

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, NOVEMBER 21, 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 010725 ZMK	2	Scheduled to be Heard 12/5/01	19	C 010427 PQX	4	Favorable Report Adopted
2	C 010726 ZSK	2	" "	20	C 010428 PQX	4	" "
3	C 020026 HAM	7	" "	21	C 010405 ZSM	4	" "
4	C 010707 PSQ	11	" "	22	C 010230 ZSM	1	" "
5	C 010116 ZMQ	12	" "	23	C 010708 PPM	6	" "
6	C 010705 ZMX	10	Hearing Closed	24	C 010709 ZMM	6	" "
7	N 020173 PXX	7	" "	25	C 010712 ZSM	6	" "
8	C 010303 PPK	3	" "	26	C 010713 ZSM	6	" "
9	C 000648 PCK	3	" "	27	C 010547 ZMM	8	Laid Over
10	N 020046 ZRK	6	" "	28	C 010548 ZSM	8	" "
11	C 020047 ZMK	6	" "	29	C 010733 PSM	9	Favorable Report Adopted
12	C 020048 PPK	6	" "	30	C 020100 ZMQ	1	" "
13	C 020049 ZSK	6	" "	31	N 020101 ZRQ	1	" "
14	N 020174 PXX	2	" "	32	C 010122 ZMQ	1	" "
15	N 020175 PXX	2	" "	33	C 010185 ZMQ	1	Laid Over
16	C 020032 ZSM	6	" "	34	C 010601 ZMR	1	Favorable Report Adopted
17	C 010728 PPQ	14	" "	35	C 010576 ZMR	1	" "
18	C 010106 ZMQ	5	" "	36	N 010404 ZRY	cw	" "

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	L	L	Y	Y	Y	Y	
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	A	A	Y	Y	Y	Y	
Amanda M. Burden, A.I.C.P.	P	Y	Y	Y	Y	Y	Y	Y	Y	I	I	Y	Y	Y	Y	
Irwin Cantor, P.E.	A									D	D					
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	R	R	R	R			Y	Y	Y	Y	
Kathy Hirata Chin, Esq.	P	Y	Y	Y	Y	Y	Y	Y	Y	O	O	Y	Y	Y	Y	
Alexander Garvin	P	Y	Y	Y	Y	Y	Y	Y	Y	V	V	Y	Y	Y	Y	
Marilyn G. Gelber	P	Y	Y	Y	Y	Y	Y	Y	Y	E	E	Y	Y	Y	Y	
William J. Grinker	A									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		

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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 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										
Joseph B. Rose, Chairman	P			Y	Y	Y											
Albert Abney	P	L		Y	Y	Y		L									
Angela M. Battaglia	P	A		Y	Y	Y		A									
Amanda M. Burden, A.I.C.P.	P	I		Y	Y	Y		I									
Irwin Cantor, P.E.	A	D						D									
Angela R. Cavaluzzi, R.A.	P			Y	Y	Y											
Kathy Hirata Chin, Esq.	P	O		Y	Y	Y		O									
Alexander Garvin	P	V		Y	Y	Y		V									
Marilyn G. Gelber	P	E		Y	Y	Y		E									
William J. Grinker	A	R						R									
Kenneth J. Knuckles, Esq.	P			Y	Y	Y											
John Merolo, Commissioners	P			Y	Y	Y											

MEETING ADJOURNED AT: 3:35 P.M.

**COMPREHENSIVE
CITY PLANNING CALENDAR
of**

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, NOVEMBER 21, 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. 22]

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 21, 2001

Roll Call; approval of minutes	1
I. Scheduling of December 5, 2001	1
II. Public Hearings	4
III. Reports	12

**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 December 5, 2001 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments: _____

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

NOVEMBER 21, 2001

APPROVAL OF MINUTES OF Regular Meeting of November 7, 2001

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, DECEMBER 5, 2001
STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

CD 2

C 010725 ZMK

IN THE MATTER OF an application submitted by Jeffrey M. Brown Associates, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 12d:**

- 1. changing from an M1-2 District to an M1-5/R9-1 District property bounded by Front Street, Jay Street, York Street, and Adams Street; and**
- 2. establishing a Special Mixed Use District (MX-2) on property bounded by Front Street, Jay Street, York Street, and Adams Street;**

as shown on a diagram (for illustrative purposes only) dated September 10, 2001 and subject to the conditions of CEQR Declaration E-109.

