

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, DECEMBER 3, 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	C 050187 MMX	6	EAST 181 <sup>ST</sup> STREET CITY MAP CHANGE	Scheduled to be Heard 12/17/08
2	C 090070 PCX	11	PSAC II	" "
3	C 080197 MMX	11	" "	" "
4	N 090144 HAM	10	ERBOGRAPH APARTMENTS	" "
5	C 090072 PPM	4	PUERTO RICAN TRAVELING THEATER COMPANY DISPOSITION	" "
6	N 090103 ZRQ	6	FOREST HILLS SOUTH ZONING AND TEXT CHANGE	" "
7	C 090104 ZMQ	6	" "	" "
8	C 090056 PCQ	1	BOARD OF ELECTIONS WAREHOUSE	Favorable Report Adopted
9	N 090175 PXX	11	ACS OFFICE SPACE	Hearing Closed
10	C 080051 ZSK	5	SHOPS AT GATEWAY	" "
11	C 070137 ZMM	6	PHIPPS PLAZA SOUTH ZONING AND TEXT CHANGE	" "
12	N 090105 ZRM	6	" "	" "
13	N 090174 PXM	1	DHMH OFFICES	" "
14	C 060021 ZMQ	3	ASTORIA BOULEVARD REZONING	" "
15	C 090064 PPQ	14	BEACH 84 <sup>TH</sup> STREET PIER	" "

<b>COMMISSION ATTENDANCE:</b>		Present (P) Absent (A)	<b>COMMISSION VOTING RECORD:</b> In Favor - Y Oppose - N Abstain - AB Recuse - R																
<b>Calendar Numbers:</b>			8																
Amanda M. Burden, FAICP, Chair		A																	
Kenneth J. Knuckles, Esq., Vice Chairman		P	Y																
Angela M. Battaglia		P																	
Irwin Cantor, P.E.		P	Y																
Angela R. Cavaluzzi, AIA		P	Y																
Alfred C. Cerullo, III		P	Y																
Betty Chen		P	Y																
Maria M. Del Toro		A																	
Richard W. Eaddy		P	Y																
Nathan Leventhal		P	Y																
Shirley A. McRae		P	Y																
John Merolo		P	Y																
Karen A. Phillips, Commissioners		P																	

MEETING ADJOURNED AT: 11:08 A.M.

NOTE: Commissioner Battaglia and Commissioner Phillips were not present for the vote.

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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, DECEMBER 3, 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. 22]**

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

The next regular public meeting of the City Planning Commission is scheduled for December 17, 2008 at Spector Hall 22 Reade Street, New York at 10:00 a.m.

C

**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

**Signing up to speak:** Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials 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: \_\_\_\_\_

**DECEMBER 3, 2008**

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**APPROVAL OF MINUTES OF the Regular Meetings of November 19, 2008**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, DECEMBER 17, 2008**

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

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**BOROUGH OF THE BRONX**

**No. 1**

***EAST 181<sup>ST</sup> STREET CITY MAP CHANGE***

**CD 6**

**C 050187 MMX**

**IN THE MATTER OF** an application, submitted by the New York City Department of Transportation, 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 East 181<sup>st</sup> Street between Webster Avenue and Park Avenue West;
- any adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 13108 dated May 5, 2008, and signed by the Borough President.

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**

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**Nos. 2 & 3**

**PSAC II**

**No. 2**

**CD 11**

**C 090070 PCX**

**IN THE MATTER OF** an application submitted by the Police Department, the Fire Department, the Department of Information Technology and Telecommunications, 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 1200 Waters Place (Block 4226, Lot 75 and p/o Lots 40 and 55) for use as a public safety answering center.

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**

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**No. 3**

**CD 11**

**C 080197 MMX**

**IN THE MATTER OF** an application, submitted by the Police Department, Fire Department, Department of Information, Technology and Telecommunications, Department of Design and Construction, and Department of Citywide Administrative Services, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Marconi Street north of Waters Place;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 13122 dated August 11, 2008, and signed by the Borough President.

