

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JULY 2, 2008  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer  
22 Reade Street, Room 2E  
New York, New York 10007-1216  
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	N 080456 BDK	2	FULTON STREET BID	Scheduled to be Heard 7/23/08
2	C 080331 HAM	11	EAST 125 <sup>TH</sup> STREET DEVELOPMENT	" "
3	C 080322 HUM	11	" "	" "
4	C 080333 ZMM	11	" "	" "
5	C 080336 MMM	1	DELURY SQUARE PARK	" "
6	C 060466 MMQ	3	BUDGET RENT-A-CAR	" "
7	C 060467 ZMQ	3	" "	" "
8	C 080457 ZMQ	7	WALDHEIM REZONING	" "
9	N 080428 ZRQ	1	DUTCH KILLS REZONING	" "
10	C 080429 ZMQ	1	" "	" "
11	C 080462 ZMQ	13	LAURELTON REZONING	" "
12	N 080425 ZRR	1	ST. GEORGE REZONING	" "
13	C 080426 ZMR	1	" "	" "
14	C 050018 ZMX	1	ST. ANN'S AVENUE DEVELOPMENT	Favorable Report Adopted
15	N 080345 ZRK	6	CARROLL GARDENS ZONING TEXT AMENDMENT	" "
16	C 080013 PCQ	5	NYPD MAINTENANCE FACILITY	" "
17	C 080153 ZSM	7	WEST END AVENUE PARKING GARAGE	Withdrawn
18	N 080154 ZAM	7	" "	Authorization Approved
19	N 080177 ZRM	4-8	610 LEXINGTON AVENUE	Fav. Report Adopted as Modified
20	C 080178 ZSM	5	" "	Favorable Report Adopted
21	N 080184(A) ZRM	4	SP. HUDSON YARDS, CLINTON & MIDTOWN TEXT AMENDMENTS	Fav. Report Adopted as Modified
22	N 050402 ZRM	7	LEADER HOUSE TEXT	" "
23	N 080358 ZRM	1, 3	EAST RIVER WATERFRONT TEXT	" "
24	N 080258 ZAR	3	BRADFORD AVENUE HOMES	Authorization Approved
25	N 030340 RAR	3	" "	" "
26	N 080304 ZAR	1	149 HIGHLAND AVENUE	" "
27	N 080323 ZAR	1	12 WILLIS AVENUE	" "
28	C 070450 ZSM	2	33 GREAT JONES STREET	Hearing Closed
29	N 080406 ZMR	2	WHITNEY MUSEUM	" "
30	C 080407 PCM	2	" "	" "
31	C 080408 PPM	2	" "	" "
32	C 080409 ZSM	2	" "	" "



**COMPREHENSIVE  
CITY PLANNING CALENDAR**

of

**The City of New York**

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, JULY 2, 2008**

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

**22 READE STREET**

**NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor**

**City of New York**

**[No. 13]**

**Prepared by Yvette V. Gruel, Calendar Officer**

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

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

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

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

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**NOTICE--CALENDARS:** City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site ([www.nyc.gov/planning](http://www.nyc.gov/planning)). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the 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.

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

**Note to Subscribers:** Notify us of change of address including E-mail 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**

- AMANDA M. BURDEN, FAICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- IRWIN G. CANTOR, P.E.**
- ANGELA R. CAVALUZZI, AIA**
- ALFRED C. CERULLO, III**
- BE TTY Y. CHEN**
- MARIA M. DEL TORO**
- RICHARD W. EADDY**
- NATHAN LEVENTHAL**
- SHIRLEY A. MCRAE**
- JOHN MEROLO**
- KAREN A. PHILLIPS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00a.m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

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**WEDNESDAY, JULY 2, 2008**

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**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for July 23, 2008 at Spector Hall 22 Reade Street, New York at 10:00 a.m.

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**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 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 support of the proposal and those speaking in opposition.

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

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

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

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

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

Subject \_\_\_\_\_

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

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

Position:    Opposed \_\_\_\_\_  
                  In Favor \_\_\_\_\_

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

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

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

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

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

**JULY 2, 2008**

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**APPROVAL OF MINUTES OF the Regular Meeting of June 18, 2008**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, JULY 23, 2008**

**STARTING AT 10:00 A.M.  
IN SPECTOR HALL, 22 READE STREET  
NEW YORK, NEW YORK**

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**BOROUGH OF BROOKLYN**

**No. 1**

***FULTON STREET BID***

**CD 2**

**N 080456 BDK**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Fulton Street Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the Fulton Street Business Improvement District.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**Nos. 2, 3 & 4**

***EAST 125<sup>TH</sup> STREET DEVELOPMENT***

**No. 2**

**CD 11**

**C 080331 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 2293 Third Avenue (Block 1789, Lot 46); East 125<sup>th</sup> Street to East 126<sup>th</sup> Street, from 2<sup>nd</sup> Avenue to 3<sup>rd</sup> Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3<sup>rd</sup> Avenue (Block 1791, Lot 1); 2469 2<sup>nd</sup> Avenue (Block 1791, Lot 25); and 230 East 127<sup>th</sup> Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a mixed use project, tentatively known as the East 125<sup>th</sup> Street Development, with residential, retail and publicly accessible open space.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**No. 3**

**CD 11**

**C 080332 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 15<sup>th</sup> amendment to the Harlem East Harlem Urban Renewal Plan for the Harlem East Harlem Urban Renewal Area, Community District 11, Borough of Manhattan.

The proposed Plan changes the designated land uses of Sites 8A, 9, 12, and 13A; removes a density restriction; updates the timetable for the implementation of the plan; extends the expiration date; and adds Block 1790, Lots 8 and 46, and Block 1791, Lots 25 and 34 as properties to be acquired. These changes will facilitate the development of the East 125<sup>th</sup> Street Development Project.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**No. 4**

CD 11

C 080333 ZMM

**IN THE MATTER** 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 Nos. 6a & 6b:

1. changing from an R7-2 District to a C6-3 District property bounded by East 127<sup>th</sup> Street, a line 250 feet westerly of Second Avenue, a line midway between East 126<sup>th</sup> Street and East 127<sup>th</sup> Street, Second Avenue, East 126<sup>th</sup> Street, and Third Avenue;
2. changing from a C4-4 to District to a C6-3 District property bounded by a line midway between East 125<sup>th</sup> Street / Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, a line 100 feet easterly of Third Avenue, East 125<sup>th</sup> Street /Dr. Martin Luther King Jr. Boulevard, a line 130 feet easterly of Third Avenue, a line 75 feet southerly of East 125<sup>th</sup> Street / Dr. Martin Luther King Jr. Boulevard, and Third Avenue; and
3. changing from an M1-2 District to a C6-3 District property bounded by:
  - a. East 127<sup>th</sup> Street, Second Avenue, a line midway between East 126<sup>th</sup> Street and East 127<sup>th</sup> Street, and a line 250 feet westerly of Second Avenue; and
  - b. East 126<sup>th</sup> Street, Second Avenue, East 125<sup>th</sup> Street / Dr. Martin Luther King Jr. Boulevard, a line 100 feet easterly of Third Avenue, a line midway between East 125<sup>th</sup> Street / Dr. Martin Luther King Jr. Boulevard and East 126<sup>th</sup> Street, and Third Avenue; and

as shown on a diagram (for illustrative purposes only) dated March 24, 2008.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**NOTICE**

**On Wednesday, July 23, 2008, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the Office of the Deputy Mayor for Economic Development and Rebuilding in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning modifications and amendments to the Harlem-East Harlem Urban Renewal Plan, including a UDAAP and land disposition; amendments to the zoning map to change C4-4, R7-2, M1-2 to C6-3 districts; and a certification regarding a transit easement volume; to facilitate the**

**development of a hotel, affordable housing and parking within the area generally bounded by East 125<sup>th</sup> Street, 2<sup>nd</sup> Avenue, East 127<sup>th</sup> Street, and 3rd Avenue.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DME025M.**

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**No. 5**

***DELURY SQUARE PARK***

**CD 1**

**C 080336 MMM**

**IN THE MATTER OF** an application, submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Fulton Street, and John DeLury Sr. Plaza;
- the establishment of DeLury Square Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 30224 dated May 1, 2008, and signed by the Borough President.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**BOROUGH OF QUEENS**

**Nos. 6 & 7**

***BUDGET RENT-A-CAR***

**No. 6**

**CD 3**

**C 060466 MMQ**

**IN THE MATTER OF** an application, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code by GTJ Co., Inc., for an amendment to the City Map involving

- the elimination, discontinuance and closing of 88<sup>th</sup> Street between 23<sup>rd</sup> Avenue and 24<sup>th</sup> Avenue and portions of 24<sup>th</sup> Avenue between 88<sup>th</sup> Street and 90<sup>th</sup> Place;
- the delineation of a Permanent Sewer Easement;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 4994 dated May 2, 2007, and signed by the Borough President.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**No. 7**

**CD 3**

**C 060467ZMQ**

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

1. changing from an R3-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24<sup>th</sup> Avenue\*, 89<sup>th</sup> Street, the centerline of former 24<sup>th</sup> Avenue\*, and a line 140 feet westerly of 89<sup>th</sup> Street; and
2. changing from a C4-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24<sup>th</sup> Avenue\*, a line 140 feet westerly of 89<sup>th</sup> Street, the centerline of former 24<sup>th</sup> Avenue\*, and a line 100 feet easterly of the former 88<sup>th</sup> Street\*.

as shown on a diagram (for illustrative purposes) dated March 24, 2008.

\* Note: 24<sup>th</sup> Avenue and 88<sup>th</sup> Street are proposed to be de-mapped under a concurrent related application C 060466 MMQ for a change in the City Map.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**No. 8****WALDHEIM REZONING****CD 7****C 080457 ZMQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10b, 10c and 10d:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by Franklin Avenue, a line 150 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of 45<sup>th</sup> Avenue, a line midway between Smart Street and Bowne Street, 45<sup>th</sup> Avenue, and a line midway between Bowne Street and Robinson Street;
3. eliminating from within an existing R7-1 District a C1-2 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 150 feet southwesterly of Bowne Street;
4. changing from an R3-2 District to an R3X District property bounded by a line midway between Sanford Avenue and Franklin Avenue, Parsons Boulevard, Franklin Avenue, a line 80 feet southwesterly of Parsons Boulevard, Beech Avenue, Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, a line 100 feet northeasterly of Parsons Boulevard, Beech Avenue, a line 460 feet southwesterly of 147<sup>th</sup> Street, the southeasterly street line of Ash Avenue, 147<sup>th</sup> Street, a line 125 feet southeasterly of Sanford Avenue, 149<sup>th</sup> Street, Beech Avenue, a line midway between 149<sup>th</sup> Street and 149<sup>th</sup> Place, a line 125 feet southeasterly of Sanford Avenue, a line 115 feet southwesterly of Murray Street, Sanford Avenue, a line midway between 155<sup>th</sup> Street and 156<sup>th</sup> Street, Beech Avenue, 156<sup>th</sup> Street, 45<sup>th</sup> Avenue, a line perpendicular to the southeasterly street line of 45<sup>th</sup> Avenue distance 150 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 45<sup>th</sup> Avenue and the northeasterly street line of Parsons Boulevard, Parsons Boulevard, a line midway between 45<sup>th</sup> Avenue and Georgia Road, a line 320 feet northeasterly of Burling Street, 45<sup>th</sup> Avenue, Parsons Boulevard, Delaware Avenue, Burling Street, a line 380 feet southeasterly of Cherry Avenue, a line midway between Smart Street and Bowne Street, Cherry Avenue, and Bowne Street;
5. changing from an R3-2 District to an R4 District property bounded by Franklin Avenue, Parsons Boulevard, a line 125 feet northwesterly of Beech Avenue, a line 460 feet southwesterly of 147<sup>th</sup> Street, Beech Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between Cherry Avenue and

Delaware Avenue, Parsons Boulevard, Beech Avenue, and a line 80 feet southwesterly of Parsons Boulevard;

6. changing from an R3-2 District to an R4A District property bounded by Sanford Avenue, 156<sup>th</sup> Street, Beech Avenue, and a line midway between 155<sup>th</sup> Street and 156<sup>th</sup> Street;
7. changing from an R3-2 District to an R4-1 District property bounded by:
  - a. Sanford Avenue, a line 115 feet southwesterly of Murray Street, a line 125 feet southeasterly of Sanford Avenue, a line midway between 149<sup>th</sup> Street and 149<sup>th</sup> Place, Beech Avenue, 149<sup>th</sup> Street, a line 125 feet southeasterly of Sanford Avenue, and 147<sup>th</sup> Street; and
  - b. Cherry Avenue, a line midway between Smart Street and Bowne Street, a line 380 feet southeasterly of Cherry Avenue, Burling Street, 45<sup>th</sup> Avenue, and Robinson Street;
8. changing from an R3-2 District to an R6A District property bounded by Ash Avenue, 147<sup>th</sup> Street, the southeasterly street line of Ash Avenue, a line 460 feet southwesterly of 147<sup>th</sup> Street, a line 125 feet northwesterly of Beech Avenue, and Parsons Boulevard;
9. changing from an R6 District to an R6A District property bounded by Sanford Avenue, 147<sup>th</sup> Street, Ash Avenue, Parsons Boulevard, a line midway between Sanford Avenue and Franklin Avenue, and Bowne Street;
10. changing from an R6 District to an R7-1 District property bounded by Elder Avenue, Kissena Boulevard, 45<sup>th</sup> Avenue, and Colden Street;
11. changing from an R7-1 District to an R7B District property bounded by Franklin Avenue, Bowne Street, Cherry Avenue, Robinson Street, a line 250 feet southeasterly of Cherry Avenue, a line 100 feet southwesterly of Union Street, a line 100 feet southeasterly of Cherry Avenue, and a line 150 feet northeasterly of Kissena Boulevard;
12. establishing within a proposed R3X District a C1-3 District bounded by:
  - a. Franklin Avenue, a line 100 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street; and
  - b. Elm Avenue, a line 150 feet northeasterly of 147<sup>th</sup> Street, 45<sup>th</sup> Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between 45<sup>th</sup> Avenue and Hawthorn Avenue, Parsons Boulevard, a line midway between 45<sup>th</sup> Avenue and Georgia Road, a line 100 feet southwesterly of Parsons Boulevard, 45<sup>th</sup> Avenue and its northeasterly centerline prolongation, and 147<sup>th</sup> Street;

- 13. establishing within a proposed R4-1 District a C1-3 District bounded by a line 100 feet northwesterly of 45<sup>th</sup> Avenue, a line midway between Smart Street and Bowne Street, 45<sup>th</sup> Avenue, and a line midway between Bowne Street and Robinson Street; and
- 14. establishing within a proposed R7B District a C1-3 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 100 feet southwesterly of Bowne Street;

as shown on a diagram (for illustrative purposes only) dated June 2, 2008, and subject to the conditions of CEQR Declaration E-220.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**Nos. 9 & 10**

***DUTCH KILLS REZONING***

**No. 9**

**CD 1**

**N 080428 ZRQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District), relating to the addition of the Dutch Kills Subdistrict and expansion of the Special Long Island City Mixed Use District, in Community District 1, Borough of Queens.

Matter in underline is new, to be added;

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

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

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

12-10

DEFINITIONS

Special Little Italy District (2/3/77)

\* \* \*

Special Long Island City Mixed Use District (~~7/26/01~~)

The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are ~~three~~ four special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, ~~and~~ the Queens Plaza Subdistrict and the Dutch Kills Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

Special Lower Manhattan District (8/27/98)

\* \* \*

\* \* \*

~~7/26/01~~

Article XI - Special Purpose Districts

Chapter 7

Special Long Island City Mixed Use District

~~7/26/01~~

117-00

GENERAL PURPOSES

The "Special Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Long Island City community. These general goals include, among others, the following specific purposes, to:

- (a) ~~to~~ support the continuing growth of ~~a~~ mixed residential, commercial and industrial neighborhoods by permitting expansion and new development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;
- (b) ~~to~~ encourage the development of moderate to high density commercial uses within a compact transit-oriented area;
- (c) ~~to~~ strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses;
- (d) encourage the development of affordable housing;
- ~~(d- e)~~ ~~to~~ promote the opportunity for people to work in the vicinity of their residences;



- (~~e~~-~~f~~) ~~to~~ retain jobs within New York City;
- (~~f~~-~~g~~) ~~to~~ provide an opportunity for the improvement of Long Island City; and
- (~~g~~-~~h~~) ~~to~~ promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

~~7/26/01~~

117-01  
Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

Mixed use, building or development

For the purposes of this Chapter, a "mixed use building" or a "mixed use development" shall be any #building# or #development# used partly for #residential use# and partly for #community facility#, #commercial# or #manufacturing use#.