Resolution for adoption scheduling December 5, 2001 for a public hearing.

No. 2

CD 2

C 010726 ZSK

IN THE MATTER OF an application submitted by Jeffrey M. Brown Associates, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 268 spaces on portions of the ground floor and cellar and in the entire sub-cellar of a mixed use building to be constructed on property located 100 Jay Street, between York Street and Front Street (Block 53, Lots 3, 6, 21, 24, 25, 26, and 27), in an M1-5/R9-1* District, within the Special Mixed Use District (MX-2)*.**

* Note: An M1-5/R9-1 (MX-2) district is proposed in a related application for an amendment of the Zoning Map (C 010725 ZMK).

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

Resolution for adoption scheduling December 5, 2001 for a public hearing.

BOROUGH OF MANHATTAN

No. 3

CD 7

C 020026 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 55-57 W. 109th Street, 215-17 Manhattan Avenue and 352 Cathedral Parkway (Block 1845, Lots 9, 11 and 56), 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 55-57 W. 109th Street and 352 Cathedral Parkway (Block 1845, Lots 9 and 56) to a

developer selected by HPD;

to facilitate construction of a 9 and 13 story building, tentatively known as Cathedral Gardens, with approximately 112 units of housing, dormitory units and other community facility space.

Resolution for adoption scheduling December 5, 2001 for a public hearing.

BOROUGH OF QUEENS

No. 4

CD 11

C 010707 PSQ

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for selection of property located at Alley Park, on the north side of Northern Boulevard between Alley Creek and the Cross Island Parkway interchange** (Block 6331, part of Lot 1), **for a combined sewer overflow storage facility.**

Resolution for adoption scheduling December 5, 2001 for a public hearing.

No. 5

CD 12

C 010116 ZMQ

IN THE MATTER OF an application submitted by Wayne Decorators Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 18c**, establishing within an existing R3-2 District a C2-3 District bounded by Inwood Street, Rockaway Boulevard, 144th Street, and a line 100 feet northerly of Rockaway Boulevard, as shown on a diagram (for illustrative purposes only) dated July 23, 2001 and subject to the conditions of CEQR Declaration E-108.

Resolution for adoption scheduling December 5, 2001 for a public hearing.

II. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 6

CD 10

C 010705 ZMX

PUBLIC HEARING:

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.

(On November 7, 2001, Cal. No. 1, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 7

CD 7

N 020173 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at **2501 Grand Concourse** (Block 3167, Lot 1) (ACS's Bronx Field offices).

(On November 7, 2001, the Commission duly advertised November 21, 2001 for a public hearing.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 8

CD 3

C 010303 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 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.

(On November 7, 2001, Cal. No. 2, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 9

CD 3

C 000648 PCK

PUBLIC HEARING:

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.**

(On November 7, 2001, Cal. No. 3, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 10, 11, 12 and 13

(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. 10

CD 6

N 020046 ZRK

PUBLIC HEARING:

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#.~~

(On November 7, 2001, Cal. No. 4, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.



No. 11**CD 6****C 020047 ZMK****PUBLIC HEARING:**

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.

(On November 7, 2001, Cal. No. 5, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 12
CD 6**C 020048 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 city-owned property located at 480-500 Van Brunt Street (Block 611, Lots**

6 and 11), pursuant to zoning.

(On November 7, 2001, Cal. No. 6, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 13

CD 6

C 020049 ZSK

PUBLIC HEARING:

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.

(On November 7, 2001, Cal. No. 7, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

No. 14

CD 2

N 020174 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for **use of property located at 25 Chapel Street** (Block 118, Lot 06). (HRA Veterans' Service Center)

(On November 7, 2001, the Commission duly advertised November 21, 2001 for a public hearing.)

Close the hearing.

No. 15

CD 2

N 020175 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to Acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for **use of property located at 9 Metrotech Center** (Block 2047, Lot 13). (HRA Management Information Systems Office)

(On November 7, 2001, the Commission duly advertised November 21, 2001 for a public hearing.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 16

CD 6

C 020032 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Business Services and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter **for 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.

(On November 7, 2001, Cal. No. 8, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 17

CD 14

C 010728 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 one (1) city-owned property located at 6200 Beach Channel Drive (Block 16015, Lot 1), pursuant to zoning.**

(On November 7, 2001, Cal. No. 9, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

CD 5

C 010106 ZMQ

PUBLIC HEARING:

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.

