433 of the Zoning Resolution to allow the alteration of natural features involving the removal of rock outcropping in connection with the enlargement of an existing nursing home within a large-scale community facility development located at 5901 Palisade Avenue** (Block 5933, Lots 210, 224, 225 and 230), in an R4 District, within the Special Natural Area District (NA-2).

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

(On September 25, 2001, Cal. No. 1, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 6**

**CD 8**

**C 010554 ZSX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Hebrew Home for the Aged at Riverdale, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the**

**grant of a special permit pursuant to Section 74-90 of the Zoning Resolution to allow the enlargement of an existing nursing home within a large-scale community facility development located at 5901 Palisade Avenue (Block 5933, Lots 210, 224, 225 and 230), in an R4 District, within the Special Natural Area District (NA-2).**

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

(On September 25, 2001, Cal. No. 2, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 7

**CD 8**

**C 010555 ZSX**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Hebrew Home for the Aged at Riverdale, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to allow a below-grade unattended accessory off-street parking garage with a maximum capacity of 256 spaces in connection with the enlargement of an existing nursing home within a large-scale community facility development located at 5901 Palisade Avenue (Block 5933, Lots 210, 224, 225 and 230), in an R4 District, within the Special Natural Area District (NA-2).**

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

(On September 25, 2001, Cal. No. 3, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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CD 6

C 010567 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 601 East 178<sup>th</sup> Street** (Block 3068, Lot 61) **for continued use as an Agency Operated Boarding Home.**

(On August 22, 2001, Cal. No. 1, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 6, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF BROOKLYN**

CD 5

C 010070 PPK

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, **for the disposition of fourteen (14) city-owned properties, pursuant to zoning.**

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

(On August 22, 2001, Cal. No. 2, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 7, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN****Nos. 10 and 11**

**(Applications for the 2<sup>nd</sup> Amendment to the Metro North I Urban Renewal Plan for the Metro North I Urban Renewal Area, designation of an Urban Development Action Area and Project, and disposition of property, to facilitate the development of housing, retail and community facility space)**

**No. 10****CD 11****C 020002 HUM****PUBLIC HEARING:**

**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 2nd amendment to the Metro North I Urban Renewal Plan for the Metro North I Urban Renewal Area.**

The proposed plan:

1. conforms to the most recently approved HPD language, terminology and methodology;
2. eliminates controls that restrict residential development in the Area to low and moderate income housing;
3. changes the land use designation of Site 1 to Open Space to reflect its current use as a play-lot.
4. eliminates controls that pertain to properties within the project boundary that are not designated for acquisition. Such properties are not subject to the controls of the Plan;
5. eliminates all previously designated "X" parcels. These designations are no longer used by HPD;
6. assigns site numbers in accordance with current practice;
7. amends Exhibit A to reflect the consolidation of tax lots;
8. updates the Proposed Time Schedule;

(On September 25, 2001, Cal. No. 8, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 11**

**CD 11**

**C 020003 HAM**

**PUBLIC HEARING:**

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of 327-29 E. 100<sup>th</sup> Street, Site 3 within the Metro North I (Block 1672, Lot 17), as an Urban Development Action Area;
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

**to facilitate construction of a seven story building with approximately 250 units of housing, retail and community facility space.**

(On September 25, 2001, Cal. No. 9, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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## Nos. 12, 13, 14, and 15

**(Applications for the 2<sup>nd</sup> Amendment of the Cooper Square Urban Renewal Plan for the Cooper Square Urban Renewal Area, amendment of the zoning map, disposition of property and the grant of a special permit, to facilitate the construction of a mixed-use general large-scale development)**

## No. 12

CD 3

C 010675 HUM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the 2<sup>nd</sup> amendment of the Cooper Square Urban Renewal Plan for the Cooper Square Urban Renewal Area.

The proposed plan:

- Conforms to the most recently approved HPD language, terminology and methodology.
- Eliminates land use controls in the previously approved plan, such as exclusively low, moderate and middle income housing and use restrictions preventing mixed use mixed income buildings for Site 1A and the former Site 2.
- Changes land use controls in the previously approved plan calling for demolition of all existing buildings on sites 1A and former Site 2 to allow for partial and complete rehabilitation of on site buildings.
- Adds a new Exhibit A, listing the properties in the urban renewal sites.
- Identifies rehabilitation sites in Exhibit A, Map 1 and Map 2.
- Subdivides portions of Site 2:

A portion of Site 2 from the previously approved plan has been subdivided to permit the creation of a permanent open space site, Site 2B, to preserve the *Liz Christie Bowery Houston and Rock 'n Rose Gardens*.

Two streets that are no longer planned to be demapped, East 1<sup>st</sup> Street between Bowery and Second Avenue and Extra Place are no longer designated as part of Site 2.

Rehabilitation sites that were formerly included in Site 2 have been designated as separate sites (2C, 2D, 2E, 2F (partial rehabilitation), 3B)

- Renames former Site 3 as Sites 3D and 1 maintains the use restriction for supportive housing.
- Redesignates a portion of Site 1A as Site 1D for rehabilitation as a mixed use building.
- Eliminates from the plan Site 2A which was never acquired.
- Updates the Proposed Time Schedule for effectuation of the Plan.

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

**Close the hearing.**

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No. 13

CD 3

C 010676 ZMM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. **changing from a C6-1 District to an R8X District property bounded by East Houston Street, Chrystie Street, a line 200 feet northerly of Stanton Street, a line 100 feet easterly of Bowery, a line 100 feet southerly of East Houston Street, Bowery, East 1<sup>st</sup> Street, a line 100 feet easterly of Bowery, a line bisecting an angle formed by the easterly prolongation of the southerly street line of East 1<sup>st</sup> Street and the easterly prolongation of the northerly street line of East Houston Street, a line 100 feet westerly of Second Avenue, East 1<sup>st</sup> Street, and a line 65 feet westerly of Second Avenue;**
2. **changing from an R7-2 District to an R8X District property bounded by East 1<sup>st</sup> Street, a line 100 feet westerly of Second Avenue, a line bisecting an angle formed by the easterly prolongation of the southerly street line of East 1<sup>st</sup> Street and the easterly prolongation of the northerly street line of East Houston Street, and a line 100 feet easterly of Bowery;**
3. **establishing within the proposed R8X District a C2-5 District bounded by**

East Houston Street, Chrystie Street, a line 200 feet northerly of Stanton Street, a line 100 feet easterly of Bowery, a line 100 feet southerly of East Houston Street, Bowery, East 1<sup>st</sup> Street, and a line 65 feet westerly of Second Avenue; and

4. establishing within an existing R7-2 District a C2-5 District bounded by East 1<sup>st</sup> Street, a line 100 feet easterly of Bowery, a line 125 feet northerly of East 1<sup>st</sup> Street, and a line 100 feet westerly of Second Avenue;

partially within the Special Transit Land Use District, in the Cooper Square Urban Renewal Area, as shown on a diagram (for illustrative purposes only) dated June 25, 2001.

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

Close the hearing.

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No. 14

CD 3

C 010677 HDM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application, submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property, comprising the following sites within the Cooper Square Urban Renewal Area to a sponsor/developer to be selected by HPD.

<u>Site</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>
1A	427	30	97-111 E. Houston St.
1D	427	1D	271 Bowery
2, 2F	456	p/o 1	291-3, 295 & 303 Bowery and 9-19 E. 1 <sup>st</sup> Street
2B	456	p/o 1	287-289 E. Houston Street, 5 2 <sup>nd</sup> Avenue
3A	457	p/o 1	303-311 Bowery
3B	457	p/o 1	6-10 E. 1 <sup>st</sup> Street



3C	457	p/o 1	12-24 E. 1 <sup>st</sup> Street
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The disposition would facilitate development of approximately 714 residential units with related community facility, retail and open space.

(On September 25, 2001, Cal. No. 12, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 15**

**CD 3**

**C 010678 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. **Section 74-743(a)(1) to allow the distribution of floor area, lot coverage and dwelling units without regard for zoning lot lines or district boundaries;**
2. **Section 74-743(a)(3) to allow the location of buildings without regard for the applicable yard and height and setback regulations;**
3. **Section 74-744(b) to allow residential and non-residential uses to be arranged in a building without regard for the regulations set forth in Section 32-42; and**
4. **Section 74-745 to allow permitted accessory off-street parking spaces to be located without regard for zoning lot lines;**

**to facilitate the construction of a mixed use general large-scale development consisting of four zoning lots, generally bounded by Bowery, a line midway between East 1<sup>st</sup> Street and East 2<sup>nd</sup> Street, Second Avenue, Chrystie Street, and a line 200 feet northerly of Stanton Street (Block 427, Lots 14 and 30, Block 456, part of Lot 1, Block 457, part of Lots 1 and 28), in R8X\*/C2-5\*, R7-2/C2-5\* and C6-1 Districts, partially within the Special Transit Land Use District, in the Cooper Square Urban Renewal Area.**

- **Note: Implementation of this proposal also requires a related amendment of the Zoning Map, Section No. 12c (C 010676 ZMM).**

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

(On September 25, 2001, Cal. No. 13, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 16

CD 1

C 010230 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by F C Foley Square Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution** to allow an attended public parking garage with a maximum capacity of 238 spaces on portions of the first floor and in part of the cellar and subcellar of a proposed building located at 101-117 Worth Street (Block 170, Lots 12, 18 and 20), in a C6-4A District.

