

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 26, 2017
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 10007**

**Yvette V. Gruel, Calendar Officer
120 Broadway, 30th Floor
New York, New York 10271
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 160253 MMX	10, 11	WESTCHESTER AVENUE BRIDGE	Scheduled to be Heard 8/9/17
2	C 170413 ZMX	1	SPECIAL HARLEM RIVER WATERFRONT DISTRICT EXPANSION	" "
3	N 170414 ZRX	1	" "	" "
4	C 150382 PQK	8	ALBANY NEIGHBORHOOD SENIOR CENTER	" "
5	C 170352 PQK	4	930 FLUSHING AVENUE	" "
6	C 150395 PQQ	12	ALL MY CHILDREN DAY CARE CENTER	" "
7	C 170336 ZMQ	12	NORTHEASTERN TOWERS ANNEX REZONING	" "
8	N 170337 ZRQ	12	" "	" "
9	N 170282 ZRM	6	EAST RIVER FIFTIES-SUTTON PLACE TEXT AMEMDMNT	Laid Over
10	C 160349 ZSM	2	40 WOOSTER STREET	Favorable Report Adopted
11	C 170275 ZMM	11	126 TH STREET BUS DEPOT	" "
12	N 170276 ZRM	11	" "	" "
13	C 170093 MMM	11	" "	" "
14	C 170278 PPM	11	" "	" "
15	N 170389 ZRM	4	SPECIAL WEST CHELSEA DISTRICT TEXT AMENDMENT	" "
16	C 170086 ZSK	8	120 KINGSTON AVENUE	" "
17	C 170304 HAK	3	1618 FULTON STREET	" "

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:													
Present (P) Absent (A)		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		10	11	12	13	14	15	16	17	18	19	20	21	22	23
Marisa Lago, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rayann Besser	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Irwin G. Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Michelle R. De La Uz	P	Y	Y	Y	Y	Y	Y	Y	R	Y	Y	Y	Y	Y	Y
Joseph I. Douek	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cheryl Cohen Efron	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Hope Knight	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Anna Hayes Levin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Orlando Marin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Larisa Ortiz, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

MEETING ADJOURNED AT: 3:13 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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WEDNESDAY, JULY 26, 2017
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(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
18	C 170029 ZMK	2	50 NEVINS STREET REZONING	Favorable Report Adopted
19	N 170030 ZRK	2	" "	" "
20	C 170316 PCK	9	MAPLE STREET OPEN SPACE AND GARDEN	" "
21	N 170242 ZCR	1	5 TOMPKINS CIRCLE	Certification Approved
22	N 170308 RCR	3	SOUTH SERVICE ROAD	" "
23	N 170345 RCR	3	GENESEE-BARTLETT-RICHMOND AVENUE	" "
24	N 170329 ZAX	8	4490 FIELDSTON ROAD-LOT 1	Authorization Approved
25	N 170330 ZAX	8	" "	" "
26	N 170331 ZAX	8	" "	" "
27	N 170332 ZAX	8	4490 FIELDSTON ROAD-LOT 2	" "
28	N 170333 ZAX	8	" "	" "
29	N 170334 ZAX	8	" "	" "
30	N 170335 ZAX	8	" "	" "
31	N 170295 ZAX	8	660 WEST 261 ST STREET-FEIGLESON POOL	" "
32	N 170296 ZAX	8	" "	" "
33	C 170377 ZMX	9	1675 WESTCHESTER AVENUE REZONING	Hearing Closed
34	N 170378 ZRX	9	" "	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		24	25	26	27	28	29	30	31	32				
Marisa Lago, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Rayann Besser	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Irwin G. Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Michelle R. De La Uz	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Joseph I. Douek	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Cheryl Cohen Efron	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Hope Knight	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Anna Hayes Levin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Orlando Marin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				
Larisa Ortiz, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y				

MEETING ADJOURNED AT: 3:13 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, JULY 26, 2017
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK, NY 10007

Yvette V. Gruel, Calendar Officer
120 Broadway, 30th Floor
New York, New York 10271
(212) 720-3370