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**

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**NOTICE**

**On Wednesday, December 17, 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 Police Department in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the site selection and acquisition of privately-owned property and an amendment to city map to establish 'Marconi Street' to facilitate the construction of a second emergency communications 911 center to be located at 1200 Waters Place (Block 4226, Lot 75 and p/o Lots 40 and 55), within Bronx Community District 11.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07NPD004X.**

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**BOROUGH OF MANHATTAN**

**No. 4**

***ERBOGRAPH APARTMENTS***

**CD 10**

**N 090144 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 203 West 146<sup>th</sup> Street (Block 2032, Lot 23), Site 23 of the Bradhurst Urban Renewal Area, as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area;

to facilitate development of an eight-story, mixed-use building, tentatively known as Erbograph Apartments, with approximately 65 residential units, to be developed under the U.S. Department of Housing and Urban Development's Section 202 Supportive Housing for the Elderly Program.

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**



**No. 5**

***PUERTO RICAN TRAVELING THEATER COMPANY DISPOSITION***

**CD 4**

**C 090072 PPM**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition to 303 West 46<sup>th</sup> Street, LLC of a negative easement interest and the removal of a community facility use only restriction from the unused development rights on city-owned property located at 304 West 47<sup>th</sup> Street (Block 1037, Lot 37).

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**



**BOROUGH OF QUEENS**

**Nos. 6 & 7**

***FOREST HILLS SOUTH REZONING***

**No. 6**

**CD 6**

**N 090103 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 an amendment of the Zoning Resolution of the City of New York, creating the Special Forest Hills District in Article VIII, Chapter 6, and amending related sections of the Zoning Resolution.

Matter in underline is new, to be added

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

Matter within # # is defined in 12-10 or

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

**ARTICLE I  
GENERAL PROVISIONS**

\* \* \*

**Establishment of Districts**

\* \* \*

**Establishment of the Special Forest Hills District**

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 6, the Special Forest Hills District is hereby established.

**Establishment of the Special Garment Center District**

\* \* \*

**12-10  
DEFINITIONS**

\* \* \*

**Special Forest Hills District**

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills District# appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is superimposed.

**Special Garment Center District**

\* \* \*

**Chapter 3  
Sidewalk Cafe Regulations**

\* \* \*

**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).

\* \* \*

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
<u>Forest Hills District*</u>	<u>No</u>	<u>Yes</u>
Downtown Jamaica District	No	Yes

\* #Sidewalk cafes# are not allowed on Austin Street

\* \* \*

*Article VIII, Chapter 6, (86-00) is new text; it is not underlined*

\* \* \*

**ARTICLE VIII  
SPECIAL PURPOSE DISTRICTS**

\* \* \*

**Chapter 6  
Special Forest Hills District**

**86-00  
GENERAL PURPOSES**

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

- (a) to ensure that the form of new buildings is compatible with and relates to the built character of the Forest Hills neighborhood;
- (b) to preserve, protect and promote the special character of Austin Street as a regional shopping destination;
- (c) to create a graduated transition from the lower-scale character of Austin Street to the higher-scale character of Queens Boulevard;
- (d) to support a broad and vibrant mix of commercial and residential uses throughout the Special District
- (e) to enhance the pedestrian setting of Austin Street through appropriate ground floor uses and structural requirements;
- (f) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's revenue.

#### **86-01**

##### **Definitions**

##### **Special Forest Hills District**

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills District# appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is superimposed.

#### **86-02**

##### **General Provisions**

In harmony with the general purposes of this Resolution and in accordance with the provisions of the #Special Forest Hills District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the Special District. Unless modified by the particular provisions of the Special District, the regulations of the underlying zoning districts shall remain in effect. 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.