~~Special Long Island City Mixed Use District  
(repeated from Section 12-10)~~

~~The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are three special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, and the Queens Plaza Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.~~

~~7/26/01~~

117-02  
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of the #Special Long Island City Mixed Use District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Long Island City Mixed Use District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the

provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

- (a) Notwithstanding the provisions of Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS), when a #building# that existed on October 25, 1995, within the Hunters Point or Court Square Subdistricts, is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.
- (b) For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# or #stories# above the highest #story# occupied, in whole or in part, by a non-#residential use#. Non-#residential uses# may, however, be located on the same #story#, or on a #story# higher than that occupied by #residential uses#, provided that the non-#residential uses#:
  - (1) are located in a portion of the #mixed use building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
  - (2) are not located directly over any portion of the #building# containing #dwelling units#.
- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the ~~#Special Long Island City Mixed Use District#~~ Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens).
- (d) In the granting of special permits or authorizations within the #Special Long Island City Mixed Use District#, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.
- (e) Where references are made to #block# numbers within this Chapter, such numbers are to be found on the maps appended to this Chapter.
- (f) In areas within the #Special Long Island City Mixed Use District# that are not within a Subdistrict, the regulations of the underlying zoning district shall apply.

District Plan and Maps

The regulations of this Chapter implement the #Special Long Island City Mixed Use District# Plan.

The District Plan includes the following maps in Appendices A, B and C:

Appendix A	Map of the #Special Long Island City Mixed Use District# and Subdistricts
Appendix B	Court Square Subdistrict Plan Map and Description of Improvements
Appendix C	Queens Plaza Subdistrict Plan Maps:  Map 1 - Designated Districts within the Queens Plaza Subdistrict  Map 2 - Ground Floor Use and Frontage  Map 3 - Sidewalk Widening, Street Wall Location and Ground Floor Use.

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

8/12/04

117-04  
Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~three~~ four subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts ~~certain~~ special regulations apply that do not apply elsewhere within ~~the remainder~~ of the #Special Long Island City Mixed Use District# and supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive. ~~The Special District and Subdistricts are shown in Appendix A of this Chapter.~~

~~Special regulations set forth in Sections 117-10 through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Court Square Subdistrict Plan Map is shown in Appendix B of this Chapter. Special regulations set forth in Sections 117-40 through 117-45, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Queens Plaza Subdistrict Plan Maps are included in Appendix C of this Chapter. Special regulations set forth in Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

Sections 117-60 through 117- 64, inclusive, shall apply to the Dutch Kills Subdistrict.

117-05

Applicability of Article I, Chapter 1

Within the #Special Long Island City Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, or noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

\* \* \*

117-60

DUTCH KILLS SUBDISTRICT

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-60 through 117-64, inclusive, shall apply within the Dutch Kills Subdistrict.

117-61

General Provisions

In specified areas of the Dutch Kills Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of Section 117-60, inclusive, regulating the Dutch Kills Subdistrict , such #Residence# and M1 Districts are referred to as the “designated districts.” The designated districts within the Dutch Kills Subdistrict are indicated on the #zoning map# and are as follows:

M1-2/R5B

M1-2/R5D

M1-2/R6A

M1-3/R7X

The special provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Dutch Kills Subdistrict except where modified by the provisions of the Subdistrict, and shall supplement or supersede the provisions of the underlying designated #Residence# or M1 District, as applicable.

117-62

Special Use Regulations

In the Dutch Kills Subdistrict, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16) shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

117-63

Special Bulk Regulations in the Designated Districts

Maximum #floor area ratio#, #lot coverage# and #street wall# provisions in the designated districts are modified as set forth in Sections 117-631 through 117- 633, inclusive.

117-631

Floor area ratio and lot coverage modifications

(a) In the Dutch Kills Subdistrict, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#, in any #building#, except where such floor space used for #accessory parking# is contained within a #public parking garage#.

(b) M1-2/R5B Designated District

The maximum #floor area ratio# for #residential use# shall be 1.65.

The maximum #lot coverage# for a #residential building# shall be 60 percent on an #interior lot# or #through lot# and 80 percent on a #corner lot#.

(c) M1-3/R7X Designated District

(1) Inclusionary Housing Program

Where the designated district is M1-3/R7X within the Dutch Kills Subdistrict, such district shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions), for the purpose of making the

Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

(2) Maximum floor area ratio

Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #building# containing a #residential use# shall not exceed the base #floor area ratio# of 3.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 5.0 as set forth in Section 23-942 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING).

117-632

Street wall location

In the Dutch Kills Subdistrict, the #street wall# of any #residential# or #mixed use development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from the #street line# than 15 feet.

117-633

Maximum street wall height

In M1-2/R5B designated districts, for #residential buildings#, the maximum height of a #street wall# above the #base plane# shall be 33 feet or three #stories#, whichever is less.

117-634

Maximum building height for mixed use buildings in designated R5 Districts

The provisions regarding the maximum height of #mixed use buildings# within 25 feet of a #street line#, as set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations), shall be modified in the Dutch Kills Subdistrict, where the designated Residence District is an R5 District, as follows:

- (a) In designated R5B Districts, no #building or other structure# shall exceed a height of 33 feet within 25 feet of a #street line#;
- (b) In designated R5D Districts, no #building or other structure# shall exceed a height of 40 feet within 25 feet of a #street line#.

117-64  
Special Parking Regulations

The provisions of Section 123-70 (Parking and Loading) and the underlying #accessory# off-street parking and loading regulations for the designated districts, are modified as follows:

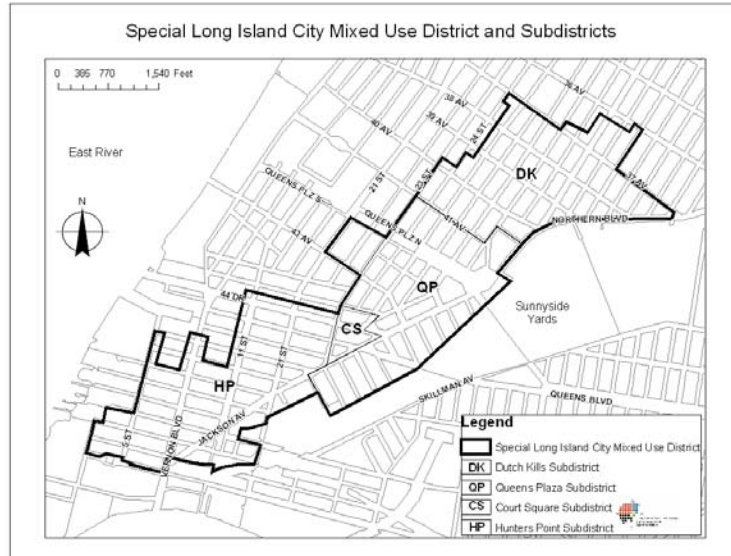
(a) Commercial and community facility uses

- (1) The #accessory# off- street parking and loading requirements of a C8-2 District, as set forth in Article III, Chapter 6, shall apply to all #commercial# and #community facility uses#, except that this modification shall not apply to #uses# listed in Use Group 5. The #accessory# off- street parking and loading requirements applicable to the designated M1 District set forth in Article IV, Chapter 4, and Section 123-70 shall apply to Use Group 5.
- (2) For Use Group 5 #uses#, the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall be modified as follows: the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 5 spaces.

(b) Residential uses

- (1) The provisions of Section 25-241 (Reduced requirements) shall not apply in the designated M1-3/R7X District.
- (2) In the applicable designated #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified as follows:
  - i) in the designated M1-2/R6A and M1-3/R7X Districts, the provisions of Section 25-26 shall only apply to #zoning lots# existing both on (date of amendment adoption) and on the date of application for a building permit.
  - ii) for all new #residential developments# or #enlargements# in the designated M1-3/R7X District, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be five spaces.
- (3) Where the designated district is a M1-2/R5B District, the provisions of Section 25-633 (Prohibition of curb cuts in certain districts) shall not apply.

APPENDIX A  
 Special Long Island City Mixed Use District and Subdistricts  
 (Proposed Text Map)



**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

**No. 10**

**CD 1**

**C 080429 ZMQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b:

1. changing from an M1-3D District to an M1-2 District property bounded by a line 100 feet southwesterly of 37<sup>th</sup> Avenue, a line 100 feet southeasterly of 24<sup>th</sup> Street, a line 100 feet southwesterly of 39<sup>th</sup> Avenue, 24<sup>th</sup> Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, 23<sup>rd</sup> Street, 39<sup>th</sup> Avenue, and 24<sup>th</sup> Street;
2. changing from an M1-1 District to an M1-2/R5B District property bounded by 36<sup>th</sup> Avenue, 33<sup>rd</sup> Street, a line 200 feet southwesterly of 36<sup>th</sup> Avenue, a line midway between 32<sup>nd</sup> Street and 33<sup>rd</sup> Street, a line 150 feet northeasterly of 37<sup>th</sup> Avenue, and a line midway between 31<sup>st</sup> Street and 32<sup>nd</sup> Street;



3. changing from an M1-1 District to an M1-2/R6A District property bounded by a line 100 feet southwesterly of 36<sup>th</sup> Avenue, a line midway between 31<sup>st</sup> Street and 32<sup>nd</sup> Street, a line 150 feet northeasterly of 37<sup>th</sup> Avenue, a line midway between 32<sup>nd</sup> Street and 33<sup>rd</sup> Street, a line 200 feet southwesterly of 36<sup>th</sup> Avenue, 33<sup>rd</sup> Street, 37 Avenue, 29<sup>th</sup> Street, a line 460 feet southwesterly of 36<sup>th</sup> Avenue, and a line midway between 30<sup>th</sup> Street and 31<sup>st</sup> Street;
  
4. changing from an M1-3D District to an M1-2/R5B District property bounded by:
  - a. a line 100 feet southwesterly of 37<sup>th</sup> Avenue, 29<sup>th</sup> Street, a line 100 feet northeasterly of 38<sup>th</sup> Avenue, and a line 100 feet northwesterly of 27<sup>th</sup> Street;
  - b. a line 100 feet southwesterly of 38<sup>th</sup> Avenue, a line midway between 29<sup>th</sup> Street and 30<sup>th</sup> Street, a line 100 feet northeasterly of 39<sup>th</sup> Avenue, and a line midway between Crescent Street and 27<sup>th</sup> Street;
  - c. a line 100 feet southwesterly of 39<sup>th</sup> Avenue, a line midway between 24<sup>th</sup> Street and Crescent Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, and 24<sup>th</sup> Street;
  - d. a line 100 feet southwesterly of 39<sup>th</sup> Avenue, a line 100 feet northwesterly of 29<sup>th</sup> Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, and a line midway between 27<sup>th</sup> Street and Crescent Street;
  - e. a line 100 feet southwesterly of 40<sup>th</sup> Avenue, a line midway between 24<sup>th</sup> Street and Crescent Street, a line 100 feet northeasterly of 41<sup>st</sup> Avenue, and 23<sup>rd</sup> Street; and
  - f. a line 100 feet southwesterly of 40<sup>th</sup> Avenue, 29<sup>th</sup> Street, a line 100 feet northeasterly of 41<sup>st</sup> Avenue, and a line midway between 27<sup>th</sup> Street and Crescent Street;
  
5. changing from an M1-3D District to an M1-2/R5D District property bounded by:
  - a. a line 100 feet southwesterly of 37<sup>th</sup> Avenue, a line 100 feet northwesterly of 27<sup>th</sup> Street, a line 100 feet northeasterly of 38<sup>th</sup> Avenue, and a line 100 feet southeasterly of 24<sup>th</sup> Street; and
  - b. by a line 100 feet southwesterly of 38<sup>th</sup> Avenue, a line midway between Crescent Street and 27<sup>th</sup> Street, a line 100 feet northeasterly of 39<sup>th</sup> Avenue, a line midway between 29<sup>th</sup> Street and 30<sup>th</sup> Street, a line 100 feet southwesterly of 38<sup>th</sup> Avenue, a line midway between 30<sup>th</sup> Street and 31<sup>st</sup> Street, 39<sup>th</sup> Avenue, a line midway between 29<sup>th</sup> Street and 30<sup>th</sup> Street and its southwesterly prolongation, 40<sup>th</sup> Road, 29<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, a line midway between Crescent Street and 27<sup>th</sup> Street, a line 100 feet northeasterly of 41<sup>st</sup> Avenue, a

line midway between Crescent Street and 24<sup>th</sup> Street, a line 100 feet southwesterly of 40<sup>th</sup> Avenue, 23<sup>rd</sup> Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, and a line 100 feet southeasterly of 24<sup>th</sup> Street; and excluding the area bounded by a line 100 feet southwesterly of 39<sup>th</sup> Avenue, a line 100 feet northwesterly of 29<sup>th</sup> Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, and a line midway between 27<sup>th</sup> Street and Crescent Street;

6. changing from an M1-3D District to an M1-2/R6A District property bounded by:
  - a. 37<sup>th</sup> Avenue, 34<sup>th</sup> Street, a line 100 feet southwesterly of 38<sup>th</sup> Avenue, a line midway between 31<sup>st</sup> Street and 32<sup>nd</sup> Street, 39<sup>th</sup> Avenue, a line midway between 30<sup>th</sup> Street and 31<sup>st</sup> Street, a line 100 feet southwesterly of 38<sup>th</sup> Avenue, a line 100 feet southeasterly of 24<sup>th</sup> Street, a line 100 feet northeasterly of 38<sup>th</sup> Avenue, 29<sup>th</sup> Street, a line 100 feet southwesterly of 37<sup>th</sup> Avenue, and 24<sup>th</sup> Street; and
  - b. a line 100 feet northeasterly of 41<sup>st</sup> Avenue, 29<sup>th</sup> Street, 41<sup>st</sup> Avenue, and 23<sup>rd</sup> Street;
7. changing from an M1-3D District to an M1-3/R7X District property bounded by 37<sup>th</sup> Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40<sup>th</sup> Road, a line midway between 29<sup>th</sup> Street and 30<sup>th</sup> Street and its southwesterly prolongation, 39<sup>th</sup> Avenue, a line midway between 31<sup>st</sup> Street and 32<sup>nd</sup> Street, a line 100 feet southwesterly of 38<sup>th</sup> Avenue, and 34<sup>th</sup> Street; and
8. establishing a Special Long Island City District (LIC) bounded by 36<sup>th</sup> Avenue, 33<sup>rd</sup> Street, 37<sup>th</sup> Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40<sup>th</sup> Road, 29<sup>th</sup> Street, 41<sup>st</sup> Avenue, 23<sup>rd</sup> Street, a line 100 feet northeasterly of 40<sup>th</sup> Avenue, 24<sup>th</sup> Street, a line 100 feet southwesterly of 39<sup>th</sup> Avenue, a line 100 feet southeasterly of 24<sup>th</sup> Street, a line 100 feet southwesterly of 37<sup>th</sup> Avenue, 24<sup>th</sup> Street, 37<sup>th</sup> Avenue, 29<sup>th</sup> Street, a line 460 feet southwesterly of 36<sup>th</sup> Avenue, a line midway between 30<sup>th</sup> Street and 31<sup>st</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and a line midway between 32<sup>nd</sup> Street and 33<sup>rd</sup> Street;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-218.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**NOTICE**

**On Wednesday, July 23, 2008, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map amendments affecting all or portions of 40 blocks in Dutch Kills neighborhood of Queens Community District 1. The proposed zoning map amendments would create the Dutch Kills Subdistrict within the Special Long Island City Mixed-Use District and establish Inclusionary Housing provisions for an area along Northern Boulevard proposed for an M1-3/R7X District:**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DCP021Q.**

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**No. 11**
***LAURELTON REZONING*****CD 13****C 080462 ZMQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City charter for an amendment of the Zoning Map, Section Nos. 19a, 19b and 19c:

1. eliminating from an existing R3-2 District a C1-2 District bounded by 225<sup>th</sup> Street, a line 150 feet northeasterly of Merrick Boulevard, a northwesterly service road of Laurelton Parkway, and a line 150 feet southwesterly of Merrick Boulevard;
2. eliminating from an existing R3-2 District a C2-2 District bounded by:
  - a. a line 100 feet northeasterly of 141<sup>st</sup> Avenue, 225<sup>th</sup> Street, 141<sup>st</sup> Road, 224<sup>th</sup> Street, Prospect Court, a line 150 feet northwesterly of 224<sup>th</sup> Street, 141<sup>st</sup> Avenue, and 224<sup>th</sup> Street; and
  - b. 143<sup>rd</sup> Road, a line 150 feet southeasterly of Springfield Boulevard, 144<sup>th</sup> Avenue, North Conduit Avenue, and Springfield Boulevard;
3. changing from an R3-2 District to an R2 District property bounded by:
  - a. a line 75 feet northeasterly of 133<sup>rd</sup> Avenue, a line midway between 225<sup>th</sup> Street and 226<sup>th</sup> Street, 133<sup>rd</sup> Avenue, and 224<sup>th</sup> Street;

- b. a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231<sup>st</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, 229<sup>th</sup> Street, a line 95 feet northeasterly of Merrick Boulevard, 228<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, and 225<sup>th</sup> Street;
  - c. a line 100 feet southwesterly of 135<sup>th</sup> Avenue, 224<sup>th</sup> Street, 137<sup>th</sup> Avenue, 224<sup>th</sup> Street, a line 100 feet northeasterly of 141<sup>st</sup> Avenue, 225<sup>th</sup> Street, a line 80 feet northeasterly of 141<sup>st</sup> Avenue, 224<sup>th</sup> Street, Carson Street, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, 139<sup>th</sup> Avenue, 222<sup>nd</sup> Street, a line 100 feet northeasterly of 139<sup>th</sup> Avenue, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, 138<sup>th</sup> Avenue, the southwesterly prolongation of the southeasterly street line of 223<sup>rd</sup> Street, 137<sup>th</sup> Avenue, and 223<sup>rd</sup> Street;
  - d. a line 100 feet northeasterly of 137<sup>th</sup> Avenue, 226<sup>th</sup> Street, 137<sup>th</sup> Avenue, and 225<sup>th</sup> Street; and
  - e. 141<sup>st</sup> Avenue, 226<sup>th</sup> Street, Mentone Avenue, and 225<sup>th</sup> Street;
4. changing from a C8-1 District to an R2 District property bounded by a line 150 feet northeasterly of Merrick Boulevard, 225<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, and a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street;
5. changing from an R2 District to an R2A District property bounded by:
- a. 121<sup>st</sup> Street, Laurelton Parkway, 131<sup>st</sup> Avenue and its southeasterly centerline prolongation, 232<sup>nd</sup> Street, a line 140 feet southwesterly of 131<sup>st</sup> Avenue, a line 90 feet southeasterly of 233<sup>rd</sup> Street, 133<sup>rd</sup> Avenue, a line 50 feet southeasterly of 234<sup>th</sup> Street, a line 150 feet northeasterly of Merrick Boulevard, 234<sup>th</sup> Street, the northwesterly prolongation of the southwesterly street line of 133<sup>rd</sup> Road, a line 80 feet southeasterly of 233<sup>rd</sup> Street, a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231<sup>st</sup> Street, 133<sup>rd</sup> Avenue, a line midway between Francis Lewis Boulevard and 230<sup>th</sup> Street, a line 330 feet northeasterly of 133<sup>rd</sup> Avenue, a line midway between 229<sup>th</sup> Street and 230<sup>th</sup> Street, 130<sup>th</sup> Avenue, 224<sup>th</sup> Street, 131<sup>st</sup> Avenue, 223<sup>rd</sup> Street, a line 100 feet southwesterly of 131<sup>st</sup> Avenue, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, a line 100 feet northeasterly of 133<sup>rd</sup> Avenue, 223<sup>rd</sup> Street, a line 100 feet southwesterly of 133<sup>rd</sup> Avenue, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, a line 150 feet northeasterly of Merrick Boulevard, 220<sup>th</sup> Street, 133<sup>rd</sup> Avenue, a line midway between 220<sup>th</sup> Street and 221<sup>st</sup> Street, a line 100 feet southwesterly of 131<sup>st</sup> Avenue, 220<sup>th</sup> Street, 131<sup>st</sup> Avenue, Springfield Boulevard, a northeasterly boundary line of Montefiore Cemetery, the southwesterly prolongation of a line midway

between 227<sup>th</sup> Street and 228<sup>th</sup> Street, and Francis Lewis Boulevard;  
and

- b. 137<sup>th</sup> Avenue, Francis Lewis Boulevard, 230<sup>th</sup> Place, a line 100 feet northeasterly of 141<sup>st</sup> Avenue, a line midway between 229<sup>th</sup> Street and 230<sup>th</sup> Street, a line 100 feet southwesterly of 139<sup>th</sup> Avenue, 228<sup>th</sup> Street, a line 100 feet northeasterly of 139<sup>th</sup> Avenue, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, a line 100 feet southwesterly of 138<sup>th</sup> Avenue, 229<sup>th</sup> Street, 138<sup>th</sup> Avenue, 227<sup>th</sup> Street, a line 100 feet northeasterly of 138<sup>th</sup> Avenue, and a line midway between 225<sup>th</sup> Street and 226<sup>th</sup> Street;
6. changing from an R3-2 District to an R2A District property bounded by:
    - a. a line 150 feet northeasterly of Merrick Boulevard, a line 80 feet southeasterly of 233<sup>rd</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, and a line midway between Francis Lewis Boulevard and 231<sup>st</sup> Street;
    - b. a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southwesterly of 234<sup>th</sup> Street, a line 100 feet southwesterly of 133<sup>rd</sup> Road, and 234<sup>th</sup> Street;
    - c. a line 100 feet northeasterly of 137<sup>th</sup> Avenue, 230<sup>th</sup> Street, 137<sup>th</sup> Avenue, and 226<sup>th</sup> Street; and
    - d. 137<sup>th</sup> Avenue, the southwesterly prolongation of the southeasterly street line of 223<sup>rd</sup> Street, 138<sup>th</sup> Avenue, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, a line 100 feet northeasterly of 139<sup>th</sup> Avenue, 222<sup>nd</sup> Street, 139<sup>th</sup> Avenue, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, Carson Street, a line 100 feet northwesterly of 222<sup>nd</sup> Street, 138<sup>th</sup> Avenue, a line 100 feet southeasterly of 220<sup>th</sup> Place, 137<sup>th</sup> Road, and 220<sup>th</sup> Place;
  7. changing from a C8-1 District to an R2A District property bounded by a line 150 feet northeasterly of Merrick Boulevard, a line midway between 222<sup>nd</sup> Street and 223<sup>rd</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, and 220<sup>th</sup> Street;
  8. changing from an R3-2 District to an R3-1 District property bounded by:
    - a. a line 100 feet southwesterly of Merrick Boulevard, 229<sup>th</sup> Street, a line 95 feet southwesterly of Merrick Boulevard, 230<sup>th</sup> Street, 135<sup>th</sup> Avenue, and a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street; and
    - b. 135<sup>th</sup> Avenue, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, a line 100 feet southwesterly of 135<sup>th</sup> Avenue, a line midway between 227<sup>th</sup> Street and 228<sup>th</sup> Street, a line 120 feet southwesterly of 135<sup>th</sup> Avenue, and a line midway between 226<sup>th</sup> Street and 227<sup>th</sup> Street;

9. changing from an R2 District to an R3-2 District property bounded by:
- a. 131<sup>st</sup> Avenue and its southeasterly centerline prolongation, Laurelton Parkway, Merrick Boulevard, a northwesterly service road of Laurelton Parkway, a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southeasterly of 234<sup>th</sup> Street, 133<sup>rd</sup> Avenue, a line 90 feet southeasterly of 233<sup>rd</sup> Street, a line 140 feet southwesterly of 131<sup>st</sup> Avenue, and 232<sup>nd</sup> Street; and
  - b. the northwesterly prolongation of the southwesterly street line of 133<sup>rd</sup> Road, 234<sup>th</sup> Street, and a line 150 feet northeasterly of Merrick Boulevard;
10. changing from an R3-2 District to an R3A District property bounded by:
- a. Springfield Boulevard, 135<sup>th</sup> Avenue, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 134<sup>th</sup> Road and 135<sup>th</sup> Avenue, a line 200 feet southeasterly of Springfield Boulevard, 134<sup>th</sup> Road, 217<sup>th</sup> Street, a line 175 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218<sup>th</sup> Street, a line 150 feet southwesterly of Merrick Boulevard, 222<sup>nd</sup> Street, 134<sup>th</sup> Road, 223<sup>rd</sup> Street, a line 150 feet southwesterly of Merrick Boulevard, 225<sup>th</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 227<sup>th</sup> Street, a line 95 feet northeasterly of 135<sup>th</sup> Avenue, a line 80 feet southeasterly of 225<sup>th</sup> Street, a line 100 feet northeasterly of 135<sup>th</sup> Avenue, 225<sup>th</sup> Street, a line 75 feet northeasterly of 135<sup>th</sup> Avenue, 224<sup>th</sup> Street, a line 100 feet northeasterly of 135<sup>th</sup> Avenue, the northeasterly centerline prolongation of 223<sup>rd</sup> Street, 135<sup>th</sup> Avenue, 218<sup>th</sup> Street, 137<sup>th</sup> Avenue, 219<sup>th</sup> Street, 137<sup>th</sup> Road, 218<sup>th</sup> Street, 138<sup>th</sup> Avenue, and Carson Street; and
  - b. a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet southeasterly of 234<sup>th</sup> Street, a line 100 feet northeasterly of 134<sup>th</sup> Road and its southeasterly prolongation, Laurelton Parkway and its southwesterly centerline prolongation (at North Conduit Avenue), South Conduit Avenue, the southwesterly centerline prolongation of 230<sup>th</sup> Place, the northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225<sup>th</sup> Street, Mentone Avenue, a line 100 feet southeasterly of 228<sup>th</sup> Street, 141<sup>st</sup> Avenue, 230<sup>th</sup> Place, Francis Lewis Boulevard, 137<sup>th</sup> Avenue, 230<sup>th</sup> Street, a line 100 feet northeasterly of 137<sup>th</sup> Avenue, a line midway between 229<sup>th</sup> Street and 230<sup>th</sup> Street, 135<sup>th</sup> Avenue, and 230<sup>th</sup> Street;

11. changing from a C8-1 District to an R3A District property bounded by a line 100 feet northeasterly of 219<sup>th</sup> Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northeasterly of 220<sup>th</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 221<sup>st</sup> Street, a line 140 feet southwesterly of Merrick Boulevard, 222<sup>nd</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 223<sup>rd</sup> Street, 134<sup>th</sup> Road, 222<sup>nd</sup> Street, and a line 150 feet southwesterly of Merrick Boulevard;
  
12. changing an R3-2 District to an R3X District property bounded by:
  - a. 135 Avenue, 222<sup>nd</sup> Street, 136<sup>th</sup> Avenue, a line midway between 221<sup>st</sup> Street and 222<sup>nd</sup> Street, a line 100 feet northeasterly of 137<sup>th</sup> Avenue, 221<sup>st</sup> Street, 137<sup>th</sup> Avenue, 220<sup>th</sup> Place, 137<sup>th</sup> Road, a line 100 feet southeasterly of 220<sup>th</sup> Place, 138<sup>th</sup> Avenue, a line 100 feet northwesterly of 222<sup>nd</sup> Street, Carson Street, a line 125 feet southeasterly of 219<sup>th</sup> Street, a line 145 feet southwesterly of 139<sup>th</sup> Avenue and its southeasterly prolongation, a line 240 feet southeasterly of 219<sup>th</sup> Street, 140<sup>th</sup> Avenue and its southeasterly centerline prolongation, a line 110 feet southeasterly of 219<sup>th</sup> Street, 141<sup>st</sup> Avenue, a line 300 feet southeasterly of 222<sup>nd</sup> Street, a line midway between 141<sup>st</sup> Avenue and 141<sup>st</sup> Road, a line 175 feet northwesterly of 224<sup>th</sup> Street, 141<sup>st</sup> Road, a line 100 feet northwesterly of 224<sup>th</sup> Street, Prospect Court and its southeasterly centerline prolongation, a line 210 feet southeasterly of 225<sup>th</sup> Street, North Conduit Avenue, 225<sup>th</sup> Street, South Conduit Avenue, Springfield Boulevard, a line 120 feet northwesterly of 142<sup>nd</sup> Road, a line 255 feet northwesterly of 221<sup>st</sup> Street, Edgewood Avenue, the northeasterly prolongation of a line 80 feet northwesterly of 221<sup>st</sup> Street, the southwesterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line 140 feet northwesterly of 222<sup>nd</sup> Street, 141<sup>st</sup> Road, a line 100 feet northwesterly of 219<sup>th</sup> Street, a line 150 feet easterly of Springfield Boulevard, a line 100 feet northeasterly of 138<sup>th</sup> Road, Carson Street, 138<sup>th</sup> Avenue, 218<sup>th</sup> Street, 137<sup>th</sup> Road, 219<sup>th</sup> Street, 137<sup>th</sup> Avenue, and 218<sup>th</sup> Street; and
  
  - b. a line 100 feet southwesterly of Merrick Boulevard, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, 135<sup>th</sup> Avenue, a line midway between 226<sup>th</sup> Street and 227<sup>th</sup> Street, a line 120 feet southwesterly of 135<sup>th</sup> Avenue, a line midway between 227<sup>th</sup> Street and 228<sup>th</sup> Street, a line 100 feet southwesterly of 135<sup>th</sup> Avenue, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, 135<sup>th</sup> Avenue, a line midway between 229<sup>th</sup> Street and 230<sup>th</sup> Street, a line 100 feet northeasterly of 137<sup>th</sup> Avenue, 225<sup>th</sup> Street, 137<sup>th</sup> Avenue, 224<sup>th</sup> Street, a line 290 feet southwesterly of 135<sup>th</sup> Avenue, a line midway between 225<sup>th</sup> Street and 226<sup>th</sup> Street, 135<sup>th</sup> Avenue, a line 80 feet southeasterly of 225<sup>th</sup> Street, a line 95 feet northeasterly of 135<sup>th</sup> Avenue, and 227<sup>th</sup> Street;
  
13. changing from an R2 District to an R4B District property bounded by:

- a. 130<sup>th</sup> Avenue, a line midway between 227<sup>th</sup> Street and 228<sup>th</sup> Street, a line 225 feet southwesterly of 130<sup>th</sup> Avenue, and a line midway between 226<sup>th</sup> Street and 227<sup>th</sup> Street;
  - b. a line 100 feet northeasterly of 141<sup>st</sup> Avenue, a line midway between 227<sup>th</sup> Street and 228<sup>th</sup> Street, 141<sup>st</sup> Avenue, and 226<sup>th</sup> Street; and
  - c. a line 100 feet northeasterly of 141<sup>st</sup> Avenue, 230<sup>th</sup> Place, and 141<sup>st</sup> Avenue, and a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street;
14. changing from an R3-2 District to an R4B District property bounded by:
- a. 130<sup>th</sup> Avenue, a line midway between 226<sup>th</sup> Street and 227<sup>th</sup> Street, 133<sup>rd</sup> Avenue, a line midway between 225<sup>th</sup> Street and 226<sup>th</sup> Street, a line 75 feet northeasterly of 133<sup>rd</sup> Avenue, and 224<sup>th</sup> Street; and
  - b. 141<sup>st</sup> Avenue, a line 100 feet southeasterly of 228<sup>th</sup> Street, Mentone Avenue, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225<sup>th</sup> Street, a northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, 225<sup>th</sup> Street, Mentone Avenue, and 226<sup>th</sup> Street;
15. changing from an R2 District to an R5D District property bounded by 133<sup>rd</sup> Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133<sup>rd</sup> Road and Merrick Boulevard, and Springfield Boulevard;
16. changing from an R3-2 District to an R5D District property bounded by a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217<sup>th</sup> Street), a line 100 feet northwesterly of 218<sup>th</sup> Street, a line 175 feet southwesterly of Merrick Boulevard, 217<sup>th</sup> Street, 134<sup>th</sup> Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134<sup>th</sup> Road and 135<sup>th</sup> Avenue, a line 100 feet southeasterly of Springfield Boulevard, 135<sup>th</sup> Avenue, and Springfield Avenue;
17. changing from a C8-1 District to an R5D District property bounded by a line midway between Merrick Boulevard and 133<sup>rd</sup> Road, 218<sup>th</sup> Street, 133<sup>rd</sup> Road, 220<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, 225<sup>th</sup> Street, a line 150 feet southeasterly of Merrick Boulevard, 223<sup>rd</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 222<sup>nd</sup> Street, a line 140 feet southwesterly of Merrick Boulevard, 221<sup>st</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220<sup>th</sup> Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219<sup>th</sup> Street, a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217<sup>th</sup> Street), and Springfield Boulevard;



