

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, MAY 20, 2015
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 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 150303 ZSX	3	MELROSE COMMONS NORTH SITE B	Scheduled to be Heard 6/3/15
2	C 150306 HAX	3	" "	" "
3	C 150147 ZSM	4	520 WEST 28 TH STREET PARKING GARAGE	" "
4	C 150203 MMM	2	76 GREENWICH AVENUE/ST. VINCENT'S PARK	" "
5	N 150267 ZRM	2	" "	" "
6	N 150302 ZRY	CW	SPECIAL REGULATIONS FOR NEIGHBORHOOD RECOVERY	" "
7	N 150321 HKK	8	CROWN HEIGHTS NORTH III HISTORIC DISTRICT	Forward Report to City Council
8	N 130145 RAR	3	BRIDGEVIEW PLAZA	Authorization Approved
9	N 130146 RAR	3	" "	" "
10	N 130147 RAR	3	" "	" "
11	N 150142 RCR	3	100 SOUTH BRIDGE STREET	Certification Approved
12	N 150207 RCR	3	6650 HYLAN BOULEVARD	" "
13	C 150211 ZMM	11	PROMESA	Hearing Closed
14	C 150212 HAM	11	" "	" "
15	C 150248 ZSM	8	HOSPITAL FOR SPECIAL SURGERY WEST WING ADDITION	" "
16	N 150350 PXM	1	375 PEARL STREET OFFICE SPACE	" "
17	N 150351 PXM	1	90 WEST STREET OFFICE SPACE	" "

COMMISSION ATTENDANCE:		Present (P) Absent (A)		COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R																
Calendar Numbers:		7	8	9	10	11	12													
Carl Weisbrod, Chairman	P	Y	Y	Y	Y	Y	Y													
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y													
Rayann Besser	P	Y	Y	Y	Y	Y	Y													
Irwin G. Cantor, P.E.	P	Y	Y	Y	Y	Y	Y													
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y													
Michelle R. De La Uz	P	Y	Y	Y	Y	Y	Y													
Joseph I. Douek	A																			
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y													
Cheryl Cohen Effron	P	Y	Y	Y	Y	Y	Y													
Bomee Jung	P	Y	Y	Y	Y	Y	Y													
Anna Hayes Levin	P	Y	Y	Y	Y	Y	Y													
Orlando Marin	P	Y	Y	Y	Y	Y	Y													
Larisa Ortiz, Commissioners	A																			

MEETING ADJOURNED AT: 12:52 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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WEDNESDAY, MAY 20, 2015
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 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
18	C 150173 PPQ	7	S & L AEROSPACE METALS	Hearing Closed

COMMISSION ATTENDANCE: Present (P) Absent (A)		COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R
Calendar Numbers:		
Carl Weisbrod, Chairman		
Kenneth J. Knuckles, Esq., Vice Chairman		
Rayann Besser		
Irwin G. Cantor, P.E.		
Alfred C. Cerullo, III		
Michelle R. De La Uz		
Joseph I. Douek		
Richard W. Eaddy		
Cheryl Cohen Effron		
Bomee Jung		
Anna Hayes Levin		
Orlando Marin		
Larisa Ortiz, Commissioners		

MEETING ADJOURNED AT:

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

CITY PLANNING COMMISSION

WEDNESDAY, MAY 20, 2015

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



**Bill de Blasio, Mayor
City of New York**

[No. 10]

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

- CARL WEISBROD, *Chairman***
- KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman***
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- MICHELLE R. DE LA UZ**
- JOSEPH I. DOUEK**
- RICHARD W. EADDY**
- CHERYL COHEN EFFRON**
- BOME E JUNG**
- ANNA HAYES LEVIN**
- ORLANDO MARIN**
- LARISA ORTIZ, *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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**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 June 3, 2015 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**

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ ULURP No.: _____ CD No.: _____

Position: Opposed _____

 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

MAY 20, 2015

APPROVAL OF MINUTES OF the Regular Meeting of May 6, 2015

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, JUNE 3, 2015
STARTING AT 10:00 A. M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

Nos. 1 & 2

MELROSE COMMONS NORTH SITE B

No. 1

CD 3

C 150303 ZSX

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed-use development, on property located at Elton Avenue between E. 162 Street and E. 163 Street (Block 2384, Lots 20, 25, 28, 32, 33, 34, 38, 48, 8900, 8901, ARO Lot 23, and portions of demapped Brook Avenue, Melrose Crescent and E. 162 Street), in R8 and R8/C1-4 Districts, within the Melrose Commons (Urban Renewal Area).

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

Resolution for adoption scheduling June 3, 2015 for a public hearing.

No. 2

CD 3

C 150306 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a twelve-story mixed-use building with approximately 277 units of affordable housing, 25,390 square feet of community facility space, and 26,700 square feet of ground-floor retail space.

Resolution for adoption scheduling June 3, 2015 for a public hearing.

BOROUGH OF MANHATTAN

No. 3

520 WEST 28TH STREET PARKING GARAGE

CD 4

C 150147 ZSM

IN THE MATTER OF an application submitted by 28th Highline Associates, L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an accessory off-street automated parking garage with a maximum capacity of 29 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed-use building on property located at 520 West 28th Street (Block 699, Lots 22, 24, 37, 42 and 43), in a C6-3 District, within the Special West Chelsea District.

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

Resolution for adoption scheduling June 3, 2015 for a public hearing.



Nos. 4 & 5

76 GREENWICH AVENUE/ ST. VINCENT'S PARK

No. 4

CD 2

C 150203 MMM

IN THE MATTER OF an application, submitted by West Village Residences LLC and The New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a park within the area bounded by Seventh Avenue, Greenwich Avenue and West 12th Street;
- the modification of block dimensions and legal grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in accordance with Map No. 30250 dated March 27, 2015 and signed by the Borough President.

Resolution for adoption scheduling June 3, 2015 for a public hearing.



No. 5

CD 2

N 150267 ZRM

IN THE MATTER OF an application, submitted by West Village Residences LLC and The New York City Department of Parks and Recreation, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as a park and conveyed to the City of New York.

Matter in underline is new, to be added;
Matter in strikeout is old, to be deleted;

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

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

**ARTICLE VII
ADMINISTRATION**

**CHAPTER 4
Special Permits by the City Planning Commission**

* * *

74-741

Requirements for application

An application to the City Planning Commission for the grant of a special permit pursuant to Section

74-74 for a #large-scale general development# shall include a site plan showing the boundaries of the #large-scale general development# and the proposed location and #use# of all #buildings or other structures# on each #zoning lot# comprising the #large-scale general development#.

However, for applications proceeding pursuant to the ownership provisions of Section 74-742(e), such site plan need only show the applicable portion of the #large-scale general development# as set forth in Section 74-742(e)(1) or (2).

74-742

Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-Scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

* * *

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

* * *

- (d) partially under State or City ownership, or may include a tract of land under private ownership that is located within the bed of 26th Avenue between 1st Street and the bulkhead line within the Halletts Point Peninsula, in the area bounded by 8th Street and Vernon Boulevard on the east, the East River on the west and south, and the north side of

26th Avenue on the north, in Community District 1 in the Borough of Queens, provided that the exception to the ownership requirements set forth herein shall apply only to:

- (1) tracts of land in State or City ownership; or
- (2) a tract of land in private ownership located within the bed of 26th Avenue, between 1st Street and the #bulkhead# line-; or

(e) within Manhattan Community District 2, where the Commission has approved a special permit under Section 74-74 (Large-Scale General Development) for a #large-scale general development# located partially within a C2-7 District, and a portion of such #large-scale general development# is subsequently mapped as a park and transferred to City ownership, then:

- (1) the consent or authorization of any owner or party in interest to such #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to property within the #large-scale general development# other than the #public park#, unless the proposed modification would impose an additional obligation or increase the degree of an obligation existing as of the date of the application for such a modification on another owner or party in interest, in which case the consent or authorization of the owner or any party in interest shall be required; and
- (2) the consent or authorization of any owner or party in interest to property other than the #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to the #public park#, unless the proposed modification would impose an additional obligation or increase the degree of an obligation existing as of the date of the application for such a modification on another owner or party in interest, in which case the consent or authorization of the owner or any party in interest shall be required.

**74-743
Special provisions for bulk modification**

(a) For a #large-scale general development#, the City Planning Commission may permit:

* * *

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

* * *

Within Manhattan Community District 2, within the former Washington Square Southeast Urban

Renewal Area, ~~within Manhattan Community District 2,~~ where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

In addition, within Manhattan Community District 2, where the Commission has approved a #large-scale general development# located partially within a C2-7 District, if any #open space# approved pursuant to Section 74-743(a)(4) is subsequently mapped as a park and transferred to City ownership, the #open space# requirement approved for such #large-scale general development# pursuant to Section 74-743(a)(4) shall be reduced by the area of such #public park#.

Within Community District 1 in the Borough of Queens, the Commission may prescribe additional conditions to ensure that the purpose of the Inclusionary Housing program as set forth in Section 23-92 (General Provisions) is achieved in a #large-scale general development#. The Commission may establish procedures resulting in limiting the amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953.