#### **86-03**

### **District Plan and Maps**

The regulations of this Chapter are designed to implement the District Plan for the #Special Forest Hills District#. The District Plan includes the map of the #Special Forest Hills District#, which is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

### **86-04**

#### **Applicability of Article I**

Within the #Special Forest Hills 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 (DEP) 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

### **86-10**

#### **SPECIAL USE REGULATIONS**

### **86-11**

#### **Ground Floor Uses Along Designated Streets**

Along the portions of Austin Street and 71<sup>st</sup> Avenue specified on the map in the Appendix to this Chapter as Special Retail Continuity Streets, #uses# located on the ground floor level or within five feet of #curb level#, and within 30 feet of the #street wall#, shall be limited to #commercial# or #community facility uses# permitted by the underlying district and the provisions of Section 86-12 (Modification of Uses on Austin Street).

The #street# frontage of a #development# or #enlargement# shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations and #accessory# parking spaces. In no event shall the length of #street# frontage occupied by lobby space exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less.

**86-12**  
**Modification of Uses Along Austin Street**

The #use# regulations in the #Special Forest Hills District# shall be modified to permit Use Groups 10A, 10C, 12A, 12B, 12D and 12E within C2 Districts fronting on Austin Street.

The provisions of Section 32-423 (Limitation on ground floor location) shall not apply to #uses# located along Austin Street.

**86-13**  
**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#.

Such non-#residential uses#, however, may be located over a #residential use# by authorization of the City Planning Commission upon a finding that there is sufficient separation of #residential uses# from non-#residential uses# within the #building#.

**86-14**  
**Transparency Requirements**

The ground floor #street wall# bounding any #commercial# or #community facility use#, other than a #school#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors.

For such #community facility uses#, the 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.

For #commercial uses#, 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.

**86-15**  
**Security Gates**

For all #commercial# or #community facility uses# located on the ground floor of a #development# or #enlargement# within the #Special Forest Hills District#, any security gates installed after (date of enactment) 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 any publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

**86-20  
SPECIAL BULK REGULATIONS**

The applicable bulk regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

**86-21  
Special Floor Area Regulations in C4-5X Districts**

In C4-5X Districts within the #Special District#, the underlying #floor area ratio# for #commercial uses# shall not apply. In lieu thereof, the provisions of Section 33-122 (Commercial buildings in all other Commercial Districts) shall be modified to permit a maximum #floor area ratio# of 5.0.

**86-22  
Waiver for Rear Yards**

No rear yards shall be required for any #commercial# or #community facility use# permitted within a C2-3 District in the #Special Forest Hills District#.

**86-23  
Height and setback regulations**

#Developments# and #enlargements# within the Special District shall comply with the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), except as modified by this Section.

(a) In C4-4A Districts

For #developments# or #enlargements# within the C4-4A District, the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-4A District shall be 70 feet.

(b) In C4-5X Districts

For #developments# or #enlargements# within the C4-5X District west of 70<sup>th</sup> Road, the minimum base height of the #street wall# shall be 40 feet and the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-5X District shall be 150 feet, except that the maximum height for #buildings# or portions of #buildings# on #zoning lots# located wholly or partly within 60 feet of the northerly side of Austin Street between Yellowstone Boulevard and 70<sup>th</sup> Avenue, shall be 80 feet.

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

**86-30  
SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS**

For any #development#, #enlargement#, alteration or change of #use# on a #zoning lot# within the #Special Forest Hills District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, other than #floor area ratio# provisions, provided the Commission shall find that such:

- (a) modification will aid in achieving the general purposes and intent of the Special District;
- (b) #use# modification will encourage a lively pedestrian environment along Austin Street;
- (c) modification is the only practicable way to achieve the programmatic requirements of the #development#;
- (d) modification will enhance the distribution of #bulk# on the #zoning lot#;
- (e) modification of #bulk# will permit adequate access of light and air to surrounding #streets# and properties; and
- (f) #development# or #enlargement# will relate harmoniously to the character of the surrounding area.