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

(On September 25, 2001, Cal. No. 14, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 17

CD 1

C 010311 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Witkoff Group pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Sections 91-50, 13-562 and 74-52 of the Zoning Resolution** to allow an attended public parking garage with a maximum capacity of 150 spaces in a portion of the cellar of an existing building on a zoning lot located at 233 Broadway (Block 123, Lot 22) with the entrance/exit to garage on the ground floor of an existing building on an adjoining

**zoning lot located at 21 Barclay Street (Block 123, Lot 3), in a C5-3 District, within the Special Lower Manhattan District.**

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

(On September 25, 2001, Cal. No. 15, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**Nos. 18, 19, 20, and 21**

**(Applications for the disposition of city-owned property, an amendment of the zoning map, and the grant of special permits to facilitate a scientific research and development facility, with accessory parking)**

**No. 18**

**CD 6**

**C 010708 PPM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter for disposition to the Economic Development Corporation of one (1) city-owned property generally bounded by First Avenue, the Franklin D. Roosevelt Drive and the easterly prolongations of East 28<sup>th</sup> and East 30<sup>th</sup> streets (Block 962, part of Lot 100), restricted to:

1. Use Groups 3 and 4;
2. Use Group 6A limited to not more than 5% of the total new development floor area developed on the subject property;
3. Any other use permitted pursuant to a special permit approved by the City Planning Commission for the subject property;
4. Use Group 6B (office) in Phase 1 as identified on Site Plan, Drawing Z.2, submitted in ULURP application C 010712 ZSM, provided that a determination is made that the subject building cannot be fully occupied by a scientific research facility; and

5. The signage regulations of a C1 zoning district.

(On September 25, 2001, Cal. No. 16, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 19

CD 6

C 010709 ZMM

**PUBLIC HEARING:**

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

1. eliminating from an existing R8 District a C2-5 District bounded by the easterly prolongation of the southerly street line of East 30<sup>th</sup> Street, a line 150 feet easterly of First Avenue, the easterly prolongation of the southerly street line of East 29<sup>th</sup> Street, and First Avenue; and
2. changing from an R8 District to a C6-2 District, property bounded by the easterly prolongation of the southerly street line of East 29<sup>th</sup> Street, a line 150 feet easterly of First Avenue, a line 105 feet southerly of the easterly prolongation of the southerly street line of East 29<sup>th</sup> Street, a line 525 feet easterly of First Avenue, a line 180 feet southerly of the easterly prolongation of the southerly street line of East 29<sup>th</sup> Street, Franklin D. Roosevelt Drive, the center line of the elevated portion of Franklin D. Roosevelt Drive located within Marginal Street Wharf or Place, a line 310 feet northerly of the easterly prolongation of the southerly street line of East 29<sup>th</sup> Street, and First Avenue;

as shown on a diagram (for illustrative purposes only) dated June 25, 2001.

(On September 25, 2001, Cal. No. 17, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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CD 6

C 010712 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York University School of Medicine and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-48 of the Zoning Resolution to allow the development of a scientific research and development facility with approximately 872,000 square feet of floor area** on a zoning lot of 294,355 square feet within an area generally bounded by the easterly prolongation of East 30<sup>th</sup> Street, Franklin D. Roosevelt Drive, the easterly prolongation of East 28<sup>th</sup> Street, and First Avenue ( Block 962, part of Lot 100), in a proposed C6-2 District\*.

\*Note: The proposed C6-2 District is the subject of related application C 010709 ZMM.

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

(On September 25, 2001, Cal. No. 18, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

CD 6

C 010713 ZSM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York University School of Medicine and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of special permits pursuant to Section 13-561 of the Zoning Resolution to allow two attended accessory parking garages with a total maximum capacity of 720 spaces, including 310 accessory off-site spaces to be used by the adjacent Health and Hospitals Corporation:**

Garage A an accessory parking garage with a maximum capacity of 564 spaces to be located in the basement and cellar of a building which is to be constructed on a portion of the zoning lot adjacent to the southerly side of former East 29<sup>th</sup> Street; and

Garage B an accessory parking garage with a maximum capacity of 156 spaces to be located in the basement and cellar of a proposed building which is to be constructed on a portion of the zoning lot adjacent to former East 30<sup>th</sup> Street;

in connection with a proposed scientific research and development facility\* to be constructed within an area generally bounded by the easterly prolongation of East 30<sup>th</sup> Street, Franklin D. Roosevelt Drive, the easterly prolongation of East 28<sup>th</sup> Street, and First Avenue (Block 962, part of Lot 100), in a proposed C6-2 District\*.

Note: The proposed scientific research and development facility and the C6-2 District are the subjects of related applications C 010712 ZSM and C 010709 ZMM, respectively.

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

(On September 25, 2001, Cal. No. 19, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

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NOTICE

**On Wednesday, October 10, 2001, at 10:00 a.m., at City Hall, (PLEASE NOTE THAT THIS LOCATION IS SUBJECT TO CHANGE) a public hearing is being held by the Economic Development Corporation in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an amendment to the zoning map to change the existing R8 zoning district located east of First Avenue and west of southbound FDR service road between easterly prolongation of the southerly street line of East 28<sup>th</sup> and northerly street line of formerly mapped East 30<sup>th</sup> streets and C2-5 commercial overlay along First Avenue between easterly prolongation of the southerly street line of East 29<sup>th</sup> and southerly street line of formerly mapped East 30<sup>th</sup> streets to a depth of 150 feet with a C6-2 zoning district, a Special Permit pursuant to Section 74-48 to allow scientific research development facility, a Special Permit pursuant to Section 13-561 to allow 720 accessory parking spaces in two parking facilities and the restricted disposition of city-owned properties to facilitate the construction of a new scientific research facility.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 01DME004M.**

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No. 22

CD 4

C 010689 ZMM

**PUBLIC HEARING:**

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

1. changing from an M1-5 District to an R8 District property bounded by West 56<sup>th</sup> Street, a line 150 feet west of Tenth Avenue, West 55<sup>th</sup> Street, and a line 200 feet west of Tenth Avenue; and
2. changing from a M1-5 District to a C2-7 District property bounded by West 56<sup>th</sup> Street, a line 100 feet west of Tenth Avenue, West 55<sup>th</sup> Street, and a line 150 feet west of Tenth Avenue;

as shown on a diagram (for illustrative purposes only) dated June 25, 2001, within the Special Clinton District, and subject to the conditions of CEQR Declaration E-106.

(On September 25, 2001, Cal. No. 20, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 23

CD 4

C 010556 ZMM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Image Group pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 8c**, changing from an M2-3 District to an M1-5 District property bounded by West 52<sup>nd</sup> Street, Eleventh Avenue, West 51<sup>st</sup> Street, and a line 150 feet westerly of Eleventh Avenue, within the Special Clinton District, as shown on a diagram (for illustrative purposes only) dated June 25, 2001.

(On August 22, 2001, Cal. No. 3, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 21, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 24**

**CD 10**

**C 000507 PPM**

**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 thirty-seven (37) city-owned properties, pursuant to zoning.**

A list and description of the properties can be seen at the Manhattan Office of the Department of City Planning, Room 6W, 22 Reade Street, New York, New York 10007.

(On August 22, 2001, Cal. No. 4, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 22, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**Nos. 25 and 26**

**(Applications for a zoning map change and for the grant of a special permit to allow construction of a 23-story research lab and an adjacent 7-story building)**

**No. 25**

**CD 8**

**C 010547 ZMM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Memorial Sloan-Kettering Cancer Center pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 8c and 9a**, changing from an R8 District to an R9 District property bounded by East 69<sup>th</sup> Street, a line 100 feet west of York Avenue, East 66<sup>th</sup> Street,



and a line 100 feet east of First Avenue, as shown on a diagram (for illustrative purposes only) dated June 4, 2001, and subject to the conditions of CEQR Declaration E-105.

(On August 22, 2001, Cal. No. 5, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 23, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 26**

**CD 8**

**C 010548 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Memorial Sloan-Kettering Cancer Center pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 79-43 of the Zoning Resolution** to allow the modification of the height and setback regulations along a portion of the south side of East 69<sup>th</sup> Street on the periphery of a large-scale community facility development, generally bounded by East 69<sup>th</sup> Street, York Avenue, East 66<sup>th</sup> Street, and First Avenue (Block 1461, Lots 13 and 21, Block 1462, Lots 1 and 5, and Block 1463, Lots 5 and 11), in an R9 District\*.

\*Note: An R9 District is proposed under related application for an amendment to the Zoning Map C 010547 ZMM.

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

(On August 22, 2001, Cal. No. 6, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 24, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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## NOTICE

On Wednesday, October 10, 2001, at 10:00 a.m., in City Hall, (PLEASE NOTE THAT THIS LOCATION IS SUBJECT TO CHANGE) a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an amendment to the zoning map to change the midblocks between East 66th and 69th Streets and York and First Avenues in Community District 8, in Manhattan, from an R8 zoning district to an R9 zoning district, authorizations by City Planning Commission, pursuant to ZR Section 79-21, to transfer development rights from one portion of a Large Scale Community Facility Development (LSCFD) to another and to modify height, setback, and yard requirements for development within the LSCFD, a special permit, pursuant to ZR Section 79-43, to modify height and setback requirements for development on the periphery of the LSCFD, as well as actions by the Board of Standards and Appeals (BSA Cal No. 130-01-BZ) for a variance, pursuant to ZR Section 72-21, for modification of the lot coverage requirements (ZR Section 24-11), a variance for modification of the rear yard equivalent (ZR Section 24-38); and a special permit, pursuant to ZR Section 73-642, for a temporary failure to comply with the zoning regulations, to facilitate the construction of a new medical research facility.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 01DCP050M.

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No. 27

CD 2

C 010126 PCM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 35 East 4<sup>th</sup> Street (Block 554, Lot 68), for use as a water tunnel shaft.

(On August 22, 2001, Cal. No. 7, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 25, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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Nos. 28, 29, and 30

(Applications for amendments to the zoning resolution and zoning map, and disposition of property to facilitate a museum, office, and school within the Milbank Frawley Circle-East Urban Renewal Area)

No. 28

CD 11

N 010510 ZRM

**CONTINUED PUBLIC HEARING:**

(Amendment to the Zoning Resolution concerning the proposed development of the Museum of African Art and the Edison School, Inc.)

