

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, NOVEMBER 7, 2001
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, N. Y. 10007**

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

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	C 010705 ZMX	10	Scheduled to be Heard 11/21/01	19	C 010552 ZSX	8	Favorable Report Adopted
2	C 010303 PPK	3	" "	20	C 010554 ZSX	8	" "
3	C 000648 PCK	3	" "	21	C 010555 ZSX	8	" "
4	N 020046 ZRK	6	" "	22	C 010567 PQX	6	" "
5	C 020047 ZMK	6	" "	23	C 010070 PPK	5	" "
6	C 020048 PPK	6	" "	24	C 020002 HUM	11	" "
7	C 020049 ZSK	6	" "	25	C 020003 HAM	11	" "
8	C 020032 ZSM	6	" "	26	C 010675 HUM	3	" "
9	C 010728 PPQ	14	" "	27	C 010676 ZMM	3	" "
10	C 010106 ZMQ	5	" "	28	C 010677 HDM	3	" "
11	N 020060 HAX	6	Hearing Closed	29	C 010678 ZSM	3	" "
12	N 010696 ZRM	4	" "	30	C 010311 ZSM	1	" "
13	C 010697 ZSM	4	" "	31	C 010708 PPM	6	Laid Over
14	C 010698 ZSM	4	" "	32	C 010709 ZMM	6	" "
15	C 010699 ZSM	4	" "	33	C 010712 ZSM	6	" "
16	C 010733 PSM	9	" "	34	C 010713 ZSM	6	" "
17	C 020100 ZMQ	1	" "	35	C 000507 PPM	10	Favorable Report Adopted
18	N 020101 ZRQ	1	" "	36	C 010126 PCM	2	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:														
		In Favor - Y Oppose - N Abstain - AB Recuse - R														
Calendar Numbers:		19	20	21	22	23	24	25	26	27	28	29	30	31	32	
Joseph B. Rose, Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Albert Abney	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	L	L	
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	A	
Amanda M. Burden, A.I.C.P.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	I	I	
Irwin Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	D	D	
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
Kathy Hirata Chin, Esq.	P	R	R	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	O	O	
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	V	V	
Marilyn G. Gelber	P	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	E	E	
William J. Grinker	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	R	
Kenneth J. Knuckles, Esq.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			
John Merolo, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y			

MEETING ADJOURNED AT: 11:03 A.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, NOVEMBER 7, 2001
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, N. Y. 10007

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

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
37	N 010296 ZRM	1	Favorable Report Adopted				
38	C 010714 HAM	11	" "				
39	C 010620 PPQ	12	" "				
40	C 010655 PQQ	2	" "				
41	N 000273 ZAR	1	Authorization Approved				
42	N 020037 ZRY	cw	Laid Over				

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
	Calendar Numbers:	33	34	35	36	37	38	39	40	41	42				
Joseph B. Rose, Chairman	P			Y	Y	Y	Y	Y	Y	Y					
Albert Abney	P	L	L	Y	Y	Y	Y	Y	Y	Y	L				
Angela M. Battaglia	P	A	A	Y	Y	Y	Y	Y	Y	Y	A				
Amanda M. Burden, A.I.C.P.	P	I	I	Y	Y	Y	Y	Y	Y	Y	I				
Irwin Cantor, P.E.	P	D	D	Y	Y	Y	Y	Y	Y	Y	D				
Angela R. Cavaluzzi, R.A.	P			Y	Y	Y	Y	Y	Y	Y					
Kathy Hirata Chin, Esq.	P	O	O	Y	Y	Y	Y	Y	Y	Y	O				
Alexander Garvin	P	V	V	Y	Y	Y	Y	Y	Y	Y	V				
Marilyn G. Gelber	P	E	E	Y	Y	Y	Y	Y	Y	Y	E				
William J. Grinker	P	R	R	Y	Y	Y	Y	Y	Y	Y	R				
Kenneth J. Knuckles, Esq.	P			Y	Y	Y	Y	Y	Y	Y					
John Merolo, Commissioners	P			Y	Y	Y	Y	Y	Y	Y					

MEETING ADJOURNED AT: 11:03 A.M.

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, NOVEMBER 7, 2001

MEETING AT 10:00 A.M. AT SPECTOR HALL

22 READE STREET

NEW YORK, NEW YORK



Rudolph W. Giuliani, Mayor

City of New York

[No. 21]

Prepared by Rosa R. Romero, Calendar Officer

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

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO PUBLIC MEETINGS

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

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

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

ORDER OF BUSINESS AND INDEX

WEDNESDAY, NOVEMBER 7, 2001

Roll Call; approval of minutes	1
I. Scheduling of November 21, 2001	1
II. Public Hearings	7
III. Reports	16

**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 November 21, 2001 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

NOVEMBER 7, 2001

APPROVAL OF MINUTES OF Regular Meeting of October 24, 2001

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, NOVEMBER 21, 2001
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

CD 10

C 010705 ZMX

IN THE MATTER OF an application submitted by D'Alessio Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 4b, 4d and 7c**, establishing within an existing R4 District a C1-3 District bounded by Philip Avenue, a line bisecting an angle formed by the intersection of the southeasterly prolongations of the southwesterly street line of Edison Avenue and the northeasterly street line of East Tremont Avenue, Randall Avenue, and East Tremont Avenue, Borough of The Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated September 10, 2001.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

BOROUGH OF BROOKLYN

No. 2

CD 3

C 010303 PPK

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 forty-two (42) 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.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

No. 3

CD 3

C 000648 PCK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 60 Nostrand Avenue, 48 Sandford Street, a/k/a Warsoff Place, and 56 Nostrand Avenue (Block 1718, Lots 1 and 15), for use as a garage.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

Nos. 4, 5, 6, and 7

(Applications for an amendment to the Zoning Resolution and Zoning Map, disposition of city-owned property, and the grant of a special permit to facilitate the redevelopment of a 5-story building within the Special Red Hook Mixed Use District)

No. 4

CD 6

N 020046 ZRK

IN THE MATTER OF an application submitted by the Economic Development Corporation and the Kings Harbor View Associates, 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 XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX -5) in Red Hook.

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 where unchanged text appears in the Zoning Resolution

123-90

SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

~~#Special Mixed Use District# 5
Red Hook Brooklyn~~

~~The #Special Mixed Use District# 5 is established in Red Hook in Brooklyn as indicated on the #zoning maps#~~

Resolution for adoption scheduling November 21, 2001 for a public hearing.