Any such procedures established by the Commission shall be set forth in the restrictive declaration required in connection with the grant of a special permit for such #large-scale general development#.

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

CITYWIDE

No. 6

SPECIAL REGULATIONS FOR NEIGHBORHOOD RECOVERY

CITY WIDE

N 150302 ZRY

IN THE MATTER OF an application submitted by the Mayor’s Office of Housing Recovery, the Department of Housing Preservation and Development, and the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article VI, Chapter 4 and related Sections, to simplify and expedite the process of elevating and reconstructing single- and two-family homes in Hurricane Sandy-impacted areas of Community Districts 10, 13, and 14 of Queens; Community Districts 13, 15, and 18 of Brooklyn, and Community Districts 2 and 3 of Staten Island.

For consideration.

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 I
GENERAL PROVISIONS**

* * *

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

* * *

**11-30
BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT**

* * *

**11-339
Post-Hurricane Sandy construction**

The provisions of this Section shall apply within the #flood zone#. The provisions of this Section are subject to all provisions of Title 28 of the Administrative Code of the City of New York and Appendix G of the Building Code of the City of New York, or its successors, including those pertaining to expiration, reinstatement, revocation and suspension. Changes in #flood maps# shall be considered an amendment of

the Zoning Resolution pursuant to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT).

* * *

- (c) Provisions applying in the event that Flood Resilience Zoning Text Amendment expires

This provision shall become effective only upon the expiration of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), adopted on October 9, 2013. If an application for approval of construction documents has been approved on or before the expiration of Article VI, Chapter 4, a building permit authorizing such construction may be issued pursuant to Article VI, Chapter 4, and such construction may continue until a date six years after the expiration of Article VI, Chapter 4. After such date, the vesting provisions of Section 11-30 shall apply.

- (d) Provisions applying when Appendix A (Special Regulations for Neighborhood Recovery) expires

This provision shall become effective only upon the expiration of Appendix A (Special Regulations for Neighborhood Recovery) of Article VI, Chapter 4, adopted on [effective date of text amendment]. If a building permit authorizing construction pursuant to Appendix A has been approved on or before the expiration of such Appendix, construction may continue up to two years after the expiration. After such date, the provisions of Section 11-30 shall apply.

* * *

**ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS**

* * *

**Chapter 4
Special Regulations Applying in Flood Hazard Areas**

**64-00
GENERAL PURPOSES**

The provisions of this Chapter establish special regulations which are designed to encourage flood-resilient building practices for new and existing buildings and in so doing to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

- (a) to facilitate the development and alteration of buildings in flood zones consistent with the latest flood-resistant construction standards of the Federal government and the New York City Building Code;
- (b) to enable buildings to be constructed pursuant to flood-resistant standards with a comparable amount of usable interior space to what is generally permitted within the applicable zoning district;
- (c) to mitigate the effects of elevated and flood-proofed buildings on the streetscape and pedestrian activity; ~~and~~

- (d) to expedite the recovery of neighborhoods that experienced a high concentration of damage to single- and two-family residences from Hurricane Sandy within the Neighborhood Recovery Areas specified in Appendix A of this Chapter; and
- (e) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

* * *

**64-12
Applicability**

The provisions of this Chapter shall apply only within the #flood zone#, as follows:

- (a) Except where otherwise stated, all #buildings#, or portions thereof, shall comply with #flood-resistant construction standards# as a condition of construction pursuant to the following optional provisions, as applicable, inclusive:

Section 64-10 GENERAL PROVISIONS

Section 64-20 SPECIAL USE REGULATIONS

Section 64-30 SPECIAL BULK REGULATIONS

Section 64-40 SPECIAL BULK REGULATIONS FOR BUILDINGS EXISTING ON OCTOBER 28, 2012

Section 64-50 SPECIAL PARKING REGULATIONS

Section 64-70 SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

Section 64-80 MODIFICATION OF SPECIAL REGULATIONS APPLYING IN WATERFRONT AREAS

Section 64-90 SPECIAL APPROVALS

- (b) The provisions of Section 64-60 (DESIGN REQUIREMENTS) shall apply to all #developments#, all horizontal #enlargements# with new #street walls#, or alterations that increase the height of #street walls#, except that Section 64-65 (~~Design~~ Screening Requirements for Parking Within or Areas Below Buildings) shall apply to all #buildings# as provided therein.
- (c) Where a #zoning lot# is located partially within a #flood zone#, the regulations of this Chapter shall apply where any portion of a #building# on such #zoning lot# is within such #flood zone#.
- (d) In Neighborhood Recovery Areas, shown on Maps 1 through 9 of Section 64-A80 (Neighborhood Recovery Area Maps) of this Chapter, optional provisions to expedite the vertical elevation or

reconstruction of #single-# or #two-family residences# shall apply. Such provisions are set forth in Appendix A and shall supplement, supersede or modify the provisions of this Chapter. The regulations and maps contained therein are hereby incorporated and made part of this Resolution.

**64-13
Applicability of District Regulations**

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.

* * *

**64-40
SPECIAL BULK REGULATIONS FOR BUILDINGS EXISTING ON OCTOBER 28, 2012**

The following provisions shall apply to #buildings# existing on October 28, 2012, and to the reconstruction of such #buildings#.

* * *

**64-431
For existing single- and two-family residences**

~~#Single-# and #two-family residences# existing on October 28, 2012, may be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest floor level containing habitable space, located at or above the adjoining grade as of October 28, 2012, to #flood-resistant construction elevation#, and in so doing may create a #non-compliance# as to height and setback to the extent that such lowest floor level is elevated or reconstructed to #flood-resistant construction elevation#.~~

~~Where the elevation requirements of Appendix G of the New York City Building Code apply to the lowest horizontal structural member, #single # and #two family residences# existing on October 28, 2012, may be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest horizontal structural member supporting the lowest floor containing habitable space, located at or above the adjoining grade as of October 28, 2012, to #flood-resistant construction elevation#, and in so doing may create a #non-compliance# as to height and setback to the extent that such lowest horizontal structural member is elevated or reconstructed to #flood-resistant construction elevation#.~~

This Section shall not preclude the construction of complying #enlargements# or other complying structures on the #zoning lot#.

#Buildings# that were complying on October 28, 2012, and vertically elevated or reconstructed to a higher elevation, pursuant to this Section, shall be considered legal #non-complying buildings#.

* * *

**64-70
SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS**

* * *

**64-723
Non-complying single- and two-family residences**

(a) The provisions of Article V, Chapter 4, shall be modified to permit ~~#single-# and #two-family residences#~~ that are ~~#non-complying#~~ and existing on October 28, 2012, to be vertically elevated, or reconstructed to a higher elevation ~~in order to raise the lowest floor level containing habitable space that was located at or above the adjoining grade as of October 28, 2012 to #flood-resistant construction elevation#.~~

~~Where the elevation requirements of Appendix G of the New York City Building Code apply to the lowest horizontal structural member, the provisions of Article V, Chapter 4, shall be modified to permit #single # and #two family residences# that are #non-complying# and existing on October 28, 2012, to be vertically elevated, or reconstructed to a higher elevation, in order to raise the lowest horizontal structural member supporting the lowest floor containing habitable space that was located at or above the adjoining grade as of October 28, 2012, to #flood-resistant construction elevation#.~~

Such vertical elevation or reconstruction may create a new ~~#non-compliance#~~ as to height and setback, or increase any existing ~~#non-compliances#~~ as to height and setback, required ~~#open space#~~ and ~~#yard#~~ regulations to the extent that such lowest floor level is elevated or reconstructed to ~~#flood-resistant construction elevation#~~. However, all other provisions of Article V, Chapter 4, shall apply without modification.

This Section shall not preclude the construction of complying ~~#enlargements#~~ or other complying ~~#buildings or other structures#~~ on the ~~#zoning lot#~~.

* * *

Appendix A
Special Regulations for Neighborhood Recovery

64-A00
GENERAL PROVISIONS

The provisions of this Resolution shall apply as modified by this Chapter and by the special regulations set forth in this Appendix A. The provisions of this Appendix are optional, but when utilized, shall be applied in their entirety. This Appendix shall be in effect until [five years from effective date of text amendment], at which time it shall automatically expire.

64-A01
Applicability of Special Regulations for Neighborhood Recovery

The provisions of this Appendix A shall only be applicable to #buildings# containing #residential use# whose vertical elevation or reconstruction will result in a #single-# or #two-family residence# that complies with #flood-resistant construction standards#, where such #building# is located in:

- (a) the Borough of Brooklyn, within the portions of Community Districts 13, 15, and 18, as shown on Maps 1,2 and 3 in Section 64-A80 (Neighborhood Recovery Areas);
- (b) the Borough of Queens, within the portions of Community Districts 10, 13 and 14, as shown on Maps 4, 5, and 6 in Section 64-A80 (Neighborhood Recovery Areas); or
- (c) the Borough of Staten Island, within the portions of Community Districts 2 and 3, as shown on Maps 7, 8, and 9 in Section 64-A80 (Neighborhood Recovery Areas).