18. establishing within a proposed R3X District a C1-3 District bounded by Springfield Boulevard, a line 60 feet northeasterly of 144<sup>th</sup> Avenue, a line 75 feet southeasterly of Springfield Boulevard, 144<sup>th</sup> Avenue, and North Conduit Avenue;
19. establishing within an existing R3-2 District a C1-3 District bounded by:
  - a. 225<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, 228<sup>th</sup> Street, a line 95 feet northeasterly of Merrick Boulevard, 229<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, 234<sup>th</sup> Street, a line 100 feet southwesterly of 133<sup>rd</sup> Road (straight portion) and its southeasterly centerline prolongation, a northwesterly service road of Laurelton Parkway, a line 100 feet northeasterly of 134<sup>th</sup> Road, a line 100 feet southeasterly of 234<sup>th</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 230<sup>th</sup> Street, a line 95 feet southwesterly of Merrick Boulevard, 229<sup>th</sup> Street, and a line 100 feet southwesterly of Merrick Boulevard;
  - b. 224<sup>th</sup> Street, a line 80 feet northeasterly of 141<sup>st</sup> Avenue, 225<sup>th</sup> Street, and 141<sup>st</sup> Avenue;
  - c. 224<sup>th</sup> Street, the Long Island Rail Road (Montauk Division) right-of-way, 225<sup>th</sup> Street, and 141<sup>st</sup> Road; and
  - d. 141<sup>st</sup> Road, 224<sup>th</sup> Street, Prospect Court, and a line 100 feet northwesterly of 224<sup>th</sup> Street;
20. establishing within a proposed R5D District a C2-3 District bounded by Springfield Boulevard, 133<sup>rd</sup> Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133<sup>rd</sup> Road and Merrick Boulevard, 218<sup>th</sup> Street, a line 100 feet northeasterly of Merrick Boulevard, 225<sup>th</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, 222<sup>nd</sup> Street, a line 140 feet southwesterly of Merrick Boulevard, 221<sup>st</sup> Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220<sup>th</sup> Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219<sup>th</sup> Street, a line 150 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218<sup>th</sup> Street, a line 175 feet southwesterly of Merrick Boulevard, 217<sup>th</sup> Street, 134<sup>th</sup> Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134<sup>th</sup> Road and 135<sup>th</sup> Avenue, a line 100 feet southeasterly of Springfield Boulevard, and 135<sup>th</sup> Avenue;

as shown on a diagram (for illustrative purposes only) dated June 2, 2008 and subject to the conditions of CEQR Declaration E-219.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**BOROUGH OF STATEN ISLAND**

**Nos. 12 & 13**

***ST. GEORGE REZONING***

**No. 12**

**CD 1**

**N 080425 ZRR**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article I, Chapters 1, 2, 4, 5 and Article 10, Chapter 8 to establish the Special St. George District in Staten Island, CD 1.

**Special St. George District**

Matter underlined is new, to be added;  
Matter within # # is defined in Section 12-10;  
Matter in ~~strikeout~~ is old, to be deleted;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution

**11-12  
Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

\* \* \*

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

Establishment of the Special St. George District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special St. George District# is hereby established.

\* \* \*

**12-10  
DEFINITIONS**

\* \* \*

Special South Richmond Development District

\* \* \*

Special St. George District

The “Special St. George District” is a Special Purpose District designated by the letters “SG” in which special regulations set forth in Article X, Chapter 8, apply. The #Special St. George District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Special Stapleton Waterfront District

\* \* \*

**14-44  
Special Zoning Districts Where Certain Sidewalk Cafes are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

\* \* \*

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
South Richmond Development District	Yes	Yes
<u>St. George District</u>	<u>Yes</u>	<u>Yes</u>
Stapleton Waterfront District	Yes	Yes

\* \* \*

**Chapter 5  
Residential Conversion of Existing Non-Residential Buildings**

\* \* \*

**15-011  
Applicability within Special Districts**

\* \* \*

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article X, Chapter 8 (Special St. George District).

\* \* \*

**ARTICLE X  
SPECIAL PURPOSE DISTRICTS**

\* \* \*

*All text is new; it is not underlined*

**Chapter 8  
Special St. George District**

**108-00  
GENERAL PURPOSES**

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

- (a) build upon St. George’s existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian friendly business and residence district;
- (b) establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- (c) require a tall, slender building form that capitalizes on St. George’s hillside topography and maintains waterfront vistas;
- (d) encourage the reuse and reinvestment of vacant office buildings;
- (e) accommodate an appropriate level of off-street parking while reducing its visual impact, and

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

### **108-01**

#### **Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

#### **Commercial Street**

A "commercial street" shall be a street, or portion thereof, where special regulations pertaining to ground floor uses on #commercial streets#, pursuant to Section 108-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2, in the Appendix to this Chapter.

### **108-02**

#### **General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special St. George District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special St. George District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

However, the regulations of this Chapter shall not apply to any property that is the subject of a site selection for a court house and public parking garage pursuant to application 080379 PSR. Such property shall be governed by the underlying regulations of this Resolution.

Furthermore, any property that is the subject of a site selection and acquisition for the use of a lot for open parking pursuant to application 080378 PCR may be governed by the regulations of this Chapter or the underlying regulations of this Resolution for a period of two years after (date of enactment). After (date of enactment), such property shall be subject to the regulations of this Chapter.

### **108-03**

#### **District Plan and Maps**

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

The District Plan includes the following four maps :

Map 1	Special St. George District Plan
Map 2	Commercial Streets
Map 3	Minimum and Maximum Base Heights
Map 4	Tower Restriction Areas

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

**108-04  
Subdistricts**

In order to carry out the purposes and provisions of this Chapter, the #Special St. George District# shall include two Subdistricts: Subdistrict A (Upland) and Subdistrict B (Waterfront), as shown on Map 1 (Special St George District Plan) in the Appendix to this Chapter.

**108-05  
Applicability of District Regulations**

**108-051  
Applicability of Article I, Chapter 1**

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**108-052****Applicability of Article 1, Chapter 2**

The definition of “lower density growth management area” in Section 12-10 (DEFINITIONS) shall be modified to exclude all districts within the #Special St George District#.

**108-053****Applicability of Article 1, Chapter 5**

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special St. George District#, except as modified in this Chapter.

**108-10****USE REGULATIONS****108-11****Ground Floor Uses on Commercial Streets**

Map 2 (Commercial Streets) in Appendix A of this Chapter specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# on the ground floor of a #building# shall be limited to #commercial uses#. The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

#Commercial uses# shall have a depth of at least 30 feet from the #street wall# of the #building# facing the #commercial street# and shall extend along the entire width of the #building# except for lobbies and entrances to #accessory# parking spaces, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences# shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building# facing the #commercial street#.

**108-12****Transparency Requirements**

Any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area

shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

#### **108-13**

##### **Location of Uses in Mixed Buildings**

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

#### **108-14**

##### **Security Gates**

Within the #Special St. George District#, all security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

#### **108-20**

##### **FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS**

#### **108-21**

##### **Maximum Floor Area Ratio**

In C4-2 Districts within Subdistrict A, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply. However, for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

#### **108-22**

##### **Maximum Lot Coverage**

In C4-2 Districts within Subdistrict A, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building# or portion thereof shall be 70 percent for an #interior# or #through lot# and 80



percent for a #corner lot#. However, no maximum #lot coverage# shall apply to any #corner lot# of 5,000 square feet or less.

### **108-23**

#### **Rear Yard Equivalents**

In C4-2 Districts within Subdistrict A, the #rear yard equivalent# regulations for #residential uses# on #through lots# or the #through lot# portion of a #zoning lot# are modified as set forth in this Section. Such #yards# shall be provided within 45 feet of the centerline of the #through lot# or #through lot# portion, and the level of such #yards# may be provided at any level not higher than the floor level of the lowest #story# containing #dwelling units# that face such #yards#. Furthermore, no #rear yard equivalent# regulations shall apply to any #through lot# or #through lot# portion of a #zoning lot# on which a tower is #developed# or #enlarged# pursuant to Section 108-34.

### **108-30**

#### **HEIGHT AND SETBACK REGULATIONS**

In C1-2 Districts mapped within R3-2 Districts, all #buildings# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 108-32 (Street Wall Location and Base Height) shall apply.

The underlying height and setback regulations in C4-2 Districts within Subdistrict A shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply.

In Subdistrict B, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except as modified in Section 108-31 (Rooftop Regulations).

All heights shall be measured from the #base plane#.

### **108-31**

#### **Rooftop Regulations**

The provisions of this Section shall apply to all #buildings# in C4-2 Districts within Subdistricts A and B.

- (a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (1) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
  - (2) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).
- (b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and conversions of non-#residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

**108-32**  
**Street Wall Location and Base Height**

The provisions of this Section, inclusive, shall apply to all #buildings# within Subdistrict A.

**108-321**  
**Street walls along commercial streets**

For #zoning lots# with #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 70 percent of the #commercial street# frontage of the #zoning lot# and be located within eight feet of the #street line# of the #commercial street#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

**108-322**  
**Street walls along non-commercial streets**

For #zoning lots# without #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 50 percent of the #street# frontage of the #zoning lot# and be located within eight feet of the #street line#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the

minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

### **108-323**

#### **Maximum base height**

The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights). All portions of #buildings# above such maximum base height shall provide a setback at least ten feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#. In C4-2 Districts within the Subdistrict A, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

### **108-33**

#### **Maximum building height**

In C4-2 Districts within Subdistrict A, the maximum #building# height shall be 70 feet, except where towers are permitted pursuant to Section 108-34.

### **108-34**

#### **Towers**

The tower provisions of this Section shall apply to any #zoning lot# with a #lot area# of at least 10,000 square feet. Any portion of a #building developed# or #enlarged# on such #zoning lots# that exceeds a height of 70 feet shall be constructed as either a point tower or a broad tower, as follows:

(a) Point tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 6,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 85 feet. The highest three #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such stories#.

(b) Broad tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 8,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 135 feet. The upper #stories# shall provide setbacks with a

minimum depth of 15 feet measured from the east facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less. For towers with at least six #stories# located entirely above a height of 70 feet, the lowest level at which such setbacks may be provided is 100 feet, and the highest #story# shall be located entirely within the western half of the tower.

(c) Orientation of all towers

The maximum length of the outermost walls of any side of each #story# of a #building# facing the #shoreline# that is entirely above a height of 70 feet shall not exceed 80 feet. For the purposes of this Section, the #street line# of St. Marks Place shall be considered to be a line parallel to the #shoreline#, and any side of such rectangle facing St. Marks Place from which lines perpendicular to the #street line# of St. Marks Place may be drawn, regardless of intervening structures, properties or #streets#, shall not exceed 80 feet.

(d) Location of all towers

Any portion of a #building# that exceeds a height of 70 feet shall be no closer to a #side lot line# than eight feet, and any #story# of a #building# that is entirely above a height of 70 feet shall be located within 25 feet of a #street line#.

(e) Maximum tower height

The maximum height of any #building# utilizing the tower provisions of this Section shall be 200 feet.

(f) Tower and base integration

All portions of a #building# that exceed the applicable maximum base height set forth in Section 108-323 shall be set back at least 10 feet from the #street wall# of a #building# facing a #wide street# and at least 15 feet from the #street wall# of a #building# facing a #narrow street#. However, up to 50 percent of the #street wall# of the portion of the #building# located above a height of 70 feet need not be set back from the #street wall# of the #building#, and may rise without setback from grade, provided such portion of the #building# is set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

(g) Tower exclusion areas

No #building# may exceed a height of 70 feet within the areas designated on Map 4 (Tower Restriction Areas), in the Appendix to this Chapter.

## MANDATORY IMPROVEMENTS

### 108-41

#### Sidewalks

Sidewalks with a depth of at least 12 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire #street# frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 12 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 12 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

### 108-50

#### PARKING REGULATIONS

In the #Special St George District#, the underlying regulations governing permitted and required #accessory# off-street parking spaces are modified as set forth in this Section.

### 108-51

#### Required off-street parking and loading

In C4-2 Districts, the following special regulations shall apply:

a) Residential uses

One off-street parking space shall be provided for each #dwelling unit# created after (effective date of amendment), including any #dwelling units# within #buildings# converted pursuant to Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings). However, where the total number of required spaces is five or less, or, for conversions, where the total number of required spaces is 20 or less, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after (effective date of amendment). The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to conversions where more than 20 parking spaces are required.

(b) Commercial uses

For #commercial uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square

feet of #floor area#, and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

(c) Community facility use

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

**108-52  
Special Floor Area Regulations**

The #floor area# of a #building# shall not include floor space used for off-street parking spaces provided in any #story# that complies with the provisions of Section 108-54 (Location of Accessory Off-street Parking Spaces).

**108-53  
Use of Parking Facilities**

All #accessory# off-street parking spaces may be provided within parking facilities, including #public parking garages#, on #zoning lots# other than the same #zoning lot# as the #use# to which they are #accessory#, provided:

- (a) such parking facilities are located within the #Special St. George District#;
- (b) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and
- (c) the number of #accessory# parking spaces within such facility shall not exceed the combined number of spaces permitted on each #zoning lot# using such facility, less the number of spaces provided on each #zoning lot# using such facility.

**108-54  
Location of Accessory Off-street Parking Spaces**

No open parking areas shall be located between the #street wall# of a #building# and the #street line#, and no open parking area shall front upon a #commercial street#. All open parking areas, regardless of the number of parking spaces, shall comply with the perimeter screening requirements of Section 37-921.

All off-street parking spaces within structures shall be located within facilities that, except for entrances and exits, are:

- (a) entirely below the level of each #street# upon which such facility fronts; or

- (b) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets#. The minimum depth of any such #floor area# shall be 30 feet, except that such depth may be reduced to 15 feet where the #street wall# containing such #floor area# fronts upon a #street# with a slope in excess of 11 percent; and
- (c) no parking shall be permitted on the roof of such facilities.

**108-55  
Special Requirements for Roofs of Parking Facilities**

The roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. No parking spaces shall be provided on the roof of such facility. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. No less than 75 percent of such roof area shall be accessible for the recreational use of the occupants of the building in which it is located; and no more than 25 percent may be accessible solely from an adjacent #dwelling unit#. Hard surfaced areas shall not cover more than 60 percent of such roof area.

**108-56  
Curb Cuts on Commercial Streets**

No curb cuts shall be permitted on #commercial streets# as shown on Map 2 in the Appendix to this Chapter. However, if access to a required #accessory# parking facility or loading berth is not possible because of such restriction, a curb cut may be allowed if the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such location is the only possible location for the facility or loading berth, is not hazardous to traffic safety, is at least 50 feet from the intersection of two #street lines#, and is constructed so as to have minimal effect on the streetscape.

**108-57  
Accessory Indoor Bicycle Parking**

A designated area for #accessory# bicycle parking shall be provided for #developments# or #enlargements# with #residential# or #commercial uses#. Such facility shall be enclosed, accessible and secure. Floor space used for #accessory# bicycle parking located below a height of 33 feet, including #accessory# facilities, such as lockers, showers and circulation space, shall not be included in the definition of #floor area#.

- (a) For #residential developments# or #enlargements# with ten or more units per #building# or #building segment#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.