No. 5

CD 6

C 020047 ZMK

IN THE MATTER OF an application submitted by the Economic Development Corporation and the Beard Street Warehouse, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a:

- 1) changing from an M1-1 District to an M1-1/R5 District property bounded by a line midway between Coffey Street and Van Dyke Street, Van Brunt Street, Reed Street, and Conover Street;
- 2) changing from an M3-1 District to an M1-1/R5 District property bounded by Reed Street, Van Brunt Street and its southwesterly prolongation, the U. S. Pierhead Line of Upper Bay, and Conover Street and its southwesterly prolongation; and
- 3) establishing a Special Mixed Use District* (MX-5) within the area bounded by a line midway between Coffey Street and Van Dyke Street, Van Brunt Street and its southwesterly prolongation, the U.S. Pierhead Line of Upper Bay, and Conover Street and its southwesterly prolongation,

as shown on a diagram (for illustrative purposes only) dated August 20, 2001 and subject to the conditions of CEQR Declaration E-110.

*Note: A Special Mixed Use District (MX-5) is proposed under related application (N 020046 ZRK) for an amendment to Section 123-90 of the Zoning Resolution.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

No. 6

CD 6

C 020048 PPK

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 city-owned property located at 480-500 Van Brunt Street (Block 611, Lots 6 and 11), pursuant to zoning.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

No. 7

CD 6

C 020049 ZSK

IN THE MATTER OF an application submitted by the Economic Development Corporation and Beard Street Warehouse, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to permit a food store (U.G. 6A) with more than 10,000 square feet of floor area (Block 611, Lots 6 and 11) and its off-site accessory parking lot (Block 611, Lots 1 and 55) on properties generally bounded by Conover Street, Reed Street, Van Brunt Street, and the U.S. Bulkhead Line, in an M1-1/R5 District*, within the Special Mixed Use District MX-5**.

Note: * An M1-1/R5 District is proposed under related application for an amendment to the Zoning Map C 020047 ZMK.

** A Special Mixed Use District (MX-5) is proposed under related application, N 020046 ZRK, for an amendment to Section 123-90 of the Zoning Resolution.

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

Resolution for adoption scheduling November 21, 2001 for a public hearing.

BOROUGH OF MANHATTAN

No. 8

CD 6

C 020032 ZSM

IN THE MATTER OF an application submitted by the Department of Business Services and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-66 of the Zoning Resolution for a heliport on property generally located between the U.S. Pierhead Line of the East River and the north-bound service road of the Franklin D. Roosevelt Drive, south of East 34th Street, (Block 962, part of Lot 50) in an M2-3 District.

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

Resolution for adoption scheduling November 21, 2001 for a public hearing.

BOROUGH OF QUEENS

No. 9

CD 14

C 010728 PPQ

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 6200 Beach Channel Drive (Block 16015, Lot 1), pursuant to zoning.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

No. 10

CD 5

010106 ZMQ

IN THE MATTER OF an application submitted by the Maspeth Federal Savings & Loan Center pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13c, changing from an R4-1 District to an R6B District property bounded by 69th Street, the easterly prolongation of Clinton Avenue, a line 75 feet easterly of 69th Street, and a line 100 feet northwesterly of Grand Avenue, as shown on a diagram (for illustrative purposes only) dated July 23, 2001.

Resolution for adoption scheduling November 21, 2001 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 11

CD 6

N 020060 HAX

PUBLIC HEARING:

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

- 1) the designation of 1945-49 Vyse Avenue (Block 2992, Lots 52, 59, p/o 60), as an Urban Development Action Area; and
- 2) an Urban Development Action Area Project for such area;

to facilitate development of a six-story building tentatively known as Criscuolo Plaza with 46 units of housing for low income and homeless families and one superintendent's unit and developed under the New York State Housing Trust Fund Program.

(On October 24, 2001, Cal. No. 1, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

Nos. 12, 13, 14, and 15

(Applications for a zoning text amendment, and grant of special permits to facilitate the development of a mixed-use building and a public parking garage in the Special Clinton District)

No. 12

CD 4

N 010696 ZRM

PUBLIC HEARING:

(Amendment to the Zoning Resolution concerning proposed development at 360 and 366 West 43rd Street)

IN THE MATTER OF an application submitted by 42/9 Residential LLC, pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Section 96-102, to modify lot coverage requirements in the Special Clinton District.

Matter in Greytone is new, to be added;

Matter in Strikeout is old, to be deleted;

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

* * * indicates where unchanged text would appear in the Zoning Resolution.

* * *

96-102

Lot coverage regulations

For any #development# or #enlargement# within the Preservation Area, the #open space# requirement of Article II, Chapter 3, and the #lot coverage# provisions of Section 24-11, are not applicable. The #lot coverage# provisions of this Section apply to any #development# or #enlargement#. ~~For the purposes of determining lot coverage, any part of a building that is listed as a permitted obstruction in open space or in a rear yard shall not be included in lot coverage.~~ For #zoning lots# or portions thereof located within 100 feet of the #street line# of a #wide street# the maximum #lot coverage# shall not exceed 70 percent. For all #zoning lots# or portions thereof located more than 100 feet from the #street line# of a #wide street#, the maximum #lot coverage# shall not exceed 60 percent.

Any new #development# containing #residential uses# shall provide a minimum of 20 percent of the #lot area# of a #zoning lot# as usable, landscaped open area for the #residential# tenants.

The City Planning Commission, by special permit, may permit up to 100% lot coverage for a development or enlargement on a corner lot. As a condition for such modification, the Commission shall find that the development or enlargement permits adequate access to light and air to surrounding streets and properties and results in a better relationship to adjacent streets, developments and open areas than would be possible without such lot coverage.

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

* * *

(On October 24, 2001, Cal. No. 2, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 4

C 010697 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 42/9 Residential LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-102* of the Zoning Resolution to permit up to 100% of lot coverage for a development to be constructed at 366 West 43rd Street (Block 1033, part of Lot 61), in a C6-2 District, within the Special Clinton District.

*Note: Section 96-102 of the Zoning Resolution is proposed to be amended under a related application for a text amendment (N 010696 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, N.Y. 10007.

(On October 24, 2001, Cal. No. 3, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 14

CD 4

C 010698 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 42/9 Residential 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, 74-52 and 96-111 of the Zoning Resolution to permit an attended public parking garage with a maximum capacity of 105 spaces** on portions of the first floor and cellar of a proposed mixed building to be constructed at 360 West 43rd Street (Block 1033, Lots 1, 12, 63, 64, 101, 161, 162 and part of 61), in C6-2 and C6-4 Districts, within the Special Clinton 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 October 24, 2001, Cal. No. 4, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

CD 4

C 010699 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 42/9 Residential LLC, pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 96-104 of the Zoning Resolution to permit the modification of the special height restrictions of Section 96-104 to allow a maximum height of 99 feet for a portion of a proposed mixed building to be constructed at 360 West 43rd Street (Block 1033, Lots 1, 12, 63, 64, 101, 161, 162 and part of 61), in C6-2 and C6-4 Districts, within the Special Clinton 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 October 24, 2001, Cal. No. 5, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

CD 9

C 010733 PSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Cultural Affairs and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for site selection of property located at the southwest corner of West 135th Street and Convent Avenue (Block 1971, part of Lot 18) for use as a cultural arts center.