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
35	C 170382 ZSM	2	SOHO TOWER	Hearing Closed
36	C 170180 ZMQ	7	135-01 35 TH AVENUE REZONING	" "
37	C 170180(A)ZMQ	7	" "	" "
38	N 170181 ZRQ	7	" "	" "
39	C 170351 PCQ	14	ENGINE 268-LADDER 127 FIREHOUSE	" "
40	C 160174 ZSR	1	SOUTH AVENUE RETAIL DEVELOPMENT	" "
41	C 150359 MMR	1	" "	" "
42	C 150278 ZMK	1	PFIZER SITES REZONING	" "
43	N 150277 ZRK	1	" "	" "

COMMISSION ATTENDANCE: Present (P) Absent (A)		COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R
Calendar Numbers:		
Marisa Lago, Chair		
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 Efron		
Hope Knight		
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, JULY 26, 2017

**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. 14]

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
120 Broadway – 31st Floor
New York, New York 10271

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

B

CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

MARISA LAGO, *Chair*

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

HOPE KNIGHT

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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WEDNESDAY, JULY 26, 2017

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**Community Board Public Hearing Notices are available in the
Calendar Information Office, 31st Floor, 120 Broadway,
New York, N.Y. 10271**

The next regular public meeting of the City Planning Commission is scheduled for August 9, 2017.

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 generally be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If many people wish to speak on a particular item, statements may 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.

Electronic Comments: 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 submit comments electronically using the CPC Comments Form that is located on the public meeting page of the Department of City Planning website:

<http://www1.nyc.gov/site/planning/about/commission-meetings.page>

Written Comments: Anyone wishing to present written 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 also 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 – 31st Floor
120 Broadway, New York, N.Y. 10271**

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____

In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

JULY 26, 2017

APPROVAL OF THE MINUTES OF the Regular Meeting of July 12, 2017

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, AUGUST 9, 2017
STARTING AT 10:00 A. M. AT 22 READE STREET, SPECTOR HALL
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

WESTCHESTER AVENUE BRIDGE

CDs 10, 11

C 160253 MMX

IN THE MATTER OF an application, submitted by The New York City Department of Transportation, Division of Bridges, pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the modification of legal grades on Westchester Avenue between Waters Place and Hutchinson River Parkway East Service Road, in accordance with Map No. 13139 dated March 2, 2017 and signed by the Borough President.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

Nos. 2 & 3

SPECIAL HARLEM RIVER WATERFRONT DISTRICT EXPANSION

No. 2

CD 1

C 170413 ZMX

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

1. eliminating a Special Mixed Use District (MX-1) from property bounded by Park Avenue and its southwesterly centerline prolongation, East 135th Street (southwesterly portion), the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, and the U.S. Pierhead and Bulkhead line; and
2. establishing a Special Harlem River Waterfront District (HRW) bounded by Park Avenue and its southwesterly centerline prolongation, East 135th Street (southwesterly portion), the southwesterly centerline prolongation of Rider Avenue, Major Deegan Expressway, Third Avenue, Bruckner Boulevard, Lincoln Avenue and its southwesterly centerline prolongation, and the U.S. Pierhead and Bulkhead line;

as shown on a diagram (for illustrative purposes only) dated June 5, 2017.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

No. 3

CD 1

N 170414 ZRX

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VIII, Chapter 7, and related Sections, to modify the text of the Special Harlem River Waterfront District.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

Matter within # # is defined in Section 12-10, 62-11, 64-11 and/or 87-01;

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

**ARTICLE I
GENERAL PROVISIONS**

Chapter 4
Sidewalk Cafe Regulations

* * *

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

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

* * *

The Bronx	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
City Island District	No	Yes
<u>Harlem River Waterfront District</u>	<u>No</u>	<u>Yes</u>

* * *

**ARTICLE II
RESIDENCE DISTRICT REGULATIONS**

Chapter 3
Residential Bulk Regulations in Residence Districts

* * *

23-00
APPLICABILITY AND GENERAL PURPOSES

23-01
Applicability of This Chapter

* * *

23-011
Quality Housing Program

* * *

R6 R7 R8 R9 R10

(c) In the districts indicated without a letter suffix, the optional Quality Housing #bulk# regulations permitted as an alternative pursuant to paragraph (b) of this Section, shall not apply to:

(1) Article VII, Chapter 8 (Special Regulations Applying to Large Scale Residential Developments);

(2) Special Purpose Districts

However, such optional Quality Housing #bulk# regulations are permitted as an alternative to apply in the following Special Purpose Districts:

* * *

#Special Grand Concourse Preservation District#;

#Special Harlem River Waterfront District#;

#Special Limited Commercial District#;

* * *

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-90
WATERFRONT ACCESS PLANS

* * *

62-92
Borough of The Bronx

The following Waterfront Access Plans are hereby established within the Borough of The Bronx. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BX-1: Harlem River, in the #Special Harlem River Waterfront District#, as set forth in Section 87-~~69~~70 (HARLEM RIVER WATERFRONT ACCESS PLAN).