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

**86-40  
SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS**

The applicable parking and loading regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

**86-41  
Parking Regulations for Commercial Uses**



For all #commercial uses# located within the #Special Forest Hills District# in parking requirement category (PRC) A, B, B1 or C, the requirements of Section 36-21 (General Provisions) pertaining to the number of #accessory# off-street parking spaces required for each type of #use# shall be modified to provide one parking space per 400 square feet of #floor area# for all such #uses#.

In the Special District, hotels (PRC-H) shall be required to provide one parking space per 12 guest rooms or suites, or one parking space per 12 persons rated capacity, whichever is greater. Places of assembly (PRC-D) shall be required to provide one parking space per 12 persons rated capacity.

#### **86-42**

##### **Location of Off-Site Accessory Parking Spaces for Residences**

The applicable regulations for the location of permitted or required off-site #accessory# parking spaces for #residential uses# in Sections 36-42 (Off-Site Spaces for Residences) and 36-421 (Maximum distance from zoning lot) shall not apply in the #Special Forest Hills District#. In lieu thereof, such off-site parking spaces, which are #accessory# to a #residential use#, may also be located on any #zoning lot# within the Special District other than the #zoning lot# to which they are #accessory#.

#### **86-43**

##### **Modification of Parking Requirement Waivers**

The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), inclusive, shall be modified within the #Special Forest Hills District#, as follows:

- (a) For any new #residential development# or #enlargement# in the Special District, the waiver modification provisions set forth in Section 36-362 (For new developments or enlargements in other C1 or C2 Districts or in C4, C5 or C6 Districts), inclusive, shall not apply. In lieu thereof, the total number of #accessory# off-street parking spaces required in Section 36-30 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS), inclusive, shall be waived if the number of spaces for all #uses# on the #zoning lot#, required by the applicable regulations of Section 36-30, inclusive, is five spaces or fewer.

For any #commercial# or #community facility use# permitted in the Special District, the modification waiver provisions for a C4-4 or C4-5 District set forth in Section 36-232 (In districts with very low parking requirements) shall not apply. In lieu thereof, the total number of #accessory# off-street parking spaces required in Section 36-21 (General Provisions) shall be waived if the number of spaces for all #uses# on the #zoning lot#, required by the regulations of Section 36-21, is fewer than 40 spaces.

- (b) The provisions of Sections 36-342 (Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) and 36-344 (Waiver of requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) shall not apply in the #Special Forest Hills District#.
- (c) Within the #Special Forest Hills District#, the provisions of paragraph (a) of this Section and Sections 36-23 (Waiver of Requirements for Spaces Below Minimum Number) and 36-36 (Waiver of Requirements for Small Number of Spaces) shall apply only to #zoning lots# existing both on (date of amendment) and on the date of application for a building permit.

#### **86-44**

##### **Location of Access to the Street**

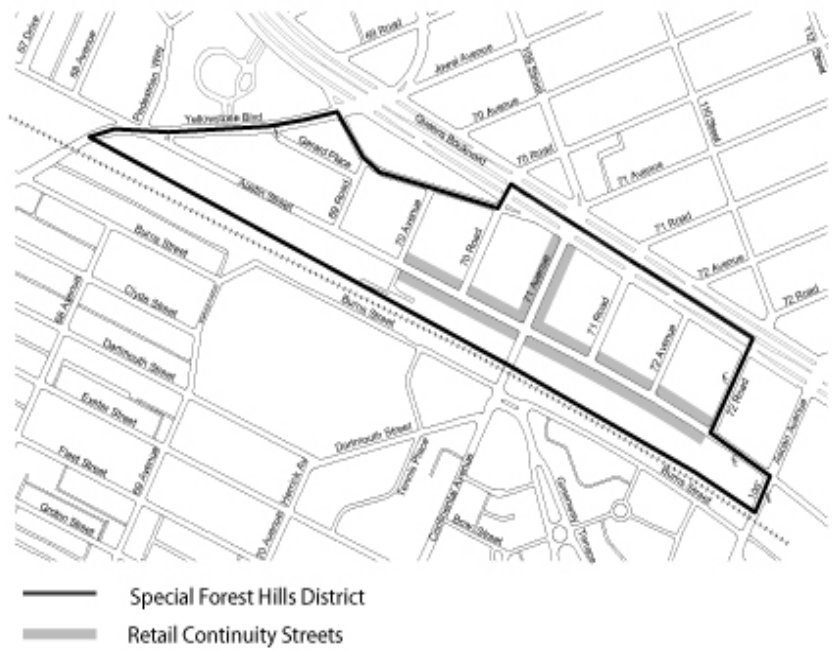
The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), pertaining to location of access shall be modified within the #Special Forest Hills District#, as follows:

Curb cuts for permitted or required #accessory# off-street parking and loading spaces along Austin Street from 70<sup>th</sup> Avenue to Ascan Avenue and along 71<sup>st</sup> Avenue from Austin Street to Queens Boulevard, as shown on the map in the Appendix to this Chapter, shall not be allowed. The Chairperson of the City Planning Commission, however, may certify to the Commissioner of Buildings that such #zoning lot# has access only to such prohibited location and that a curb cut in that location would not be hazardous to traffic safety and would, if granted, be no wider than 20 feet.

An application for certification respecting such curb cut shall be accompanied by a site plan drawn to a scale of at least one sixteenth inch to a foot, showing the size and location of the proposed curb cut.

The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base the determination on such report.

Appendix  
Special Forest Hills District



Resolution for adoption scheduling December 17, 2008 for a public hearing.

\_\_\_\_\_

**No. 7****CD 6****C 090104 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 No. 14a:

1. eliminating from within an existing R7-1 District a C1-2 District bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72<sup>nd</sup> Road;
2. changing from an R7-1 District to an R5D District property bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72<sup>nd</sup> Road;
3. changing from a C4-2 District to an R5D District property bounded by Austin Street, the southwesterly centerline prolongation of 72<sup>nd</sup> Road, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly prolongation of a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue;
4. changing from a C8-2 District to an R5D District property bounded by Austin Street, the southwesterly prolongation of a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard;
5. changing from an C4-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, 72<sup>nd</sup> Road, Austin Street, and a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue;
6. changing from an C8-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue, Austin Street, and 70<sup>th</sup> Avenue;
7. changing from an R7-1 District to a C4-5X District property bounded by Queens Boulevard, 72<sup>nd</sup> Road, a line 100 feet southwesterly of Queens Boulevard, and a line midway between 71<sup>st</sup> Road and 72<sup>nd</sup> Avenue;
8. changing from a C4-2 District to a C4-5X District property bounded by Queens Boulevard, a line midway between 71<sup>st</sup> Road and 72<sup>nd</sup> Avenue, a line 100 feet southwesterly of Queens Boulevard, 72<sup>nd</sup> Road, a line 240 feet northeasterly of Austin Street, a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, and 70<sup>th</sup> Road.

9. changing from a C8-2 District to a C4-5X District property bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, a line midway between 70<sup>th</sup> Road and Continental Avenue-71<sup>st</sup> Avenue, a line 240 feet northeasterly of Austin Street, 70<sup>th</sup> Avenue, and Austin Street;
10. establishing within a proposed R5D District a C2-3 District bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard; and
11. establishing a Special Forest Hills District (“FH”) bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard, 70<sup>th</sup> Road, Queens Boulevard, 72<sup>nd</sup> Road, Austin Street, Ascan Avenue; and the northeasterly boundary line of the Long Island Rail Road right-of-way,

as shown on a diagram (for illustrative purposes only), dated September 22, 2008 and subject to the conditions of CEQR Declaration E-222.