(On October 24, 2001, Cal. No. 6, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 17 and 18

(Applications for Amendments to the Zoning Map and Zoning Resolution to construct a new Metlife Building in the Special Long Island City Mixed Use District)

No. 17

CD 1

C 020100 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Metropolitan Life Insurance Company 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 M1-5/R7-3 District to an M1-5/R9 District property bounded by 27th Street, a line 100 feet southwesterly of 41st Avenue, 28th Street, and

a line 200 feet northeasterly of Queens Plaza North, within a Special Long Island City Mixed Use District (LIC), as shown on a diagram (for illustrative purposes only) dated September 10, 2001.

(On October 24, 2001, Cal. No. 7, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

CD 1

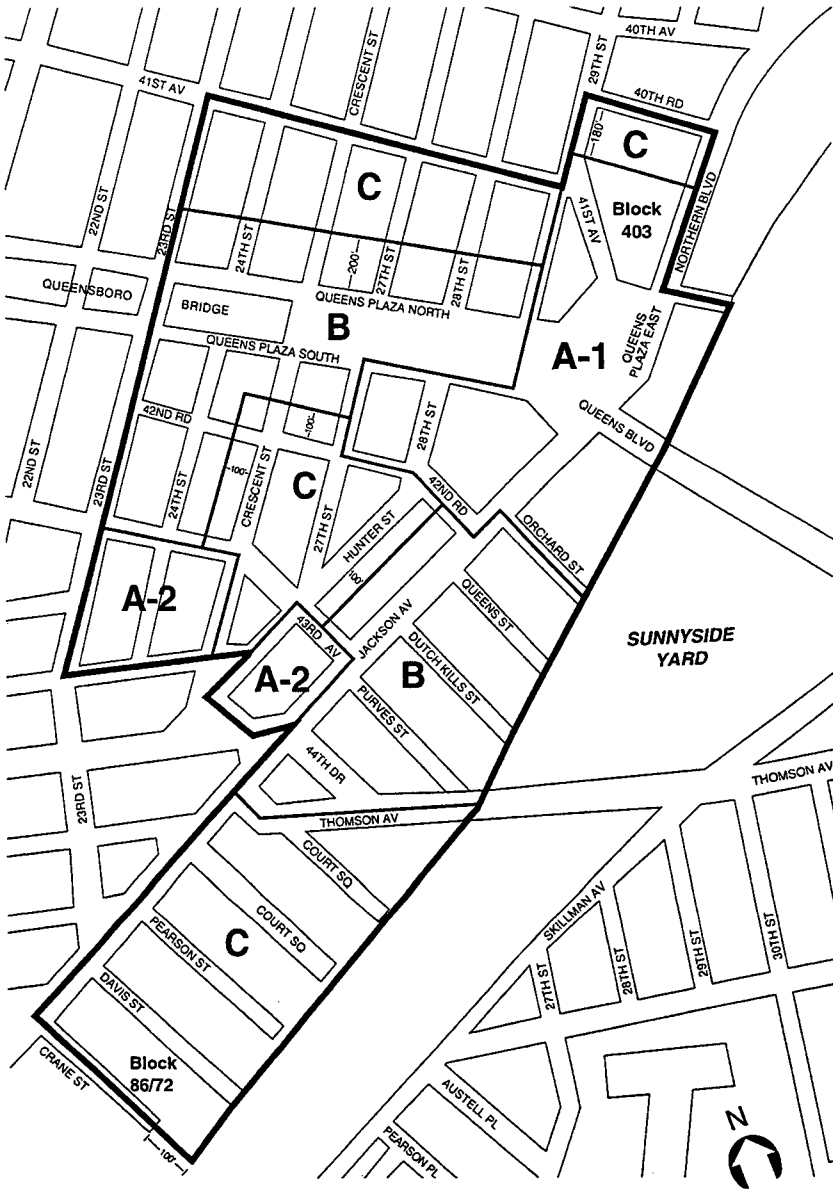
N 020101 ZRQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Metropolitan Life Insurance Company 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 XI, Chapter 7 (Special Long Island City Mixed Use District) **concerning an amendment of the boundary line of Area B and Area C of the Queens Plaza Subdistrict**, as shown in Appendix C, Map 1.

APPENDIX C (7/26/01)

Map 1- Designated Districts within the Queens Plaza Subdistrict



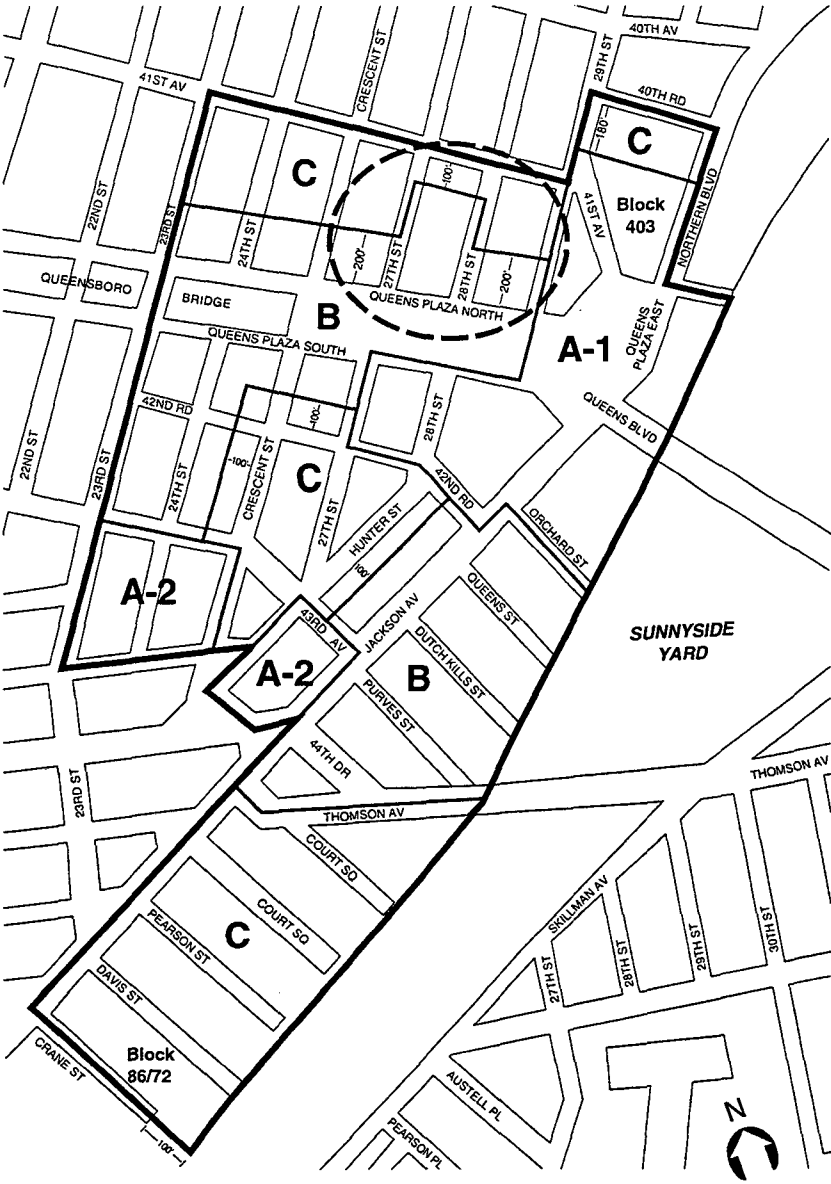
Queens Plaza Subdistrict
 Designated Districts