64-A02

Special Requirements for Application

Prior to the approval of any application to the Department of Buildings pursuant to this Appendix A, an applicant shall submit the following documents in order to establish that there was a #building# on the subject lot that contained a #residential use# on October 28, 2012:

- (a) an aerial photograph taken up to one year prior to October 28, 2012 establishing that a #building# existed on the subject lot on October 28, 2012; and
- (b) a 2012 tax bill or assessment roll for the subject lot that states such #building# contained a #residential use#.

Where the documents specified in this Section are unavailable or inconclusive, the Department of Buildings may accept alternative documentation to satisfy the requirements of paragraphs (a) or (b).

64-A03

Zoning Lots in Neighborhood Recovery Areas

The definition of #zoning lot# set forth in Section 12-10 (Definitions) shall apply in this Appendix A. However, as an option, where a tax lot contained one or more #buildings# on October 28, 2012, or where a #building# or #buildings# occupied more than one tax lot on October 28, 2012, such tax lot may be provisionally considered a #zoning lot# for the sole purpose of demonstrating compliance with the bulk requirements of this Resolution, and shall be referred to as a #zoning lot# in this Appendix, provided that the proposed application will not affect compliance with any applicable provisions of the New York City Building Code or Fire Code with respect to #building# access to the same or other #zoning lots# on the same #block#, unless a waiver or modification is obtained from the Department of Buildings or the Fire Department, respectively.

64-A10

SPECIAL REGULATIONS FOR ESTABLISHING NON-CONFORMANCE AND NON-COMPLIANCE

64-A11

Establishing Non-conformance of Residences

In all #districts#, for a #zoning lot# that contained two or more #dwelling units# on October 28, 2012 which does not have lawful documentation indicating that more than one #dwelling unit# existed on the #zoning lot# on such date, the Board of Standards and Appeals may permit the vertical elevation or reconstruction of #buildings# containing such #dwelling units# and may establish #non-conformance# of such #buildings#, pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A12

Special Regulations for Establishing Non-compliance of Existing Buildings

In all districts, a #building# containing #residences#, and any other structure that is attached to such #building#, including porches, stairs, terraces, or balconies, that existed both on October 28, 2012 and on the date of application for a building permit, may be considered #non-complying# for the purpose of utilizing the applicable provisions of Article V and Article VI, Chapter 4 related to #non-complying buildings or other structures# provided that:

- (a) a survey, prepared by a licensed land surveyor, specifying the location and height of such #building# and any other structures that are attached to such #building#, is submitted as documentation of such #non-compliance#; and
- (b) such #building# shall either be vertically elevated in compliance with the #bulk# provisions of Section 64-A20 (SPECIAL BULK REGULATIONS FOR THE VERTICAL ELEVATION OF EXISTING BUILDINGS), or be reconstructed in compliance with the #bulk# provisions of Section 64-A30 (SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012).

Upon completion and sign-off of work completed pursuant to the provisions of this Appendix, the #building# shall be considered #non-complying#.

64-A20

SPECIAL BULK REGULATIONS FOR THE VERTICAL ELEVATION OF EXISTING BUILDINGS

The provisions of this Section shall apply to the vertical elevation of #buildings# containing #residences# that existed on October 28, 2012. Except as specifically modified by the provisions of this Section, inclusive, the applicable #bulk# regulations of this Chapter, the regulations of Article V, and the applicable zoning district shall remain in effect.

64-A21

Special Regulations for Rebuilt Portions of Vertically Elevated Buildings

A portion of a #building# that is being vertically elevated pursuant to this Appendix may be rebuilt, provided that:

- (a) such rebuilt portion does not exceed 75 percent of the existing #floor area# of such #building#; and

- (b) except as specifically allowed by this Chapter, no new #non-compliance# shall be created, nor shall the degree of any existing #non-compliance# be increased, beyond that established pursuant to Section (Special Regulations for Establishing Non-compliance of Existing Buildings).

If the rebuilt portion of a #building# exceeds 75 percent of the existing #floor area# of the #building#, such #building# shall be subject to the regulations of 64-A30 (SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012)

64-A22

Special Regulations for Space Partially Below Grade

For a #building# where the lowest floor containing habitable space is partially below adjoining grade, and at least one-half of the floor-to-ceiling height of such floor is above adjoining grade, such #building# may be vertically elevated in order to raise the lowest floor containing habitable space to the #flood-resistant construction elevation#, provided that:

- (a) the elevated #building# does not exceed two #stories#, except that attic space providing structural headroom of less than eight feet shall not be considered a #story# for the purposes of this Section; and
- (b) the height of such elevated #building#, including the apex of a pitched roof, does not exceed 25 feet, as measured from the #flood-resistant construction elevation#.

Any floor space that becomes #floor area# in excess of the maximum permitted #floor area ratio# for such #zoning lot#, as a result of the vertical elevation, shall be considered #non-complying floor area#. Such vertical elevation may increase any existing #non-compliances# with respect to required #open space# and #yard# regulations to the extent that such #non-compliance# results from the elevation of the lowest floor to the #flood-resistant construction elevation#. All other provisions of Article V, Chapter 4 (Non-complying Buildings), shall apply without modification.

The level of the adjoining grade shall be the average elevation of the grade adjoining the building, before it is elevated, determined in the manner prescribed by the Building Code of the City of New York for adjoining grade elevation.

64-A23

Special Regulations for Existing Buildings Located Over Water

For a #building# that will be vertically elevated and is located either partially or entirely seaward of the #shoreline#, such #building# may be relocated landward of the #shoreline# on the same #zoning lot#. Such relocation may create a new #non-compliance# or increase the degree of any existing #non-compliance# as to #side yards#, #waterfront yards#, #rear yards# or #rear yard equivalents#, provided that:

- (a) an open area of at least three feet shall be maintained between the exterior wall of the #building# and any #lot line#; and

(b) except as specifically allowed by this Chapter, no new #non-compliance# shall be created, nor shall the degree of any existing #non-compliance# be increased, beyond that established pursuant to Section 64-A12 (Special Regulations for Establishing Non-compliance of Existing Buildings).

64-A24

Permitted Obstructions in Required Open Space, Yards and Courts

The provisions of Sections 23-12 (Permitted Obstructions in Open Space), 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 64-421 (Permitted obstructions) shall be modified so that:

(a) mechanical equipment, including but not limited to #accessory# heating and cooling equipment, fuel oil tanks and emergency generators, shall be permitted obstructions in #open space# required on the #zoning lot#, in any #side yard#, #rear yard# or #rear yard equivalent#, and in #courts#, provided such equipment:

(1) is located at least three feet from any #lot line#;

(2) is screened on all sides by walls consisting of at least 50 percent opaque materials; and

(3) is in compliance with the standards of either of the following provisions:

i. all structure and screening are located no more than ten feet from the wall of a #building# and limited to a height of no more than 12 feet above #flood-resistant construction elevation#; or

ii. is located on the roof of a #building or other structure#, provided that the height of such equipment and screening does not exceed six feet, as measured from the finished level of a flat roof, or for a sloping roof, as measured from the midpoint of such roof. Such equipment shall be located not less than 15 feet from any #street wall# of a #building or other structure#.

(b) visual mitigation elements, provided pursuant to Section 64-A50 (Special Design Requirements) shall be permitted obstructions in any #open space# required on the #zoning lot#, in any #yard# and in #courts#.

64-A30

SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012

The #bulk# regulations of this Section shall apply only to the permitted reconstruction of a #building#, that existed on October 28, 2012, that results in a #single-# or #two-family detached residence#. Except as specifically modified by the provisions of this Section, inclusive, the #bulk# regulations of this Chapter and the applicable zoning district shall remain in effect. #Buildings# reconstructed pursuant to this Section, 64-A30, shall not be considered #developments# or #enlargements#.

No #building# that is reconstructed pursuant to this section shall subsequently be #enlarged# pursuant to paragraph (b) of Section 54-313 (Single- or two-family residences with non-complying front yards or side

yards) or Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences).

64-A31
Special Regulations for Minimum Required Open Space, Maximum Lot Coverage and Maximum Floor Area

64-A311
Lot coverage and open space

In R1-2A, R2A, R3-1, R3-2, and R4 Districts, except R4B, for #zoning lots# that do not meet the required minimum #lot area# or #lot width# of the applicable district, #lot coverage# and #open space# shall be governed by the #yard# requirements set forth in Section 64-A35 (Special Yard Regulations).

64-A312
Floor area

In R2X, R3, R4, R4A, and R4-1 Districts, the #floor area ratio# set forth in the table in Section 23-141 (Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts), paragraph (b), may be increased by 20 percent provided that any such increase in #floor area# is located in any portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance, for each foot of horizontal distance.

64-A313
Special open space, lot coverage and floor area regulations for small lots

R1 R2 R3 R4 R5 R6

In the districts indicated, for #zoning lots# with a #lot area# of less than 1,800 square feet, #open space#, #lot coverage# and #floor area ratio# regulations shall not apply. In lieu thereof, the #yard# requirements set forth in Section 64-A35 (Special Yard Regulations), and the height and setback requirements of Section 64-A36 (Special Height and Setback Regulations) shall govern.