(On November 7, 2001, Cal. No. 10, the Commission scheduled November 21, 2001 for a public hearing which has been duly advertised.)

Close the hearing.

III. REPORTS

BOROUGH OF THE BRONX

No. 19

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.**

(On October 10, 2001, Cal. No. 1, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 9, the hearing was closed.)

For consideration.

No. 20

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.**

(On October 10, 2001, Cal. No. 2, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 10, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 21

CD 4

C 010405 ZSM

IN THE MATTER OF an application submitted by Chelsea Art Museum pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit pursuant to Section 74-921* of the Zoning Resolution to allow a museum (Use Group 3A) to occupy an existing three-story building located at the southeast corner of West 22nd Street and Eleventh Avenue** (Block 693, Lot 64), in an M1-5 District, Borough of Manhattan, Community District 4.

* Note: Section 74-921 of the Zoning Resolution is proposed to be amended under a related application for a text amendment (N 010404 ZRY).

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 October 9, 2001, Cal. No. 1, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 12, the hearing was closed.)

For consideration.

 No. 22

CD 1

C 010230 ZSM

N 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 . On October 10, 2001, Cal. No. 16, the hearing was continued. On October 24, 2001, Cal. No. 13, the hearing was closed.)

For consideration.

**Nos. 23, 24, 25 and 26
(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. 23

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. 24

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. 25

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. 26

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.

Nos. 27 and 28

(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. 27

CD 8

C 010547 ZMM

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 69th Street, a line 100 feet west of York Avenue, East 66th 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. On October 10, 2001, Cal. No. 25, the hearing was closed.)

For consideration.

No. 28

CD 8

C 010548 ZSM

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 69th Street on the periphery of a large-scale community facility development, generally bounded by East 69th Street, York Avenue, East 66th 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. On October 10, 2001, Cal. No. 26, the hearing was closed.)

For consideration.

No. 29

CD 9

C 010733 PSM

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. On October 10, 2001, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 30 and 31

(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. 30

CD 1

C 020100 ZMQ

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. On October 24, 2001, Cal. No. 17, the hearing was closed.)

For consideration.