AREA A-1, A-2 M1-6/R10
AREA B M1-5/R9
AREA C M1-5/R7-3

EXISTING

APPENDIX C (10/10/01)

Map 1- Designated Districts within the Queens Plaza Subdistrict



- Queens Plaza Subdistrict
 - Designated Districts
 - - - Proposed Change
- | | |
|----------------------|-----------|
| AREA A-1, A-2 | M1-6/R10 |
| AREA B | M1-5/R9 |
| AREA C | M1-5/R7-3 |

PROPOSED

(On October 24, 2001, Cal. No. 8, the Commission scheduled November 7, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

Nos. 19, 20, and 21

(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. 19

CD 8

C 010552 ZSX

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. On October 10, 2001, Cal. No. 5, the hearing was closed)

For consideration.

No. 20

CD 8

C 010554 ZSX

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. On October 10, 2001, Cal. No. 6, the hearing was closed.)

For consideration.

No. 21

CD 8

C 010555 ZSX

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. On October 10, 2001, Cal. No. 7, the hearing was closed.)

For consideration.

No. 22

CD 6

C 010567 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 601 East 178th 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. On October 10, 2001, Cal. No. 8, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 23

CD 5

C 010070 PPK

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. On October 10, 2001, Cal. No. 9, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

Nos. 24 and 25

(Applications for the 2nd Amendment to the Metro North I Urban Renewal Plan for the Metro North 1 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. 24

CD 11

C 020002 HUM

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

For consideration.

No. 25

CD 11

C 020003 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 327-29 E. 100th 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. On October 10, 2001, Cal No. 11, the hearing was closed.)

For consideration.

Nos. 26, 27, 28, and 29

(Applications for the 2nd 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. 26

CD 3

C 010675 HUM

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 2nd 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 1st 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 I 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. On October 10, 2001, Cal. No. 12, the hearing was closed.)

For consideration.

No. 27

CD 3

C 010676 ZMM

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 1st 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 1st Street and the easterly prolongation of the northerly street line of East Houston Street, a line 100 feet westerly of Second Avenue, East 1st 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 1st 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 1st 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 1st 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 1st Street, a line 100 feet easterly of Bowery, a line 125 feet northerly of East 1st 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. On October 10, 2001, Cal. No. 13, the hearing was closed)

For consideration.

No. 28

CD 3

C 010677 HDM

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 st Street
2B	456	p/o 1	287-289 E. Houston Street, 5 2 nd Avenue
3A	457	p/o 1	303-311 Bowery
3B	457	p/o 1	6-10 E. 1 st Street

3C	457	p/o 1	12-24 E. 1 st 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. On October 10, 2001, Val. No. 14, the hearing was closed.)

For consideration.

No. 29

CD 3

C 010678 ZSM

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 1st Street and East 2nd 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. On October 10, 2001, Cal. No. 15, the hearing was closed)

For consideration.

No. 30

CD 1

C 010311 ZSM

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 the 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. On October 10, 2001, Cal. No. 17, the hearing was closed.)

For consideration.

Nos. 31, 32, 33, and 34

(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. 31

CD 6

C 010708 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 one (1) city-owned property generally bounded by First Avenue, the Franklin D. Roosevelt Drive and the easterly prolongations of East 28th and East 30th 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. On October 10, 2001, Cal. No. 18, the hearing was closed.)

For consideration.

No. 32

CD 6

C 010709 ZMM

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 30th Street, a line 150 feet easterly of First Avenue, the easterly prolongation of the southerly street line of East 29th 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 29th 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 29th 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 29th 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 29th 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. On October 10, 2001, Cal. No. 19, the hearing was closed.)

For consideration.

 No. 33

CD 6

C 010712 ZSM

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 30th Street, Franklin D. Roosevelt Drive, the easterly prolongation of East 28th 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. On October 10, 2001, Cal. No. 20, the hearing was closed.)

For consideration.

No. 34

CD 6

C 010713 ZSM

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 29th 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 30th 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 30th Street, Franklin D. Roosevelt Drive, the easterly prolongation of East 28th 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. On October 10, 2001, Cal. No. 21, the hearing was closed.)

For consideration.

No. 35

CD 10

C 000507 PPM

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. On October 10, 2001, Cal. No. 24, the hearing was closed.)

For consideration.

No. 36

CD 2

C 010126 PCM

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 4th 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. On October 10, 2001, Cal. No. 27, the hearing was closed.)

For consideration.

CD 1

N 010296 ZRM

IN THE MATTER OF an application submitted by 55 Water Street L.L.C., pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York to modify various sections of Article IX, Chapter 1 relating to the controls of the *Special Lower Manhattan District*.

Matter in greytone is new, to be added;

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

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

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

Article IX - Special Purpose Districts

Chapter 1

Special Lower Manhattan District

* * *

91-23

Floor Area Regulations for Non-Residential and Mixed Buildings

For non-#residential buildings# or #mixed buildings# within the #Special Lower Manhattan District#, the basic maximum #floor area ratio# of the underlying district may be increased by the inclusion of specific additional bonus #floor area# for a maximum #floor area ratio# as specified in the following table.

The provisions of paragraph (c) of Section 74-792 (Conditions and limitations), pertaining to the transfer of development rights from landmark sites, shall be subject to the restrictions on the transfer of development rights (FAR) of a landmark "granting lot" as set forth in the following table. Wherever there may be an inconsistency between any provision in Section 74-79 and the following table, the provisions of the table shall apply.