* * *

[NOTE: Section titles and provisions in the following Chapter may reflect the proposed text amendment, Lower Concourse North Rezoning (ULURP No. N 170312 ZRX, certified 3/20/2017).]

**ARTICLE VIII
SPECIAL PURPOSE DISTRICTS**

Chapter 7
Special Harlem River Waterfront District

**87-00
GENERAL PURPOSES**

The “Special Harlem River Waterfront 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:

* * *

- (f) provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus encourage more attractive and economic building forms; ~~and~~
- (g) to enhance neighborhood economic diversity by broadening the range of housing choices for residents at varied incomes;
- (h) encourage investment in mixed residential and industrial neighborhoods by permitting expansion and new development of a wide variety of uses in a manner that will safeguard the health and safety of people using the area; and

- (i) promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River waterfront and thus conserve the value of land and buildings and thereby protect City tax revenues.

87-01

Definitions

For purposes of this Chapter, matter in italics is defined in Sections 12-10, 62-11 or 64-11, or within this Section.

[NOTE: The definition of “ground floor level,” moved from 87-10 (SPECIAL USE REGULATIONS) and amended]

Ground floor level

~~As used in this Section, The~~ “ground floor level” shall mean the finished floor level of a the first #story# that is within five feet of an adjacent public sidewalk or any other #publicly accessible open area#, or the finished floor level of the #lowest occupiable floor# pursuant to the provisions of Section 64-21 (Ground Floor Use), whichever is lower.

Parcel 1 building line

* * *

[NOTE: The following terms are already defined in Section 62-11 (Definitions)]

~~Shore public walkway~~

~~A “shore public walkway” is a linear public access area running alongside the shore or water edges of a #platform#, as defined in Section 62-11, on a #waterfront zoning lot#.~~

~~Supplemental public access area~~

A “supplemental public access area” is a public access area provided on a #waterfront zoning lot#, in addition to other required public access areas, in order to fulfill the required #waterfront public access area# requirements.

A #supplemental public access area# shall not include a #shore public walkway# or an #upland connection#.

Upland connection

An “upland connection” is a pedestrian way which provides a public access route from a #shore public walkway# to a public sidewalk within an open and accessible #street#, public mapped parkland or other accessible public place.

Visual corridor

A “visual corridor” is a public #street# or tract of land within a #block# that provides a direct and unobstructed view to the water from a vantage point within a public #street#, public mapped parkland or other public place.

Waterfront block or waterfront zoning lot

A “waterfront block” or “waterfront zoning lot” is a #block# or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter:

- (a) — a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#;
- (b) — a #block# within the #waterfront area# that abuts public mapped parkland along the waterfront shall be deemed to be part of a #waterfront block#; and
- (c) — a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

~~Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not abut public mapped parkland along the waterfront, shall be deemed outside of the #waterfront block#.~~

~~Waterfront public access area~~

~~A “waterfront public access area” is the portion of a #zoning lot# improved for public access. It may include any of the following: a #shore public walkway#, #upland connection#, #supplemental public access area# or, as defined in Section 62-11, a public access area on a #pier# or #floating structure#.~~

87-02

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special Harlem River Waterfront District# shall apply. 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, except as specifically modified in this Chapter. ~~However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.~~

[NOTE: The Article VI, Chapter 4 applicability provision, moved to Section 87-043]

87-03

District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into two Subdistricts comprised of parcels that consisting of tax blocks and lots as established on June 30, 2009, as follows:

Core Subdistrict - tax blocks and lots existing on June 30, 2009

Parcel 1: Block 2349, Lot 112

Parcel 2: Block 2349, Lot 100 (that portion not mapped as parkland* in accordance with Alteration Map No. 13124, dated January 29, 2009, in the Office of the Bronx Borough President)

