

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, NOVEMBER 28, 2012
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 090154 ZMK	12	MAPLE LANE VIEWS	Scheduled to be Heard 12/19/12
2	C 130052 ZMM	1	SOUTH STREET SEAPORT-PIER 17	" "
3	C 130053 ZSM	1	" "	" "
4	C 130054 ZSM	1	" "	" "
5	C 130055 ZSM	1	" "	" "
6	C 130059 PPM	1	" "	" "
7	N 130080 ZRM	1	" "	" "
8	N 130098 HKM	5	RAINBOW ROOM LANDMARK	Forward Report to City Council
9	N 130097 HKM	3	EAST VILLAGE/LOWER EAST SIDE HISTORIC DISTRICT	Hearing Closed
10	C 120259 PQX	3	CROTONA PARK CHILD CARE CENTER	" "
11	C 130023 PPQ	13	PROLOGIS JFK SITE	" "
12	N 130111 P XK	2	4 METROTECH PLAZA OFFICE SPACE	*Hearing Closed/Fav. Rept Adpt.
13	N 130106 P XM	12	1112 ST. NICHOLAS AVENUE OFFICE SPACE	Hearing Closed
14	C 120380 ZMM	2	SPECIAL HUDSON SQUARE REZONING & TEXT AMENDMENT	" "
15	N 120381 ZRM	2	" "	" "
16	N 120381 (A) ZRM	2	" "	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		8	12											
Amanda M. Burden, FAICP, Chair	A													
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y											
Angela M. Battaglia	P	Y	Y											
Rayann Besser	P	Y	Y											
Irwin G. Cantor, P.E.	P	Y	Y											
Alfred C. Cerullo, III	P	Y	Y											
Betty Y. Chen	P	Y	Y											
Michelle R. De La Uz	P	Y	Y											
Maria M. Del Toro	P	Y	Y											
Joseph I. Douek	P	Y	Y											
Richard W. Eaddy	P	Y	Y											
Anna Hayes Levin	P	Y	Y											
Orlando Marin, Commissioners	P	Y	Y											

MEETING ADJOURNED AT: 3:12 P.M.

*A motion was granted by unanimous consent to waive Section 1-01 (e) of the Rules of Practice & Procedure of the CPC to vote on Cal. #12.

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

CITY PLANNING COMMISSION

WEDNESDAY, NOVEMBER 28, 2012

**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. 23]

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

CITY PLANNING COMMISSION

**GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS**

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

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: 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.

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).

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.

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

For Additional Calendar Information: call (212) 720-3370.

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**
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- MICHELLE R. DE LA UZ**
- MARIA M. DEL TORO**
- JOSEPH I. DOUEK**
- RICHARD W. EADDY**
- ANNA HAYES LEVIN**
- ORLANDO MARIN, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

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

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V. Schedule of Meetings: January 1, 2013 – December 31, 2013.....60

**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 19, 2012 at Spector Hall, 22 Reade Street, New York, New York at 10:00 a.m.

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials 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 _____ ULURP No.: _____ CD No.: _____

Position: Opposed _____

 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address: _____ Title: _____

NOVEMBER 28, 2012

APPROVAL OF MINUTES OF the Regular Meeting of November 14, 2012

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, DECEMBER 19, 2012
STARTING AT 10:00 A. M.
AT SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF BROOKLYN

No. 1

MAPLE LANE VIEWS

CD 12

C 090154 ZMK

IN THE MATTER OF an application submitted by Fairmont Lanes, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), 60th Street, 16th Avenue, and 61st Street, as shown in a diagram (for illustrative purposes only) dated September 4, 2012, and subject to the conditions of CEQR Declaration E-289.

Resolution for adoption scheduling December 19, 2012 for a public hearing.

BOROUGH OF MANHATTAN

No. 2-7

SOUTH STREET SEAPORT-PIER 17

No. 2

CD 1

C 130052 ZMM

IN THE MATTER OF an application submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C2-8 District to a C4-6 District property bounded by South Street, Brooklyn Bridge, the U.S. Pierhead Line, and a line 1250 feet easterly of the southerly prolongation of the westerly street line of Old Slip (westerly portion), as shown on a diagram (for illustrative purposes only) dated September 4, 2012.

Resolution for adoption scheduling December 19, 2012 for a public hearing.

No. 3

CD 1

C 130053 ZSM

IN THE MATTER OF an application submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the yard requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District*, within the Special Lower Manhattan District (South Street Seaport Subdistrict).

*Note: The site is proposed to be rezoned by changing a C2-8 District to a C4-6 District under a concurrent related application (C 130052 ZMM).

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

Resolution for adoption scheduling December 19, 2012 for a public hearing.

No. 4**CD 1****C 130054 ZSM**

IN THE MATTER OF an application submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District*, within the Special Lower Manhattan District (South Street Seaport Subdistrict).

*Note: The site is proposed to be rezoned by changing a C2-8 District to a C4-6 District under a concurrent related application (C 130052 ZMM).

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

Resolution for adoption scheduling December 19, 2012 for a public hearing.

No. 5
CD 1**C 130055 ZSM**

IN THE MATTER OF an application submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-834 of the Zoning Resolution to modify the use regulations of Section 62-241 (Uses on existing piers and platforms) and the height and setback requirements of Section 62-342 (Developments on piers), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District*, within the Special Lower Manhattan District (South Street Seaport Subdistrict).

*Note: The site is proposed to be rezoned by changing a C2-8 District to a C4-6 District under a concurrent related application (C 130052 ZMM).

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

Resolution for adoption scheduling December 19, 2012 for a public hearing.

No. 6

CD 1

C 130059 PPM

IN THE MATTER OF an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property to the South Street Seaport Limited Partnership, located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), restricted to the modification of the use restrictions in the lease.

Resolution for adoption scheduling December 19, 2012 for a public hearing.

No. 7

CD 1

N 130080 ZRM

IN THE MATTER OF an application submitted by the NYC Department of Small Business Services (SBS), 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 IX Chapter I, Special Lower Manhattan District, Section 91-664 related to the allowable hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal.

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 IX: SPECIAL PURPOSE DISTRICTS

Chapter 1: Special Lower Manhattan District

* * *

91-60

REGULATIONS FOR THE SOUTH STREET SEAPORT

* * *

91-66

Modification of Use and Bulk Regulations

* * *

91-664

Modification of hours of operation for waterfront public access areas

For any #zoning lot # which was the subject of application N 130058 ZCM, the hours of operation set forth in paragraph (a) of Section 62-71 (Operational Requirements) may be extended to allow public access up to 24 hours per day, and the provisions of paragraph (a)(3) of Section 62-654 (Signage) shall be modified to require any such extended hours of public access, as may change over time, to be included on the required signage. The provisions of paragraph (a)(4) of Section 62-654 shall not apply where 24 hour access is allowed. The provisions of paragraph (b) of Section 62-71 requiring rules of conduct for the #waterfront public access area# to be established with the Department of Parks and Recreation, and other provisions of this Chapter requiring a maintenance and operation agreement pursuant to Section 62-74 (Requirements for Recordation), shall not apply so long as a legal instrument acceptable to the Chairperson, in all other respects consistent with the provisions of Section 62-74, has been executed and recorded, setting forth rules of conduct and maintenance and operations requirements.