No. 31

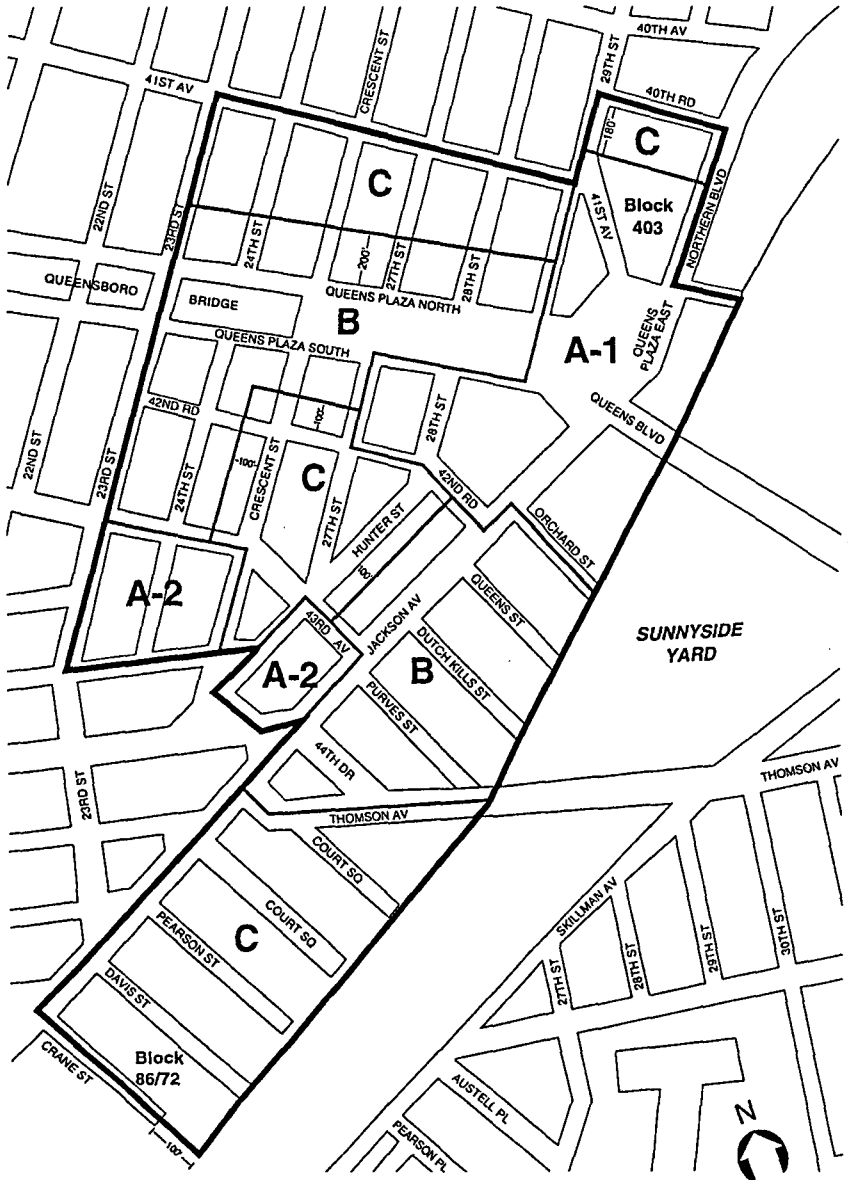
CD 1

N 020101 ZRQ

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



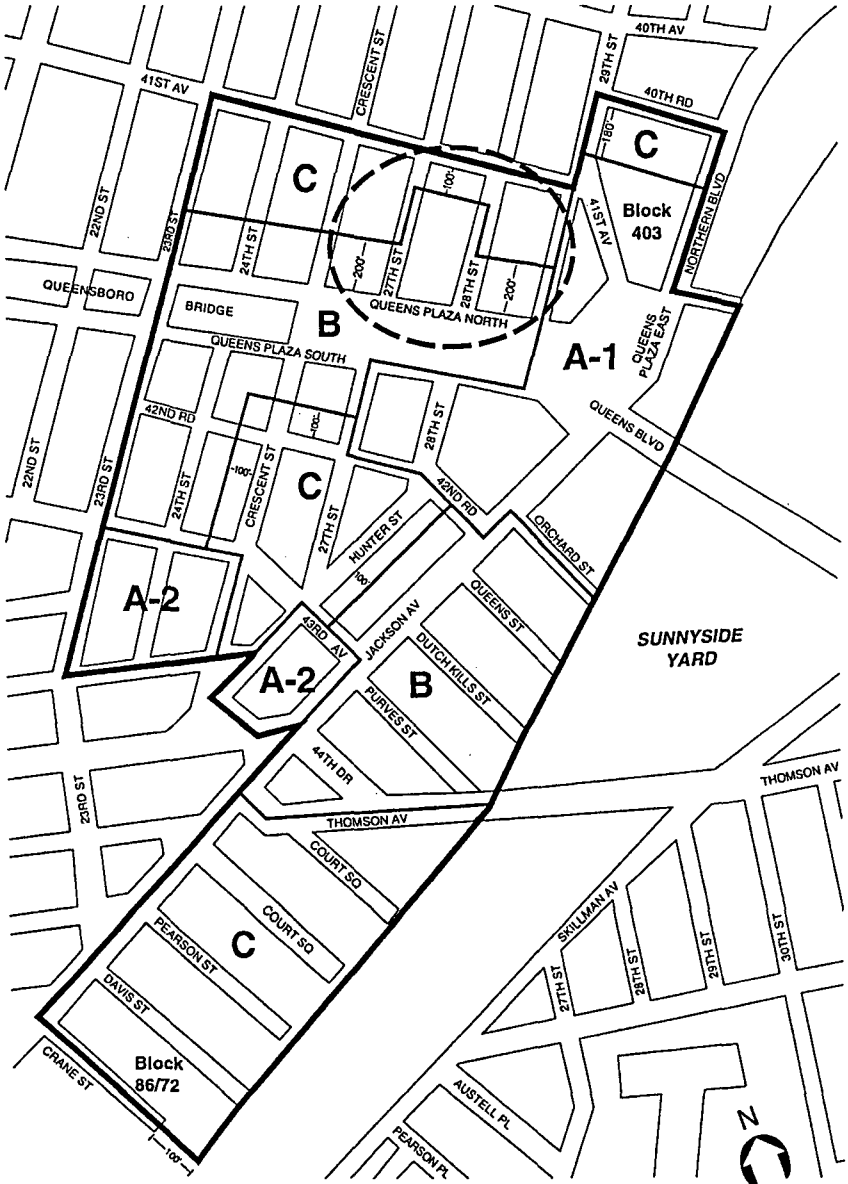
— Queens Plaza Subdistrict
— Designated Districts

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. On October 24, 2001, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS

No. 32

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.