64-A32
Special Regulations for Maximum Number of Dwelling Units and Minimum Size of Dwelling Units

64-A321
Maximum number of dwelling units

R1 R2 R3 R4 R5 R6

In the districts indicated, the provisions of Section 23-22 (Maximum Number of Dwelling Units or Rooming Units) shall not apply. In lieu thereof, not more than one #single-family detached residence# or, where permitted in the applicable zoning district pursuant to Section 22-12 (Use Group 2), one #two-family detached residence#, may be reconstructed. However, any #two-family detached residence# may only be reconstructed if such #zoning lot# contained two or more #dwelling units# on October 28, 2012,

as indicated on the certificate of occupancy or upon approval by the Board of Standards and Appeals pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A322

Minimum Size of Dwelling Units in R3, R4A and R4-1 Districts

In R3, R4A, and R4-1 Districts, the minimum size of #dwelling units# as set forth in Section 23-23(b), shall not apply to the permitted reconstruction of a #two-family detached residence#.

64-A33

Special Regulations for Minimum Lot Area or Lot Width for Residences

In all districts, including #lower density growth management areas#, either one #single-family detached residence# or, where permitted in the applicable zoning district pursuant to Section 22-12 (Use Group 2), one #two-family detached residence# may be reconstructed upon a #zoning lot# that:

- (a) has less than the prescribed minimum #lot area# or #lot width# as required by the applicable district regulations; and
- (b) if reconstructed as a #two-family detached residence#, either:
 - 1. complies with the maximum number of #dwelling units# requirement of the applicable zoning district; or
 - 2. such #zoning lot# contained two or more #dwelling units# on October 28, 2012, as indicated on the certificate of occupancy or upon approval by the Board of Standards and Appeals pursuant to Section 64-A71 (Special Permit for Establishing Non-conformance).

64-A34

Permitted Obstructions in Required Open Space, Yards and Courts

The provisions of Sections 23-12 (Permitted Obstructions in Open Space), 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) and 64-421 (Permitted obstructions) shall be modified as follows.

- (a) mechanical equipment, including but not limited to #accessory# heating and cooling equipment, fuel oil tanks and emergency generators, shall be permitted obstructions in #open space# required on the #zoning lot#, in any #side yard#, #rear yard# or #rear yard equivalent#, and in #courts#, provided such equipment:
 - 1. is located at least three feet from any #lot line#;
 - 2. is screened on all sides by walls consisting of at least 50 percent opaque materials; and
 - 3. is in compliance with the standards of either of the following provisions:
 - i. all structure and screening are located no more than 10 feet from the wall of a #building# and limited to a height of no more than 12 feet above #flood-resistant construction elevation#; or

- ii. is located on the roof of a #building# or other structure, provided that the height of such equipment and screening does not exceed six feet, as measured from the finished level of a flat roof, or for a sloping roof, as measured from the midpoint of such roof. Such equipment shall be located not less than 15 feet from any #street wall# of a #building or other structure#.
- (b) eaves, gutters or downspouts shall be permitted obstructions in any #open space# required on the #zoning lot#, in any #yard# and in #courts#, provided that such eave, gutter or downspout does not project further than 16 inches into such required #open space, yard# or #court#.
- (c) visual mitigation elements, provided pursuant to Section 64-A50 (Special Design Requirements) shall be permitted obstructions in any #open space# required on the #zoning lot#, in any #yard# and in #courts#.

64-A35

Special Yard Regulations

64-A351

Special provisions for front yards

R1 R2 R3 R4 R5

- (a) In the districts indicated, the #front yard# provisions of the applicable district shall apply, except that in R4 and R5 Districts, a #front yard# may have a depth of any dimension equal to or exceeding ten feet.
- (b) In R1 through R5 Districts, where an enclosed garage fronts upon a #street#, there shall be an unobstructed area at ground level, between the garage door and the #street line#, which is at least 8 1/2 feet in width by 18 feet in depth, except no such space shall be required in R5D Districts. Where an unenclosed #accessory# off-street parking space is provided in an open area on a #zoning lot#, or provided beneath an elevated #building#, an unobstructed area at ground level which is at least 8 1/2 feet in width by 18 feet in depth shall be provided beneath the #street line# and such space.
- (c) For #buildings# that are reconstructed pursuant to this Section 64-A30, the provisions regulating the depth of #front yards# in relation to adjacent #buildings#, set forth in paragraphs (b) and (c) of Section 23-45, shall not apply.

64-A352

Special provisions for narrow lots

R1 R2 R3 R4 R5 R6

- (a) In the districts indicated, the #side yard# provisions of the applicable district shall apply, except that the required total width of #side yards# for a #single-# or #two-family detached residence# may be reduced by four inches for each foot by which the width of a #zoning lot# is less than that required under the provisions of Section 23-32 (Minimum Lot Area or Lot Width for Residences). In no event

shall the required width of a #side yard# be less than three feet. For #zoning lots# with less than 21 feet in #lot width#, the required total width of #side yards# shall be six feet.

- (b) In the Special South Richmond Development District, the provisions of Section 107-42 (Minimum Lot Area and Lot Width for Residences) and Section 107-462 (Side yards) shall not apply. In lieu thereof, the regulations of the applicable underlying Residence District shall apply pursuant to Section 23-32 (Minimum Lot Area or Lot Width for Residences) and Section 23-46 (Minimum Required Side Yards) and may be modified, as applicable, by the regulations of this Appendix.
- (c) For the permitted reconstruction of #detached buildings# the provisions of paragraph (c) of Section 23-461 (Side yards for single- or two-family residences), shall not apply, provided such open area does not serve as access to required #accessory# off-street parking.

64-A353

Special provisions for shallow lots

R1 R2 R3 R4 R5 R6

In the districts indicated, if at any point the depth of a #zoning lot# is less than 95 feet, the depth of a required #rear yard# or #waterfront yard# may be reduced by six inches for each foot by which the mean lot depth is less than 95 feet. In no event shall the required depth of a rear yard be less than ten feet.

64-A354

Special provisions for corner lots

- (a) For #corner lots# in an R1-2 District, if one #front yard# has a depth of 20 feet, then the other may have a depth of 15 feet.
- (b) For #corner lots# in R3 Districts, if one #front yard# has a depth of 15 feet, then the other may have a depth of ten feet.
- (c) In all districts, for #corner lots# with less than the minimum #lot area# required pursuant to the applicable district regulations, the following provisions shall apply:
- (1) one #front yard# shall be provided along the full length of either #front lot line#;
 - (2) the remaining #front lot line# shall be treated as a #side lot line#; and
 - (3) any #side lot line# that is parallel to, or within 45 degrees of being parallel to the #front lot line# selected pursuant to paragraph (c)(1) of this Section, shall be treated as a #rear lot line# and a #rear yard# shall be provided along the full length of such #lot line#

The #rear# and #side yards# provided pursuant to this Section may be reduced pursuant to Sections 64-A352 (Special provisions for narrow lots) and 64-A353 (Special provisions for shallow lots).

64-A36

Special Height and Setback Regulations

R1 R2 R3 R4 R5 R6

In the districts indicated, the height and setback regulations of the applicable district shall not apply. In lieu thereof, all #buildings# shall be subject to the height and setback provisions set forth in paragraph (b) of Section 23-631 (Height and setback in R1, R2, R3, R4 and R5 Districts), except that the maximum height of a perimeter wall before setback shall be 19 feet, the maximum height of a ridge line shall be 25 feet, and all heights shall be measured from the #flood-resistant construction elevation#. In no event shall any #building# exceed two #stories#, except that attic space providing structural headroom of less than eight feet shall not be considered a #story# for the purposes of this Section.

64-A40**SPECIAL PARKING PROVISIONS****64-A41****Waiver of Requirements for Certain Zoning Lots**R1 R2 R3 R4 R5 R6

In the districts indicated, the requirements set forth in Section 25-22 (Requirements Where Individual Parking Facilities Are Provided) shall be waived for a #single-# or #two-family residence# on an #interior zoning lot# that has a #lot width# along a #street# of less than 25 feet, and where the #flood-resistant construction elevation# is less than six feet above #curb level#.

64-A42**For Elevated Buildings**

The provisions of Section 64-52 (For Elevated Buildings), shall be modified to allow the #accessory# off-street parking spaces required pursuant to such section, to be located anywhere on the #zoning lot#.

64-A50**SPECIAL DESIGN REQUIREMENTS**R1 R2 R3 R4 R5 R6

In the districts indicated, the provisions of Section 64-61 (Design Requirements for Single- and Two-Family Residences) shall apply, except as expressly modified by this Section. Visual mitigation elements shall be required unless more than 50 percent of the #street wall# is within 18 inches of the #street line#.

64-A51**Special Regulations for Corner Lots**

The design requirements set forth in Section 64-61 shall apply separately along each #street frontage# of a #corner lot#, except as modified below:

- (a) For #corner lots#, where the level of the #lowest occupiable floor# is nine feet or more above #curb level#, and more than 50 percent of the #street wall# of a #building# is within six feet of a #street line#, only one visual mitigation element shall be required along such #street# frontage.
- (b) For #corner lots#, where trees or shrubs are provided as visual mitigation elements along both #street frontages# pursuant to paragraph (d) of Section 64-61, the required total length of planted areas shall be reduced to a minimum of 45 percent of the aggregate length of #street walls#, provided that the planting bed is continuous for the minimum required length, measured along such #street walls#, and at least six feet of planting bed is provided facing each #street#.