**IN THE MATTER OF** an application submitted by Edison Schools and the Museum of African Art, pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article IX, Chapter 2 (Special Park Improvement District) concerning special use and bulk regulations within the Special Park Improvement District.

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

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

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

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

**Article IX - Special Purpose Districts**

**Chapter 2**

**Special Park Improvement District**

**92-00**

**GENERAL PURPOSES**

The "Special Park Improvement District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) to preserve and protect the unique character and architectural quality of the residential part of Fifth Avenue and Park Avenue which includes many landmarks and other cultural buildings;
- (b) to provide alternatives to plaza and arcade development along Fifth Avenue and Park

Avenue which are redundant in view of the existence of Central Park and the Park Avenue malls;

- (c) to channel private expenditures which would otherwise be spent on redundant facilities into development, beautification and maintenance of proximate public parks and other public areas;
- (d) to encourage the development of buildings compatible with the height of present development; and
- (e) to promote the most desirable use of land in this area and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.

## **92-01**

### **Definitions**

#### **Development**

For purposes of this Chapter a "development" includes the construction of a new #building or other structure# on a #zoning lot#, the relocation of an existing #building# on another #zoning lot#, and an #enlargement# involving an increase in #lot coverage#.

Special Park Improvement District  
(repeated from Section 12-10)

The "Special Park Improvement District" is a Special Purpose District designated by the letters "PI" in which special regulations set forth in Article IX, Chapter 2, apply to all #developments#. The #Special Park Improvement District# and its regulations supplement or supersede those of the districts on which it is superimposed.

## **92-02**

### **General Provisions**

Except as modified by the express provisions of this Chapter, the regulations of the underlying district remain in effect.

For the purposes of this Chapter, Duke Ellington Circle, located at the intersection of Fifth Avenue and East 110<sup>th</sup> Street, shall be considered a separate #street#.

## **92-03**

### **Special Use Regulations**

For any #zoning lot# located between Fifth Avenue, Duke Ellington Circle, East 109<sup>th</sup> Street and East 110<sup>th</sup> Streets:

- 2: #commercial uses# shall only be permitted beyond 100 feet of Fifth Avenue and shall be restricted to office #uses# listed in Use Group 6B;
- 3: the underlying district #sign# regulations shall not apply. In lieu thereof, #signs accessory# to a #commercial use# shall conform with all the #sign# regulations applicable in C1 Districts, except that illuminated #signs# shall not be permitted, and, within 100 feet of Fifth Avenue, signs shall conform with the #sign# regulations for #Residence Districts# set forth in Section 22-30 (SIGN REGULATIONS);

## 92-03 92-04

### Special Bulk Provisions

#### 92-041

#### Maximum Floor Area Ratio

For the purposes of this Chapter, the maximum #floor area ratio# for any #development# or #enlargement# on a #zoning lot# shall not exceed 10.0. No #floor area# bonuses shall be permitted.

#### 92-04 92-042

#### Mandatory Front Building Walls Along Certain Street Lines

Except as provided in paragraph (b) of this Section, the front building wall of for all #developments# on #zoning lots# having frontage on Fifth Avenue or Park Avenue, and for all #developments# along #street lines# within 50 feet of their intersection with the #street lines# of Fifth Avenue or Park Avenue, shall extend along the full length of its #street line# fronting on such #street# without setback for a height of 125 feet above #curb level# or the full height of the #building#, whichever is less, except that where the aggregate length of balconies located along the front building wall, at the level of any #story#, exceeds 20 percent of the length of such front building wall, the front building wall may be set back not more than three feet from the #street line#. Above the height of 150 feet above #curb level#, the front building wall shall be set back 10 feet from the #street line#. The mandatory front building wall requirements are optional for the next 20 feet along the #street line# of a #narrow street# or for the next 75 feet along the #street line# of a #wide street#. However, where the front wall of a #building# with a height less than 125 feet above #curb level# was constructed with a setback from the #street lines#, #enlargement# of such #building# may be permitted by vertical extension of its existing building wall.

For any #zoning lot# having frontage on Fifth Avenue, Duke Ellington Circle, East 109<sup>th</sup> Street and East 110<sup>th</sup> Street, the provisions of this paragraph (b) shall apply. The front building wall of any #development# shall extend along the full length of the Fifth Avenue and Duke Ellington Circle #street lines#, and along the full length of the East

109<sup>th</sup> Street and East 110<sup>th</sup> Street #street lines# within 50 feet of their intersection with Fifth Avenue and Duke Ellington Circle, and rise without setback to a minimum height of 85 feet above #curb level# or the full height of the #building#, whichever is less. Above a height of 150 feet, the front building wall shall be set back at least 10 feet from such #street lines#. Such mandatory front building wall requirements are optional for the next 50 feet along the East 109<sup>th</sup> Street and East 110<sup>th</sup> Street #street lines#.

These mandatory front building wall requirements also apply to all #development# along all #street lines# within 50 feet of their intersection with the #street line# of Fifth Avenue or Park Avenue.

The mandatory front building wall requirements are optional for the next 20 feet along the #street line# of a #narrow street# or for the next 75 feet along the #street line# of a #wide street#. The underlying district height and setback regulations apply along #street lines# or portions thereof not subject to the front building wall requirement.

Front wall recesses are permitted within mandatory front building walls for architectural or decorative purposes, provided that the aggregate length at the level of any #story# does not exceed 50 percent of the length of the front wall where such recesses are permitted. The depth of such recesses shall not exceed six feet. No front wall recesses are permitted within 20 feet of the intersection of two #street lines#.

Where the aggregate length of balconies located along the front building wall, at the level of any #story#, exceeds 20 percent of the length of such front building wall, the front building wall may be set back not more than three feet from the #street line#.

The underlying district height and setback regulations apply along #street lines# or portions thereof not subject to the front building wall requirement.

## **92-043**

### **Special Height Limitation**

The maximum height of a #building or other structure# or portion thereof shall not exceed 19 #stories# or 210 feet above #curb level#, whichever is less.

## **92-05**

### **Mandatory Tree Planting Provisions**

All new #developments# within the Special District shall provide and maintain trees of not less than four-inch caliper at the time of planting on sidewalks for the entire length of #street# frontages of the #zoning lot#. These trees shall be planted at maximum intervals of 30 feet and in accordance with Department of Transportation guidelines.

## **92-06**

**Special Height Limitation**

The maximum height of a #building or other structure# or portion thereof shall not exceed 19 #stories# or 210 feet above #curb level#, whichever is less.

**92-07; 92-06**

**Maximum Number of Accessory Off-Street Parking Spaces**

In no case shall the number of #accessory# off-street parking spaces for a #residential use# exceed 40 percent of the number of #dwelling units#. In no case shall curb cuts for vehicular access be located on Fifth Avenue or Park Avenue or on a #street# within 50 feet of its intersection with the #street line# of Fifth Avenue or Park Avenue. No off-site #accessory# off-street parking facilities for any #use# shall be permitted within the Special District. All #accessory# parking spaces shall be designed and operated exclusively for the long term storage of the private passenger motor vehicles used by the occupants of such #residences#.

The parking requirements set forth in Sections 25-21, 25-31, 36-21 or 36-31 shall not apply to any #development# for which the Commissioner of Buildings has certified that there is no way to provide the required parking spaces with access to a #street# in conformity with the provisions of this Section.

The maximum number of permitted and the minimum number of required #accessory# off-street parking spaces for new #developments# or #enlargements# in the area of the Special District located within Manhattan Community District 8 are set forth in Article I, Chapter 3.

*(The following entire Sections are being deleted because there is no longer a special permit specifically applicable to this Chapter)*

**92-20**

**SPECIAL PERMIT PROCEDURE**

**92-201**

**Requirements for applications**

\* \* \*

**92-202**

**Action by the Board of Estimate**

\* \* \*

**92-203**

**Relationship to public improvement projects**

\* \* \*

(On August 8, 2001, Cal. No. 5, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 14, the hearing was continued to September 12, 2001. On September 25, 2001, Cal. No. 26, the Commission rescheduled October 10, 2001 for a continued public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 29**

**CD 11**

**C 010511 ZMM**

**CONTINUED PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development, the Museum for African Art, and the Edison School, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 6b, changing from an R9 District to a C4-6 District property bounded by East 109<sup>th</sup> Street, Fifth Avenue, East 110<sup>th</sup> Street and a line 150 feet easterly of Fifth Avenue**, in the Special Park Improvement District, within the Milbank Frawley Circle-East Urban Renewal Area, as shown on a diagram (for illustrative purposes only) dated May 7, 2001.

(On August 8, 2001, Cal. No. 6, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 15, the hearing was continued to September 12, 2001. On September 25, 2001, Cal. No. 27, the Commission rescheduled October 10, 2001 for a continued public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 30**

**CD 11**

**C 010513 HDM**

**CONTINUED PUBLIC HEARING:**

**IN THE MATTER OF** an application, submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, **for the disposition to the Economic Development Corporation of city-owned property located at 2 E. 110<sup>th</sup> Street, 4/6 E. 110<sup>th</sup> Street, 3/5 E. 109<sup>th</sup> Street and 7/9 E. 109<sup>th</sup> Street (Block 1615, Lots 68, 66, 5 and 7), part of Sites 24B and 24 within the Milbank Frawley Circle-East Urban Renewal Area, restricted to a mixed-use project which would be used for**



public school and commercial use by an entity, that directly or through one of its affiliates, operates such public school on behalf of the Board of Education of the City of New York.

The disposition would facilitate the construction development of a museum, school and office development.