Resolution for adoption scheduling December 19, 2012 for a public hearing.

II. REPORTS

BOROUGH OF MANHATTAN

No. 8

RAINBOW ROOM

CD 5

N 130098 HKM

IN THE MATTER OF a communication dated October 23, 2012, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Rainbow Room, located in the eastern section of the 65th Floor interior, 30 Rockefeller Plaza (Block 1265, Lot 1069 in part), by the Landmarks Preservation Commission on October 16, 2012 (List No. 461/LP-2505).

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF MANHATTAN**No. 9*****EAST VILLAGE/LOWER EAST SIDE HISTORIC DISTRICT*****CD 3****N 130097 HKM****PUBLIC HEARING:**

IN THE MATTER OF a communication dated October 19, 2012, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the East Village/Lower East Side Historic District, by the Landmarks Preservation Commission on October 9, 2012 (Designation List No. 460/LP-2491). The district boundaries are:

Area I of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of Second Avenue and East 2nd Street, extending westerly across Second Avenue and continuing westerly along the northern curblines of East 2nd Street to its intersection with a line extending southerly from the western side wall of 26 East 2nd Street, northerly along the western side wall of 26 East 2nd Street, easterly along the northern property line of 26 East 2nd Street and a portion of the northern property line of 28 East 2nd Street, northerly along a portion of the western property line of 28 East 2nd Street, easterly along a portion of the northern property line of 28 East 2nd Street and the northern property lines of 30 to 36 East 2nd Street to the western curblines of Second Avenue, northerly along the western curblines of Second Avenue to its intersection with a line extending easterly from the southern property line of 43 Second Avenue, westerly along the southern property line of 43 Second Avenue, northerly along the western property lines of 43 to 45-47 Second Avenue, westerly along a portion of the southern property line of 30 East 3rd Street to the northern curblines of East 3rd Street, westerly along the southern curblines of East 3rd Street to its intersection with a line extending southerly from the western property line of 7 East 3rd Street, northerly along the western property line of 7 East 3rd Street, westerly along the southern property line of 56 East 4th Street and a portion of the southern property line of 54 East 4th Street, northerly along a portion of the western property line of 54 East 7th Street, westerly along a portion of the southern property line of 54 East 7th Street, northerly along a portion of the western property line of 54 East 7th Street to the northern curblines of East 4th Street, easterly along the northern curblines of East 4th Street to its intersection with a line extending southerly from the western property line of 57 East 4th Street, northerly along the western property line of 57 East 4th Street, westerly along a portion of the southern property line of 210-214 East 5th Street, northerly along the western property line of 210-214 East 5th Street to the northern curblines of East 5th Street, westerly along the northern curblines of East 5th Street to its intersection with a line extending southerly from the western property line of 207 East 5th Street, northerly along the western property line of 207 East 5th Street, easterly along the northern

property lines of 207 to 223 East 5th Street and a portion of the northern property line of 225 East 5th Street, northerly along the western property line of 226 East 6th Street to the southern curbline of East 6th Street, easterly along the southern curbline of East 6th Street to its intersection with a line extending southerly from the western property line of 103 Second Avenue (aka 239 East 6th Street), northerly along the western property lines of 103 Second Avenue (aka 239 East 6th Street) and 105 Second Avenue and a portion of the western property line of 107-113 Second Avenue, easterly along a portion of the northern property line of 107-113 Second Avenue, northerly along a portion of the western property line of 107-113 Second Avenue and the western property line of 46 East 7th Street to the northern curbline of East 7th Street, westerly along the northern property line of East 7th Street to its intersection with a line extending southerly from the western property line of 11 East 7th Street, northerly along the western property line of 11 East 7th Street, easterly along the northern property lines of 11 to 39 East 7th Street and a portion of the northern property line of 41-43 East 7th Street, northerly along western property line of 125 Second Avenue, easterly along a portion of the northern property line of 125 Second Avenue, northerly along the western property lines of 127 Second Avenue to 131 Second Avenue (aka 36 St. Mark's Place) to the southern curbline of St. Mark's Place, easterly along the southern curbline of St. Mark's Place, southerly along the western curbline of Second Avenue to the southwest corner of Second Avenue and East 7th Street, easterly along the southern curbline of East 7th Street to its intersection with a line extending southerly from the western property line of 49 East 7th Street, northerly along the western property line of 49 East 7th Street, easterly along the northern property line of 49 East 7th Street, northerly along a portion of the western property line of 51 East 7th Street, easterly along the northern property lines of 51 to 65 East 7th Street, southerly along a portion of the eastern property line of 65 East 7th Street, easterly along the northern property lines of 67 to 69 East 7th Street, northerly along a portion of the western property line of 71 East 7th Street, easterly along the northern property lines of 71 to 73-75 East 7th Street, southerly along a portion of the eastern property line of 73-75 East 7th Street, easterly along the northern property line of 77 East 7th Street, northerly along a portion of the western property line of 79 East 7th Street, easterly along the northern property lines of 79 to 85 East 7th Street, southerly along the eastern property line of 85 East 7th Street to the northern curbline of East 7th Street, westerly along the northern curbline of East 7th Street to its intersection with a line extending northerly from the eastern property line of 84 East 7th Street, southerly along the eastern property line of 84 East 7th Street, westerly along the southern property line of 84 East 7th Street, southerly along a portion of the eastern property line of 82 East 7th Street and the eastern property line of 341 East 6th Street, continuing across East 6th Street and along the eastern property line of 340 East 6th Street, westerly along the southern property lines of 340 to 306-308 East 6th Street, southerly along the eastern property line of 92-94 Second Avenue, westerly along a portion of the southern property line of 92-94 Second Avenue, southerly along the eastern property line of 88-90 Second Avenue (aka 301 East 5th Street) to the southern curbline of East 5th Street, easterly along the southern curbline of East 5th Street to its intersection with a line extending northerly from the eastern property line of 86 Second Avenue (aka 300 East 5th Street), southerly along the eastern property lines of 86 Second Avenue (aka 300 East 5th Street) to 72 Second Avenue (aka 91 East 4th Street) to the northern curbline of East 4th Street, westerly along the northern curbline of