MAXIMUM FLOOR AREA RATIOS AND FLOOR AREA BONUSES
BY DISTRICT FOR NON-RESIDENTIAL AND MIXED BUILDINGS
BASIC AND MAXIMUM FLOOR AREA RATIOS (FAR)

Means for Achieving Permitted FAR Levels on a #Zoning Lot#	#Special Lower Manhattan District# except within Core or Subdistrict			Historic & Commercial Core	South Street Seaport Subdistrict & all waterfront #zoning lots#					
	R8	C6-4	C5-3 C5-5 C6-9		C5-5	M1-4	C2-8	C4-6	C6-4	C5-3
Basic maximum FAR	6.02 ¹	10	15	15	2.0 ² 6.5 ³	2.0 ² 3.4 ³	3.4	10	15	<u>15</u>
Maximum as-of-right #floor area# bonus for #urban plazas#	NA	2	3	NA	NA	NA	NA	NA	NA	<u>NA</u>
Maximum as-of-right #floor area# bonus for Inclusionary Housing	NA	2	NA	NA	NA	NA	NA	NA	NA	<u>NA</u>
Maximum FAR with as-of-right #floor area# bonuses	6.02 ¹	12	18	15	2.0 ² 6.5 ³	2.0 ² 3.4 ³	3.4	10	15	<u>15</u>
Maximum special permit #floor area# bonuses: subway station improvements & #covered pedestrian spaces#	NA	2	3	3	NA	NA	NA	NA	NA	<u>NA</u>
Maximum total FAR with as-of-right and special permit #floor area# bonuses	6.02 ¹	12	18	18	2.0 ² 6.5 ³	2.0 ² 3.4 ³	3.4	10	15	<u>15</u>
Development rights (FAR) of a landmark lot for transfer purposes (74-79)	NA	10	15 ⁴ 18 ⁵	15	NA	NA	NA	NA	NA	<u>NA</u>

Maximum total FAR with transferred development rights from landmark zoning lot# and as-of-right and special permit #floor area# bonuses	6.02 ¹	14	21.6	21.6	2.4 ² 7.8 ³	2.0 ² 3.4 ³	3.4	12	21.6 ⁶	<u>21.6⁶</u>
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Maximum total - FAR of designated receiving sites in South St. Seaport Sub-district (91-60)	NA	NA	NA	NA	NA	2.0 ² 3.4 ³	3.4	12	21.6 ⁶	<u>21.6⁶</u>
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1. maximum #floor area ratio# and minimum #open space ratio# shall be determined in accordance with the provisions of Article II, Chapter 3
2. for a #commercial# or, where permitted, #manufacturing use#
3. for a #community facility use#
4. if receiving lot is located in a zoning district with a basic maximum FAR of less than 15
5. if receiving lot is located in a zoning district with a basic maximum FAR of 15

6. for lots greater than 30,000 square feet, may be exceeded by special permit pursuant to Section 91-661.

* * *

91-42

Pedestrian Circulation Space

Within the boundaries of the #Special Lower Manhattan District#, all new #developments# or #enlargements# on #zoning lots# of at least 5,000 square feet that contain more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-07 (Requirements for Pedestrian Circulation Space).

Pedestrian circulation space shall not be required if any of the following conditions exist:

- (a) the #zoning lot# is entirely occupied by a #building# of no more than one #story# in height;
- (b) the #zoning lot# is an #interior lot# fronting on a #wide street# with less than 80 feet of #street frontage#;
- (c) the #zoning lot# is an #interior# or #through lot# fronting on a #street# or #streets# listed in paragraph (a) of Section 91-31 (Street Wall Regulations);

- (d) the #zoning lot# is a #through lot# and both #street frontages# are less than 25 feet in length; or
- (e) the #zoning lot# is located in a C6-4 ~~or C6-9~~ District within the South Street Seaport Subdistrict.

* * *

91-60

REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT

* * *

91-62

Definitions

For purposes of this Section, matter in *italics* is defined in Section 12-10 (DEFINITIONS) or within this Section.

Development rights

Within the South Street Seaport Subdistrict, the basic maximum permitted #floor area# for a #granting lot# shall be that which is allowed by the applicable district regulations as if such granting lot were undeveloped, and shall not include any additional #floor area# bonuses for #urban plazas#, #arcades# or any other form of #floor area# increase, whether as-of-right or by special permit. #Streets# located within the Subdistrict that have been closed or discontinued in whole, part or whose air space has been closed or discontinued pursuant to Section E15-3.0 of the Administrative Code, or its successor, shall have attributed to such closed area or closed air space the basic maximum permitted #floor area# allowed within the underlying zoning district within which such #streets# are situated. The #lot area# of a closed or discontinued volume of air space shall be measured by the area of the bed of the #street# lying below and within such closed or discontinued volume.

Granting lot

Within the South Street Seaport Subdistrict, "granting lot" is a #zoning lot# or a closed or discontinued portion of a #street# or air space over a #street # which is identified as a #granting lot#, as identified on Map 6 (South Street Seaport Subdistrict) in Appendix A, upon which #development# is regulated by contract, lease, covenant, declaration or otherwise to assure compliance with the purposes of this Subdistrict and from which #development rights# may be transferred. Such #zoning lots# and closed portions of #streets# or air space over #streets# are identified on the map of the transfer areas (Map 6) as Parcels 6, 7 and 9 and the adjacent hatched #street# areas.

Person

Within the South Street Seaport Subdistrict, a "person" is an individual, corporation (whether incorporated for business, public benefit or not-for-profit purposes or otherwise), partnership, trust firm, organization, other association or any combination thereof.

Receiving lot

Within the South Street Seaport Subdistrict, a "receiving lot" is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such "receiving lots" are identified on the map as Parcels, 1 8, 15, 16, 20¹ and 21 and 22.

* * *

91-65

Addition of Development Rights to Receiving Lots

Within the South Street Seaport Subdistrict, all or any portion of the #development rights# transferred from a #granting lot# may be added to the #floor area# of all or any one of the #receiving lots# in an amount not to exceed the ratio of 10 square feet of #development rights# to each square foot of #lot area# of such #receiving lot#, except that with respect to a #receiving lot# having a #lot area# of less than 30,000 square feet, the total #floor area ratio# on such #receiving lot# shall not exceed a #floor area ratio# of 21.6. #Development rights# transferred to a #receiving lot# may be applied to the #development# of a #mixed building# to increase the #floor area# of the #residential#, #commercial# and/or #community facility# portions of such #building# so that the maximum #floor area# for such #building# may be increased by the aggregate of #development rights# so transferred. In no event shall the #floor area ratio# of a #residential building#, or portion thereof, exceed 12.0.

The City Planning Commission shall certify that the any proposed #development# which that utilizes such transferred #development rights# conforms to this section and, for those #receiving lots# within the Urban Renewal Area, to the regulations and controls of the Urban Renewal Plan.

91-66

Modification of Bulk Regulations

91-661Special permit for bulk modifications

Within the South Street Seaport Subdistrict, the City Planning Commission may grant a special permit to modify the height and setback and #lot coverage# regulations of Section 91-30, provided that:

- (a) either of the following conditions have been met:
- (1) that the developer has obtained negative easements limiting the height of future #development# to 85 feet or less on any adjoining #zoning lots# which are contiguous or would be contiguous to said #zoning lot# but for their separation by a #street# or #street# intersection, and such easements are recorded against such adjoining #zoning lots# by deed or written instrument. The Commission shall consider the aggregated areas of said #zoning lot# and the adjoining lots subject to such negative easements and the extent to which they achieve future assurance of light and air in determining the maximum permitted coverage. In no event shall such coverage exceed 80 percent of the #zoning lot# on which the #development# will be located; or
 - (2) that the #lot coverage# for that portion of a #development# below 300 feet may be increased to a maximum of 80 percent when additional #development rights# have been purchased and converted to increased #lot coverage#. The maximum percentage of #lot coverage# on such #receiving lot# shall be the sum of 65 percent plus one-half of one percent for every .10 by which the total #floor area ratio# on such #receiving lot# would exceed a #floor area ratio# of 21.6, provided that the #development# on such #receiving lot# has achieved a minimum #floor area ratio# of 18.0;
- (b) In order to grant such special permit, the Commission shall make the following findings:
- (1) the location of the #development# and the distribution of #bulk# will permit adequate access of light and air to surrounding #streets# and properties;
 - (2) any modification of height and setback will provide for better distribution of #bulk# on the #zoning lot#; and
 - (3) such special permit will aid in achieving the general purposes and intent of the Subdistrict.