(On August 8, 2001, Cal. No. 7, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 16, the hearing was continued to September 12, 2001. On September 25, 2001, Cal. No. 28, the Commission rescheduled October 10, 2001 for a continued public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**No. 31**

**CD 1**

**C 010185 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Pistilli Realty Group pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 9a:**

- 1) changing from an R5 District to an R7X District property bounded by 23<sup>rd</sup> Terrace, 21<sup>st</sup> Street, 24<sup>th</sup> Avenue, and 19<sup>th</sup> Street; and
- 2) establishing within the proposed R7X District a C1-2 District bounded by 23<sup>rd</sup> Terrace, 21<sup>st</sup> Street, 24<sup>th</sup> Avenue, and a line 165 feet southwesterly of 21<sup>st</sup> Street;

as shown on a diagram (for illustrative purposes only) dated June 25, 2001.

(On September 25, 2001, Cal. No. 31, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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## No. 32

CD 12

C 010620 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of four (4) city-owned properties pursuant to zoning.**

<b>Block</b>	<b>Lot</b>	<b>Address/Location</b>
9972	1	90-09 Van Wyck Expressway
12458	160	Eveleth Road
12458	163	Eveleth Road
12652	47	196 Street

(On August 22, 2001, Cal. No. 8, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 32, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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 No. 33

CD 2

C 010655 PPQ

**PUBLIC HEARING:**

**IN THE MATTER OF** an application by the Fire Department and the Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, **for acquisition of property located at 50-02 55<sup>th</sup> Avenue and 58-80 Borden Avenue** (Block 2573, part of lot 25 & Block 2657, part of lot 28), **for continued use as a parking facility.**

(On August 22, 2001, Cal. No. 9, the Commission scheduled September 12, 2001 for a public hearing. On September 25, 2001, Cal. No. 33, the Commission rescheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF STATEN ISLAND**

**No. 34**

**CD 1**

**C 010601 ZMR**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Mariners Harbor Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 20c and 20d:**

1. changing from an R3-2 District to an R3A District property bounded by Richmond Terrace, Housman Avenue, the centerline of former Dorey Place, Lake Avenue, a line 200 feet northerly of Forest Avenue, Van Name Avenue, Netherland Avenue, a line 120 feet westerly of Maple Parkway, Continental Place, Gridly Avenue and its southerly prolongation, Bruckner Avenue, a line 175 feet southerly of Netherland Avenue, the easterly street line of former Lockman Avenue, a line 90 feet southerly of Netherland Avenue, Lockman Avenue and its southerly prolongation, Brabant Street, a line bisecting an angle formed by the southerly prolongations of the easterly street line of Lockman Avenue and the westerly street line of Harbor Road, a line 100 feet northerly of Brabant Street, Union Avenue, the southerly boundary line of the New York City right-of-way (Staten Island Rail Road), and Lockman Avenue; and
2. changing from an M1-1 District to an R3A District property bounded by Harbor Road, a line 160 feet northerly of Forest Avenue, Samuel Place and its northerly prolongation, and a line 175 feet southerly of Netherland Avenue;

as shown on a diagram (for illustrative purposes only) dated June 25, 2001 and subject to the conditions of CEQR Declaration E-107.

(On September 25, 2001, Cal. No. 34, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

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CD 1

C 010576 ZMR

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Rosebank Civic Association pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 21d and 27c:**

- 1) changing from an R3-2 District to an R3A District property bounded by a line midway between Willow Avenue and Lynhurst Avenue, Bay Street, the southwesterly prolongation of the northwesterly boundary line of Arthur Von Briesen Park, the northeasterly street line of Bay Street, the northwesterly boundary line of the U.S. Government Reservation-Fort Wadsworth, the northeasterly street line of former Tompkins Avenue, School Road and its southwesterly prolongation, Dennis Torricelli Sr. Street, Lyman Avenue, a line 100 feet southwesterly of Summer Street, the southeasterly street line of High Street and its southwesterly prolongation, a line 405 feet southwesterly of Summer Street, Fingerboard Road, Egbert Place, Hope Avenue, a line 770 feet southwesterly of Bay Street, a line 160 feet northwesterly of Hope Avenue, White Street and its southeasterly prolongation, Maryland Avenue, Anderson Street, Hylan Boulevard, Anderson Street, Clifton Avenue, Tompkins Avenue, Hylan Boulevard, Tompkins Avenue, the southwesterly prolongation of School Road, a line 30 feet southerly of the northerly street line of Lincoln Avenue, Fingerboard Road, Merle Place, a line 130 feet southeasterly of Hope Avenue, Beethoven Street and its southeasterly prolongation, St. Johns Avenue, James Place, Maryland Avenue, Fox Hill Terrace, Virginia Avenue, Fletcher Street, Clifton Avenue, North Narrows Road, a line 135 feet southwesterly of Rockwell Avenue, the southwesterly prolongation of Virginia Avenue, Rockwell Avenue and its northwesterly prolongation, the southeasterly boundary line of the New York City right-of-way (Staten Island Rail Road), a line 135 feet northeasterly of Rockwell Avenue, Virginia Avenue, a line 140 feet southwesterly of Reynolds Street, the southeasterly boundary line of the New York City right-of-way (Staten Island Rail Road), the southwesterly prolongation of Lynhurst Avenue, Tompkins Avenue, the northeasterly prolongation of Shaughnessy Lane, and the southwesterly boundary line of the New York City right-of-way (Staten Island Rail Road); and
- 2) changing from an R4 district to an R4A District property bounded by Hylan Boulevard, a line 250 feet southwesterly of Edgewater Street, a line 140 feet northwesterly of Hylan Boulevard and its northeasterly prolongation, the U.S. Pierhead Line of Upper Bay, the southeasterly boundary line of Austen House Park, Andrese Street, Scarboro Avenue, New Lane, a line 102 feet southeasterly of Scarboro Avenue, and Bay Street;

as shown on a diagram (for illustrative purposes only) dated July 23, 2001.

(On September 25, 2001, Cal. No. 35, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**CITYWIDE**

**No. 36**

**Citywide**

**N 020037 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER** of an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York; relating to Sections 12-10, 26-00, 37-10, 73-69 and 74-97; to establish roadway and streetscape requirements for certain new residential developments utilizing private roads in R3, R4 and R5 Districts, in C1 and C2 Districts mapped within such districts and in C3 Districts, and to establish special permits to waive certain bulk regulations for developments permitted to be located partially within a mapped but unimproved street by Board of Standards and Appeals special permit pursuant to Section 35 of the New York State General City Law.

Matter in ~~Graytone~~ (print) or ~~Redline~~ (screen) is new, to be added;

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

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

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

**Article 1**

**General Provisions**

\* \* \*

**Chapter 2**

**Construction of Language and Definitions**

\* \* \*

12-10

DEFINITIONS

\* \* \*

Private road

A "private road" is a right-of-way constructed after (the effective date of this amendment), other than a #street#, that provides vehicular access directly from a #street# to any #accessory# parking space located within a #development# containing five or more #dwelling units#. Such #development# shall contain #residential buildings# or #building segments# that are located wholly beyond 50 feet of a #street line# or #street setback line#. An individual driveway serving fewer than five parking spaces shall not be considered a #private road#.

\* \* \*

Street

A "Street" is:

- (a) a way shown on the City Map; or

\* \* \*

- (d) any other public way that on December 15, 1961, was performing the functions usually associated with a way shown on the City Map.

A driveway that serves only to give vehicular access to an #accessory# parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a #building#, shall not be considered a #street#.

A #private road#, or ~~A~~ a driveway that serves only to give vehicular access to an #accessory# parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a #building#, shall not be considered a #street#.

\* \* \*

**Chapter 6**  
**Special Urban Design Guidelines: Streetscape**  
**Special Requirements for Developments in R9 and R10 Districts and**  
**Special Requirements for Developments with Private Roads**

26-00

Applicability of this Chapter

The regulations of this Chapter shall apply to:

- a) #Developments# in R9 and R10 Districts constructed after April 21, 1977, as set forth in Section 26-10 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS). However, the provisions of Section 26-10 shall not apply within any Special Purpose District or to any #building developed# or #enlarged# pursuant to the Quality Housing Program; and
- b) #Developments# in R3, R4 and R5 Districts, containing #private roads# constructed after (the effective date of this amendment), as set forth in Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS), except where such #developments# consist entirely of #single-family detached residences#.

*(Section 26-01 is moved and renumbered 26-12)*

#### 26-0210

#### Applicability of this Chapter SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS

The regulations of this Chapter shall apply to all #developments# constructed after April 21, 1977, within R9 and R10 Districts. However, this Chapter shall not apply within any Special Purpose District, nor shall it apply to any #development# pursuant to the Quality Housing Program, except as otherwise set forth herein.

An application to the Department of Buildings for a permit respecting any new #development# shall include a plan and an elevation, drawn to a scale of at least one sixteenth inch to a foot, of the new #building# and #buildings# on #contiguous lots# or #contiguous blocks# showing #arcades#, #street wall# articulation, curb cuts, #street# trees, sidewalk paving, a central refuse storage area and such other necessary information as may be required by the Commissioner of Buildings.

#### 26-0011

#### GENERAL PURPOSES General Purposes

\* \* \*

#### 26-0112

#### General Provisions

In harmony with the general purposes and intent of this Resolution and the general purposes of this Chapter Section 26-10, the regulations of this Chapter, Sections 26-13 through 26-17, inclusive, are intended to:

- 4) guide the location of arcades to assure horizontal continuity of new developments with existing building arcades and to maintain visual continuity at street level;

- 5) require transparency and/or articulation of front walls to improve the visual quality of the street;
- 6) provide for street tree planting in order to enhance the visual character of the neighborhood;
- 7) ~~require decorative paving to~~ improve the quality of the street environment;
- 8) limit the number and location of curb cuts, minimizing undue conflict between pedestrian and vehicular movements; and
- 9) eliminate trash on sidewalks by requirement central refuse storage areas within the zoning lot.

26-0313  
Definitions

For the purposes of Sections 26-10 through 26-17, inclusive, the following definitions shall apply:

Development

~~For the purposes of this Chapter,~~ "Development" includes construction of a new #building or other structure# on a #zoning lot#, the relocation of an existing #building# on another #zoning lot# or an #enlargement# involving an increase in #lot coverage#.