East 4th Street to its intersection with a line extending northerly from the eastern property line of 68-70 Second Avenue (aka 86 East 4th Street), southerly along the eastern property lines of 68-70 Second Avenue (aka 86 East 4th Street) to 64 Second Avenue, easterly along a portion of the northern property line of 60-62 Second Avenue, southerly along the eastern property line of 60-62 Second Avenue, easterly along a portion of the northern property line of 51-55 East 3rd Street, northerly along a portion of the western property line of 51-55 East 3rd Street, easterly along a portion of the northern property line of 51-55 East 3rd Street and the northern property line of 57 East 3rd Street, southerly along the eastern property line of 57 East 3rd Street to the southern curbline of East 3rd Street, easterly along said curbline to a point on a line extending northerly from the eastern property line of 64 East 3rd Street, southerly along the eastern property line of 64 East 3rd Street, easterly along a portion of the northern property line of 52-74 East 2nd Street, southerly along the eastern property line of 52-74 East 2nd Street, westerly along a portion of the southern property line of 52-74 East 2nd Street, southerly along the eastern property line of 80 East 2nd Street to the northern curbline of East 2nd Street, westerly along said curbline to a point on a line extending northerly from the eastern property line of 77 East 2nd Street, southerly along said line and the eastern property line of 77 East 2nd Street, westerly along the southern property lines of 77 and 75 East 2nd Street, southerly along a portion of the eastern property line of 67-69 East 2nd Street, westerly along the southern property lines of 67-69 and 59-63 East 2nd Street, northerly along a portion of the western property line of 59-63 East 2nd Street, westerly along the southern property line of 47-55 East 2nd Street, southerly along a portion of the eastern property line of 43-45 East 2nd Street (aka 32-34 Second Avenue), westerly along the southern property line of 43-45 East 2nd Street to the eastern curbline of Second Avenue, northerly along said curbline, easterly along the southern curbline of East 2nd Street to a point on a line extending southerly from the western property line of 52-74 East 2nd Street, northerly along said line and the western property line of 52-74 East 2nd Street, westerly along the southern property lines of 54-56 and 50-52 East 3rd Street, northerly along a portion of the western property line of 50-52 East 3rd Street, westerly along the southern property lines of 48 through 40-42 East 2nd Street (aka 50-52 Second Avenue) to the eastern curbline of Second Avenue, and southerly along said curbline to the point or place of beginning.

Area II of the East Village/Lower East Side Historic District consists of the property bounded by a line beginning at the northeast corner of First Avenue and East 7th Street, extending northerly along the eastern curbline of First Avenue to its intersection with a line extending westerly from the northern property line of 122 First Avenue, easterly along the northern property line 122 First Avenue, northerly along a portion of the western property line of 95 East 7th Street, easterly along the northern property lines of 95 to 109 East 7th Street, southerly along a portion of the eastern property line of 109 East 7th Street, easterly along the northern property line of 111-115 East 7th Street, southerly along a portion of the eastern property line of 117-119 East 7th Street, easterly the northern property lines of 117-119 to 129 East 7th Street, southerly along the eastern property line of 129 East 7th Street to the northern curbline of East 7th Street, westerly along the northern curbline of East 7th Street to its intersection with a line extending northerly from the eastern property line of 122 East 7th Street, southerly along the eastern property line of 122 East 7th Street, easterly along the northern property lines of 439 to 441 East 6th Street and 101 Avenue A to the western curbline of Avenue A, southerly along the western curbline of Avenue

A to the northern curbline of East 6th Street, westerly along the northern curbline of East 6th Street to its intersection with a line extending southerly from the western property line of 405 East 6th Street, northerly along said property line, easterly along the northern property line of 405 East 6th Street, northerly along the western property line of 94 East 7th Street and across East 7th Street to its northern curbline, and westerly along the northern curbline of East 7th Street to the point of the beginning.

(On November 14, 2012, the Commission duly advertised November 28, 2012 for a public hearing.)

Close the hearing.

BOROUGH OF THE BRONX

No. 10

CROTONA PARK CHILD CARE CENTER

CD 3

C 120259 PQX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 1600 Crotona Park East (Block 2939, Lot 90), for continued use as a child care center.

(On November 14, 2012, Cal. No. 1, the Commission scheduled November 28, 2012 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

No. 11

PROLOGIS JFK SITE

CD 13

C 130023 PPQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located in the JFK Industrial Business Zone, on the south side of 146th Avenue, between 153rd Court and 157th Street (Block 14260, p/o Lot 1), pursuant to zoning.

(On November 14, 2012, Cal. No. 5, the Commission scheduled November 28, 2012 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF BROOKLYN

No. 12

4 METROTECH PLAZA OFFICE SPACE

CD 2

N 130111 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 4 MetroTech (Block 2059, Lot 1) (HRA offices).

(On November 14, 2012, the Commission duly advertised November 28, 2012 for a public hearing.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 13

1112 ST. NICHOLAS AVENUE OFFICE SPACE

CD 12

N 130106 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 1112 St. Nicholas Avenue (Block 2124, Lot 1) (CB 12 offices).

(On November 14, 2012, the Commission duly advertised November 28, 2012 for a public hearing.)

Close the hearing.

Nos. 14, 15 & 16

SPECIAL HUDSON SQUARE REZONING & TEXT AMENDMENT

No. 14

CD 2

C 120380 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a:

1. changing from an M1-5B District to an M1-6 District property bounded by the former centerline of the Avenue of the Americas and its southerly prolongation, Canal Street, and the Avenue of the Americas and its southerly centerline prolongation; and
2. establishing a Special Hudson Square District bounded by West Houston Street, a line 100 feet easterly of Varick Street, Vandam Street, Avenue of the Americas, Spring Street, Avenue of the Americas and its southerly centerline prolongation, Canal Street, Hudson Street, Spring Street, and Greenwich Street;

as shown on a diagram (for illustrative purposes only) dated August 20, 2012, and subject to the conditions of CEQR Declaration E-288.

(On November 14, 2012, Cal. No. 2, the Commission scheduled November 28, 2012 for a public hearing which has been duly advertised.)

Close the hearing.



No. 15

CD 2

N 120381 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District in Community District 2, Borough of Manhattan and to modify related Sections.

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

Article 1

General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

Establishment of the Special Hudson Square District

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

Establishment of the Special Hudson Yards District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 3, the #Special Hudson Yards District# is hereby established.

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
Definitions**

* * *

Special Hillside Preservation District (2/2/11)

The "Special Hillside Preservation District" is a Special Purpose District mapped in Staten Island designated by the letters "HS" in which special regulations set forth in Article XI, Chapter 9, apply.

Special Hudson Square District

The #Special Hudson Square District# is a Special Purpose District designated by the letters "HSQ", in which special regulations set forth in Article VIII, Chapter 8, apply.

Special Hudson Yards District (2/2/11)

The "Special Hudson Yards District" is a Special Purpose District designated by the letters "HY" in which special regulations set forth in Article IX, Chapter 3, apply.

* * *

Article VII – Administration

* * *

Chapter 3 - Special Permits by the Board of Standards and Appeals

* * *

73-244

In C2, C3, C4*, C6-4, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District**

In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the #Special Tribeca Mixed Use District#, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- (a) that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- (b) that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- (c) that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- (d) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- (e) that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- (f) that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary

** In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

* * *

Article VIII - Special Purpose Districts

* * *

Chapter 8
Special Hudson Square District

88-00
GENERAL PURPOSES

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

- (a) support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- (b) recognize and enhance the vitality and character of the neighborhood for workers and residents;
- (c) encourage the development of buildings compatible with existing development;
- (d) regulate conversion of buildings while preserving continued manufacturing or commercial use;
- (e) encourage the development of affordable housing;
- (f) promote the opportunity for workers to live in the vicinity of their work;
- (g) retain jobs within New York City; and

- (h) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

88-01 **Definitions**

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

Qualifying building

For the purposes of this Chapter, a “qualifying #building#” shall be any #building# that contained at least 70,000 square feet of #floor area# on (date of referral).