(On October 10, 2001, Cal. No. 4, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 14, the hearing was closed.)

For consideration.

No. 33

CD 1

C 010185 ZMQ

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 23rd Terrace, 21st Street, 24th Avenue, and 19th Street; and
- 2) establishing within the proposed R7X District a C1-2 District bounded by 23rd Terrace, 21st Street, 24th Avenue, and a line 165 feet southwesterly of 21st 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. On October 9, 2001, Cal. No. 2, the Commission rescheduled October 24,

2001 for a public hearing . On October 24, 2001, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 34

CD 1

C 010601 ZMR

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. On October 9, 2001, Cal. No. 3, the Commission rescheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 16, the hearing was closed.)

Close the hearing.

No. 35

CD 1

C 010576 ZMR

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, Andraese 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. On October 9, 2001, Cal. No. 4, the Commission rescheduled October 24, 2001. On October 24, 2001, Cal. No. 17, the hearing was closed.)

For consideration.

CITYWIDE

No. 36

CD 4

N 010404 ZRY

(Amendment to the Zoning Resolution concerning the proposed development of the Chelsea Art Museum)

IN THE MATTER OF an application submitted by the Chelsea Art Museum, pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Sections 42-32 and 74-92, to permit museums and non-commercial art galleries as listed in Use Group 3A in M1-5 Districts.

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.

* * *
42-32
By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

M1
Indoor interactive entertainment facilities with eating and drinking* [PRC-D]

M1-5
Museums and non-commercial art galleries

* * *

M1

#Uses# listed in Use Group 4A Community Facilities

* * *

74-92

Use Group 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Group 3A and 4A community facilities

In M1 Districts, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities, and in M1-5 Districts, except in M1-5A, M1-5B, and M1-5M Districts, the commission may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:

As a condition of granting a special permit for such community facilities, the Commission shall find that:

- (a) within the neighborhood primarily to be served by the proposed facility there is no practical possibility of obtaining a site of adequate size, located in a district wherein it is permitted as of right, because appropriate sites in such districts are occupied by substantial improvements;
- (ba) an adequate separation from noise, traffic and other adverse effects of the surrounding non-#Residential Districts# is achieved through the use of sound-attenuating exterior wall and window construction or by the provision of adequate open areas along #lot lines# of the #zoning lot#;
- (eb) such facility is so located as to draw a minimum of vehicular traffic to and through local #streets# and that ~~the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby~~ such #use# will not produce traffic congestion or other adverse effects that interfere with the appropriate #use# of land in the district or in any adjacent district;
- (dc) where applicable, adequate reservoir space at the vehicular entrance and sufficient vehicular entrances and exits are provided to prevent congestion;
- (ed) in selecting the site due consideration has been given to the proximity and adequacy of bus and rapid transit facilities;
- (f) ~~such community facility is not located more than 400 feet from the boundary of a district wherein such facility is permitted as of right, and~~

- (g) ~~such #use# will not produce traffic congestion or other adverse effects that interfere with the appropriate #use# of land in the district or in any adjacent district.~~
- (e) ~~for a Use Group 4A #use#, within the neighborhood primarily to be served by the community facility, there is no practical possibility of obtaining a site of adequate size located in a district where it is permitted as-of-right because appropriate sites in such districts are occupied by substantial improvements; and~~
- (f) ~~such facility will not impair the essential character of the surrounding area.~~

~~The provisions of this special permit relating to Use Group 3A museums and non-commercial art galleries shall be inapplicable to the Special Tribeca Mixed Use District.~~ The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area..

* * *

(On October 9, 2001, Cal. No. 5, the Commission scheduled October 24, 2001 for a public hearing. On October 24, 2001, Cal. No. 18, the hearing was closed.)

For consideration.

No. 37

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 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 ChapterThe regulations of this Chapter shall apply to:

- b) #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
- c) #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 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**

* * *

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 26-25 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

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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. On November 7, 1001, Cal. No. 42, the item was laid over.)

For consideration.