Contiguous lot

~~For the purposes of this Chapter,~~ a "A" contiguous lot" is a #zoning lot# which shares a common #side lot line# with the #zoning lot# of the #development#.

Contiguous block

~~For the purpose of this Chapter,~~ a "A" contiguous block" is a #block# containing one or more #zoning lots# separated by a #narrow street# from the #block# containing the new #development#.

26-0414  
Horizontal Continuity

\* \* \*

26-04141



Arcades

\* \* \*

26-042142

Street tree planting

\* \* \*

26-043143

Street wall articulation

\* \* \*

26-0515

Curb Cuts

\* \* \*

26-0616

Central Refuse Storage Area

\* \* \*

26-0717

Streetscape Modifications

\* \* \*

26-20

SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS

To provide for the orderly development of #residences# that are distant from #streets#, site planning requirements are established in Sections 26-20 through 26-27, inclusive, for #developments# in R3, R4 and R5 Districts containing #private roads# constructed after (the effective date of this amendment), except where such #developments# consist entirely of #single-family detached residences#.

The regulations of this Section are intended to:

- (a) optimize vehicular access within a #development# containing #private roads#;
- (b) regulate the size of and distance between curb cuts to minimize undue conflict between pedestrian and vehicular movement;

- (c) provide for sidewalks to facilitate social interaction and enhance pedestrian safety; and,
- (d) provide for tree planting along #private roads# in order to enhance the visual and environmental character of the neighborhood.

#### 26-21

##### Requirements for Private Roads

A #private road# shall consist of a paved road bed with a minimum width of 38 feet from curb to curb along its entire length, except as may be increased by the Fire Department pursuant to Section 26-26 (Fire Department Review) or modified by the City Planning Commission pursuant to Section 26-27 (Modification and Waiver Provisions). However, the entrance to any #group parking facility# may be less than 38 feet in width for a distance not to exceed 20 feet. Furthermore, #private roads# may contain landscaped medians provided the paved area of such #private road# is at least 38 feet in width exclusive of such medians.

#### 26-22

##### Requirements for Curbs and Curb Cuts

Curbs shall be provided along each side of the entire length of a #private road#.

A curb cut, excluding splays, from a #street# to a #private road# may be as wide as such #private road#. Curb cuts providing access from #private roads# to parking spaces located outside the road bed of the #private road# shall not exceed a width of 18 feet, including splays.

A minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts.

#### 26-23

##### Requirements for Planting Strips

A minimum three-foot wide planting strip shall be provided adjacent to and along the entire length of the required curb. Within the required planting strip, one tree of at least three inches in caliper shall be planted for every 25 feet of length of such planting strip.

Driveways are permitted to traverse such planting strips, and utilities are permitted to be located within such planting strips.

#### 26-24

##### Requirements for Sidewalks

A minimum four-foot wide paved sidewalk shall be provided adjacent to and along the entire length of the required planting strips. However, no sidewalk shall be required along that side of a #private road# that does not have a building wall facing it.

#### 26-25

##### Requirements for Open Areas Between Required Sidewalks and Buildings

An area open to the sky at least five feet in depth shall be provided between a required sidewalk and any #building#, except that any driveway or parking space located within such open area shall have a depth of at least 18 feet measured perpendicular to such sidewalk. Such open area shall be planted except for parking spaces and entryways to #buildings#. Where an open area at least 18 feet in depth is required, overhangs of #buildings# above the first #story# that project not more than three feet into the required open area are permitted, provided the lowest level of the overhang is at least seven feet above grade at the face of the #building#. Supports for such overhang are permitted provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the overhang.

#### 26-26

##### Fire Department Review

No building permit shall be issued by the Department of Buildings without approval by the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety. Such approval may include an increase in the required amount of paved roadway.

#### 26-27

##### Modification and Waiver Provisions

The City Planning Commission may, by authorization, allow modifications to or waivers of the requirements of this Section 26-20, inclusive, provided that:

- a) such modifications or waivers will enhance the design quality of the #development#;
- b) any decrease in the required width of the paved road bed is in conjunction with a superior parking plan that would not be feasible with a wider road bed, and
- c) any decrease in the required width of the paved road bed will result in the preservation of existing natural features or a superior landscaping plan than would not be feasible with a wider road bed.

The approval of the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety shall be a condition precedent for any modification or

waiver.

\* \* \*

Chapter 7  
Special Regulations

\* \* \*

37-10

Applicability of Article II, Chapter 6, to Developments with Private Roads

In C1 or C2 Districts mapped within R3, R4 or R5 Districts, and in C3 Districts, the provisions of Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS) shall apply to any #development# containing a #private road#. In addition, the open area between buildings and sidewalks required pursuant to Section 26-25 need not be planted where such open areas front upon #commercial uses#.

\* \* \*

Article VII  
Chapter 3  
Special Permits by the Board of Standards and Appeals

\* \* \*

73-69

Developments in Unimproved Streets

In all districts, where #development# consists in part of construction within #streets# that are unimproved and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law, the Board of Standards and Appeals may permit the waiver of #bulk# regulations affected by such #streets# where such #development# would be #non-complying# absent such waiver, provided the Board of Standards and Appeals has prescribed conditions pursuant to Section 35 of the General City Law which require the portion of the #development# to be located within the unimproved #streets# to be compliant and conforming to the provisions of this Resolution; and provided such #development# does not contain #private roads#. Such waivers shall only be so necessary to address #non-compliance# resulting from the location of the #development# within and outside the unimproved #streets#, and the #development# as a whole shall comply to the maximum extent feasible with all applicable zoning regulations as if such unimproved #streets# were not mapped.

\* \* \*

Article VII  
 Chapter 4  
 Special Permits by the City Planning Commission

\* \* \*

74-97

Waiver of Bulk Regulations for Developments within Unimproved Streets

In R3, R4 and R5 Districts, and in C1 and C2 Districts mapped within R3, R4 and R5 Districts, and in C3 Districts, for #developments# with #private roads# consisting in part of construction within #streets# that are unimproved and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law, the City Planning Commission may permit the waiver of #bulk# regulations affected by such #streets# where such #development# would be #non-complying# absent such waiver, provided the Board of Standards and Appeals has prescribed conditions pursuant to Section 35 of the General City Law which require the portion of the #development# to be located within the unimproved #streets# to be compliant and conforming to the provisions of this Resolution. Such waivers shall only be so necessary to address #non-compliance# resulting from the location of the #development# within and outside the unimproved #streets#. The City Planning Commission shall find that the unimproved #streets# are not necessary for present or future transportation needs, that, through the grant of such waivers, the development# complies to the maximum extent feasible with all applicable zoning regulations as if such unimproved #streets# were not mapped, and that the #private street# system results in a good site plan.

(On September 25, 2001, Cal. No. 36, the Commission scheduled October 10, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

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### III. REPORTS

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#### BOROUGH OF MANHATTAN

No. 37

CD 9

C 010061 MEM

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation (DPR) and the United States National Park Service (NPS), pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of a permanent easement within St. Nicholas Park, between 141<sup>st</sup> Street and St. Nicholas Terrace, and any acquisition or disposition of real property related thereto, in accordance with Map Acc. No. 30210 dated April 9, 2001 and signed by the Borough President.

(On August 8, 2001, Cal. No. 4, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 13, the hearing was closed.)

**For consideration.**

---

No. 38

CD 2

C 010118 ZSM

**IN THE MATTER OF** an application submitted by 387 West Broadway LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution** to allow the modification of the use regulations of the following Sections of the Zoning Resolution:

1. Section 42-14D(1)(b): to permit joint living-work quarters for artists in a building with more than 5,000 square feet of lot coverage; and
2. Section 42-14D(2)(a): To permit Use Group 6 uses (retail) below the floor level of the second story in a building occupying more than 3,600 square feet of lot area;

in an existing building located at 387 West Broadway (Block 487, Lot 14), in M1-5A District, in the SoHo Cast Iron Historic District.

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

(On August 8, 2001, Cal. No. 8, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 17, the hearing was closed.)

**For consideration.**

---

**No. 39**

**CD 6**

**C 010592 PPM**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, **for disposition** to the Economic Development Corporation of **three (3) city-owned properties**, pursuant to zoning:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
1337	1102	One United Nations Plaza
1337	14	Two United Nations Plaza
1336	31	Three United Nations Plaza

(On August 8, 2001, Cal. No. 9, the Commission scheduled August 22, 2001 for a public hearing. On August 22, 2001, Cal. No. 18, the hearing was closed.)

**For consideration.**

---

Nos. 40, 41, and 42

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

No. 40

CDs 4 and 5

N 010459 ZRM

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

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

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

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

\* \* \*

81-745

Floor area bonus for rehabilitation of existing listed theaters

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

(a) Conditions for rehabilitation bonus

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

(1) Location of development

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

(2) Qualification of substantial rehabilitation



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

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

(3) Timing and commitment

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

(b) Amount of rehabilitation bonus

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

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

surrounding area.

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

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

(On June 13, 2001, Cal. No. 4, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 17, the hearing was closed.)

**For consideration.**

---

No. 41

CD 5

C 010460 ZSM

**IN THE MATTER OF** an application submitted by Biltmore 47 Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit pursuant to Section 81-745\* of the Zoning Resolution to permit bonus floor area for the substantial rehabilitation and restoration of the Biltmore Theater, which is designated as a "listed theater" pursuant to Section 81-742, to apply to a new 61-story mixed building which is to be constructed at the northeast corner of West 47<sup>th</sup> Street, and Eighth Avenue** (Block 1019, Lots 1, 2, 3, 63 and 64), **on a zoning lot generally bounded by West 47<sup>th</sup> Street, Eighth Avenue, and West 48<sup>th</sup> Street** (Block 1019, Lots 1, 2, 3, 5, 8, 59, 60, 61, 63, and 64), within the Special Midtown District, Theater Subdistrict Core (TC) and Theater Subdistrict Eighth Avenue Corridor (TE), in C6-4 and C6-5 Districts.