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

91-662

Authorization for modification of bulk provisions and public space in C6-9 Districts

In the South Street Seaport Subdistrict, the City Planning Commission may authorize:

- (a) the alteration of any public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that the Commission finds that such modifications improve the intended public purpose of the amenity, or
- (b) the elimination or reduction of an existing public amenity, open or enclosed, for which a #floor area# bonus has been granted, provided that a new and/or improved public amenity, open or enclosed, is supplied elsewhere on, or within proximity to, the #zoning lot#, and the Commission finds that:

 - (1) the public amenity to be eliminated no longer serves its original purpose; and
 - (2) the proposed new or improved public amenity will provide a greater public benefit than the amenity to be eliminated or reduced and will better serve the purposes of the #Special Lower Manhattan District#; and
- (c) the modification of the applicable height, setback, lot coverage and distance between buildings requirements for any new #development# or #enlargement# on a designated #receiving lot# that will incorporate transferred #development rights#, provided the Commission finds that the modifications:

 - (1) provide an appropriate distribution of #bulk# on the #zoning lot#;
 - (2) permit adequate access of light and air to the occupants or users of the #development# or #enlargement#, and adjoining properties as well as the surrounding #streets#; and
 - (3) will not impair the use and desirability of any public amenity that may be created or improved under the provisions of paragraph (b) of this Section.

If a #receiving lot# contains an existing #building#, such authorization shall incorporate any previous height and setback or other bulk modifications granted prior to the effective date of amendment by the Board of Standards and Appeals for such existing #building#.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

* * *

91-70**SPECIAL REGULATIONS FOR CERTAIN AREAS**

#Developments# or #enlargements# in the former #Special Lower Manhattan Greenwich Street Development District# built prior to August 27, 1998, will continue to be governed by the regulations in effect at the time of issuance of the building permit and can only be modified or altered by Sections 91-71 through 91-74, inclusive.

91-71**Authorization for the Modification of Required Public Amenities**

The City Planning Commission may authorize modifications of certain provisions of the former Special Greenwich Street Development District, eliminated on August 27, 1998, that mandated public amenities, as follows:

- (a) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that resulted in an increase in the basic maximum #floor area ratio# or an increase in the adjusted basic maximum #floor area ratio#, the Commission may authorize:
- (1) the alteration of the amenity or improvement, provided that the Commission finds that such modifications improve the intended public purpose of the amenity;
 - (2) the elimination of the amenity or improvement, provided that the Commission finds that the intended public purpose is no longer useful or desirable and a new public amenity or improvement is supplied, as permitted pursuant to this Chapter, that generates the same or higher amount of bonusable #floor area#; or
 - (3) in the case of an amenity or improvement built in excess of the requirements necessary to generate the bonus #floor area# at the time of #development#, the elimination of such portion of the amenity not tied to the bonus #floor area#, provided that the Commission finds that such portion is no longer useful or desirable.
- (b) For any mandatory or elective public amenities or improvements built pursuant to the regulations of the former Special District that did not result in an increase in the basic maximum #floor area ratio#, the Commission may authorize the elimination or alteration of the amenity or improvement if it finds that the intended public purpose is no longer useful or desirable.

- (c) No mandatory or elective public amenity or improvement built pursuant to the regulations of the former Special District shall be eliminated or reduced in size, without a corresponding reduction in the #floor area# of the #building# or the substitution of equivalent complying area for such amenity elsewhere on the #zoning lot#, in accordance with the provisions of paragraph (a)(2) of this Section, except by special permit of the City Planning Commission, subject to a finding that the proposed change will provide a greater public benefit in light of the public amenity's purpose and the purposes of the #Special Lower Manhattan District#.

However, the open pedestrian bridge spanning Greenwich Street between Liberty and Cedar Streets may be eliminated, without recourse to the City Planning Commission, where the pedestrian access provided between the required elevated public pedestrian circulation systems is no longer useful or desired.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

91-72

Certification for Development on the Block bounded by Liberty, Washington, Cedar and West Streets

For the #block# bounded by Liberty, Washington, Cedar and West Streets, the City Planning Commission shall certify that the following improvements, eligible for as-of-right #floor area# bonuses in the amount specified, are included in any plans for a proposed #development#.

- (a) The following mandatory improvements are eligible for as-of-right #floor area# bonuses:
- (1) For an open pedestrian bridge with a minimum width of 15 feet spanning Washington Street near its intersection with Liberty Street to provide pedestrian access to the existing elevated public open space at the northern edge of the #block# bounded by Liberty, Washington, Albany and Greenwich Streets, as certified by the Commission, a #floor area# bonus shall be granted in the amount of 90 square feet per linear foot.
 - (2) For a pedestrian connection at least 15 feet wide with a minimum floor to ceiling height of 12 feet between the existing pedestrian bridge spanning West Street and the bridge required over Washington Street pursuant to paragraph (a)(1) of this Section, as certified by the Commission, a #floor area# bonus shall be granted in the amount of 100 square feet per linear foot.

This connection shall be at the same height as the new bridge, provide an integrated connection to the existing West Street bridge and be open to the

public for the same hours as the West Street bridge. Ramps but not stairs may be incorporated into the pedestrian connection to adjust its height to the Washington and West Street bridges.

- (b) An optional pedestrian connection of public access from the pedestrian connection specified in paragraph (a)(2) of this Section to street level may be provided by stair, ramp or escalator and shall be eligible for an as-of-right #floor area# bonus of 120 square feet per linear foot of stair or, if provided by escalators at least 32 inches wide, 20,000 square feet for the provision of a single run, and 30,000 square feet for the provision of a double run.

The development shall have its major pedestrian entrance and lobby on Liberty Street and be integrated with and provide unobstructed pedestrian access between the pedestrian connection specified in paragraph (a)(2) of this Section and the lobby of any new #building# on this #block#

No other #floor area# bonuses are permitted on the #block# unless the Commission has certified that the improvements specified in paragraphs (a) and (b) of this Section are included in any plans for #development# on the #block#.