88-02 **General Provisions**

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson Square 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.

88-03 **District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan.

The District Plan includes the following map in the Appendix to this Chapter:

Map 1 Special Hudson Square District and Subdistricts

This map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

88-04
Subdistricts

In order to carry out the purposes and provisions of this Chapter, two subdistricts are established as follows:

Subdistrict A

Subdistrict B.

The Subdistricts are specified on Map 1 (Special Hudson Square District and Subdistricts) in the Appendix to this Chapter.

88-05
Applicability of District Regulations

88-051
Applicability of Article I, Chapter 5

The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of this Chapter.

88-10
SUPPLEMENTAL USE REGULATIONS

All permitted #uses# in the underlying districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

88-11
Residential Use

#Residential use# shall be permitted in accordance with the provisions of this Section.

(a) Residential use as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a

building permit, such absence of a qualifying #building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) Residential use by certification

#Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on (date of referral), will contain at least the amount of non-#residential floor area# that existed within such qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for any #development# containing #residences#.

88-12

Community Facility Use

The #community facility use# regulations applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

- (a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#.

As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

- (b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:
- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
 - (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

- (c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131 (Streetscape Provisions).

88-13

Commercial Use

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at

the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;

- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131 (Streetscape provisions);
- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be allowed, except that:
 - (1) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the “residential development goal” has been met for the #Special Hudson Square District# as set forth in this paragraph, (e)(1), or, where such “residential development goal” has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels):

Residential Development Goal

The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11 (Residential Use), within the #Special Hudson Square District# have received temporary or final certificates of occupancy subsequent to [date of enactment].

- (2) A change of #use# within a qualifying #building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132;
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

88-131 **Streetscape provisions**

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements:

- (a) For #uses# located on the ground floor or within five feet of #curb level#, limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall have a depth of at least 30 feet

from the #building wall# facing the #street# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#.

- (b) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet per #street# frontage. The 30 foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a #residential lobby# or vertical circulation core.
- (c) In Subdistrict A, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a) of this Section.

For #zoning lots# with #street frontage# of less than 50 feet, no special ground floor #use# requirements shall apply.

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 from the #building wall# facing the #street#.

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor #street wall# between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor #street wall# occupied by such an entrance.

88-132

Special permit for large transient hotels

- (a) Developments or enlargements

In the #Special Hudson Square District#, prior to the “residential development goal” set forth in paragraph (f) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient

hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11 (Residential Use), provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the “residential development goal”; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.

(b) Changes of use

In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within qualifying #buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (1) preserved for Use Group 6B office #use# within a qualifying #building# located within the #Special Hudson Square District#, or
- (2) created for Use Group 6B office #use# within a #building developed# after (date of referral), or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a qualifying #building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

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

88-14
Manufacturing Use

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

88-20
SIGN REGULATIONS

In the #Special Hudson Square District#, #signs# are subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60, inclusive.

88-30
SPECIAL BULK REGULATIONS

Except as modified in this Chapter, the following bulk regulations shall apply:

- (a) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply;
- (b) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

88-31
Floor Area Regulations

Except in Subdistricts A and B, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0; no #floor area# bonuses shall apply.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing).

88-311
Special floor area regulations in Subdistrict A

For #zoning lots# in Subdistrict A that do not contain #residences#, the maximum #floor area# ratio shall be 10.0; no #floor area# bonuses shall apply.

For #zoning lots# in Subdistrict A containing #residences#, the maximum #floor area ratio# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0.

Any floor space designated for #use# as a #school# shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

88-312
Special floor area regulations in Subdistrict B

The maximum #floor area ratios# in Subdistrict B shall be as set forth in the following table:

	<u>Maximum #Floor Area Ratio#</u>
<u>#Residential Use#</u>	<u>5.4¹</u>
<u>#Community Facility Use#</u>	<u>6.5</u>
<u>#Commercial Use#</u>	<u>6.0</u>
<u>#Manufacturing Use#</u>	<u>6.0</u>

¹ May be increased to a maximum of 7.2 only as set forth in Section 88-32 (Inclusionary Housing)

88-32**Inclusionary Housing**

The #Special Hudson Square District#, except Subdistrict A, shall be an #Inclusionary Housing designated area#, and the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply, except that within Subdistrict B, the provisions of Section 23-90 applicable to R8 Districts shall apply.

88-33**Height and Setback**

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

(a) Rooftop regulations(1) Permitted obstructions

The provisions of Section 33-42 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 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 that 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 provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of non-#residential floor area# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback(1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph, (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor, recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

(i) Along #wide streets#

Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10

and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(ii) Along #narrow streets#

Above the level of the second #story#, recesses in #street walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 320 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

(ii) Along #narrow streets#

The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#.

The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

The maximum height of such #buildings# shall be 185 feet.

For #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet.

(4) Maximum length of #building wall#

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

(5) Vertical #enlargements#

- (i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.
- (ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section, provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

88-331

Special height and setback regulations in Subdistrict A

For #zoning lots# in Subdistrict A, the regulations in paragraph (b) of Section 88-33 applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

(a) Maximum #building# height

The maximum height of #buildings# shall be 430 feet.

(b) Lot coverage

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet,

#buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

(c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning lot line# #abutting# the boundary of a #public park#, such #zoning lot line# shall be considered to be a #wide street line# for the purposes of applying all #bulk# regulations of this Resolution except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide street line#.

(d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

88-332

Special height and setback regulations in Subdistrict B

For #zoning lots# in Subdistrict B, the regulations in paragraph (b) of Section 88-33 shall not apply. In lieu thereof, the height and setback regulations applicable in a C6-2A District shall apply.

88-333

Courts

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

88-40

YARD REGULATIONS

In the #Special Hudson Square District#, the yard provisions applicable in C6 Districts shall apply.