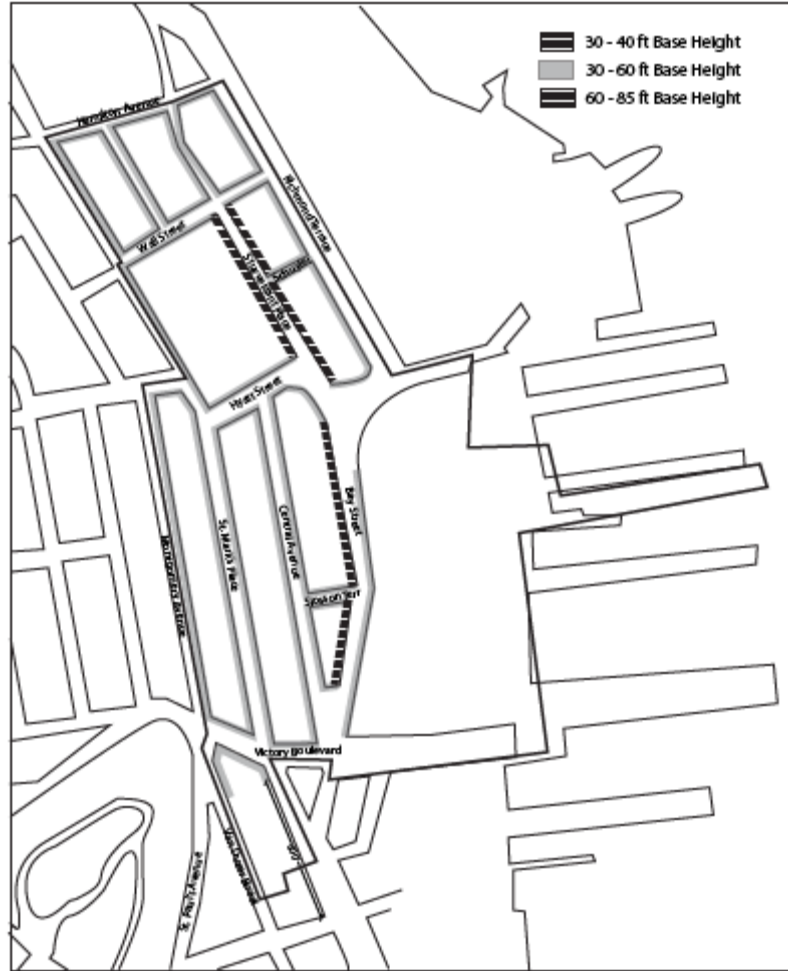
- (b) For commercial office #developments# or #enlargements# with 10,000 square feet or more of office #floor area#, one bicycle parking space shall be provided for every 5,000 square feet of office space, up to a maximum of 200 bicycle parking spaces.
- (c) For commercial #developments# or enlargements# with 10,000 square feet or more of retail or service #floor area#, one bicycle parking space shall be provided for every per 10,000 square feet of retail space, up to a maximum of 100 bicycle parking spaces.



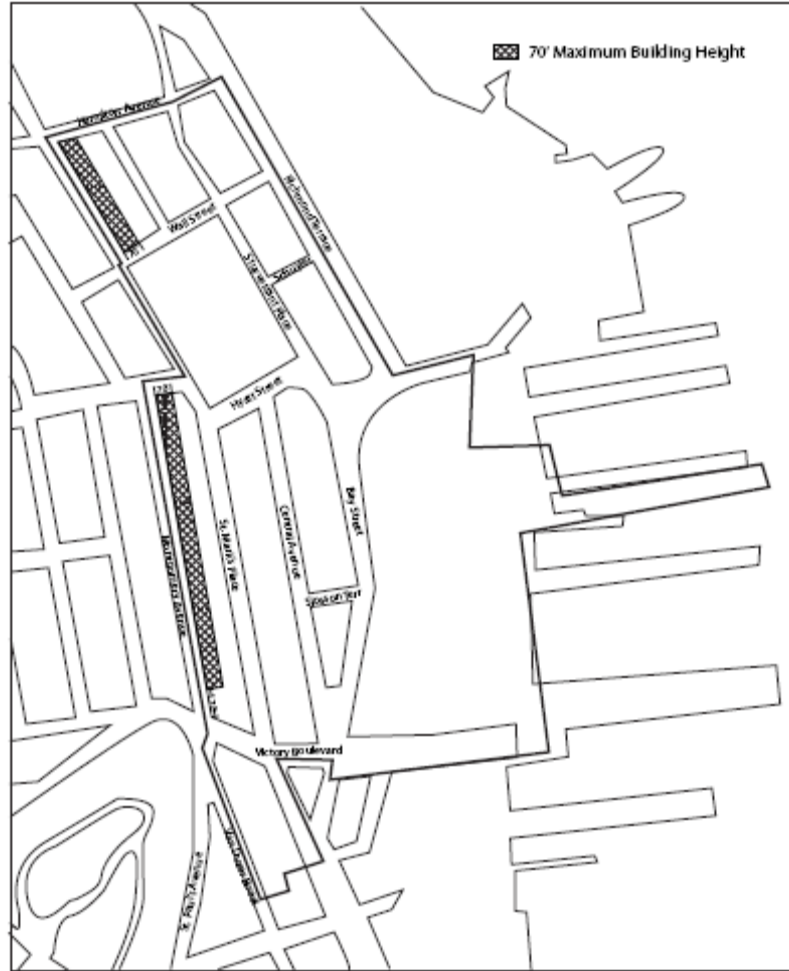




SPECIAL ST GEORGE DISTRICT  
MAP 3. Minimum and Maximum Base Height



SPECIAL ST GEORGE DISTRICT  
MAP 4. Tower Restriction Areas



Resolution for adoption scheduling July 23, 2008 for a public hearing.

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**No. 13****CD 1****C 080426 ZMR**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c

1. eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
2. changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
3. establishing a Special St. George District bounded by:
  - the property line of the US Government Lighthouse Department,
  - the US Bulkhead line of the Upper Bay,
  - a line forming an angle of 104 degrees with the second-named course distant 225 feet northerly (as measured along the second-named course) of the first-named course,
  - a line perpendicular to the third-named course distant 326 feet westerly (as measured along the third-named course) of the second-named course,
  - the northerly street line of Borough Place and its westerly prolongation,
  - Richmond Terrace and its southeasterly centerline prolongation,
  - Hamilton Avenue,
  - St. Marks Place,
  - Fort Place,
  - Montgomery Avenue,
  - the northerly centerline prolongation of St. Pauls Avenue,
  - Van Duzer Street,
  - a line 150 feet northwesterly of Hannah Street,
  - a line midway between Van Duzer Street and Bay Street,
  - the southwesterly centerline prolongation of Minthorne Street,
  - Bay Street (westerly portion),
  - Victory Boulevard,
  - Bay Street (easterly portion),
  - the southerly street line of Victory Boulevard and its westerly and easterly prolongations,
  - the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue,
  - the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard,
  - a US Pierhead Line, and
  - the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-217.

**Resolution for adoption scheduling July 23, 2008 for a public hearing.**

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**II. REPORTS**

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**BOROUGH OF BRONX**

**No. 14**

***ST. ANN'S AVENUE DEVELOPMENT***

**CD 1**

**C 050018 ZMX**

**IN THE MATTER OF** an application submitted by Ebling Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

1. changing from an M1-1 District to an R7X District property bounded by East 159<sup>th</sup> Street, Eagle Avenue, East 156<sup>th</sup> Street and St. Ann's Avenue; and
2. establishing within the proposed R7X District a C2-3 District bounded by East 159 Street, a line 100 feet southeasterly of St. Ann's Avenue, East 156<sup>th</sup> Street, and St. Ann's Avenue,

as shown on a diagram (for illustrative purposes only) dated March 24, 2008.

(On May 21, 2008, Cal. No. 1, the Commission scheduled June 4, 2008 for a public hearing. On June 4, 2008, Cal. No. 15, the hearing was closed.)

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 15**

***CARROLL GARDENS ZONING TEXT AMENDMENT***

**CD 6**

**N 080345 ZRK**

**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, concerning the modification of bulk regulations in Articles II and III, relating to certain narrow streets in Community District 6 in the Borough of Brooklyn.

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of June 4, 2008 (Cal. No. 18) and at the Department of City Planning web site; <http://www.nyc.gov/html/dcp>.

(On May 21, 2008, Cal. No. 2, the Commission scheduled June 4, 2008 for a public hearing. On June 4, 2008, Cal. No. 18, the hearing was closed.)

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 16**

***NYPD MAINTENANCE FACILITY***

**CD 5**

**C 080013 PCQ**

**IN THE MATTER OF** an application submitted by the New York City Police Department and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 49-21 and 48-23 Metropolitan Avenue (Block 2611, lots 460, 470, and p/o lots 452, 454, 1001, and 1002) for use as a vehicle maintenance facility.

(On May 21, 2008, Cal. No. 4, the Commission scheduled June 4, 2008 for a public hearing. On June 4, 2008, Cal. No. 17, the hearing was closed.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**Nos. 17 & 18**

***WEST END AVENUE PARKING GARAGE***

**No. 17**

**CD 7**

**C 080153 ZSM**

**IN THE MATTER OF** an application submitted by Extell Development Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 20 spaces on a portion of the



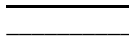
ground floor, cellar and sub-cellar of a proposed residential building on property located at 531-539 West End Avenue (Block 1247, Lots 33, 34, 35, 36, 37 & 135), in an R10A District.

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

(On May 7, 2008, Calendar No. 2 the Commission scheduled May 21, 2008 for a public hearing. On May 21, 2008, Cal. No. 13, the hearing was closed.)

**For consideration.**

**WITHDRAWN**



**No. 18**

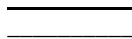
**CD 7**

**N 080154 ZAM**

**IN THE MATTER OF** an application submitted by Extell Development Company for the grant of an authorization pursuant to Section 13-553 of the Zoning Resolution to allow a 24-foot wide curb cut to be located on a wide street (south side of West 86<sup>th</sup> Street, 57'-7" westerly of West End Avenue) to provide access to a proposed accessory parking garage at 531-539 West End Avenue (Block 1247, Lots 33, 34, 35, 36, 37 & 135), in R10A District.

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

**For consideration.**



**Nos. 19 & 20**

**610 LEXINGTON AVENUE**

**No. 19**

**CD 4-8**

**N 080177 ZRM**

**IN THE MATTER OF** an application submitted by Park Avenue Hotel Acquisition, LLC, and 375 Park Avenue L.P., pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York concerning Article VIII, Chapter 1, Special Midtown District, concerning Section 81-212 (Special provisions for transfer of development rights from landmark sites).

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of May 21, 2008 (Cal. No. 14), which may be viewed on the Department of City Planning's web site.

(On May 7, 2008, Calendar No. 3 the Commission scheduled May 21, 2008 for a public hearing. On May 21, 2008, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**No. 20**

**CD 5**

**C 080178 ZSM**

**IN THE MATTER OF** an application submitted by Park Avenue Hotel Acquisition, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

1. Sections 81-212\* and 74-79 - to allow the transfer of 200,965 square feet of floor area from property located at 375 Park Avenue (Block 1307, Lots 1 and 9001) that is occupied by a landmark building to property located at 610 Lexington Avenue (Block 1307, Lots 14 and 59), to modify the requirements of Section 23-851 (Minimum Dimension of Inner Courts), Section 23-861 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines/General Provision), Section 36-62 (Required Accessory Off-Street Loading Berths), and Section 81-45 (Pedestrian Circulation Space) and Section 37-07 (Requirements for Pedestrian Circulation Space); and
2. Section 81-277 - to modify the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation)

to facilitate the development of a 63-story mixed use building on property located at 610 Lexington Avenue (Block 1307, Lots 14 and 59), in a C6-6 District, within the Special Midtown District.

\* Note: A zoning text change is proposed under a concurrent related application (N 080177 ZRM) for amendment to Sections 81-212 (Special provisions for transfer of development rights from landmark sites).

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

(On May 7, 2008, Calendar No. 4 the Commission scheduled May 21, 2008 for a public hearing. On May 21, 2008, Cal. No. 15, the hearing was closed.)

**For consideration.**



**No. 21**

**SPECIAL HUDSON YARDS, CLINTON & MIDTOWN TEXT AMENDMENTS**

**CD 4**

**N 080184(A) ZRM**

**IN THE MATTER OF** a revised 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, concerning Article IX, Chapter 3 (Special Hudson Yards District), concerning Article IX, Chapter 6 (Special Clinton District), and concerning Article VIII, Chapter 1 (Special Midtown District)

Matter in underline 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 VIII - Special Purpose Districts

Chapter 1  
Special Midtown District  
\* \* \*

81-741  
General provisions  
\* \* \*

(d) Additional floor area bonuses

All #developments# located on the west side of Eighth Avenue between 42nd and 45th Streets within the Theater Subdistrict may receive an increase in #floor area# pursuant to Section ~~96-21 (Floor Area Increase)~~ 96-22 (Special Regulations for Eighth Avenue Perimeter Area) for those #developments# complying with the provisions of Section 23-90 (INCLUSIONARY HOUSING).

\* \* \*

Article IX - Special Purpose Districts

Chapter 3  
Special Hudson Yards District

\* \* \*

93-05  
Applicability of District Regulations

\* \* \*

93-054  
Applicability of Chapter 4 of Article VII

\* \* \*

93-055  
Modification of use and bulk regulations for zoning lots bounding Hudson Boulevard Park

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public parks# located between West 35<sup>th</sup> Street, Hudson Boulevard East, West 33<sup>rd</sup> Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard West for the purposes of applying all #use# and #bulk# regulations of this Resolution.

Where the #lot line# of a #zoning lot# coincides with the boundary of the #public park# located between West 39<sup>th</sup> Street, Tenth Avenue, West 38<sup>th</sup> Street and Eleventh Avenue, such #lot line# shall be considered to be the #street line# of Hudson Boulevard East and West, as applicable, for the purposes of applying all #use# and #bulk# regulations of this Resolution.

\* \* \*

93-14  
Retail Continuity Along Designated Streets

Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the building's #street# frontage, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 50 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying zoning district, but not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations. In no event shall the length of #street# frontage occupied by lobby space or entryways exceed, in total,

40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet.

For any new #development# or #enlargement# on such designated retail #streets#, each ground floor #street wall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of each such ground floor #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. For #developments# or #enlargements# fronting upon Hudson Boulevard that are adjacent to existing #buildings# located within the Hudson Boulevard #street# bed or #public park#, glazing shall not be required. However, the Hudson Boulevard #street wall# of such new #development# or #enlargement# shall be designed in a manner that will enable the glazing requirements of this section to be met upon demolition of the #buildings# within the #street# bed or #public park#.

The provisions of this Section shall not apply along the northern #street# frontage of West 35<sup>th</sup> through West 39<sup>th</sup> Streets within 100 feet of Eleventh Avenue, as shown on Map 2. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35<sup>th</sup>, West 36<sup>th</sup>, West 37<sup>th</sup>, West 38<sup>th</sup> or West 39<sup>th</sup> Street frontage of the #zoning lot#.

\* \* \*

93-20

#### FLOOR AREA REGULATIONS

\* \* \*

93-223

Maximum floor area ratio in Hell's Kitchen Subdistrict D

(a) Subareas D1 and D2

In Subareas D1 and D2 of Hell's Kitchen Subdistrict D, the basic maximum #floor area ratios# of non-#residential buildings# are set forth in Row A in the table in Section 93-22 and may be increased to the amount specified in Row C pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32. The basic maximum #floor area ratios# of any #building# containing #residences# are set forth in Row B.

The #floor area ratio# of any #building# containing #residences# may be increased from 6.5 pursuant to Section 93-31 (District Improvement Fund Bonus) or through the transfer of #floor area# from the #Phase 2 Hudson Boulevard and Park# as set forth in Section 93-32, and pursuant to Section 23-90 (INCLUSIONARY HOUSING), as modified by Section 93-23, as follows:

- (1) The #residential floor area ratio# may be increased from 6.5 to a maximum of 12.0 only if for every five square feet of #floor area# increase pursuant to Sections 93-31 or 93-32 there is a #floor area# increase of six square feet, pursuant to Section 23-90, as modified by Section 93-23.
- (2) Any #floor area# increase above a #floor area ratio# of 12.0 shall be only pursuant to Section 93-31 or 93-32.

Furthermore, in Subarea D1, the #floor area ratio# on a #zoning lot# may exceed 13.0 only where the community facility #floor area ratio# is not less than the excess of such #floor area ratio# above 13.0.

\* \* \*

### 93-30 SPECIAL FLOOR AREA REGULATIONS

#### 93-31 District Improvement Fund Bonus

In the #Special Hudson Yards District# and Area P-2 of the #Special Garment Center District#, the Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# to be increased up to the maximum amount specified in Sections 93-21, 93-22 or 121-31, as applicable, provided that instruments in a form acceptable to the City are executed and recorded ensuring and that, thereafter, a contribution has been ~~be~~ deposited in the #Hudson Yards District Improvement Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any building permit allowing more than the basic maximum #floor area# for such #development# or #enlargement#.