64-A52

Special Regulations for Narrow Lots

For #interior zoning lots# that have a #lot width# less than 25 feet, the design requirements of paragraph (d) of Section 64-61 shall be modified to require the total length of planted areas to be greater than 40 percent of the #lot width#, and to be planted to screen at least 40 percent of the length of the #street wall#.

64-A53

Special Regulations for Zoning Lots with Shallow Yards

For #zoning lots# where more than 50 percent of the #street wall# of a #building# is located within six feet of a #street line#, one or more of the following visual mitigation elements may be provided in lieu of paragraph (d) of Section 64-61:

- (a) Climbing vines

Where provided as a visual mitigation element, climbing vines shall be planted along 40 percent of the aggregate width of #street walls# in a planting bed that is at least 18 inches in width, measured perpendicular to the #street wall#, and allows a soil depth of at least two feet. A framework for the climbing vines shall be provided for the full length of the planting bed to a height of at least four feet. Such framework may be freestanding or attached to the #building#.

- (b) Green wall

Where provided as a visual mitigation element, a green wall or landscaped fence shall extend along 40 percent of the aggregate width of #street walls# to a height of at least four feet. Hanging plants, potted plants or plant material shall be distributed along the entire length of such green wall or landscaped fence. The supporting structure may be freestanding or attached to the #building# and shall be considered a permitted obstruction in any required #yard#, #court# or #open space#.

- (c) Planter box or raised planting bed

Where provided as a visual mitigation element, planter boxes or raised planting beds may be used in place of planting beds at grade. The top of such planter boxes shall be located between 18 and 36 inches above adjacent grade. Raised planting beds shall be at least 18 inches in height and shall not exceed 36 inches above adjacent grade. For planter boxes and raised planting beds, the minimum soil width shall be at least one foot, measured perpendicular to the street line, and the minimum soil depth shall be 18 inches. The

planted area may be comprised of any combination of groundcover, perennials, annuals, shrubs, trees or other living plant material, and must attain a height of at least six inches. Planter boxes may be freestanding or attached to the building.

64-A60

NON-CONFORMING AND NON-COMPLYING BUILDINGS

64-A61

Special Regulations for Non-conforming Single- or Two-Family Residences in Manufacturing Districts

The provisions of Section 64-712 (Single- and Two-family buildings), shall be modified to allow the vertical elevation or reconstruction of a #non-conforming single-# or #two-family residence# in a Manufacturing District.

64-A70

SPECIAL APPROVALS

The special permit and variance provisions of the Zoning Resolution shall apply to properties in the Neighborhood Recovery Areas.

64-A71

Special Permit for Establishing Non-conformance

In all districts, for a #zoning lot# that contained two or more #dwelling units# on October 28, 2012 and does not have a certificate of occupancy, or other lawful documentation, indicating that more than one #dwelling unit# existed on the #zoning lot# on such date, the Board of Standards and Appeals may permit the vertical elevation or reconstruction of up to two #dwelling units# on such #zoning lot# in accordance with this Appendix, provided that the Board of Standards and Appeals determines that:

- (a) more than one #dwelling unit# existed on the site on October 28, 2012 based on evidence submitted including, but not limited to Department of Finance tax records, utility bills or an affidavit from a licensed architect or engineer that documents an on-site inspection of the #zoning lot# performed under the auspices of a governmental agency.
- (b) such #dwelling units# will meet all applicable requirements of the New York City Construction Codes upon completion of the proposed work; and
- (c) such #buildings# that are vertically elevated comply with the #bulk# provisions of Section 64-A20 (SPECIAL BULK REGULATIONS FOR THE VERTICAL ELEVATION OF EXISTING BUILDINGS), and such #buildings# that are reconstructed comply with the #bulk# provisions of Section 64-A30 (SPECIAL BULK REGULATIONS FOR THE RECONSTRUCTION OF BUILDINGS EXISTING ON OCTOBER 28, 2012).

Upon completion and sign-off of work completed under the provisions of this Appendix, such #building# shall be considered #non-conforming#.

64-A80
NEIGHBORHOOD RECOVERY AREA MAPS

[Text map to be added]

Map 1
Neighborhood Recovery Areas in Brooklyn Community District 13



[Text map to be added]

Map 2

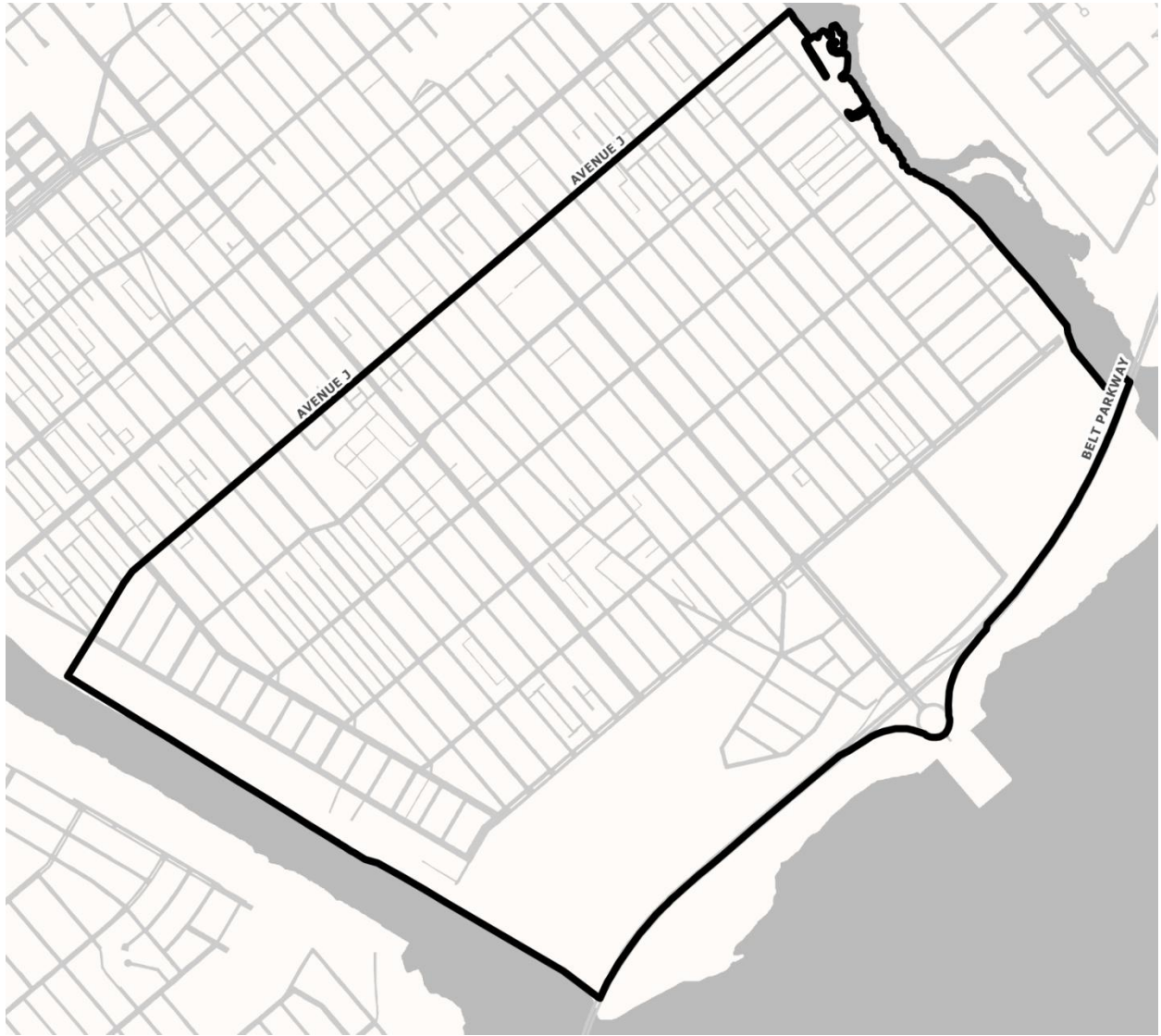
Neighborhood Recovery Areas in Brooklyn Community Districts 13 and 15



[Text map to be added]