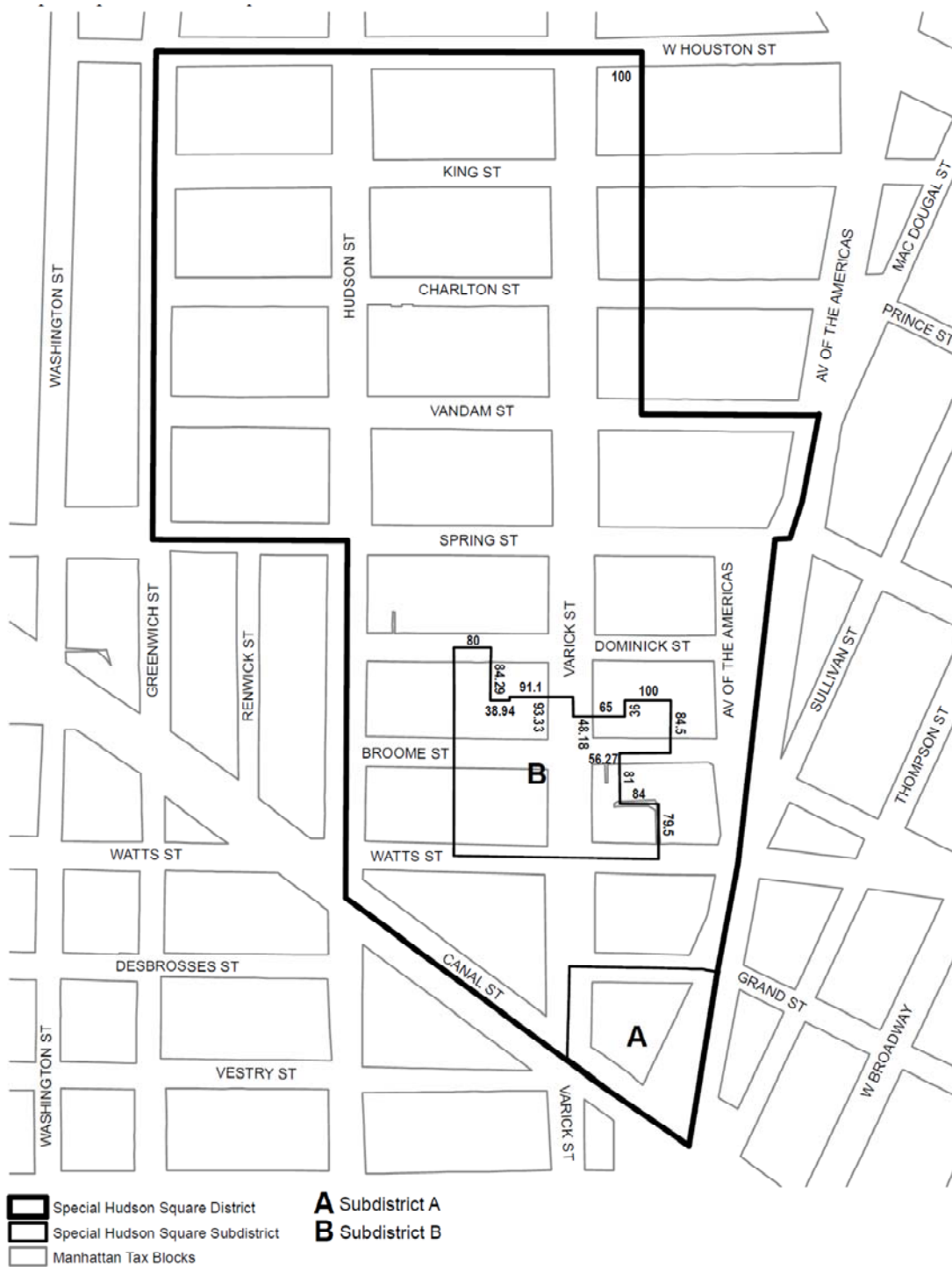
88-50

PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS

In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to 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 a Portion of Community Districts 1 and 2 in the Borough of Queens) shall apply.

Appendix A

Map 1 - Special Hudson Square District and Subdistricts



* * *

**APPENDIX F
Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

Table of
Inclusionary Housing Designated Areas

by Zoning Map

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas
* * *	* * *	* * *
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
<u>12a</u>	<u>Manhattan CD 2</u>	<u>Map 1</u>
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
* * *	* * *	* * *

* * *

Manhattan

Manhattan Community District 1

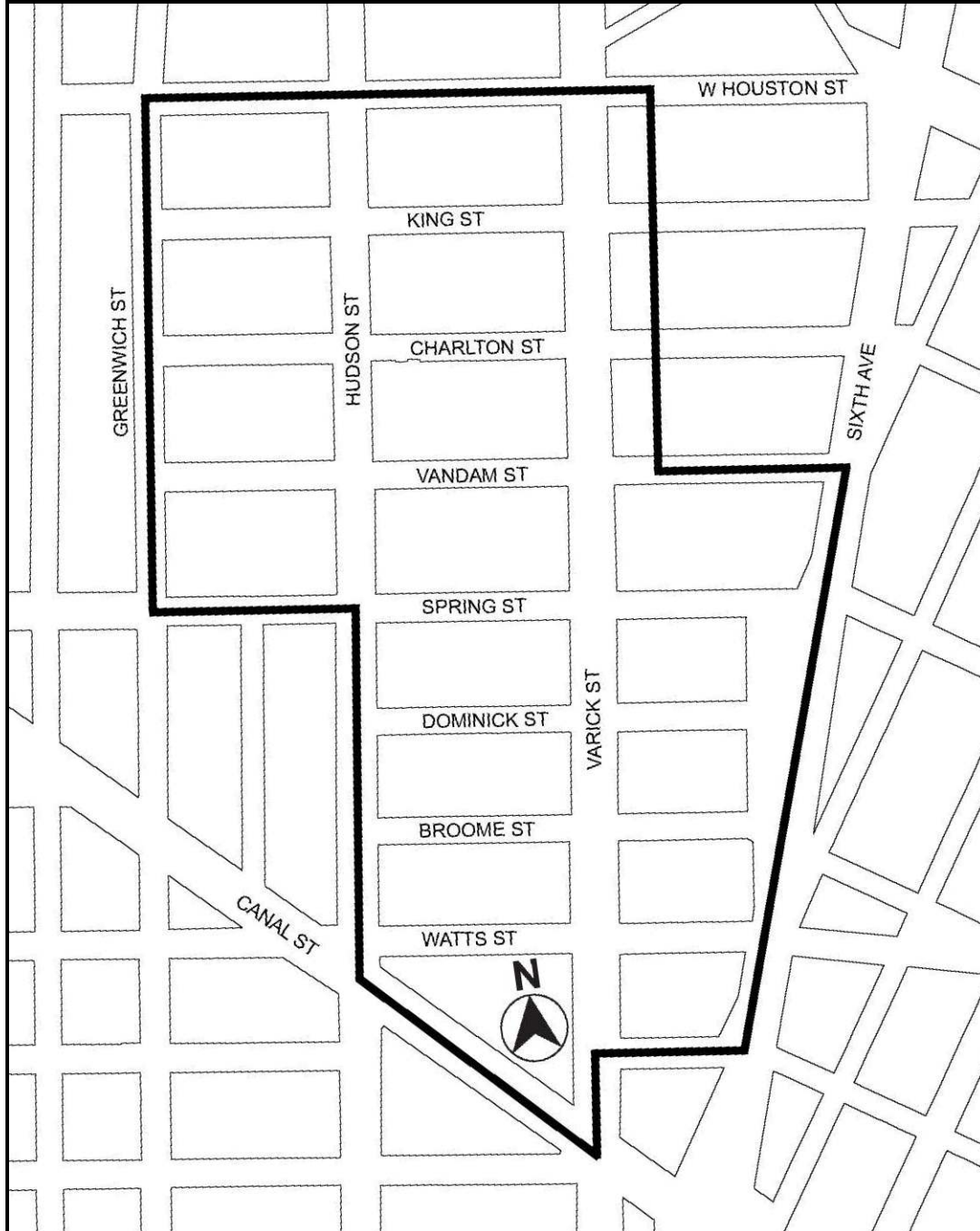
* * *

Manhattan Community District 2

In the M1-6 Districts within the areas shown on the following Map 1:

Map 1

#Special Hudson Square District# – see Section 88-32



Portion of Community District 2, Manhattan

(On November 14, 2012, Cal. No. 3, the Commission scheduled November 28, 2012 for a public hearing which has been duly advertised.)