The Commissioner of Buildings shall not authorize the construction of any #development# or #enlargement# utilizing #floor area# bonused pursuant to this Section, including foundations with respect thereto, nor shall the construction of any bonused portion thereof be authorized, until the Chairperson has certified that the requirements of this Section have been met. Nothing herein shall limit the ability of the Commissioner of Buildings to issue a permit for the construction of a #development# or #enlargement# which does not utilize such bonused floor area.

~~Such~~ The contribution amount shall be \$100 per square foot of #floor area# as of January 19, 2005, and shall be adjusted by the Chairperson annually on July 1 of the following year and each year thereafter, . Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the twelve months ended on June 30 of that year The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received, and contributions may be made only on days

when the Hudson Yards Infrastructure Corporation (the "Corporation") is open for business and during business hours as specified by the Corporation.

The Commission may promulgate rules regarding the administration of this Section, and the Commission may also, by rule, adjust the contribution amount specified in the preceding paragraph to reflect changes in market conditions within the #Hudson Yards Redevelopment Area# if, in its judgment, the adjusted amount will facilitate the district-wide improvements that are consistent with the purposes of this Chapter and the purposes of the #Special Garment Center District#. The Commission may make such an adjustment by rule, not more than once a year.

For any such adjustment by rule decreasing the contribution amount, or increasing the contribution amount by more than the percentage change in the Consumer Price Index for all urban consumers, the following shall apply:

- (a) Such rule shall be effective for not more than two years; and
- (b) The Commission shall not publish the proposed rule pursuant to the City Administrative Procedure Act unless the City Council Land Use Committee and the Department of City Planning have jointly filed an application for a zoning text amendment under Section 201 of the New York City Charter, which would make such adjustment of the contribution amount permanently effective. The contribution amount established under such rule as finally adopted shall continue in effect with further adjustments based upon the Consumer Price Index for all urban consumers, until the next adjustment of the contribution amount pursuant to this Section.

~~Such contribution amount shall be payable or secured at the time foundation work has been completed and the Commissioner of Buildings shall not authorize any additional construction until the Chairperson has certified that payment has been made or adequate security therefore has been provided.~~

\* \* \*

93-34

Distribution of Floor Area in the Large-Scale Plan Subdistrict A

\* \* \*

(b) Requirements for application

An application filed with the Chairperson of the Commission for the distribution of #floor area# by certification pursuant to paragraph (a) of this Section shall be made jointly by the owner of the #development# rights of the Eastern Rail Yards Subarea A1 and the receiving site and shall include:

- (1) a site plan and #floor area# zoning calculations for the receiving site; and
- (2) a copy of the distribution instrument legally sufficient in both form and content to effect such a distribution, together with a notice of the restrictions limiting further development of the Eastern Rail Yards Subarea A1.

~~Such N~~notice of restrictions shall be filed by the owners of the respective sites in the Borough Office of the Register of the City of New York, indexed against the Eastern Rail Yards Subarea A1 and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified copies thereof shall be a pre-condition to issuance of any building permit for any #development# or #enlargement# utilizing #floor area# distributed pursuant to this Section, including foundations with respect thereto, ~~including any foundation or alteration permit, for any #development# or #enlargement#~~ on the receiving site.

\* \* \*

93-50

SPECIAL HEIGHT AND SETBACK REGULATIONS IN SUBDISTRICTS A THROUGH E

In Subdistricts A through E, the height and setback regulations set forth in Section 93-42 shall apply, except that such regulations are modified in certain locations as set forth in this Section. Such modifications include the establishment of #street wall# location regulations, minimum base heights, ~~and~~ maximum length of building walls for towers, and modifications of maximum base heights, depths of required setbacks, and tower #lot coverage#. Special provisions for recesses and sidewalk widenings are as follows:

(a) Recesses

Where #street walls# are required to be located on #street lines# or sidewalk widening lines, ground floor recesses up to three feet deep shall be permitted for



access to building entrances, and deeper recesses shall be permitted only where necessary to comply with the pedestrian circulation space provisions of Section 93-63. Above the level of the second #story# and up to any specified minimum base height, recesses are permitted provided that the aggregate length of such recesses does not exceed 30 percent of the length of the required #street wall# at any level, and the depth of such recesses does not exceed five feet. No limitations on recesses shall apply above any specified minimum base height or to any portion of a #zoning lot# where #street walls# are not required.

Where #street walls# are required to extend along the entire #street# frontage of a #zoning lot#, no recesses shall be permitted within 20 feet of an adjacent #building#, or within 30 feet of the intersection of two #street lines# except where corner articulation rules apply.

(b) Sidewalk Widenings

Where a #street wall# is required to extend along the entire #street# frontage of a #zoning lot#, and such #street# is intersected by a #street# with a mandatory sidewalk widening, no #street wall# shall be required within such sidewalk widening. Where corner articulation rules apply, the inner boundary of any required sidewalk widening may be considered to be the #street line#. The mandatory #street wall# requirements are illustrated on Map 3 in Appendix A of this Chapter. Where sidewalk widening lines are specified, such lines shall be parallel to and five or ten feet from the #street line#, as required pursuant to Section 93-61 and illustrated on Map 4 (Mandatory Sidewalk Widening) in Appendix A.

\* \* \*

93-512

Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A

(a) Hudson Boulevard

For the purposes of this paragraph, (a), Hudson Boulevard shall be considered to be a #wide street#. The #street wall# of the #development# or #enlargement# shall be located on the Hudson Boulevard sidewalk widening line and extend along at least 70 percent of the length of the Hudson Boulevard frontage of the #zoning lot#, and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 120 feet. On #corner lots#, the maximum base height may apply along intersecting #narrow street lines# for a distance of 100 feet from its intersection with Hudson Boulevard. Above a height of 120 feet, a setback at least 25 feet in depth is required from the Hudson Boulevard #street line#, and setbacks from intersecting #narrow streets# shall comply with the provisions of paragraph (b) of Section 93-42 (Height and Setback in Subdistricts A through E).

Alternatively, for #zoning lots# that occupy the entire Hudson Boulevard #block# front, the Hudson Boulevard #street wall# may rise above a height of 120 feet without setback at the Hudson Boulevard sidewalk widening line, provided that:

- (1) the aggregate width of such #street wall# facing Hudson Boulevard does not exceed 100 feet;
- (2) all other portions of the #building# that exceed a height of 120 feet are set back at least 25 feet from the Hudson Boulevard #street line# at a height not lower than 90 feet; and
- (3) all portions of the #building# that exceed a height of 120 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42.

~~For the purposes of applying the #street wall# location and setback provisions of this paragraph to #developments# and #enlargements# fronting on the #public park# between West 38th and West 39th Streets, the #street lines# and sidewalk widening lines of Hudson Boulevard shall be prolonged northward to West 39th Street.~~

\* \* \*

93-513  
Four Corners Subarea A2

- (a) Hudson Boulevard

The provisions of paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that the maximum base height shall be 150 feet; ~~and, for the purposes of applying such #street wall# location and setback provisions to #developments# and #enlargements# fronting upon the #public park# between West 33<sup>rd</sup> and West 35<sup>th</sup> Streets, the westerly #street line# and sidewalk widening lines of Hudson Boulevard West shall be prolonged southward to West 33<sup>rd</sup> Street.~~

\* \* \*

93-54  
Special Height and Setback Regulations in Hell’s Kitchen Subdistrict D

93-541  
Height and setback in Subareas D1 and D2

- (a) Tenth Avenue

(1) For #zoning lots# that do not occupy the entire Tenth Avenue #block# front, and for #zoning lots# that occupy the entire Tenth Avenue #block# front where existing #residential buildings# will remain, the #street wall# of any #development# or #enlargement# shall be located on and extend along the entire Tenth Avenue #street line#, except that to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such lines. Such #street wall# shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet, except that such minimum base height requirement shall not apply to any existing #residential buildings# to remain. Where such #zoning lots# also front upon a #narrow street#, these provisions shall apply along such #narrow street# frontage for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue. Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply.

(2) For #zoning lots# that occupy the entire Tenth Avenue #block# front, and where no existing #buildings# fronting upon Tenth Avenue will remain, the #street wall# of the #development# or #enlargement# shall be located within 10 feet of the Tenth Avenue #street line# and extend along the entire Tenth Avenue frontage of the #zoning lot# and shall rise without setback to a minimum base height of 90 feet and a maximum base height of 150 feet. These provisions shall apply for a minimum distance of 50 feet and a maximum distance of 100 feet from the intersection of Tenth Avenue.

Above a height of 150 feet, the setback provisions of paragraph (b) of Section 93-42 shall apply. Alternatively, for #zoning lots# that occupy the entire Tenth Avenue #block# front and no portion of any #building# is within 10 feet of the Tenth Avenue #street line#, the Tenth Avenue #street wall# may rise above 150 feet without setback, provided that:

~~(1)~~(i) the aggregate width of such #street wall# does not exceed 100 feet;

~~(2)~~(ii) all other portions of the #building# that exceed a height of 150 feet are set back at least 10 feet from the Tenth Avenue #street wall# of the #building# at a height not lower than 90 feet; ~~and~~

~~(3)~~(iii) all portions of the #building# that exceed a height of 150 feet are set back from a #narrow street# in compliance with the provisions of paragraph (b) of Section 93-42, and

(iv) all portions of the Tenth Avenue #streetwall# that do not exceed a height of 90 feet are located ten feet from the Tenth Avenue #street line#, except that recesses may be provided in accordance with the recess provisions of paragraph (a) of Section 93-50. Above a height of 90 feet, up to a height of 150 feet, any #streetwall# facing Tenth Avenue shall be located no closer to Tenth Avenue than 10 feet.

(b) Hudson Boulevard

The regulations set forth in paragraph (a) of Section 93-512 (Subareas A3, A4 and A5 of the Large-Scale Plan Subdistrict A) shall apply, except that wherever a setback from the Hudson Boulevard #street line# is required to be at least 25 feet deep, such setback depth may be reduced to 15 feet.

(c) Midblocks between Tenth Avenue and Hudson Boulevard

The regulations set forth in paragraph (c) of Section 93-512 shall apply.

(d) Length of building wall

The maximum length of any #story# located above a height of 150 feet that faces north or south shall not exceed 100 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 150 feet. Any side of such rectangle from which perpendicular lines may be drawn to the nearest #narrow street line# shall not exceed 100 feet.

(e) Tower #lot coverage#

Where more than one tower on a #zoning lot# contains #residences#, the minimum #lot area# requirement of paragraph (c)(1) of Section 93-42 shall not apply to the highest 80 feet of at least half of the number of such towers.

93-542

Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

- (a) the rooftop regulations set forth in Section 93-41 shall apply to all #developments# or #enlargements#, and
- (b) within the C2-5 District of Subarea D4, #commercial uses# shall be limited to two #stories# or a height of 30 feet, whichever is less.

- (c) within the C1-7A District of Subarea D5, recesses in the #street wall# of any #building# facing Ninth Avenue shall not be permitted within 20 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except as provided for permitted corner articulation.

93-55

Special Height and Setback Regulations in the South of Port Authority Subdistrict E

In the South of Port Authority Subdistrict E, for any #development# or #enlargement# on a #zoning lot# fronting on Eighth Avenue, the #street wall# of such #development# or #enlargement# shall be located on the Eighth Avenue sidewalk widening line and extend along the entire #street# frontage of the #zoning lot#. Such #street wall# shall rise without setback to a minimum height of 90 feet or the height of the #building#, whichever is less, and a maximum height of 120 feet. Above a height of 90 feet, no portion of the #development# or #enlargement# shall penetrate a #sky exposure plane# that begins at a height of 120 feet above the Eighth Avenue sidewalk widening line and #street lines# of West 39<sup>th</sup> Street and West 40<sup>th</sup> Streets, as applicable, and rises over the #zoning lot# at a slope of four feet of vertical distance for each foot of horizontal distance except as provided below:

- (a) any portion of the #building or other structure developed# or #enlarged# pursuant to the tower regulations of Sections 33-45 or 35-63, as applicable, may penetrate the #sky exposure plane#.
- (b) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane#. In addition, a dormer, as listed in paragraph (c) of Section 23-62, may penetrate the #sky exposure plane#.

93-55 93-56

Special Permit for Modification of Height and Setback Regulations

\* \* \*

93-65

Transit Easements

Any #development# or #enlargement# on a #zoning lot# that includes the locations listed below shall provide an easement for subway-related use and public access to the subway mezzanine or station:

- (a) The area bounded by Tenth Avenue, West 41st Street, a line 190 feet east of and parallel to Tenth Avenue, and a line 55 feet south of and parallel to West 41st Street. The entrance shall be accessed from Tenth Avenue.
- (b) ~~The area bounded by the western boundary of the #public park# between West 34th and West 35th Streets, West 34th Street, a line 40 feet west of and parallel to the western boundary of the #public park# between West 34th and West 35th~~

~~Streets, and a line 75 feet north of and parallel to West 34th Street. The entrance shall be accessed from the #public park# between West 34th and West 35th Streets.~~

(e) ~~The area bounded by Eleventh Avenue, West 36th Street, a line 90 feet east of and parallel to Eleventh Avenue, a line 50 feet south of and parallel to West 36th Street, a line 50 feet east of and parallel to 11th Avenue, and West 34th Street. The entrance shall be accessed from West 36th Street or 11th Avenue within 50 feet of West 36th Street.~~

(d)(b) For any #development# or #enlargement# on a #zoning lot# that includes the southwest corner of West 40th Street and Eighth Avenue, the transit easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.

\* \* \*

Article IX - Special Purpose Districts

Chapter 6  
Special Clinton District

\* \* \*

96-20  
PERIMETER AREA

#Developments# within the Perimeter Area shall be eligible for increased #floor area# only pursuant to Sections 96-21 (Special Regulations for 42nd Street Perimeter Area) or 96-22 (Special Regulations for Eighth Avenue Perimeter Area)...

\* \* \*

96-21  
Special Regulations for 42<sup>nd</sup> Street Perimeter Area

The provisions of this Section shall apply to #developments# or #enlargements# located in all #Commercial Districts# within the area bounded by the following:

\* \* \*

(b) Floor area regulations

\* \* \*

## (2) Floor area regulations in Subarea 2

In Subarea 2 of the 42<sup>nd</sup> Street Perimeter Area as shown in Appendix B, the basic #floor area ratio# of any #development# or #enlargement# shall be 10.0. However, the #floor area ratio# of any #development# or #enlargement# containing #residential use# may exceed 10.0 to a maximum of 12.0 only in accordance with the provisions of Section 23-90 (INCLUSIONARY HOUSING), except that any units for which a #floor area# increase has been earned pursuant to Section 23-90 shall be within the #Special Clinton District#. For #developments# or #enlargements# that have fully utilized the Inclusionary Housing Program, the maximum permitted #floor area ratio# may be increased from 12.0 to 15.0 for a new legitimate theater in accordance with the provisions of Section 96-25 (Floor Area Bonus for New Legitimate Theater Use).

Where a transit easement volume is required on a #zoning lot# in Subarea 2, such easement volume may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Any such floor spaces occupied by such transit easement volume shall not count as #floor area#. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the easement area is required. A minimum notice of six months in writing shall be given by the Transit Authority to the owner of the #zoning lot# to vacate the tenants of such temporary #uses#.