**Resolution for adoption scheduling December 17, 2008 for a public hearing.**

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**II. REPORTS**

**BOROUGH OF QUEENS**

**No. 8**

***BOARD OF ELECTIONS WAREHOUSE***

**CD 1**

**C 090056 PCQ**

**IN THE MATTER OF** an application submitted by the Board of Elections 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 37-18 Northern Boulevard (Block 214, Lot 40) for use as a warehouse facility.

(On October 7, 2008, Cal. No. 4, the Commission scheduled October 29, 2008 for a public hearing. On October 29, 2008, Cal. No. 17, the hearing was closed.)

**For consideration.**

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**III. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 9**

***ACS OFFICE SPACE***

**CD 11**

**N 090175 PXX**

**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for use of property located at 974 Morris Park Avenue (Block 4101, Lot 1)(Administration For Children's Services offices).

(On November 19, 2008, the Commission duly advertised December 3, 2008 for a public hearing.)

**Close the hearing.**

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**BOROUGH OF BROOKLYN**

**No. 10**

***SHOPS AT GATEWAY***

**CD 5**

**C 080051 ZSK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Morgan B. Realty, LLC. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow the development of large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425,), in an M1-1 District.

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

(On November 19, 2008, Cal. No. 1, the Commission scheduled December 3, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATAN**

**Nos. 11 & 12**

***PHIPPS PLAZA SOUTH ZONING AND TEXT CHANGE***

**No. 11**

**CD 6**

**C 070137 ZMM**

**PUBLIC HEARING:**

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

1. changing from an R8 District to a C1-9 District property bounded by East 26<sup>th</sup> Street, a line 125 feet easterly of Second Avenue, a line midway between East 23<sup>rd</sup> Street and East 24<sup>th</sup> Street, and a line 100 feet easterly of Second Avenue; and
2. changing from a C1-8 District to a C1-9 District property bounded by East 26<sup>th</sup> Street, a line 100 feet easterly of Second Avenue, a line midway between East 23<sup>rd</sup> Street and East 24<sup>th</sup> Street, and Second Avenue;

as shown on a diagram (for illustrative purposes only) dated August 11, 2008.

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

(On November 19, 2008, Cal. No. 2, the Commission scheduled December 3, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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No. 12

CD 6

N 090105 ZRM

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Phipps Houses, pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York relating to Section 23-84 (Outer Court Regulations), creating a new Section 23-844 (Modification of court and side yard regulations in the former Bellevue South Urban Renewal Area in the Borough of Manhattan).

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

**23-84  
Outer Court Regulations**

\* \* \*

**23-844**  
**Modification of court and side yard regulations in the former Bellevue South Urban Renewal Area in the Borough of Manhattan**

In the Borough of Manhattan, in the area designated by the former Bellevue South Urban Renewal Plan, for a #development# or #enlargement# on a #zoning lot# that adjoins a #zoning lot# including a #residential building# with #non-complying courts# along the common #side lot line#, the #court# regulations of Section 23-80 and the open area requirements of paragraph (c) of Section 23-462 (Side yards for all other residential buildings) may be modified to allow an open area at least eight feet wide to extend along a portion of the #side lot line#.

(On November 19, 2008, Cal. No. 3, the Commission scheduled December 3, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**



**No. 13**

***DHMH OFFICES***

**CD 1**

**N 090174 PXM**

**PUBLIC HEARING:**

**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for use of property located at 291 Broadway (Block 150, Lot 38)(Department of Health and Mental Hygiene offices).

(On November 19, 2008 the Commission duly advertised December 3, 2008 for a public hearing.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**No. 14**

***ASTORIA BOULEVARD REZONING***

**CD 3**

**C 060021 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Astoria Blvd. Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c, establishing within an existing R4 District a C2-2 District bounded by 24<sup>th</sup> Avenue, 85<sup>th</sup> Street, Astoria Boulevard and the northerly centerline prolongation of 84<sup>th</sup> Street, as shown on a diagram (for illustrative purposes only) dated August 11, 2008.