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

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

(On June 13, 2001, Cal. No. 5, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 18, the hearing was closed.)

**For consideration.**

---

## No. 42

CD 5

C 010585 PPM

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, **for disposition to the Economic Development Corporation of development rights from city-owned property located at 784/86 Eighth Avenue (Block 1019, Lot 61), pursuant to zoning.**

(On June 13, 2001, Cal. No. 6, the Commission scheduled June 27, 2001 for a public hearing. On June 27, 2001, Cal. No. 19, the hearing was closed.)

**For consideration.**

---

 Nos. 43 and 44

**(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. 43

CD 5

C 010652 ZMM

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

- 1) changing from a C6-4M District to a C6-4 District property bounded by a line midway between West 34<sup>th</sup> Street and West 35<sup>th</sup> Street, Seventh Avenue, West 34<sup>th</sup> 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 34<sup>th</sup> Street and West 35<sup>th</sup> Street, **a line 100 feet easterly of Seventh Avenue**, West 34<sup>th</sup> Street, and a line 100 feet westerly of Seventh Avenue;
  - b) West 34<sup>th</sup> Street, a line 200 feet westerly of Seventh Avenue, West 33<sup>rd</sup> Street, and Eighth Avenue; and

- c) West 33<sup>rd</sup> Street, Seventh Avenue, West 31<sup>st</sup> 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. On July 25, 2001, Cal. No. 14, the hearing was closed. On September 25, 2001, Cal. No. 38, the item was laid over.)

**For consideration.**

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**No. 44**

**CD 5**

**N 010653 ZRM**

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

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

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

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

... indicate unchanged text omitted within a paragraph;

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

\* \* \*

8/6/98

**Article VIII - Special Purpose Districts**

**Chapter 1**

**Special Midtown District**

Table of Contents

GENERAL PURPOSES .....	81-00
Definitions .....	81-01

General Provisions .....	81-02
District Plan .....	81-03
Subdistricts .....	81-04
Applicability of Certain Amendments.....	81-05
Applicability of Article VII Provisions .....	81-06
 USE REGULATIONS .....	 81-10
Modifications of Use Regulations in Subdistricts .....	81-11
Special Retail Continuity Requirements .....	81-12
Special Permit Use Modifications .....	81-13
Modification of Sign and Frontage Regulations in the Fifth Avenue Subdistrict ..	81-14
 BULK REGULATIONS .....	 81-20
Floor Area Ratio Regulations .....	81-21
As-of-Right Floor Area Bonuses.....	81-22
Floor Area Bonus for Urban Plazas .....	81-23
Floor Area, Density and Building Spacing Regulations for Residential Uses .....	81-24
 General Provisions Relating to Height and Setback of Buildings .....	 81-25
Height and Setback Regulations - Daylight Compensation .....	81-26
Alternate Height and Setback Regulations - Daylight Evaluation .....	81-27
Minimum Distance Between Buildings .....	81-28
<u>Incentives by Special Permit for Provisions of Public Amenities.....</u>	<u>81-29</u>
 OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS .....	 81-30
General Provisions .....	81-31
 MANDATORY DISTRICT PLAN ELEMENTS .....	 81-40
General Provisions .....	81-41
Retail Continuity Along Designated Streets .....	81-42
Street Wall Continuity Along Designated Streets .....	81-43
Curb Cut Restrictions .....	81-44
Pedestrian Circulation Space .....	81-45
 Off-Street Relocation or Renovation of a Subway Stair .	 81-46
Major Building Entrances .....	81-47
Off-Street Improvement of Access to Rail Mass Transit Facility.....	81-48

INCENTIVES BY SPECIAL PERMIT FOR PROVISIONS OF PUBLIC AMENITIES .....	81-50
General Provisions and Procedures .....	81-51
<b><u>SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT</u></b> .....	<b>81-50</b>
<b><u>General Provisions</u></b> .....	<b>81-51</b>
<b><u>Special Sign Regulations</u></b> .....	<b>81-52</b>
<b><u>Special Bulk and Urban Design Regulations</u></b> .....	<b>81-53</b>
<b><u>Floor Area Bonus in the Penn Center Subdistrict</u></b> .....	<b>81-54</b>
SPECIAL REGULATIONS FOR THE GRAND CENTRAL SUBDISTRICT .....	81-60
General Provisions .....	81-61
Special Bulk and Urban Design Requirements .....	81-62
Transfer of Development Rights from Landmark Sites ...	81-63
SPECIAL REGULATIONS FOR THEATER SUBDISTRICT .....	81-70
General Provisions .....	81-71
Use Regulations Modified .....	81-72
Special Signs and Regulations .....	81-73
Special Incentives and Controls in the Theater Subdistrict .....	81-74
Special Street Wall and Setback Requirements .....	81-75
SPECIAL REGULATIONS FOR FIFTH AVENUE SUBDISTRICT .....	81-80
General Provisions .....	81-81
Special Regulations on Permitted and Required Uses ...	81-82
Special Street Wall Requirements .....	81-83
Mandatory Regulations and Prohibitions .....	81-84
SPECIAL REGULATIONS FOR PRESERVATION SUBDISTRICT .....	81-90
APPENDIX A - District Maps (1 to 4) - Daylight Evaluation Charts (1 to 3)	

1/25/90

**Chapter 1**  
**Special Midtown District**

8/6/98

**81-00**

**GENERAL PURPOSES**

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

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

which are characterized by a unique combination of building scale, large illuminated signs and entertainment and entertainment-related uses;

- (l) to preserve, protect and enhance the character of Fifth Avenue as the showcase of New York and national retail shopping;
- (m) to preserve the midblock area around north of the Museum of Modern Art for its special contribution to the historic continuity, function and ambience of Midtown;
- (n) to expand and enhance the pedestrian circulation network connecting Grand Central Terminal to surrounding development, to minimize pedestrian congestion and to protect the area's special character;
- (o) to expand the retail, entertainment, and commercial character of the area around Pennsylvania Station and to enhance its role as a major transportation hub in the city;
- (p)
- (d) 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
- (p)
- (f) 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.

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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-~~28~~29 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-~~28~~29 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 81-28~~29~~29. 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

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<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.

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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.

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5/13/82

81-20

**BULK REGULATIONS**

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8/27/98

81-211

**Maximum floor area ratio for non-residential or mixed buildings**

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

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

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	Maximum #Floor Area Ratio# (FAR)						
	Outside the Grand Central Subdistrict					Grand Central Subdistrict	
		C5-2.5					
	C6-4	C6-4.5		C5-3			
	C6-5	C6-5.5		C6-6		C5-3	
	C5P	M1-6	C6-6.5	C6-7T	C6-7	C5-2.5	C6-6
<b>A. Basic Maximum FAR</b>							
	8.0	10.0	12.0	14.0	15.0	12.0	15.0
<b>B. Maximum As-of-Right #Floor Area# Allowances:(District-wide Incentives), #Urban plaza# (Section 81-23)</b>							
	---	1.0 <sup>1,2</sup>	1.0 <sup>1</sup>	---	1.0 <sup>2</sup>	---	---
<b>C. Maximum Total FAR with As-of-Right Incentives</b>							
	8.0	11.0 <sup>1,2</sup> <sub>7</sub>	13.0 <sup>1</sup>	14.0	16.0	12.0	15.0
<b>D. Maximum Special Permit #Floor Area# Allowances:(District-wide Incentives), Subway station improvement (Section 74-634)</b>							
	---	2.0 <sup>1,6</sup>	2.4 <sup>1</sup>	---	3.0	2.4	3.0
<b>E. Maximum Total FAR with District-wide and As-of-Right Incentives</b>							
	8.0	12.0	14.4	14.0	18.0	14.4	18.0
<b><u>F. Maximum Special Permit #Floor Area# Allowances in Penn Center Subdistrict: Mass Transit Facility Improvement (Section 81-541)</u></b>							
	<u>---</u>	<u>2.0</u>	<u>---</u>	<u>---</u>	<u>3.0</u>	<u>---</u>	<u>---</u>
<b><u>G. Maximum Total FAR with As-of-Right, District-Wide, and Penn Center Subdistrict Incentives:</u></b>							
	<u>---</u>	<u>12.0</u>	<u>---</u>	<u>---</u>	<u>18.0</u>	<u>---</u>	<u>---</u>
<b>F. Maximum As-of-Right #Floor Area# Allowances in Theater Subdistrict:</b>							
	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 <sup>3</sup>	---	---	---	---	---
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 <sup>4</sup>	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 <sup>5</sup> Limit
-----	------	------	-------------	-------------	------	--------------------------

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<sup>1</sup> Not available for #zoning lots# located wholly within Theater Subdistrict Core.

<sup>2</sup> Not available within the Eighth Avenue Corridor.

<sup>3</sup> Applicable only within that portion of the Theater Subdistrict also located within the Special Clinton District.

<sup>4</sup> 12.0 in portion of C6-5.5 District within the Theater Subdistrict Core.

<sup>5</sup> Limited to 21.6 FAR on a "receiving lot" pursuant to Section 81-635 in the Grand Central Subdistrict.

6 Not available on west side of Eighth Avenue within the Eighth Avenue Corridor.

7 12.0 FAR for #zoning lots# with full block frontage on Seventh Avenue and West 34<sup>th</sup> Street, pursuant to Section 81-542 (Retention of floor area bonus for plazas or other public amenities).

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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).

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[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>



59th St-Columbus Circle7th Ave.IRT/8th Ave.IND

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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 PRESERVA-

TION SUBDISTRICT).