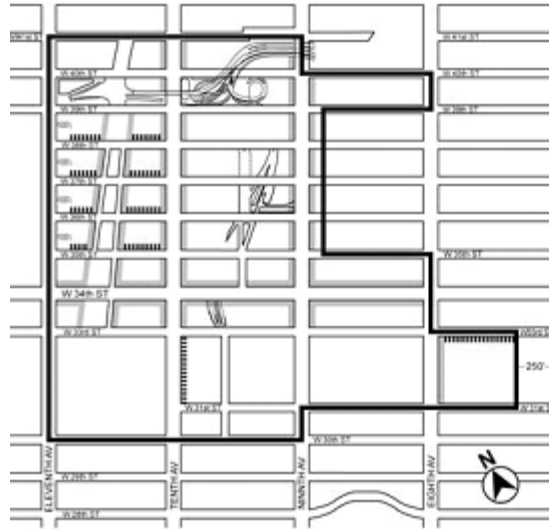
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### Special Hudson Yards District

Zoning Resolution Section: **93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (U1905)**  
Map 2: Mandatory Ground Floor Retail



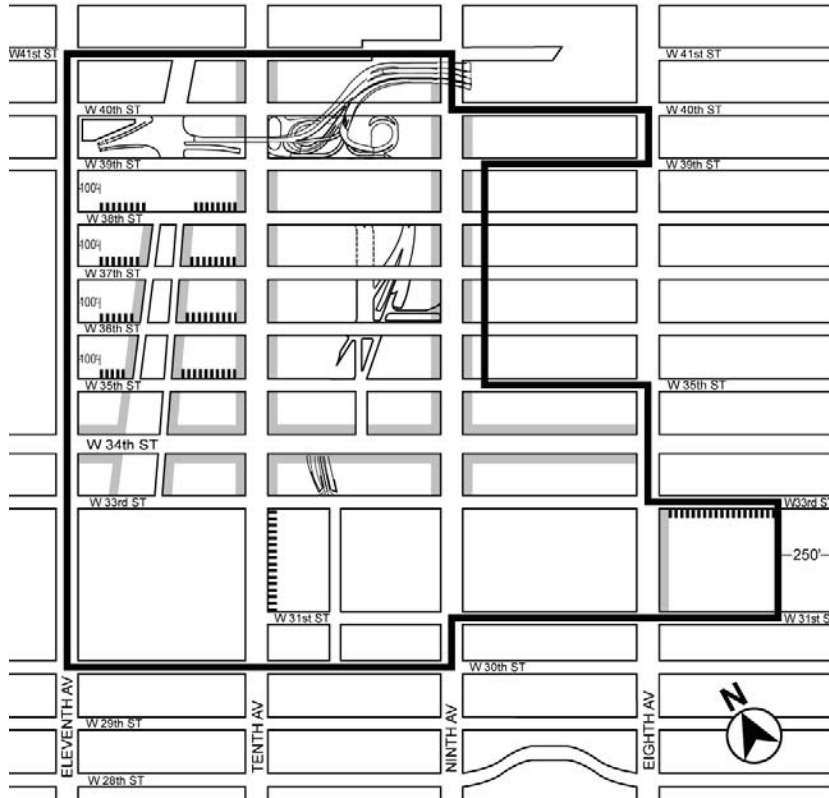
- Special Hudson Yards District
- 100% Retail Requirement
- ..... 50% Retail Requirement

EXISTING

# Special Hudson Yards District

Zoning Resolution Section: **93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (L L L)**

**Map 2: Mandatory Ground Floor Retail**



**—** Special Hudson Yards District

**—** 100% Retail Requirement

**|||||** 50% Retail Requirement

PROPOSED

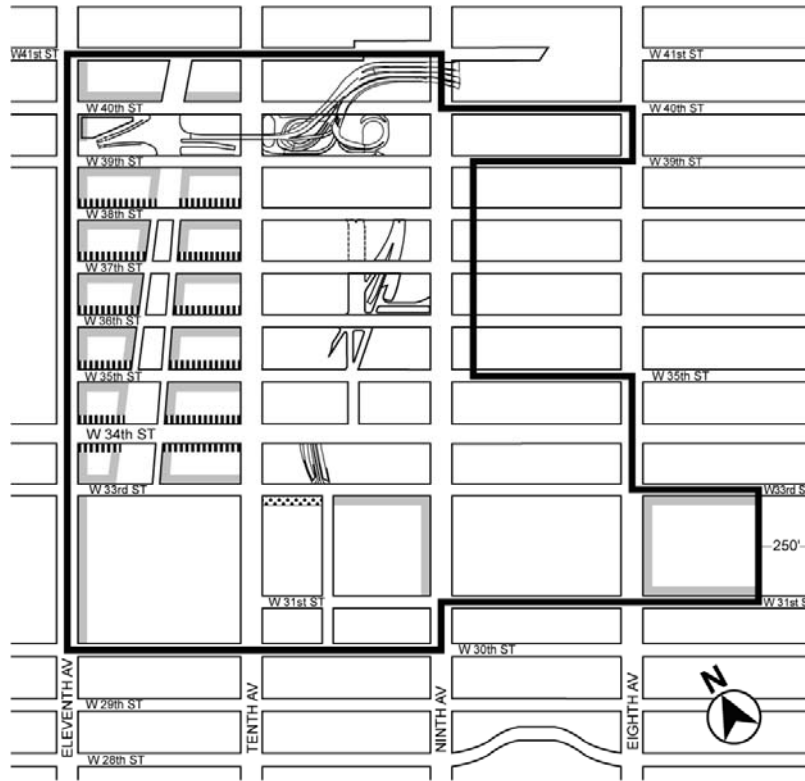




## Special Hudson Yards District

Zoning Resolution Section: **93-A (ARTICLE IX; CHAPTER 3) APPENDIX A** (1/19/05)

**Map 4: Mandatory Sidewalk Widening**



**—** Special Hudson Yards District

**- - - - -** 10' Sidewalk widening EXISTING

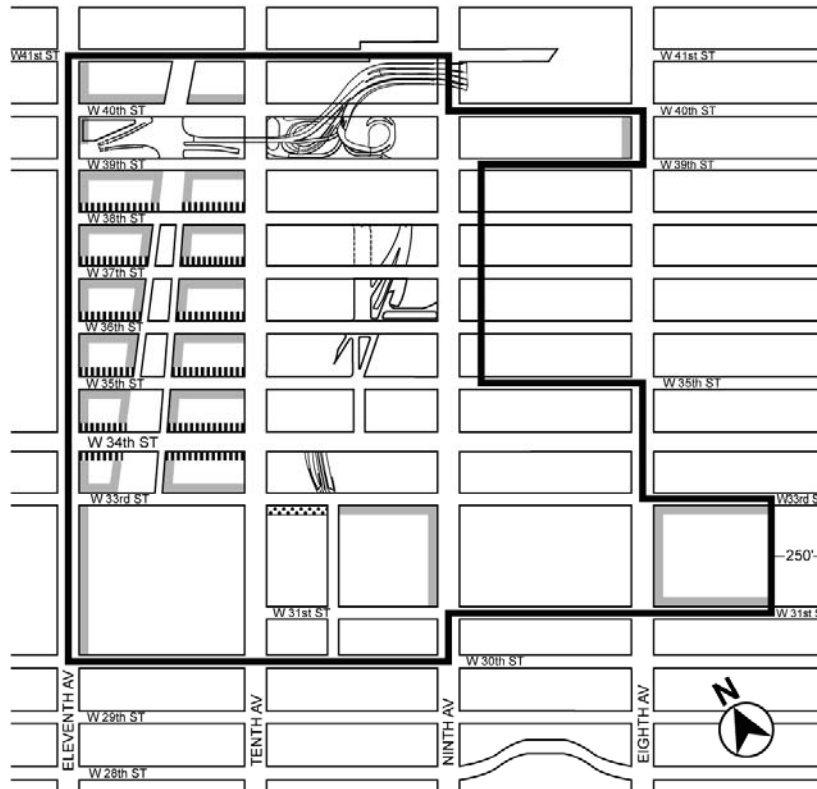
**—** 5' Sidewalk widening

**▨** 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

## Special Hudson Yards District

Zoning Resolution Section: **93-A (ARTICLE IX; CHAPTER 3) APPENDIX A (L/L)**

**Map 4: Mandatory Sidewalk Widening**



**—** Special Hudson Yards District

**-----** 10' Sidewalk widening PROPOSED

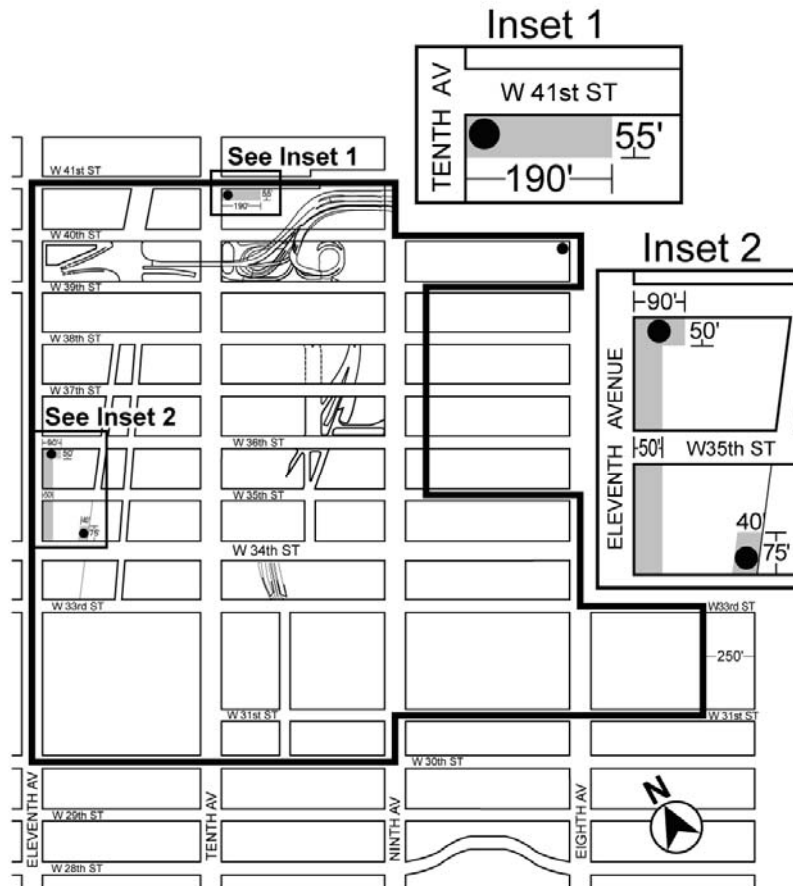
**—** 5' Sidewalk widening




**▨** 5' Sidewalk widening required if more than 75% of the total floor area existing on the zoning lot on January 19, 2005 is demolished

# Special Hudson Yards District

Zoning Resolution Section: **93-A (ARTICLE IX; CHAPTER 3) APPENDIX A** (1/19/05)

Map 5: Transit Easements and Subway Entrances

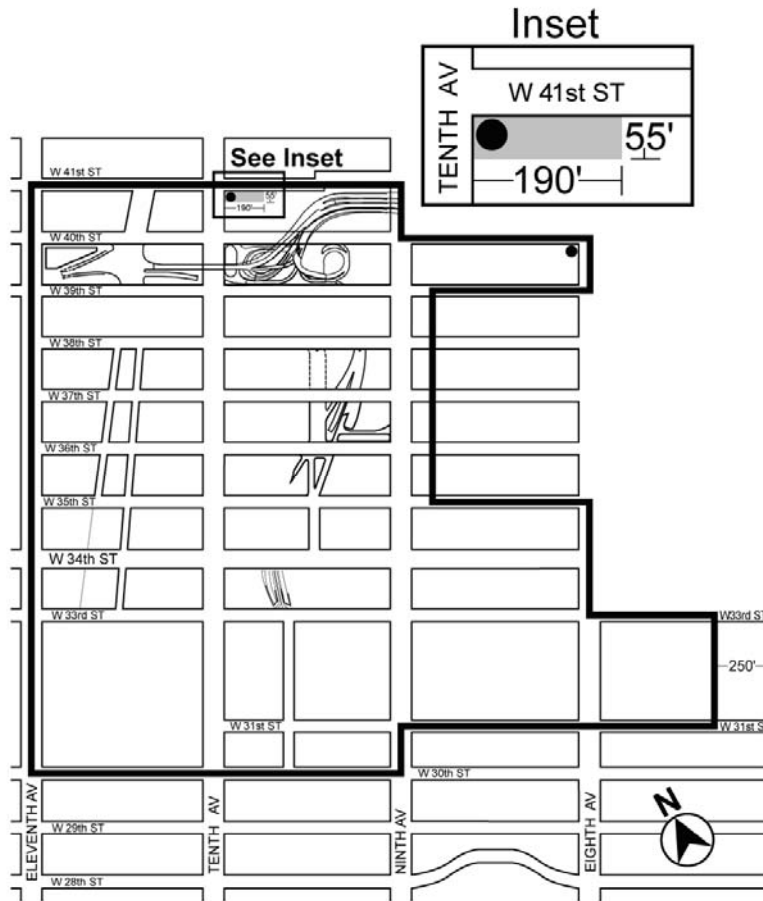


-  *Special Hudson Yards District*
  -  Transit Easement
  -  Subway Entrance
- EXISTING

# Special Hudson Yards District

Zoning Resolution Section: **93-A** (ARTICLE IX; CHAPTER 3) APPENDIX A (\_\_\_/\_\_\_)

Map 5: Transit Easement and Subway Entrance



— Special Hudson Yards District

— Transit Easement

● Subway Entrance

PROPOSED



(On May 7, 2008, Cal. No. 5, the Commission scheduled May 21, 2008 for a public hearing. On May 21, 2008, Cal. No. 16, the hearing was closed.)

**For consideration.**



**No. 22**

**LEADER HOUSE TEXT**

**CD 7**

**N 050402 ZRM**

**IN THE MATTER OF** an application submitted by Leader House Associates, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York concerning Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments), relating to ownership provisions within the former West Side Urban Renewal Area, Community District #7, Borough of Manhattan.

Matter underlined is new, to be added;  
Matter within # # is defined in Section 12-10;  
Matter in ~~strikeout~~ is text to be deleted;  
\*\*\* indicates where unchanged text appears in the zoning resolution

Article VII: Administration  
Chapter 8: Special Regulations Applying to Large-Scale Residential Developments

\*\*\*

78-06  
Ownership

- (a) Except as otherwise provided in this Section, any #large-scale residential development# for which application is made for an authorization or special permit or modification thereto in accordance with the provisions of this Chapter shall be on a tract of land that at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. Except as otherwise provided in this Section, no authorization or special permit or modification thereto, shall be granted for such #development# unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#) of, or executed a binding sales contract for, all of the property comprising such tract.
- ~~(b) Except as otherwise provided in paragraph (c) of this Section with respect to a #large-scale residential development# within an urban renewal area or former~~

~~urban renewal area, for any #large scale residential development# located in the Community District(s) listed in this paragraph, the owner(s) of a vacant parcel(s) may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), provided that such modification does not:~~

- ~~(1) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or~~
- ~~(2) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.~~

~~Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large scale residential development#, provided that such modification would not create a non-compliance within the #large scale residential development#.~~

<u>Community District</u>	<u>Borough</u>
CD 7	Queens

(b) Notwithstanding the provisions of paragraph (a) of this Section, the following actions shall be permitted:

(e) (1) When a #development# is part or all of a designated urban renewal project, the City's urban renewal agency, or a person authorized by such agency, may make application for and be granted authorizations or special permits under the provisions of this Chapter, even though such #large-scale residential development# does not meet the ownership requirements set forth elsewhere in paragraph (a) of this Section. All parcels comprising such #large-scale residential development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

(2) In the event that the urban renewal plan has expired, the owner(s) of a vacant parcel(s) within such #large-scale residential development#, if located in a former urban renewal area listed in this paragraph, (e) (b)(2), may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), ~~pursuant to and~~ subject to the ~~limitations conditions~~ of paragraph (b)(5) of this Section.

<u>Former Urban Renewal Area</u>	<u>Community District</u>
West Side Urban Renewal Area	CD7, Manhattan

<u>Borough</u>	<u>Community District</u>	<u>Former Urban Renewal Area</u>
<u>MANHATTAN</u>	<u>COMMUNITY DISTRICT #7</u>	<u>WEST SIDE URBAN RENEWAL AREA</u>

(3) The owner(s) of a developed parcel(s) within a #large-scale residential development# located in a former urban renewal area listed in paragraph (b)(2), where at least 50 percent of such parcel(s) is located within a C1-9 or C2-8 District, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter, in order to utilize available #floor area# for #commercial# or #community facility uses#, subject to the conditions of paragraph (b)(5) of this Section, and provided further that:

(i) the only #floor area# subject to a change of #use# shall be located on the first floor of the #development#;

(ii) any new #community facility floor area# shall be located no higher than the second #story# of the #development#;

(iii) required #open space# with appropriate circulation, seating, lighting and plantings shall be accessible and usable by all residents of the #development#; and

(iv) a plan, including elevations, shall be submitted showing the proposed #building(s)# and modification and #open space.#

In addition, any significant adverse impacts resulting from a #development# or #enlargement# pursuant to such modifications, considered in combination with #developments# or #enlargements# previously the subject of modifications under this paragraph, (b), shall have been avoided or minimized to the maximum extent practicable by incorporating as conditions to the modification those mitigative measures that have been identified as practicable.