(On November 19, 2008, Cal. No. 4, the Commission scheduled December 3, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 15**

***BEACH 84<sup>TH</sup> STREET PIER***

**CD 14**

**C 090064 PPQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located at 1 Beach 84<sup>th</sup> Street (Block 16110, Lot 44), restricted to residential use only.

(On November 19, 2008, Cal. No. 5, the Commission scheduled December 3, 2008 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**IV. 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	4
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	REVIEW SESSION	21	22	CPC PUBLIC MEETING	23	24
	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
	17	18	19	20	21	22	23
	24	REVIEW SESSION	25	26	CPC PUBLIC MEETING	27	28
<b>SEPTEMBER</b>		1	2	3	4	5	6
	7	REVIEW SESSION	8	9	CPC PUBLIC MEETING	10	11
	14	15	16	17	18	19	20
	21	REVIEW SESSION	22	23	CPC PUBLIC MEETING	24	25
	28	29	30				
<b>OCTOBER</b>				1	2	3	4
	5	REVIEW SESSION	6	CPC PUBLIC MEETING	7	8	9
	12	13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	REVIEW SESSION	27	28	CPC PUBLIC MEETING	29	30
<b>NOVEMBER</b>							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	REVIEW SESSION	17	18	CPC PUBLIC MEETING	19	20
	23	24	25	26	27	28	29
<b>DECEMBER</b>		1	2	CPC PUBLIC MEETING	3	4	5
	7	8	9	10	11	12	13
	14	REVIEW SESSION	15	16	CPC PUBLIC MEETING	17	18
	21	22	23	24	25	26	27
	28	29	30	31			

**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.

V. CITY PLANNING COMMISSION 2009 SCHEDULE OF MEETINGS  
January 1 to June 30

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY					NEW YEAR'S DAY 1	2	3
	4	REVIEW SESSION 5		6	CPC PUBLIC MEETING 7	8	10
	11		12	13	14	15	16
	18	MARTIN LUTHER KING, JR. DAY 19	REVIEW SESSION 20		CPC PUBLIC MEETING 21	22	23
	25	CHINESE NEW YEAR 26		27	28	29	30
FEBRUARY	1	REVIEW SESSION 2		3	CPC PUBLIC MEETING 4	5	6
	8		9	10	11	LINCOLN'S BIRTHDAY 12	13
	15	PRESIDENTS' DAY 16	REVIEW SESSION 17		CPC PUBLIC MEETING 18	19	20
	22	WASHINGTON'S BIRTHDAY 23		24	ASH WEDNESDAY 25	26	27
MARCH	1	REVIEW SESSION 2		3	CPC PUBLIC MEETING 4	5	6
	8		9	10	11	12	13
	15	REVIEW SESSION 16		17	CPC PUBLIC MEETING 18	19	20
	22		23	ST. PATRICK'S DAY 24	25	26	27
	29	REVIEW SESSION 30		31			
APRIL				CPC PUBLIC MEETING 1	2	3	4
	5	6	7	8	9	10	11
	PALM SUNDAY 12	13	14	15	PASSOVER 16	GOOD FRIDAY 17	18
	EASTER 19	REVIEW SESSION 20		21	CPC PUBLIC MEETING 22	23	24
	26	27	28	29	30		
MAY	3	REVIEW SESSION 4		5	CPC PUBLIC MEETING 6	7	8
	10		11	12	13	14	15
	17	REVIEW SESSION 18		19	CPC PUBLIC MEETING 20	21	22
	24	25	26	27	28	29	30
31	MEMORIAL DAY						
JUNE		REVIEW SESSION 1		2	CPC PUBLIC MEETING 3	4	5
	7	8	9	10	11	12	13
	14	REVIEW SESSION 15		16	CPC PUBLIC MEETING 17	18	19
	21	22	23	24	25	26	27
	28	REVIEW SESSION 29		30			

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.

**VI. CITY PLANNING COMMISSION 2009 SCHEDULE OF MEETINGS**  
**July 1 to December 31**

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

**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.