91-73

Special Permit for Development over the Approaches to the Brooklyn Battery Tunnel

The City Planning Commission, by special permit, may allow the unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single #zoning lot# and may allow the #development# or #enlargement# of a #building# on such unmapped air space.

The #zoning lot# for such #development# or #enlargement# shall include only that portion of the area above the approaches to the Brooklyn Battery Tunnel and contiguous areas of land or property that are covered by a permanent platform and not designated as approaches to the Brooklyn Battery Tunnel.

In order to grant such special permit, the Commission shall find that:

- (a) adequate access and #street# frontage to one or more #streets# is provided; and
- (b) the streetscape, site design and the location of building entrances of the proposed #development# or #enlargement# will contribute to the overall improvement of pedestrian circulation within the surrounding area.

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

91-74

Special Provisions for Battery Park Underpass/South Street

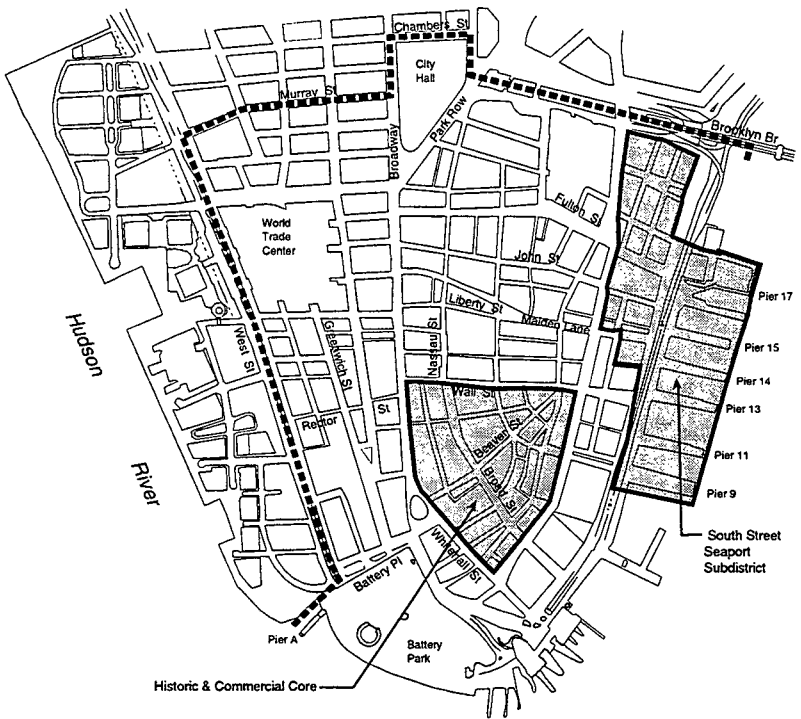
A #zoning lot# containing a #development#, or portion thereof, on a #waterfront zoning lot#, may be located within the volume above the upper limiting plane of the Battery Park Underpass/South Street, when such volume is eliminated, discontinued and closed. That portion of the #zoning lot# that lies above the Battery Park Underpass/South Street shall not be considered #lot area# for the purpose of computing maximum #floor area#; however, such portion shall be considered #lot area# for all other purposes of this Resolution.

* * *

**Appendix A
District Maps**

(PROPOSED TO BE DELETED)

Map 1 Special Lower Manhattan District

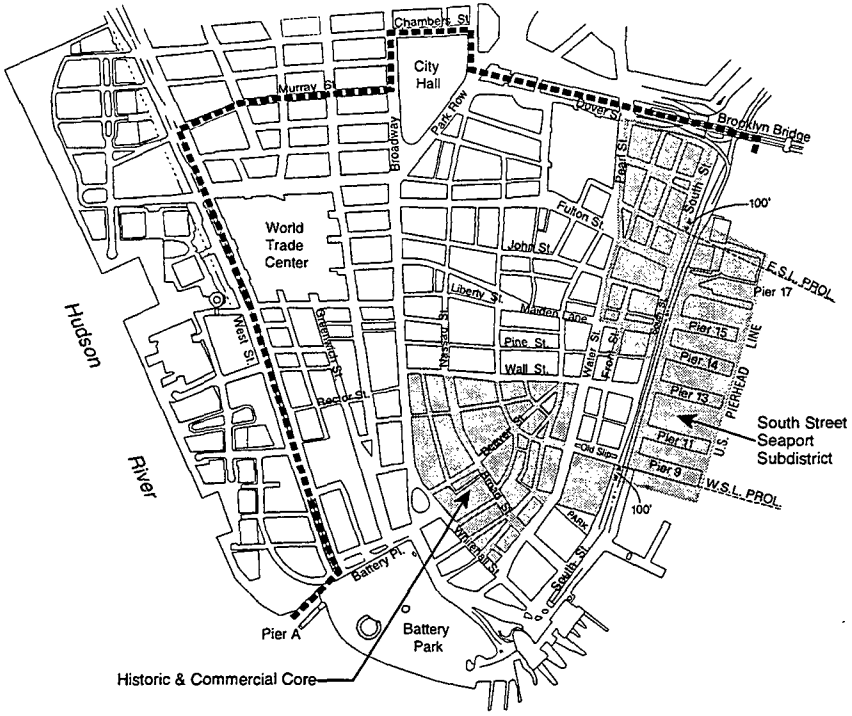


----- District Boundary

▨ Subdistrict Areas

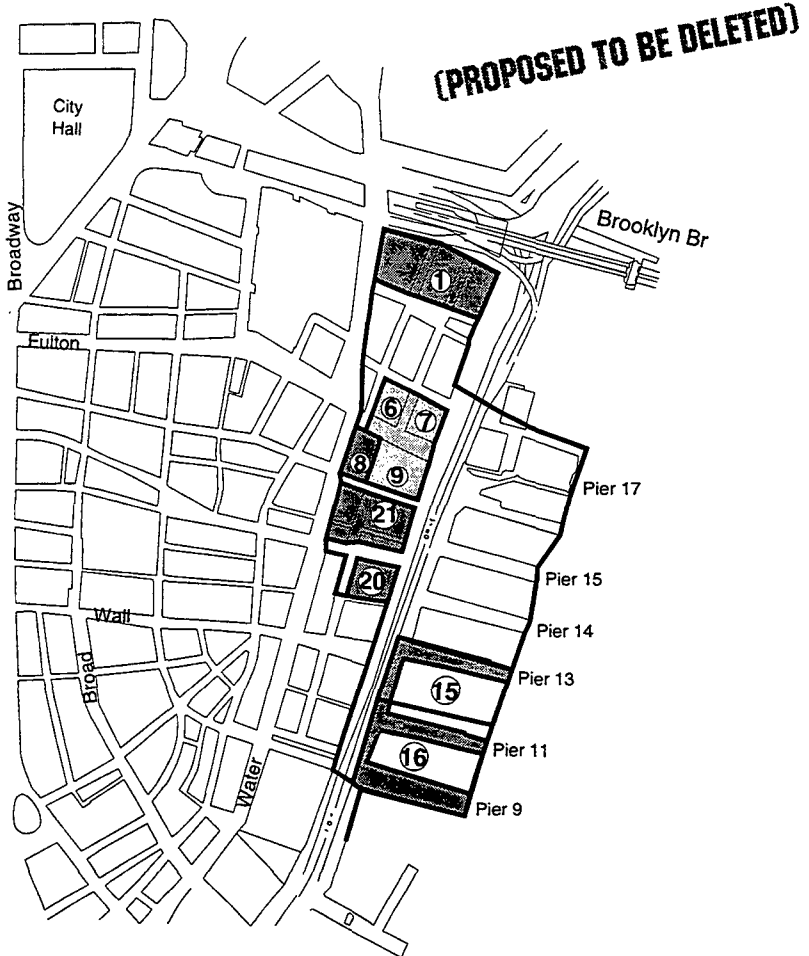
(PROPOSED TO BE ADDED)