(4) For any #large scale residential development# located in the Community District(s) listed in this paragraph, (b)(4), the owner(s) of a vacant parcel(s) may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), subject to the conditions of paragraph (b)(5).

<u>Borough</u>	<u>Community District</u>
<u>Queens</u>	<u>Community District #7</u>

(5) Modifications of authorizations or special permits previously granted under the provisions of this Chapter, as permitted in paragraphs (b)(2), (b)(3) and (b)(4) of this Section, shall not:

(i) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or

(ii) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.

Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large scale residential development#, provided that such modification would not create a #non-compliance# within the #large-scale residential development#.

~~(4)~~ (6) When a ~~#residential~~ large-scale residential development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, other than the City's urban renewal agency, or its agent, having the power of condemnation, authorizations or special permits may be applied for and granted under the provisions of this Chapter, even though such #large scale residential development# does not meet the ownership requirements set forth elsewhere in this Section.

(On October 31, 2007, Cal. No. 8, the Commission scheduled November 14, 2007 for a public hearing. On November 14, 2007, Cal. No. 27, the hearing was closed.)

**For consideration.**

\_\_\_\_\_

**No. 23**

***EAST RIVER WATERFRONT TEXT***

**CD 1, 3**

**N 080358 ZRM**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York concerning Section 62-416 (Special regulations for zoning lots that include parks) relating to the East River Waterfront Esplanade and Piers Project. in Community Districts 1 and 3, in the Borough of Manhattan.

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of June 18, 2008 (Cal. No. 17), which may be viewed on the Department of City Planning's web site.

(On June 4, 2008, Cal. No. 3, the Commission scheduled June 18, 2008 for a public hearing. On June 18, 2008, Cal. No. 17, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**Nos. 24 & 25**

***BRADFORD AVENUE HOMES***

**No. 24**

**CD 3**

**N 080258 ZAR**

**IN THE MATTER OF** an application submitted by Michael Picciallo for the grant of an authorization pursuant to Section 26-27(a) of the Zoning Resolution for the waiver of bulk regulations for development within unimproved streets (Fonda Place) to allow the development of 9 two-family and 2 one-family dwellings on a private road on Block 6946, Lots 1, 8, 63, 70, 91, 93, 95, 98, 120, and 125, within the Special South Richmond District.

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

**For consideration.**

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**No. 25**

**CD 3**

**N 030340 RAR**

**IN THE MATTER OF** an application submitted by Michael Picciallo for the grant of an authorization pursuant to Section 107-65 of the Zoning Resolution for the modification of existing topography to allow the development of 9 two-family and 2 one-family dwellings on a private road on Block 6946, Lots 1, 8, 63, 70, 91, 93, 95, 98, 120, and 125, within the Special South Richmond District.

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

**For consideration.**

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**No. 26**

***149 HIGHLAND AVENUE***

**CD 1**

**N 080304 ZAR**

**IN THE MATTER OF** an application submitted by Roland Molina for the grant of authorizations pursuant to Sections 119-311, 119-314, 119-316 and 119-317 of the Zoning Resolution involving the development and site alteration on a zoning lot having a steep slope; modification of lot coverage controls; modification of grading controls; and modification of requirements for driveways to allow the construction of off-street parking and an addition to a single-family house located at 149 Highland Avenue (Block 597, Lot 22) within the Special Hillside Preservation District.

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6<sup>th</sup> floor, Staten Island, New York, 10301.

**For consideration.**

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**No. 27**

***12 WILLIS AVENUE***

**CD 1**

**N 080323 ZAR**

**IN THE MATTER OF** an application submitted by Walter Hansen for the grant of an authorization pursuant to Section 119-318 of the Zoning Resolution for the modification of certain bulk regulations to facilitate the development of a two-family detached residence at 12 Willis Avenue (Block 574, Lot 25) within the Special Hillside Preservation District.

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6<sup>th</sup> floor, Staten Island, New York, 10301.

**For consideration.**

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**III. PUBLIC HEARINGS**

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**BOROUGH OF MANHATTAN**

**No. 28**

***33 GREAT JONES STREET***

**CD 2**

**C 070450 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Great Jones Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail uses) on the ground floor and cellar of an existing three story building on property located at 33 Great Jones Street (Block 530, Lot 24), in an M1-5B District.

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

(On June 18, 2008, Cal. No. 5, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**Nos. 29, 30, 31 & 32**

***WHITNEY MUSEUM***

**No. 29**

**CD 2**

**N 080406 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Whitney Museum of American Art and the Economic Development Corporation pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York, concerning Section 74-92, (Use Group 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts) to facilitate the Whitney Museum expansion, Borough of Manhattan, Community District 2.

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

## **74-92**

### **Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts**

#### **74-921**

##### **Use Groups 3A and 4A community facilities**

##### **(a) Use modifications for Use Groups 3A and 4A in M1 Districts**

In M1 Districts, except for houses of worship, 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:

(~~a~~ 1) 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#;

(~~b~~ 2) such facility is so located as to draw a minimum of vehicular traffic to and through local #streets# and that 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~~ 3) where applicable, adequate reservoir space at the vehicular entrance and sufficient vehicular entrances and exits are provided to prevent congestion;

(~~d~~ 4) in selecting the site, due consideration has been given to the proximity and adequacy of bus and rapid transit facilities;

(~~e~~ 5) 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~~ 6) 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#.

**(b) Bulk modifications for museums in M1-5 Districts**

For a #building# containing a museum #use# listed in Use Group 3A, in an M1-5 District, on a #zoning lot# over which the High Line (as defined in Section 98-01) passes, the Commission may modify height and setback regulations, provided that such modifications:

- (1) provide a better distribution of #bulk# on the #zoning lot#;
- (2) result in a better relationship of the #building# to open areas including the High Line, adjacent #streets# and surrounding #developments#;
- (3) provide adequate light and air for #buildings# on the #zoning lot# and do not adversely affect adjacent #zoning lots# by unduly restricting access to light and air to surrounding #streets# and properties; and
- (4) result in a #development# that facilitates the public’s use and enjoyment of the High Line.

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

\* \* \*

(On June 18, 2008, Cal. No. 6, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**



**No.30**

**CD 2**

**C 080407 PCM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 555 West Street/820 Washington Street (Block 644, Lots 1 and 10) for use as a maintenance and operations facility for the High Line public open space.

(On June 18, 2008, Cal. No. 7, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 31**

**CD 2**

**C 080408 PPM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Economic Development Corporation of city-owned property, pursuant to zoning, located at Block 644 Lots 1 and 10, which includes the disposition of easements over portions of Block 644 Lots 1 and 10.

A list and description of the properties can be seen in the Manhattan Office of the Department of City Planning, 22 Reade Street, 6<sup>th</sup> Floor, New York, New York 10007.

(On June 18, 2008, Cal. No. 8, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 32**

**CD 2**

**C 080409 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by The Whitney Museum of American Art 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:

1. Section 74-921(a)\* of the Zoning Resolution to allow Use Group 3A (museum use) in an M1-5 District, and
2. Section 74-921(b)\* of the Zoning Resolution to modify the requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) for a building containing a museum use in Use Group 3A, on a zoning lot over which the High Line (as defined in Section 98-01) passes;

in connection with the proposed development of a 6-story museum building on property located at 555 West Street a.k.a. 820 Washington Street (Block 644, Lots 1 and 10)), in an M1-5 District.

\* Note: Section 74-921 of the Zoning Resolution is proposed to be changed under a related concurrent application N 080406 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 June 18, 2008, Cal. No. 9, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**Nos. 33, 34, 35 & 36**

***HOSPITAL FOR SPECIAL SURGERY***

**No. 33**

**CD 8**

**C 060333 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Hospital for Special Surgery pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-682 of the Zoning Resolution to allow the development of a 12-story hospital building in demapped air space above the portion of the Franklin D. Roosevelt Drive located between East 71<sup>st</sup> Street and a line midway between East 71<sup>st</sup> Street and East 72<sup>nd</sup> Street and to permit the modification of the loading berth requirements of Section 25-70 (Off-Street Loading Regulations, General Purposes), for a zoning lot generally bounded by the U.S. Pierhead and Bulkhead Line of the East River, the center line of East 71<sup>st</sup> Street, East 71<sup>st</sup> Street, a line 373 feet east of York Avenue, East 72<sup>nd</sup> Street, a line 498 feet east of York Avenue and a line midway between East 71<sup>st</sup> Street and East 72<sup>nd</sup> Street (Block 1482, p/o Lot 9020 and Block 1483, Lots 23 and 33), within an R9 District.

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

(On June 18, 2008, Cal. No. 1, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 34**

**CD 8**

**C 060440 MMM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application, submitted by the Hospital for Special Surgery, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Volumes of the FDR Drive between East 71<sup>st</sup> and East 72<sup>nd</sup> streets;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 30223 dated March 25, 2008 and signed by the Borough President.

(On June 18, 2008, Cal. No. 2, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 35**

**CD 8**

**C 070171 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Hospital for Special Surgery pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-682 of the Zoning Resolution to allow the enlargement of an existing hospital including a three-story addition to a building in demapped air space above the portion of the Franklin D. Roosevelt Drive located between East 71<sup>st</sup> Street and former East 70<sup>th</sup> Street and to permit the modification of the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and percentage of Lot Coverage), for a zoning lot generally bounded by the U.S. Pierhead and Bulkhead Line of the East River, the center line of the former East 70<sup>th</sup> Street, a line approximately 417 feet east of York Avenue, and the center line of East 71<sup>st</sup> Street (Block 1482, Lots 20 and p/o Lot 9020), within an R9 District.

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

(On June 18, 2008, Cal. No. 3, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 36**

**CD 8**

**N 070145 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Hospital for Special Surgery 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 VII, Chapter 4 (Special Permits by the City Planning Commission).

Matter in underline is new, to be added;

Matter in ~~strike-out~~ is old, to be deleted;

Matter within # # is defined in Section 12-10 (DEFINITIONS)

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

**Article VII - Administration**

**Chapter 4**

**Special Permits by the City Planning Commission**

~~12/7/89~~

**74-682**

**Development over streets**

In R9 or R10 Districts when the air space above a #street# or portion thereof is closed, demapped and conveyed by the City to the owner of an adjoining #zoning lot# owned by a non-profit institution pursuant to State enabling legislation enacted in 1971, the City Planning Commission may, by special permit, allow in such demapped air-space, ~~considered as part of the adjoining #zoning lot#,~~ the #development# or #enlargement# of #buildings# which are an expansion of an existing hospital, college, university or functionally-related facility. In connection therewith, the Commission may also permit modification of off-street loading and #bulk# regulations, except #floor area ratio# regulations, under the applicable district regulation, provided that- ~~In addition to~~ the requirements set forth in the 1973 Agreement among the City of New York, the Society of the New York Hospital, and the New York Society for the Relief of the Ruptured and Crippled, maintaining the Hospital for Special Surgery, and the Rockefeller University are met; and that such demapped air space shall be considered as part of the adjoining #zoning lot#, except that any #building# located in demapped air space shall utilize only unused

#floor area# from the portion of the adjoining #zoning lot# not within the demapped air space.

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

- (a) for #development# or #enlargements# in such demapped air space and for modification of #bulk# regulations, that the location and distribution of new #bulk# shall result in a good site plan in relation to the existing #buildings# on site and in the area, ~~the location and distribution of new #bulk# result in a good site~~ plan; ~~and~~
- (b) ~~any #building# located in demapped air space utilizes only unused #floor area# from the portion of the adjoining #zoning lot# not within the demapped air space; and~~
- (c) ~~any #building# located in the demapped air space shall comply with the #accessory# off street parking and loading requirements of the applicable district.~~
- (a) for modification of off-street loading requirements, when such non-profit institution includes more than one #building# on two or more #zoning lots#, the City Planning Commission may determine the required number of loading berths as if such non-profit institution were located on a single #zoning lot#, and may permit such loading berths to be located anywhere within such institution without regard for #zoning lot lines#, provided that such loading berths will be:
  - (1) adequate to serve the requirements of the institution;
  - (2) accessible to all the #uses# in such institution without the need to cross any #street# at grade; and
  - (3) located so as not to adversely affect the movement of pedestrians or vehicles on the #streets# within or surrounding such institution.

The Commission may impose additional conditions and safeguards, consistent with the requirements set forth in the 1973 Agreement, to improve the quality of the #development# and minimize adverse effects on the character of the surrounding area.

The #curb level# of a #zoning lot# of which the demapped air space is a part shall not be affected by the closing and demapping of air space above such #street#. However, the Commission may establish an appropriate level or levels instead of #curb level# as the reference plane for the applicable regulations relating to #open space#, #yards#, level of #yards#, equivalent #rear yards#, #rear yard# setback, minimum distance between #buildings#, and the front height and setback.

(On June 18, 2008, Cal. No. 4, the Commission scheduled July 2, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**NOTICE**

**On Wednesday, July 2, 2008, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the Hospital for Special Surgery (HSS) Expansion, a proposal involving several actions including a Special Permit for new construction in the air space over the FDR Drive, modification of the existing Special Permit for the East Wing of the Main Hospital, a Zoning Text Amendment for modification of off-street loading requirements to allow loading berths to be located anywhere within the HSS campus, a City Map Amendment to eliminate, discontinue and close portions of the FDR Drive right-of-way and the disposition of real property related thereto, to allow for the placement of columns and footings associated with construction of the proposed River Building on the sidewalk at the west edge of the FDR Drive and east of the roadway of the FDR Drive, in the East River Esplanade, and Waterfront Revitalization Program consistency determination from the City Coastal Commission. Additionally, the proposed project requires approvals by several other agencies, including the New York City Department of Transportation (NYCDOT) of closures of streets or traffic diversions due to construction, approval from the New York City Art Commission for construction over the FDR Drive, issuance of bonds by the Dormitory Authority of the State of New York (DASNY), and Federal construction loan insurance guarantee from the Federal Housing Administration (FHA).**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 05DCP061M.**

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V. CITY PLANNING COMMISSION 2008 SCHEDULE OF MEETINGS  
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT
<b>JULY</b>			1	CPC PUBLIC MEETING 2	3	INDEPENDENCE DAY 4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	REVIEW SESSION 21	22	CPC PUBLIC MEETING 23	24	25	26
	27	28	29	30	31		
<b>AUGUST</b>						1	2
	3	4	5	6	7	8	9
	10	REVIEW SESSION 11	12	CPC PUBLIC MEETING 13	14	15	16
	17	18	19	20	21	22	23
	24	REVIEW SESSION 25	26	CPC PUBLIC MEETING 27	28	29	30
31							
<b>SEPTEMBER</b>		LABOR DAY 1	2	3	4	5	6
	7	REVIEW SESSION 8	9	CPC PUBLIC MEETING 10	11	12	13
	14	15	16	17	18	19	20
	21	REVIEW SESSION 22	23	CPC PUBLIC MEETING 24	25	26	27
	28	29	ROSH HASHANAH 30				
<b>OCTOBER</b>				1	2	3	4
	5	REVIEW SESSION 6	CPC PUBLIC MEETING 7	8	YOM KIPPUR 9	10	11
	12	13	14	15	16	17	18
	19	COLUMBUS DAY OBSERVED 20	21	22	23	24	25
	26	REVIEW SESSION 27	28	CPC PUBLIC MEETING 29	30	31	
<b>NOVEMBER</b>							1
	2	3	ELECTION DAY 4	5	6	7	8
	9	10	VETERANS' DAY 11	12	13	14	15
	16	REVIEW SESSION 17	18	CPC PUBLIC MEETING 19	20	21	22
	23	24	25	26	THANKSGIVING 27	28	29
30							
<b>DECEMBER</b>		REVIEW SESSION 1	2	CPC PUBLIC MEETING 3	4	5	6
	7	8	9	10	11	12	13
	14	REVIEW SESSION 15	16	CPC PUBLIC MEETING 17	18	19	20
	21	22	23	24	25	26	27
	28	HANUKKAH 29	30	31	CHRISTMAS	KWANZAA BEGINS	

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.  
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.