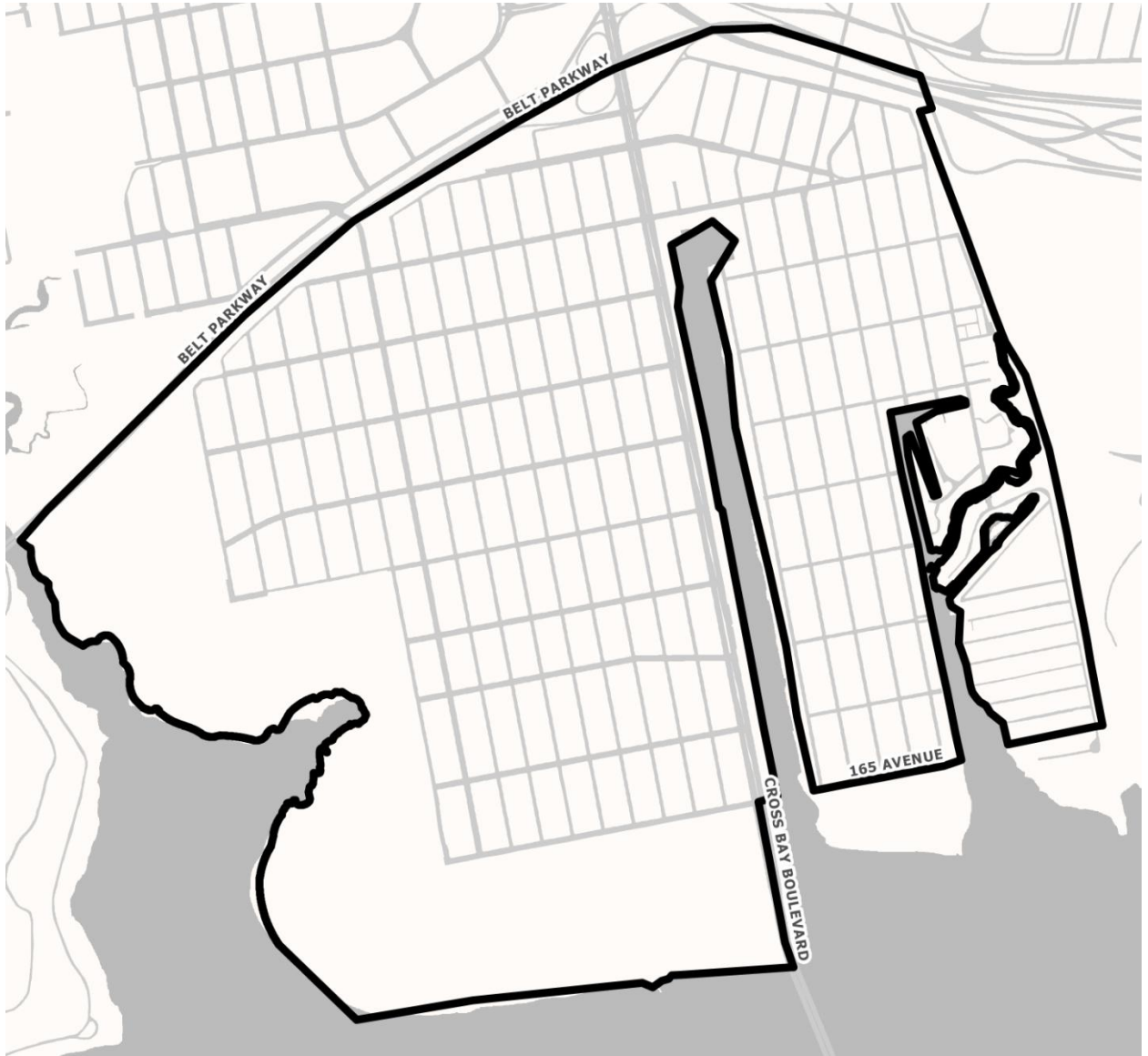
Map 3

Neighborhood Recovery Area in Brooklyn Community District 18



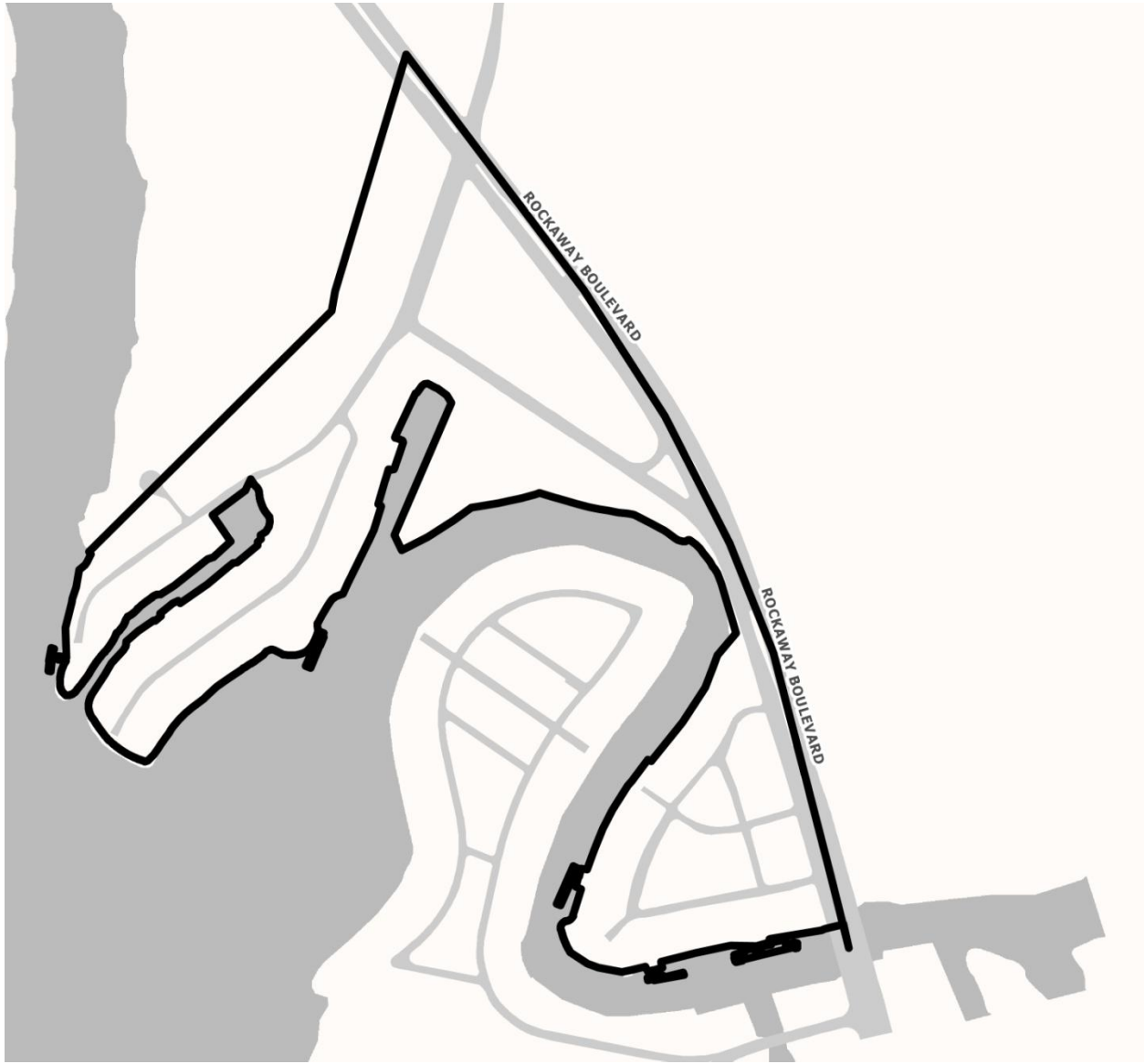
[Text map to be added]

Map 4
Neighborhood Recovery Area in Queens Community District 10



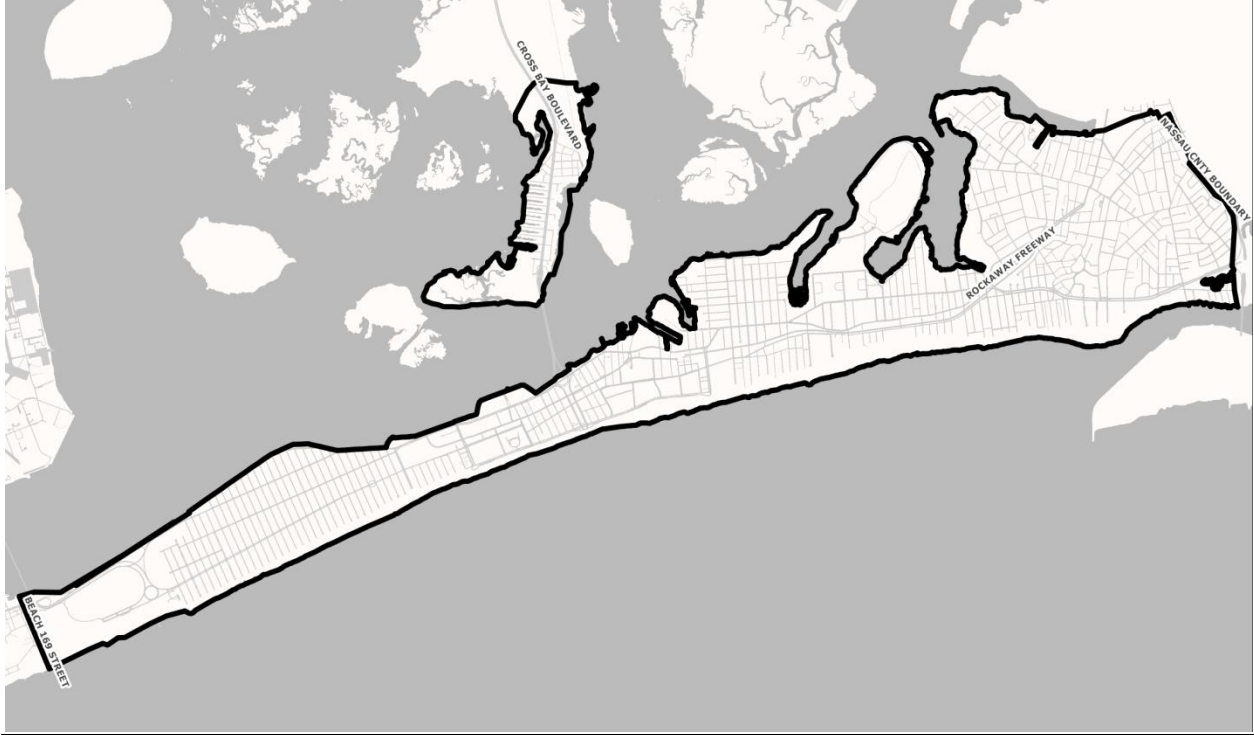
[Text map to be added]