Map 1 Special Lower Manhattan District



- District Boundary
- ▨ Subdistrict Areas

Map 6 South Street Seaport Subdistrict

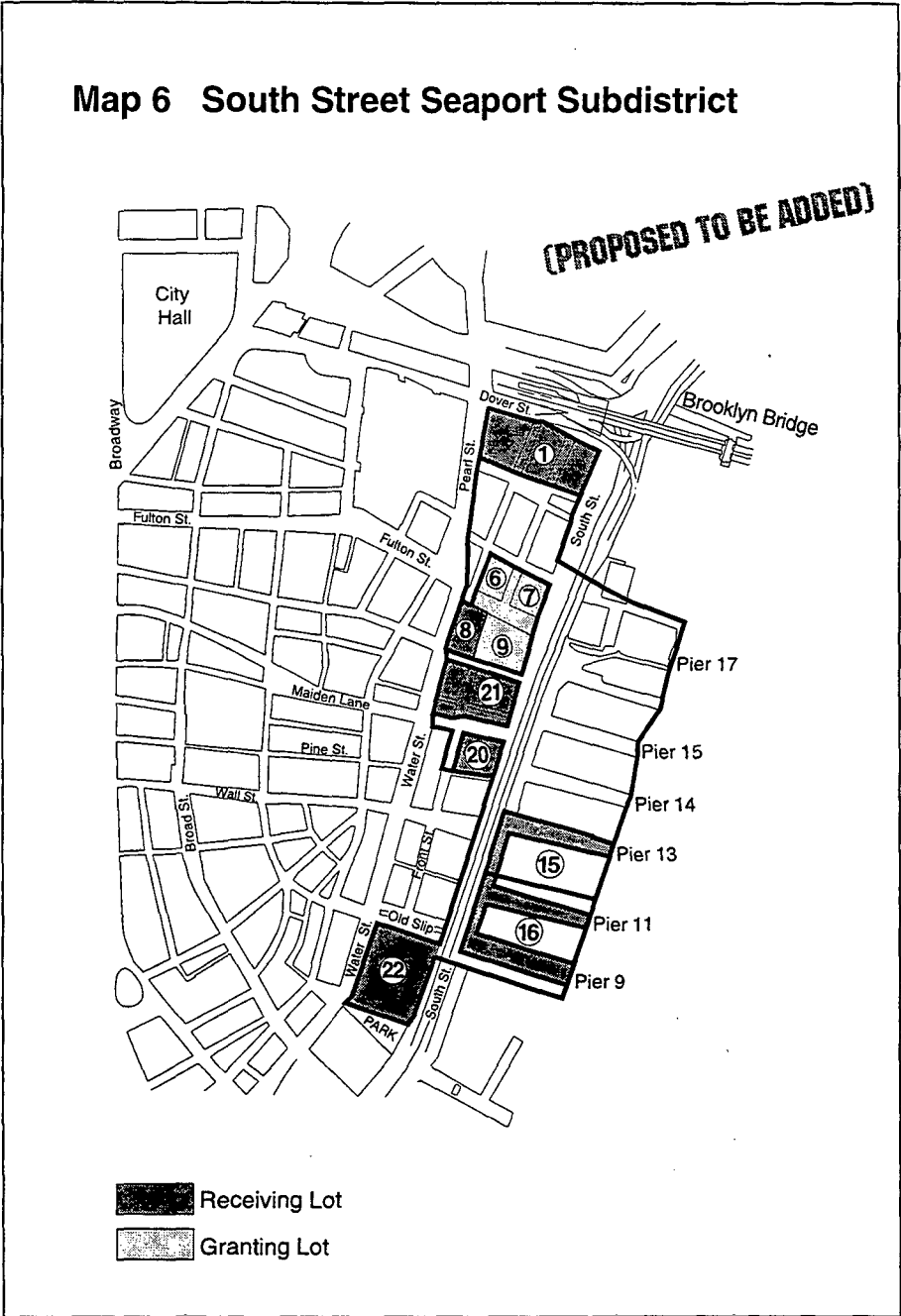


 Receiving Lot

 Granting Lot

 Brooklyn Bridge Southeast Urban
Renewal Plan Parcel Designation

Map 6 South Street Seaport Subdistrict



(On February 14, 2001, Cal. No. 3, the Commission scheduled February 28, 2001 for a public hearing. On February 28, 2001, Cal. No. 8, the hearing was closed.)

For consideration.

No. 38

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. 103rd 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.

(On October 10, 2001, Cal. No. 3, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 11, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS**No. 39****CD 12****C 010620 PPQ**

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

Block	Lot	Address/Location
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. On October 10, 2001, Cal. No. 32, the hearing was closed.)

For consideration.

No. 40

CD 2**C 010655 PQQ**

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 55th 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. On October 10, 2001, Cal. No. 33, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 41

CD 1

N 000273 ZAR

IN THE MATTER OF an application submitted by Robert Cohen for the grant of an authorization pursuant to Section 119-311 of the Zoning Resolution involving development and site alteration on a portion of a zoning lot having a slope of 25% or more, to allow construction of one two-family detached dwelling on one zoning lot on a property located at Stanley Avenue and Putnam Place (Block 118, Lot 32) in an R3-2 district within the Special Hillside Preservation District.

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

For consideration.

CITYWIDE

No. 42

Citywide

N 020037 ZRY

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 #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:

- 1) guide the location of arcades to assure horizontal continuity of new developments with existing building arcades and to maintain visual continuity at street level;
- 2) require transparency and/or articulation of front walls to improve the visual quality of the street;
- 3) provide for street tree planting in order to enhance the visual character of the neighborhood;
- 4) ~~require decorative paving to improve the quality of the street environment;~~
- 5) limit the number and location of curb cuts, minimizing undue conflict between pedestrian and vehicular movements; and
- 6) 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 entry ways 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 approvals 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**

* * *

57-10

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 26-26 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. On October 10, 2001, Cal. No. 36, the hearing was closed.)

For consideration.