Close the hearing.



No. 16

CD 2

N 120381 (A) ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District in Community District 2, Borough of Manhattan and to modify related Sections.

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

**Article 1
General Provisions**

**Chapter 1
Title, Establishment of Controls and Interpretation of Regulations**

* * *

**11-12
Establishment of Districts**

* * *

Establishment of the Special Hillides Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillides Preservation District# is hereby established.

Establishment of the Special Hudson Square District

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

Establishment of the Special Hudson Yards District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 3, the #Special Hudson Yards District# is hereby established.

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
Definitions**

* * *

Special Hillside Preservation District (2/2/11)

The "Special Hillside Preservation District" is a Special Purpose District mapped in Staten Island designated by the letters "HS" in which special regulations set forth in Article XI, Chapter 9, apply.

Special Hudson Square District

The #Special Hudson Square District# is a Special Purpose District designated by the letters "HSQ", in which special regulations set forth in Article VIII, Chapter 8, apply.

Special Hudson Yards District (2/2/11)

The "Special Hudson Yards District" is a Special Purpose District designated by the letters "HY" in which special regulations set forth in Article IX, Chapter 3, apply.

* * *

Article VII – Administration

* * *

Chapter 3 - Special Permits by the Board of Standards and Appeals

* * *

73-244

In C2, C3, C4*, C6-4, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District**

In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the #Special Tribeca Mixed Use District#, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- (a) that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- (b) that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- (c) that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- (d) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- (e) that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- (f) that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary

** In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

* * *

Article VIII - Special Purpose Districts

* * *

Chapter 8
Special Hudson Square District

88-00

GENERAL PURPOSES

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

- (a) support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- (b) recognize and enhance the vitality and character of the neighborhood for workers and residents;
- (c) encourage the development of buildings compatible with existing development;
- (d) regulate conversion of buildings while preserving continued manufacturing or commercial use;
- (e) encourage the development of affordable housing;
- (f) promote the opportunity for workers to live in the vicinity of their work;
- (g) retain jobs within New York City; and

- (h) promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

88-01 **Definitions**

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

Qualifying building

For the purposes of this Chapter, a “qualifying #building#” shall be any #building# that contained at least 70,000 square feet of #floor area# on (date of referral).

88-02 **General Provisions**

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson Square 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.

88-03 **District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan.

The District Plan includes the following map in the Appendix to this Chapter:

Map 1 Special Hudson Square District and Subdistrict

This map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

88-04
Subdistricts

In order to carry out the purposes and provisions of this Chapter, the following subdistrict is established:

Subdistrict A

The Subdistrict is specified on Map 1 (Special Hudson Square District and Subdistrict) in the Appendix to this Chapter.

88-05
Applicability of District Regulations

88-051
Applicability of Article I, Chapter 5

The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of this Chapter.

88-10
SUPPLEMENTAL USE REGULATIONS

All permitted #uses# in the underlying districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

88-11
Residential Use

#Residential use# shall be permitted in accordance with the provisions of this Section.

(a) Residential use as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) Residential use by certification

#Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on (date of referral), will contain at least the amount of non-#residential floor area# that existed within such qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for any #development# containing #residences#.

88-12**Community Facility Use**

The #community facility use# regulations applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

- (a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.
- (b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only

upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- (1) non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- (2) #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

- (c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131 (Streetscape Provisions).

88-13

Commercial Use

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- (a) food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to the size of the establishment;
- (b) #uses# listed in Use Group 6A, other than food stores, Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- (c) ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131 (Streetscape provisions);

- (d) #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- (e) #transient hotels# shall be allowed, except that:
- (3) #development# or #enlargement# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the “residential development goal” has been met for the #Special Hudson Square District# as set forth in this paragraph, (e)(1), or, where such “residential development goal” has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels):

Residential Development Goal

The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11 (Residential Use), within the #Special Hudson Square District# have received temporary or final certificates of occupancy subsequent to [date of enactment].

- (4) A change of #use# within a qualifying #building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132;
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

88-131

Streetscape provisions

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements:

- (d) For #uses# located on the ground floor or within five feet of #curb level#, limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall have a depth of at least 30 feet from the #building wall# facing the #street# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#.
- (e) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall be

limited to a total width of 40 feet per #street# frontage. The 30 foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a #residential lobby# or vertical circulation core.

- (f) In Subdistrict A, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a) of this Section.

For #zoning lots# with #street frontage# of less than 50 feet, no special ground floor #use# requirements shall apply.

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 from the #building wall# facing the #street#.

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor #street wall# between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor #street wall# occupied by such an entrance.

88-132

Special permit for large transient hotels

- (c) Developments or enlargements

In the #Special Hudson Square District#, prior to the “residential development goal” set forth in paragraph (f) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11 (Residential Use), provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the “residential development goal”; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.

(d) Changes of use

In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within qualifying #buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (2) preserved for Use Group 6B office #use# within a qualifying #building# located within the #Special Hudson Square District#, or
- (2) created for Use Group 6B office #use# within a #building developed# after (date of referral), or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a qualifying #building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

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

88-14
Manufacturing Use

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

88-20
SIGN REGULATIONS

In the #Special Hudson Square District#, #signs# are subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60, inclusive.

88-30
SPECIAL BULK REGULATIONS

Except as modified in this Chapter, the following bulk regulations shall apply:

- (c) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply;
- (d) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

88-31
Floor Area Regulations

Except in Subdistrict A, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0; no #floor area# bonuses shall apply.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing).

88-311
Special floor area regulations in Subdistrict A

For #zoning lots# in Subdistrict A that do not contain #residences#, the maximum #floor area# ratio shall be 10.0; no #floor area# bonuses shall apply.

For #zoning lots# in Subdistrict A containing #residences#, the maximum #floor area ratio# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0.

Any floor space designated for #use# as a #school# shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

88-32
Inclusionary Housing

The #Special Hudson Square District#, except Subdistrict A, shall be an #Inclusionary Housing designated area#, and the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply.

88-33
Height and Setback

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

- (a) Rooftop regulations
 - (1) Permitted obstructions

The provisions of Section 33-42 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 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 that 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 provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

(2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of non-#residential floor area# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

(b) Height and setback

(1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph, (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor, recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

(i) Along #wide streets#

Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10 and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(ii) Along #narrow streets#

Above the level of the second #story#, recesses in #street walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

(3) Required setbacks and maximum #building# heights

(i) Along #wide streets#

The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least

15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 320 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.

(ii) Along #narrow streets#

The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#.

The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.

The maximum height of such #buildings# shall be 185 feet.

For #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet.

(4) Maximum length of #building wall#

The maximum length of any #story# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet.

(5) Vertical #enlargements#

(i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.

(ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section, provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

88-331
Special height and setback regulations in Subdistrict A

For #zoning lots# in Subdistrict A, the regulations in paragraph (b) of Section 88-33 applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

(a) Maximum #building# height

The maximum height of #buildings# shall be 430 feet.