Map 5
Neighborhood Recovery Area in Queens Community District 13



[Text map to be added]

Map 6
Neighborhood Recovery Area in Queens Community District 14



[Text map to be added]

Map 7

Neighborhood Recovery Areas in Staten Island Community District 2



Areas designated by New York State as part of the NYS Enhanced Buyout Area Program are excluded from the neighborhood recovery areas and are designated on this map as “Excluded”

[Text map to be added]

Map 8
Neighborhood Recovery Area in Staten Island Community District 3 (1 of 2)

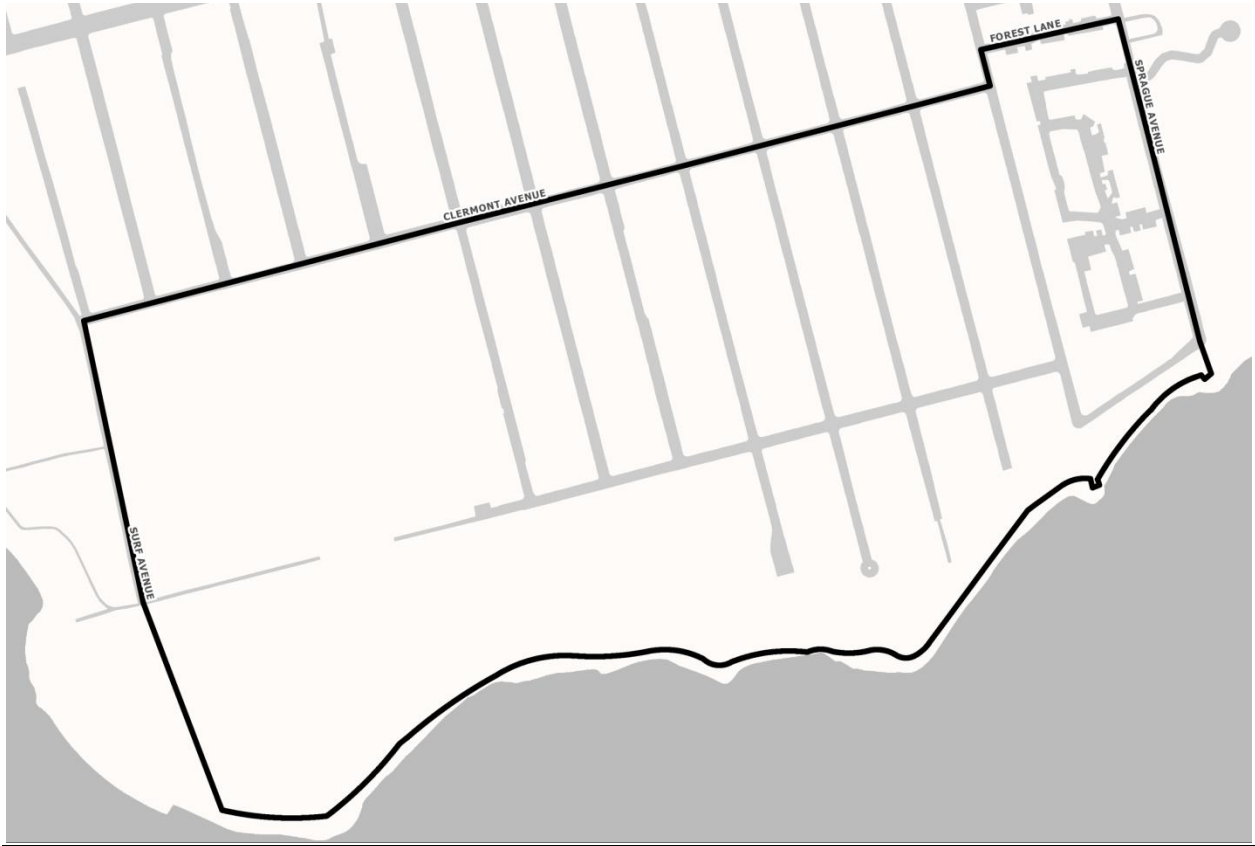


Areas designated by New York State as part of the NYS Enhanced Buyout Area Program are excluded from the neighborhood recovery areas and are designated on this map as “Excluded”

[Text map to be added]

Map 9

Neighborhood Recovery Areas in Staten Island Community District 3 (2 of 2)



Resolution for adoption scheduling June 3, 2015 for a public hearing.

II. REPORTS

BOROUGH OF BROOKLYN

No. 7

CROWN HEIGHTS NORTH III HISTORIC DISTRICT

CD 8

N 150321 HKK

IN THE MATTER OF a communication dated April 3, 2015, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Crown Heights North III Historic District, designated by the Landmarks Preservation Commission on March 24, 2015 (Designation List 479, LP-2489).

The Crown Heights North III Historic District consists of the properties bounded by a line beginning at the northeast corner of Kingston Avenue and Pacific Street, extending southerly across Pacific Street and along the eastern curbline of Kingston Avenue, crossing Dean Street and Bergen Street, to the southeast corner of Kingston Avenue and Bergen Street, and continuing westerly across Kingston Avenue to the southwest corner of Kingston Avenue and Bergen Street, southerly along the western curbline of Kingston Avenue to the northwest corner of Kingston Avenue and St. Mark's Avenue, easterly across Kingston Avenue to the northeast corner of Kingston Avenue and St. Mark's Avenue, southerly across St. Mark's Avenue and along the eastern curbline of Kingston Avenue, crossing Prospect Place and Park Place, to the southeast corner of Kingston Avenue and Park Place, westerly across Kingston Avenue, along the southern curbline of Park Place, and across Brooklyn Avenue to the southwest corner of Brooklyn Avenue and Park Place, southerly along the western curbline of Brooklyn Avenue to the point formed by its intersection with a line extending westerly from the southern property line of 277 Brooklyn Avenue, across Brooklyn Avenue and easterly along the southern property lines of 277 Brooklyn Avenue and 968 to 982 (block 1264, lot 116) Lincoln Place, southerly along the western property line of 982 Lincoln Place, northeasterly along the southern property lines of 982, 984 (block 1264, lot 17), and 986 (block 1264, lot 18) Lincoln Place, southerly along the western property line of 988 Lincoln Place, easterly along the southern property lines of 988 to 994 Lincoln Place, northerly along the eastern property line of 994 Lincoln Place, easterly along the southern property line of 996 Lincoln Place, northerly along the eastern property line of 996 Lincoln Place and across Lincoln Place to the northern curbline of Lincoln Place, easterly along said curbline and across Kingston Avenue to the northeast corner of Kingston Avenue and Lincoln Place, southerly across Lincoln Place and along the eastern curbline of Kingston Avenue, easterly along the southern property line of 285 Kingston Avenue, northerly along the eastern property lines of 285 and 283 Kingston Avenue, easterly along the southern property lines of 1050 to 1110 Lincoln Place, northerly along the eastern property line of 1110 Lincoln Place and across Lincoln Place to the northern curbline of Lincoln Place, easterly along said curbline to the northwest corner of Albany Avenue and Lincoln Place, northerly along the western curbline of