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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-~~51~~292 (Subway station improvements);
- (c) one or more of the following pedestrian circulation spaces subject to the #street wall# continuity requirements of Section 81-43 (Street Wall Continuity Along Designated Streets):
  - (1) relocated subway stairs provided in accordance with Sections 37-03 and 81-46 (Off-Street Relocation or Renovation of a Subway Stair);
  - (2) through #block# connections provided in accordance with paragraph (h) of Section 37-073 (Design standards for pedestrian circulation spaces); and
  - (3) off-street improvements of access to rail mass transit facilities provided in accordance with Section 81-48 (Off-Street Improvement of Access to Rail Mass Transit Facility).

Except as provided in the following sentence, in no event shall the length of #street# frontage occupied by lobby space, entrance space and/or a building entrance recess exceed in total 40 feet or 25 percent of the building's total #street# frontage exclusive of any frontage occupied by a relocated subway stair, a through #block# connection, an off-street improvement of access to rail mass transit facility or the entrance area to a bonused subway station improvement. However, the total length of #street# frontage occupied by lobby space and/or

entrance space need not be less than 20 feet.

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

Access to each retail, personal service or amusement establishment required under this Section shall be provided directly from the designated retail #street#. Where more than one entrance is provided to the establishment, direct access from the designated retail #street# shall be provided via the entrance with the greatest aggregate clear opening width. At least 50 percent of the #street wall# surface of each required establishment shall be glazed with clear untinted transparent material and not more than 50 percent of such transparent surface shall be painted or obstructed with #signs#. For the purpose of this glazing requirement, the establishment's #street wall# surface shall be measured from the floor to the height of the ceiling or 14 feet above grade, whichever is less.

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

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

2/10/99

81-43

### **Street Wall Continuity Along Designated Streets**

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

lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway, any portion of the required length of a #street wall# which lies behind a #sign# required under the provisions of Section 81-732 (Special Times Square signage requirements) may be set back up to 15 feet from the #street line#.

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

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

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

Pedestrian circulation spaces may be provided to meet the requirements of Sections 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair) or 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility) subject to the setback restrictions of this Section and to the minimum length of the #street wall# subject to such setback restrictions. However, the City Planning Commission may waive such restrictions for a subway entrance area which is part of a subway station or a rail mass transit facility improvement for which bonus #floor area# is granted, in accordance with the provisions of Sections 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan) ~~and~~ 81-511292 (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.

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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
<del>34th St-Penn Station</del>	<del>8th Ave.IND</del>
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

**81-51H**

**Subway station improvements**

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

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

MIDTOWN SUBWAY STATIONS

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

**81-50**

**SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT**



**81-51****General Provisions**

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

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

**81-52****Sign Regulations**

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

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

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

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

- (b) #Signs# above a height of 40 feet on any #building# listed on the State and/or National Register of Historic Places, or any #building# formally determined eligible for inclusion on the Register, may be permitted upon authorization by the City Planning

Commission that the proposed methodology for attaching such #signs# shall be

reversible; and such #signs# shall not be disruptive to the historic fabric of the #building#.

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

(a) such #signs# are located on #zoning lots# that contain an entrance to or are adjacent to an entrance to a rail mass transit facility and or subway station;

(b) such #signs# and #sign# structure onto which #signs# are attached are within 40 feet of the intersection of two #streets#;

(c) such #signs# project no more than 8 feet beyond the #street line#;

(d) such #signs# are no wider than 40 feet each;

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

(f) the requirements for transit informational #signs# of Section 81-521 are met;

(d) #Signs#, including #advertising signs#, #flashing signs# and #illuminated signs#, above a height of 60 feet and below a height of 120 feet above #curb level# may be permitted on the west blockfront of Seventh Avenue between West 31<sup>st</sup> and West 33<sup>rd</sup> 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 32<sup>nd</sup> 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

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 31<sup>st</sup> and West 33<sup>rd</sup> 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 31<sup>st</sup> and West 33<sup>rd</sup> Streets, such #signs# shall prominently and permanently identify the entrance to Pennsylvania Station to pedestrians on both Seventh Avenue and West 32<sup>nd</sup> Street. All such informational #signs# shall comply with the following requirements:

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

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

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

### 81-53

#### Special Bulk and Urban Design Requirements

In addition to the requirements set forth in Section 81-25 (General Provisions Relating to Height and Setback of Buildings) and Section 81-40 (MANDATORY DISTRICT PLAN ELEMENTS), the provisions of this Section shall apply to a #development# or #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 #enlarge-

ments# along the Seventh Avenue frontage of #zoning lots# shall be a minimum of 85 feet above #curb level# or the full height of the #building#, whichever is less.

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

### **81-54I**

#### **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.

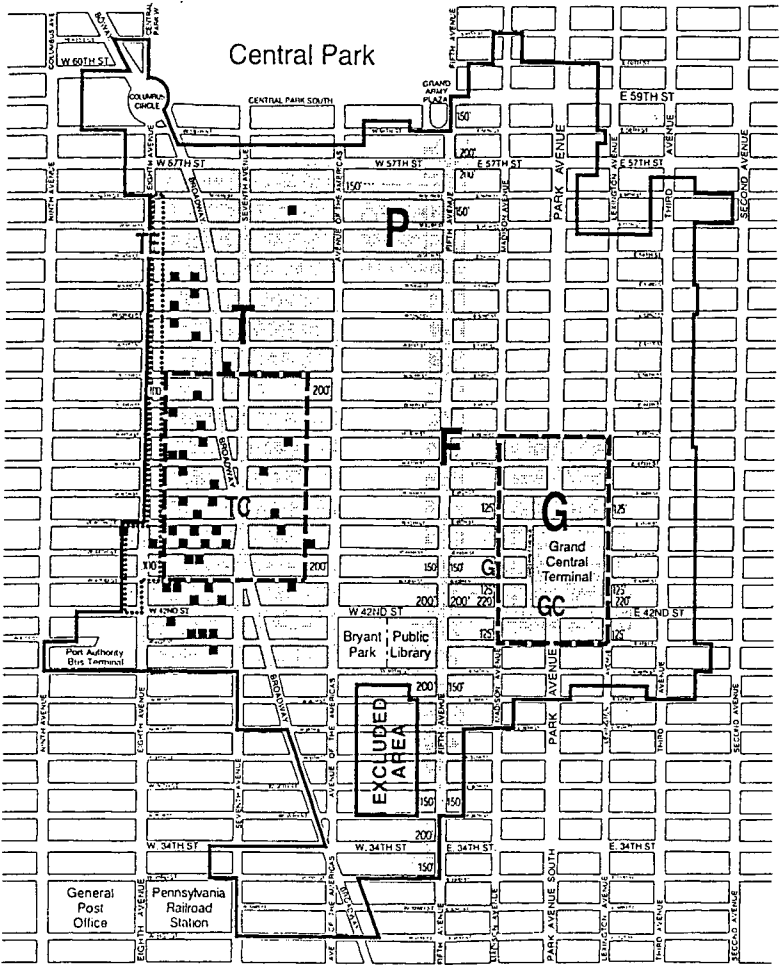
For the purposes of this Section, improvements to any rail mass transit facility within the Subdistrict qualifies for bonus #floor area# in accordance with the provisions of Section 74-634, as modified herein.

### **81-54J**

#### **Retention of floor area bonus for plazas or other public spaces**

For the #zoning lot# bounded by West 34<sup>th</sup> Street, Seventh Avenue, West 33<sup>rd</sup> 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#.

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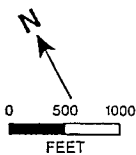