(b) Lot coverage

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

(c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning lot line# #abutting# the boundary of a #public park#, such #zoning lot line# shall be considered to be a #wide street line# for the purposes of applying all #bulk# regulations of this Resolution except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide street line#.

(d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

88-332
Courts

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

88-40
YARD REGULATIONS

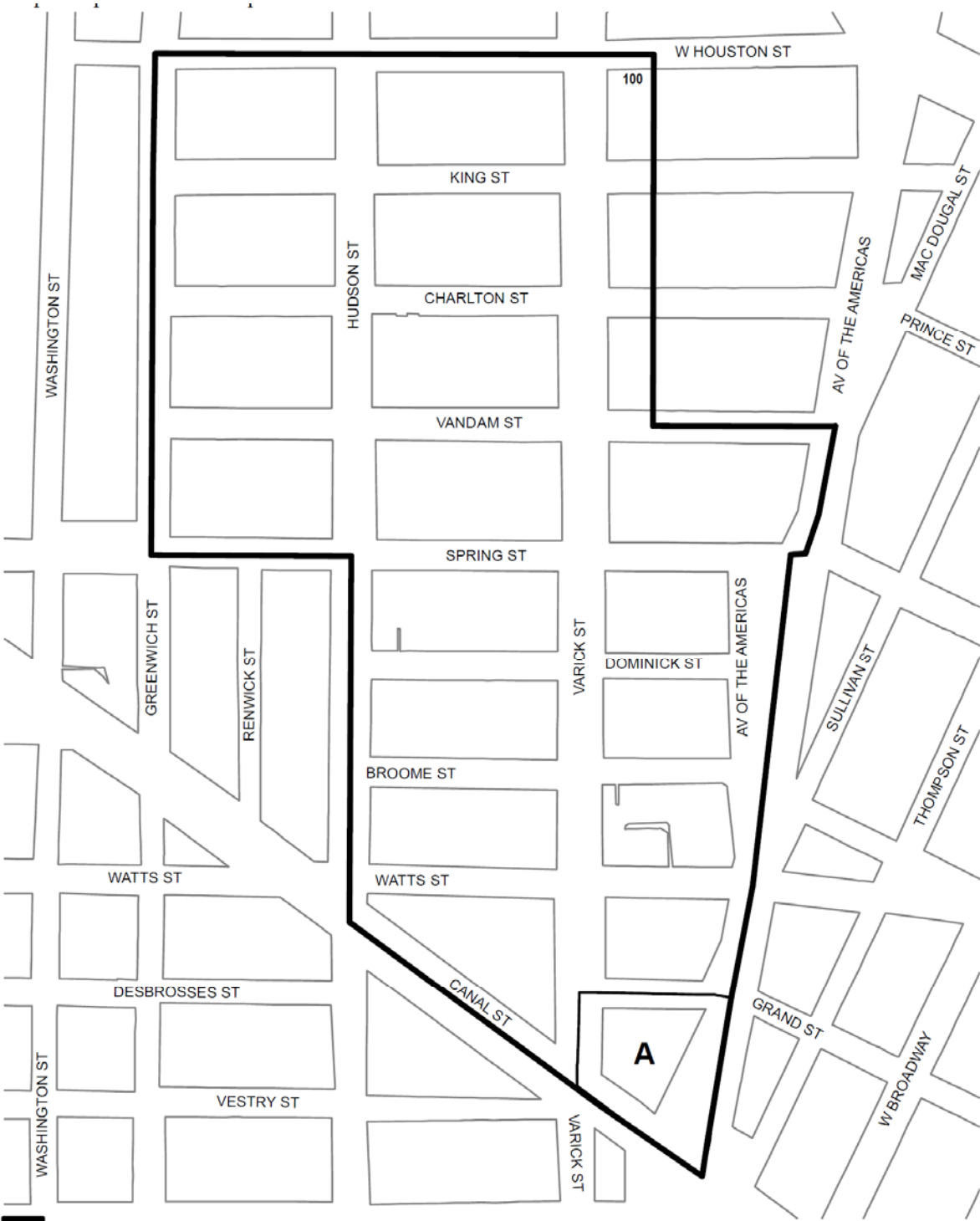
In the #Special Hudson Square District#, the yard provisions applicable in C6 Districts shall apply.




88-50
PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS

In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to 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 a Portion of Community Districts 1 and 2 in the Borough of Queens) shall apply

Appendix A

Map 1 - Special Hudson Square District and Subdistrict



-  Special Hudson Square District
-  Special Hudson Square Subdistrict
-  Manhattan Tax Blocks

A Subdistrict A

* * *

**APPENDIX F
Inclusionary Housing Designated Areas**

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

Table of
Inclusionary Housing Designated Areas

by Zoning Map

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas
* * *	* * *	* * *
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
<u>12a</u>	<u>Manhattan CD 2</u>	<u>Map 1</u>
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
* * *	* * *	* * *