Albany Avenue, westerly along the northern property line of 288 Albany Avenue, northerly along the eastern property line of 1107 Lincoln Place, westerly along the northern property lines of 1107 to 1103 Lincoln Place, northerly along the eastern property line of 1103 Lincoln Place, westerly along the northern property lines of 1103 to 1097 Lincoln Place, southerly along the western property line of 1097 Lincoln Place, westerly along the northern property lines of 1095 to 1079 Lincoln Place, southerly along the western property line of 1079 Lincoln Place, westerly along the northern property line of 1077 Lincoln Place, southerly along the western property line of 1077 Lincoln Place, westerly along the northern property line of 1075 Lincoln Place, southerly along the western property line of 1075 Lincoln Place, westerly along the northern property line of 1073 Lincoln Place, southerly along the western property line of 1073 Lincoln Place, westerly along the northern property line of 1071 Lincoln Place, southerly along the western property line of 1071 Lincoln Place, westerly along the northern property line of 1069 Lincoln Place, southerly along the western property line of 1069 Lincoln Place, westerly along the northern property line of 1067 Lincoln Place, southerly along the western property line of 1067 Lincoln Place, westerly along the northern property lines of 1065 and 1063 Lincoln Place, northerly along the eastern property line of 1061 Lincoln Place, westerly along the northern property line of 1061 Lincoln Place, northerly along the eastern property line of 1059 Lincoln Place, westerly along the northern property lines of 1059 to 1049 Lincoln Place, southerly along the western property line of 1049 Lincoln Place, westerly along the northern property line of 267 Kingston Avenue and across Kingston Avenue to the western curblineline of Kingston Avenue, northerly along the western curblineline of Kingston Avenue, westerly along the northern property lines of 260 Kingston Avenue and 1025 to 979 Lincoln Place, northerly along the eastern property line of 1034 St. John's Place and across St. John's Place to the northern curblineline of St. John's Place, easterly along the northern curblineline of St. John's Place, northerly along the eastern property lines of 1045 St. John's Place and 1062-1062A Sterling Place and across Sterling Place to the northern curblineline of Sterling Place, easterly along said curblineline and across Kingston Avenue to the point formed by its intersection with a line extending northerly from the western property line of 1120 Sterling Place, southerly across Sterling Place and along the western property line of 1120 Sterling Place, easterly along the southern property line of 1120 Sterling Place, northerly along the eastern property line of 1120 Sterling Place, easterly along the southern property lines of 1134-1134A, 1136-1136A, and 1138-1138A Sterling Place, southerly along the western property lines of 36-36A to 48-48A Hampton Place, easterly along the southern property line of 48-48A Hampton Place, northerly along the western curblineline of Hampton Place to the point formed by its intersection with a line extending westerly from the southern property line of 41-41A Hampton Place, easterly across Hampton Place and along the southern property line of 41-41A Hampton Place, northerly along the eastern property lines of 41-41A Hampton Place to 33-33A Hampton Place, easterly along the southern property lines of 1156 to 1180 Sterling Place, northerly along the eastern property line of 1180 Sterling Place and across Sterling Place to the northern curblineline of Sterling Place, easterly along the northern curblineline of Sterling Place, across Albany Avenue, and continuing along the northern curblineline of Sterling Place, northerly along the eastern property lines of 253 Albany Avenue (aka 1201 Sterling Place) to 227 Albany Avenue (aka 1170 Park Place) to the southern curblineline of Park Place, westerly along the southern curblineline of Park Place and across Albany Avenue to the southwest corner of Albany Avenue and Park Place, northerly across Park Place and along the

western curblineline of Albany Avenue, westerly along the southern curblineline of Prospect Place to the point formed by its intersection with a line extending southerly from the eastern lot line of 1111 Prospect Place, northerly across Prospect Place and along the eastern property line of 1111 Prospect Place, easterly along the southern property lines of 970 and 974 St. Mark's Avenue, northerly along the eastern property line of 974 St. Mark's Avenue, easterly along the southern property lines of 976 to 982 St. Mark's Avenue, northerly along the eastern property line of 982 St. Mark's Avenue, easterly along the southern curblineline of St. Mark's Avenue to the southwest corner of St. Mark's Avenue and Albany Avenue, northerly across St. Mark's Avenue to the northwest corner of St. Mark's Avenue and Albany Avenue, westerly along the northern curblineline of St. Mark's Avenue, northerly along the eastern property line of 947 St. Mark's Avenue, easterly along the southern property lines of 1352 to 1358 Bergen Street, northerly along the eastern property line of 1358 Bergen Street, across Bergen Street, and along the eastern property lines of 1357 Bergen Street and 1470 Dean Street, westerly along the southern curblineline of Dean Street to the point formed by its intersection with a line extending southward from the eastern property line of 1465 Dean Street, northerly across Dean Street and along the eastern property line of 1465 Dean Street, westerly along the northern property line of 1465 Dean Street, northerly along the eastern property line of 1506 Pacific Street and across Pacific Street to the northern curblineline of Pacific Street, easterly along the northern curblineline of Pacific Street, northerly along the eastern property line of 1559 Pacific Street, westerly along the northern property lines of 1559 to 1515 Pacific Street, southerly along the western property line of 1515 Pacific Street, westerly along the northern property line of 1513 Pacific Street, southerly along the western property line of 1513 Pacific Street, westerly along the northern property lines of 1509 to 1505 Pacific Street, and southerly along the eastern curblineline of Kingston Avenue to the point of beginning to the point of the beginning.

(On April 9, 2015, the Commission duly advertised April 22, 2015 for a public hearing. On April 22, 2015, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

Nos. 8, 9 & 10

BRIDGEVIEW PLAZA

No. 8

CD 3

N 130145 RAR

IN THE MATTER OF an application submitted by John Calabrese for the grant of an authorization pursuant to Section 107-64 of the Zoning Resolution for removal of trees in order to facilitate the development of (2) one-story commercial buildings with parking for 51 cars at 4895, 4995 Arthur Kill Road (Block 7632, Lot 23) within the Special South Richmond Development District.

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

For consideration.



No. 9

CD 3

N 130146 RAR

IN THE MATTER OF an application submitted by John Calabrese for the grant of an authorization pursuant to Section 107-68 of the Zoning Resolution for modification of group parking facility and access regulations to facilitate the development of (2) one-story commercial buildings with parking for 51 cars and two curb cuts on an arterial street at 4895, 4995 Arthur Kill Road (Block 7632, Lot 23) within the Special South Richmond Development District.

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

For consideration.



No. 10

CD 3

N 130147 RAR

IN THE MATTER OF an application submitted by John Calabrese for the grant of an authorization pursuant to Section 36-597 of the Zoning Resolution for a waiver of cross access connections at the north and west lot lines to facilitate the development of (2) one-story commercial buildings with parking for 51 cars at 4895, 4995 Arthur Kill Road (Block 7632, Lot 23) within the Special South Richmond Development District.

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

For consideration.



No. 11

100 SOUTH BRIDGE STREET

CD 3

N 150142 RCR

IN THE MATTER OF an application submitted by R.A. Properties LLC for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate a future subdivision of the current one zoning lot into two new zoning lots at 100 South Bridge Street (Block 7584, Existing Lot 101, Tentative Lots 99 and 101) within the Special South Richmond Development District.

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

For consideration.



No. 12

6650 HYLAN BOULEVARD

CD 3

N 150207 RCR

IN THE MATTER OF an application submitted by Nicola Iacoviello for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate a future subdivision of the current one zoning lot into two new zoning lots at 6650 Hylan Boulevard (Block 7710, Existing Lot 213, Tentative Lots 212 and 213) within the Special South Richmond Development District.

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

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

Nos. 13 & 14

PROMESA

No. 13

CD 11

C 150211 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b, by:

1. changing from an R7-2 District to an R7X District property bounded by First Avenue, a line 180 feet northerly of East 120th Street, a line 200 feet westerly of First Avenue, and East 120th Street; and
2. establishing within the proposed R7X District a C1-5 District bounded by a line 180 feet northerly of East 120th Street, a line 100 feet westerly of First Avenue, and East 120th Street

as shown on a diagram (for illustrative purposes only) dated February 2, 2015.

(On May 6, 2015, Cal. No. 1, the Commission scheduled May 20, 2015 for a public hearing which has been duly advertised.)

Close the hearing.

No. 14

CD 11

C 150212 HAM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:

- a) the designation of property located at 413 East 120th Street (Block 1808, Part of Lot 8), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a 12-story mixed use building with approximately 179 units of affordable housing.

(On May 6, 2015, Cal. No. 2, the Commission scheduled May 20, 2015 for a public hearing which has been duly advertised.)

Close the hearing.

No. 15

HOSPITAL FOR SPECIAL SURGERY WEST WING ADDITION

CD 8

C 150248 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Hospital for Special Surgery pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Zoning Resolution Section 74-682 (Developments over streets) to permit the modification of the lot coverage requirements of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) in connection with a proposed 5-story plus 6-floor mechanical penthouse enlargement for a zoning lot generally bounded by the U.S. Pierhead and Bulkhead Line of the East River, the center line of the former East 70th Street, a line approximately 417 feet east of the York Avenue, and the center line of East 71st Street (Block 1482, Lots 20, and p/o 9020), within an R9 District.

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

(On May 6, 2015, Cal. No. 3, the Commission scheduled May 20, 2015 for a public hearing which has been duly advertised.)

Close the hearing.

No. 16

375 PEARL STREET OFFICE SPACE

CD 1

N 150350 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 375 Pearl Street (Block 113, Lot 1001) (NYPD offices).

(On May 7, 2015, the Commission duly advertised May 20, 2015 for a public hearing.)

Close the hearing.



No. 17

90 WEST STREET OFFICE SPACE

CD 1

N 150351 PXM

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 90 West Street (Block 56, Lot 4) (NYPD offices).

(On May 7, 2015, the Commission duly advertised May 20, 2015 for a public hearing.)

Close the hearing.



BOROUGH OF QUEENS

No. 18

S & L AEROSPACE METALS

CD 7

C150173 PPQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 120-22 28th Avenue (Block 4317, p/o Lot 1) in the Special College Point District, pursuant to zoning.

(On May 6, 2015, Cal. No. 4, the Commission scheduled May 20, 2015 for a public hearing which has been duly advertised.)

Close the hearing.

IV CITY PLANNING COMMISSION 2015 SCHEDULE OF MEETINGS

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