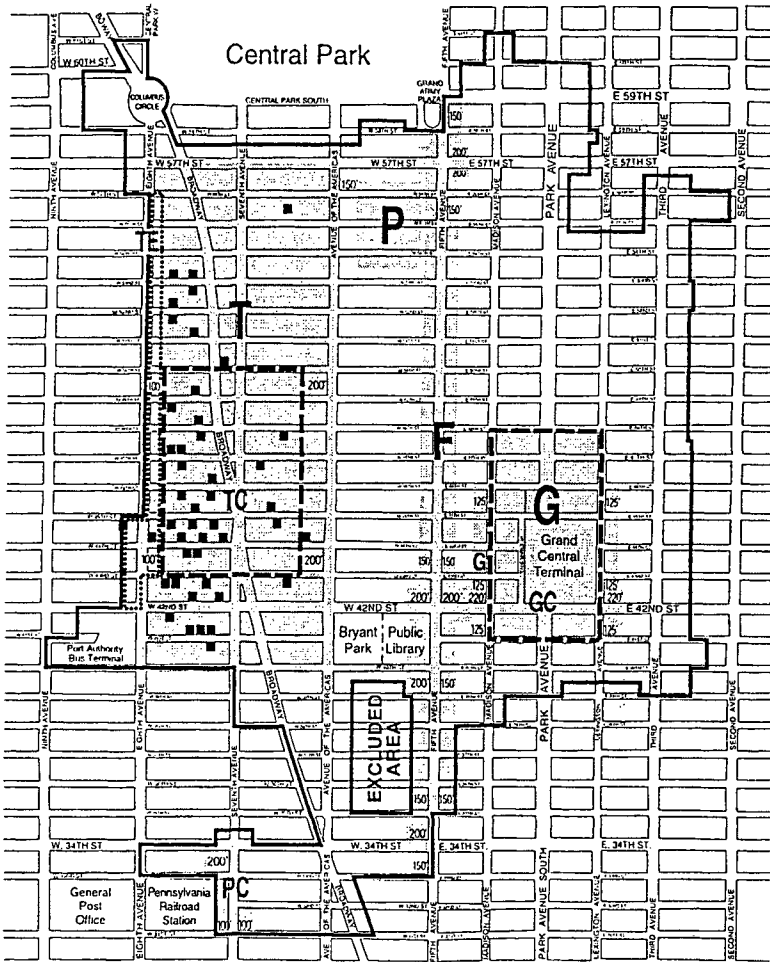
### MIDTOWN DISTRICT PLAN

#### 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**

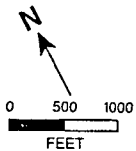




### MIDTOWN DISTRICT PLAN

MAP 1 - SPECIAL MIDTOWN DISTRICT AND SUB DISTRICTS

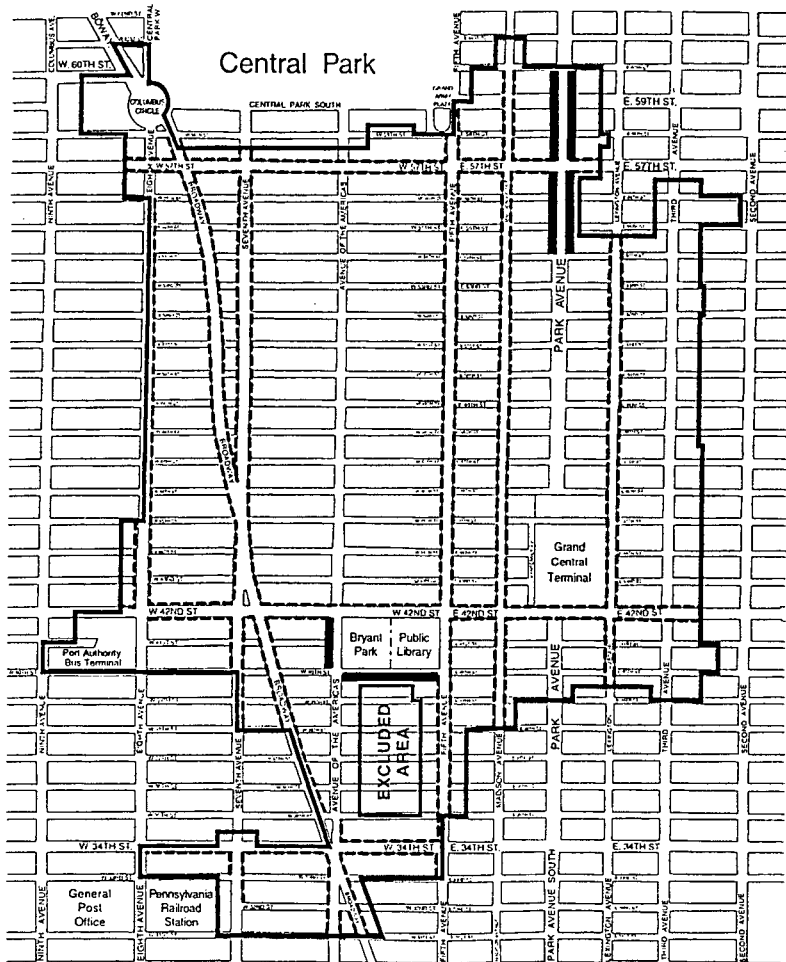
- F** Fifth Avenue Subdistrict
- G** Grand Central Subdistrict
- PC** Penn Center Subdistrict
- P** Preservation Subdistrict
- T** Theater Subdistrict
- GC** Grand Central Subdistrict Core
- TC** Theater Subdistrict Core
- TE** Theater Subdistrict Eighth Avenue Corridor
-  Listed Theaters
-  Special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



**PROPOSED**

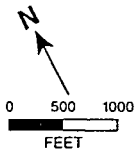




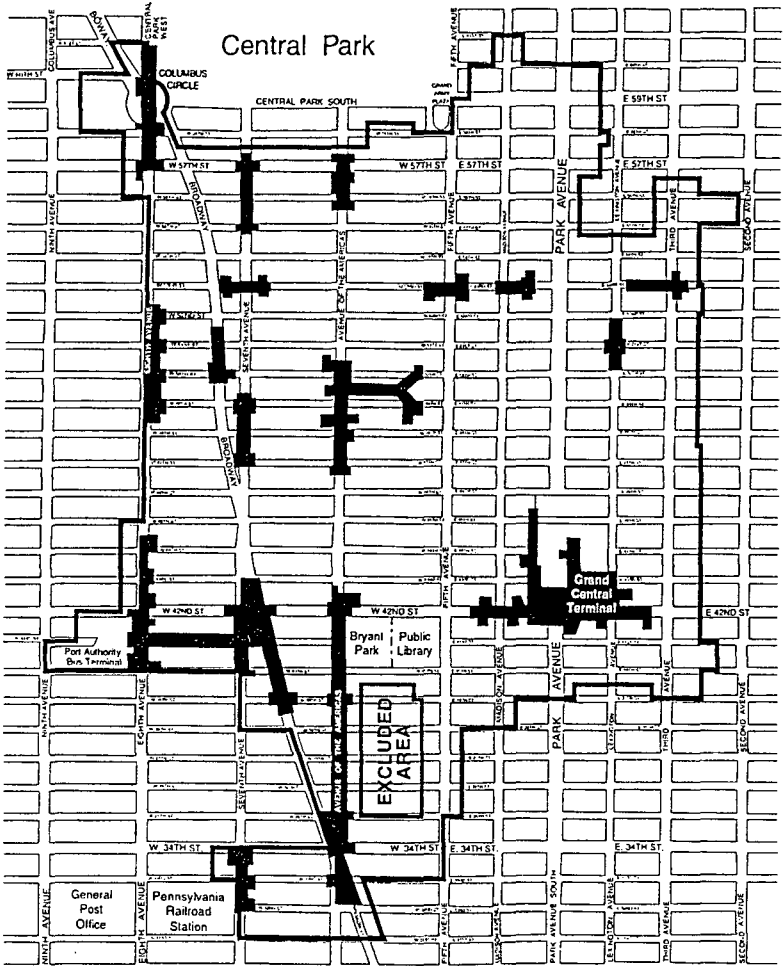


MIDTOWN DISTRICT PLAN  
 MAP 2 - RETAIL AND STREET WALL CONTINUITY

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

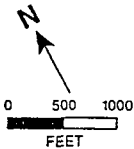


**PROPOSED**

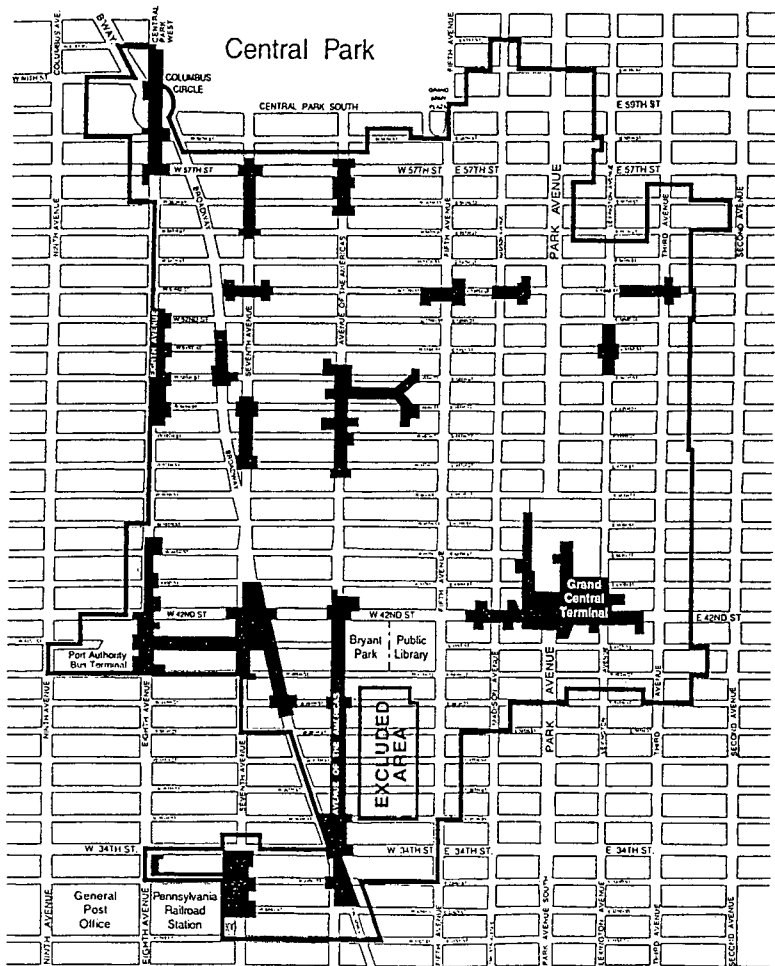


MIDTOWN DISTRICT PLAN  
MAP 3 - SUBWAY STATION IMPROVEMENT AREAS

— Special Midtown District

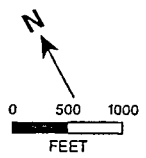


**EXISTING**



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. On July 25, 2001, Cal. No. 15, the hearing was closed. On September 25, 2001, Cal. No. 39, the item was laid over.)

**For consideration.**

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**BOROUGH OF QUEENS**

**(Report pursuant to Section 3020.8(b) of the  
City Charter concerning the landmark designation  
of the Benevolent and Protective Order of Elks, Lodge Number 878)**

**No. 45**

**CD 4**

**N 020080 HKQ**

**IN THE MATTER OF** a communication dated August 20, 2001 from the Executive Director of the Landmarks Preservation Commission **regarding the landmark designation of the Benevolent and Protective Order of Elks, Lodge Number 878** located at 82-10 Queens Boulevard (Block 2475, Lot 12) by the Landmarks Preservation Commission on August 14, 2001, (List No. 329/LP No. 2086).

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 46**

**CD 2**

**N 000213 ZAR**

**IN THE MATTER OF** an application submitted by Atlantic Hylan Corp. for **the grant of an authorization** pursuant to Section 36-023 of the Zoning Resolution for:

- a. **a group parking facility in a C4-1 district which is accessory to a commercial development on a zoning lot in excess of 4 acres; and**
- b. **a reduction of the parking requirement of Section 36-21 (General Provisions) by 46.35 percent to 1522 spaces;**

**to facilitate the enlargement of an existing commercial development on property located**

at 2600 Hylan Boulevard (Block 3969, Lots 1, 6, 31 and 35), in a C4-1 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.

**For consideration.**

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