* * *

Manhattan

Manhattan Community District 1

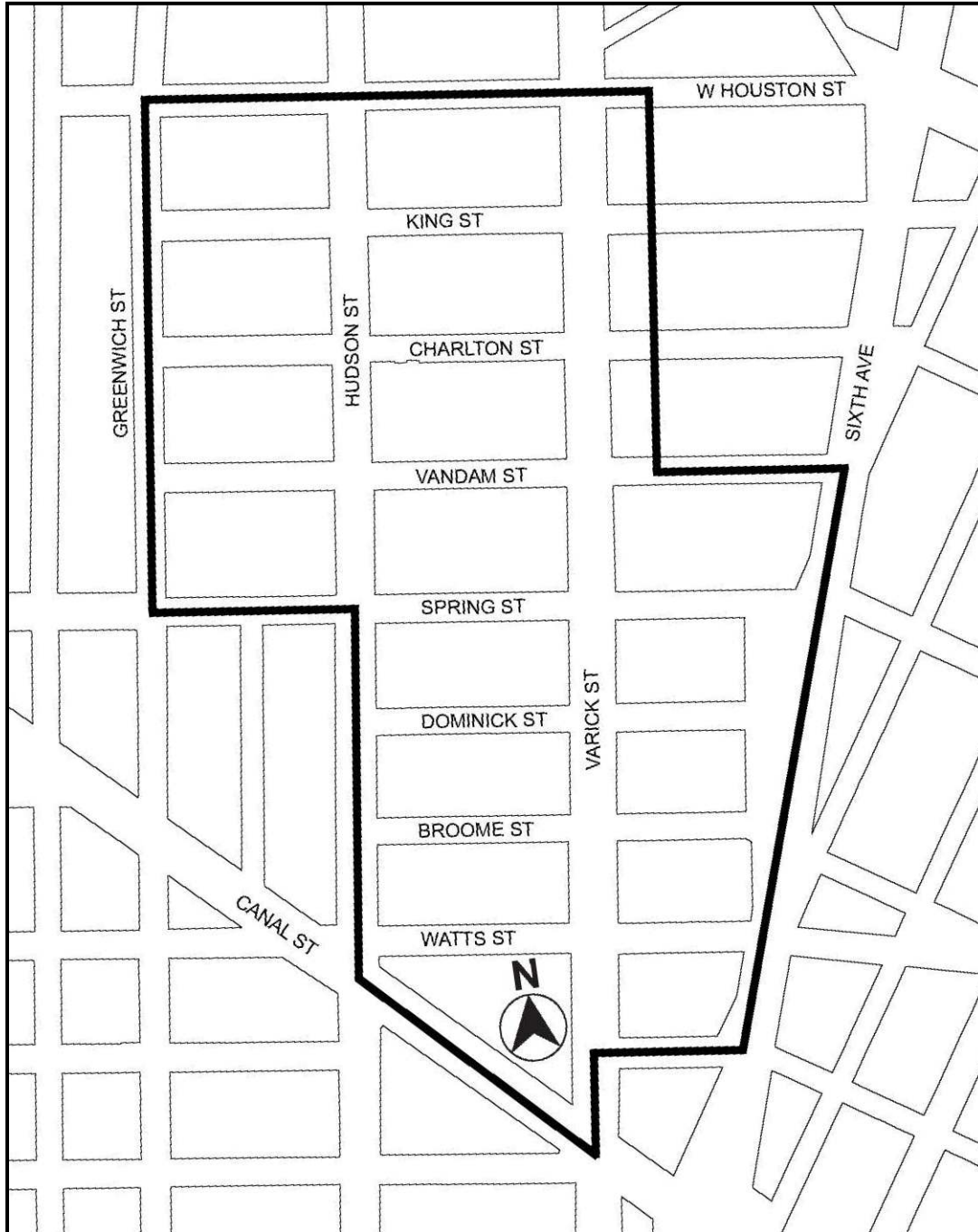
* * *

Manhattan Community District 2

In the M1-6 Districts within the areas shown on the following Map 1:

Map 1

#Special Hudson Square District# – see Section 88-32



Portion of Community District 2, Manhattan

(On November 14, 2012, Cal. No. 4, the Commission scheduled November 28, 2012 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, November 28, 2012, at 10:00AM 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) (CEQR # 12DCP045M) concerning zoning map and zoning text amendments affecting an 18-block area within the Hudson Square neighborhood of Manhattan Community District 2. The affected area is bounded generally by West Houston and Vandam Streets to the north, Avenue of the Americas and approximately 100 feet east of Varick Street to the east, Canal and Spring Streets to the south, and Hudson and Greenwich Streets to the west. The Proposed Action would facilitate a proposal by the applicant, the Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York, to create a Special Purpose zoning district (the "Special Hudson Square District"), within the affected area, allow new residential development to occur in the Special Hudson Square District, incentivize affordable housing, institute provisions to limit conversions of non-residential buildings to residential use and retain certain commercial uses. The public hearing will also consider a modification to the Proposed Action, (ULURP No. N120381(A)ZRM). Written comments on the DEIS are requested and would be received and considered by the Lead Agency until Monday, December 10, 2012.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 12DCP045M.

IV. CITY PLANNING COMMISSION 2012 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY	1 New Year's Day	2 New Year's Observed	3 REVIEW SESSION	4 CPC PUBLIC MEETING	5	6	7
	8	9	10	11	12	13	14
	15 Martin Luther King, Jr. Day	16	17	18	19	20	21
	22 Chinese New Year	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
FEBRUARY				1	2	3	4
	5 REVIEW SESSION	6	7	8 CPC PUBLIC MEETING	9	10	11
	12 Lincoln's Birthday	13	14	15	16	17	18
	19 Presidents' Day	20	21	22 Ash Wednesday Washington's Birthday	23	24	25
	26 REVIEW SESSION	27	28	29 CPC PUBLIC MEETING			
MARCH					1	2	3
	4	5	6	7	8	9	10
	11 REVIEW SESSION	12	13	14 CPC PUBLIC MEETING	15	16	17 St. Patrick's Day
	18	19	20	21	22	23	24
	25 REVIEW SESSION	26	27	28 CPC PUBLIC MEETING	29	30	31
APRIL	1 Palm Sunday	2	3	4	5	6	7
	8 Easter	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22 REVIEW SESSION	23	24	25 CPC PUBLIC MEETING	26	27	28
	29	30					
MAY			1	2	3	4	5
	6 REVIEW SESSION	7	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16	17	18	19
	20 REVIEW SESSION	21	22	23 CPC PUBLIC MEETING	24	25	26
	27 Memorial Day Observed	28	29	30	31		
JUNE						1	2
	3 REVIEW SESSION	4	5	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17 REVIEW SESSION	18	19	20 CPC PUBLIC MEETING	21	22	23
	24	25	26	27	28	29	30
JULY	1	2	3	4 Independence Day	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20 First Day Ramadan	21
	22 REVIEW SESSION	23	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
				1	2	3	4
	5 REVIEW SESSION	6	7	8 CPC PUBLIC MEETING	9	10	11
12	13	14	15	16	17	18	
19 REVIEW SESSION	20	21	22 CPC PUBLIC MEETING	23	24	25	
26	27	28	29	30	31		
AUGUST							1
	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16	17	18	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26 Yom Kippur	27	28	29
	30						
SEPTEMBER	2 Labor Day	3	4 REVIEW SESSION	5 CPC PUBLIC MEETING	6	7	8
	9	10	11	12	13	14	15
	16	17 Rosh Hashanah	18 REVIEW SESSION	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26	27	28	29
	30						
OCTOBER							
NOVEMBER							
DECEMBER							

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 PM
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 AM

V. CITY PLANNING COMMISSION 2013 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY			1 New Year's Day	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 Martin Luther King, Jr. Day	22 REVIEW SESSION	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30	31		
FEBRUARY						1	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11 Chinese New Year	12 Lincoln's Birthday	13 Ash Wednesday	14	15	16
	17	18 Presidents' Day	19 REVIEW SESSION	20 CPC PUBLIC MEETING	21	22 Washington's Birthday	23
24	25	26	27	28			
MARCH						1	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17	18 St. Patrick's Day	19	20 CPC PUBLIC MEETING	21	22	23
	24	25 Palm Sunday	26	27	28	29	30
31	31 Easter	Passover					
APRIL		1	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
28	29	30					
MAY				1	2	3	4
	5	6 REVIEW SESSION	7	8 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	27 Memorial Day Observed	28	29	30	31		
JUNE							1
	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8
	9	10	11	12	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26	27	28	29
30							
JULY		1	2	3	4 Independence Day	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28	29	30	31			
AUGUST						1	2
	4	5 REVIEW SESSION	6	7 CPC PUBLIC MEETING	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
SEPTEMBER	1	2 Labor Day	3	4	5 Rosh Hashanah	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30					
OCTOBER			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14 Columbus Day	15	16	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30	31		
NOVEMBER						1	2
	3	4 REVIEW SESSION	5 Election Day	6 CPC PUBLIC MEETING	7	8	9
	10	11 Veterans' Day	12	13	14	15	16
	17	18 REVIEW SESSION	19	20 CPC PUBLIC MEETING	21	22	23
	24	25	26	27	28 Thanksgiving Hanukkah	29	30
DECEMBER	1	2 REVIEW SESSION	3	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	30	31	Christmas	Kwarzaa		

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