Parcel 3: Block 2349, Lots 46, 47, 146

Parcel 4: Block 2349, Lot 38

Parcel 5: Block 2349, Lots 15, 20

Parcel 6: Block 2349, Lots 3, 4

Parcel 7: Block 2323, Lot 43

Parcel 8: Block 2323, Lot 28

Parcel 9: Block 2323, Lots 5, 13, 18

[NOTE: The following North Subdistrict provisions are currently under review as part of Lower Concourse North Rezoning, N 1700312 ZRX, certified 3/20/2017]

[North Subdistrict - tax blocks and lots existing on [date of adoption]

Parcel 10: Block 2539, Lot 1, portion of Lots 2, 3
Block 2356, Lots 2, 72 and tentative Lot 102 (existing on [date of adoption])

South Subdistrict - tax blocks and lots existing on [date of adoption]

Parcel 11: Block 2319, Lot 55

Parcel 12: Block 2319, Lot 60

Parcel 13: Block 2319, Lots 37 and 155

- Parcel 14: Block 2319, Lot 98

- Parcel 15: Block 2319, Lot 99

- Parcel 16: Block 2319, Lots 100 and 108

- Parcel 17: Block 2319, Lot 109

- Parcel 18: Block 2319, Lot 112

- Parcel 19: Block 2319, Lot 2

- Parcel 20: Block 2316, Lots 1 and 35

- Parcel 21: Block 2319, Lot 200

The District Plan includes the following maps:

- Map 1. (Special Harlem River Waterfront District, Subdistricts and Parcels)

- Map 2. (Designated Non-residential Use Locations)

- Map 3. (Waterfront Access Plan: Public Access Elements)

- Map 4. (Waterfront Access Plan: Designated Visual Corridors)

* ~~in accordance with Alteration Map No. 13124, dated January 29, 2009, in the Office of the Bronx Borough President~~

87-04
Applicability of ~~Article VI, Chapter 2~~ District Regulations

[NOTE: Existing provisions, moved to 87-042 and modified]

87-041

Applicability of the Quality Housing Program

In the #Special Harlem River Waterfront District#, #buildings# containing #residences# shall be #developed# or #enlarged# in accordance with the Quality Housing Program. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

87-042

Applicability of Article VI, Chapter 2

[NOTE: Existing provisions, moved from Section 87-04 and modified.]

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall apply in all #waterfront areas#, except as modified by the provisions of this Chapter.

[NOTE: Existing provisions, moved from Section 87-65 and modified.]

For the purpose of applying the provisions of Article VI, Chapter 2, Parcels 1, 2, 3 and 4 within the Core Subdistrict, and any parcels having a boundary within 40 feet of a #shoreline# within the South Subdistrict, as shown on Map 1 (Special Harlem River Waterfront District, Subdistricts and Parcels) in the Appendix to this Chapter, shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after June 30, 2009 for the Core Subdistrict, and after [date of adoption] for the South Subdistrict.

87-043

Applicability of Article VI, Chapter 4

[NOTE: Existing provisions, moved from Section 87-02 and modified]

In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the

provisions of Article VI, Chapter 4, shall control, except as modified by the provisions of this Chapter.

84-044

Applicability of Article XII, Chapter 3

Within the South Subdistrict, for M1 Districts mapped with a Residence District#, the provisions of Article XII, Chapter 3 (Special Mixed Use District) for #waterfront blocks# shall apply, except as modified in this Chapter. In the event of a conflict between the provisions of Article XII, Chapter 3 and this Chapter, the provisions of this Chapter shall control.

87-045

Applicability of Inclusionary Housing Program

[NOTE: Existing Inclusionary Housing applicability provision, moved from Section 87-20 and modified.]

For the purposes of applying the Inclusionary Housing Program set forth in Section 23-90 (INCLUSIONARY HOUSING), the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter, shall be an #Inclusionary Housing designated area#.

87-05

Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 in the Core Subdistrict after June 30, 2009, and on any Parcel in the South Subdistrict after [date of adoption], as shown on Map 1 in the Appendix to this Chapter, after June 30, 2009, the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all #use# and #bulk# #floor area# regulations of this Zoning Resolution.

87-10
SPECIAL USE REGULATIONS

The #use# regulations of the underlying districts or of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) are modified ~~in Sections 87-11 through 87-24~~ by the provisions of this Section, inclusive.

As used in this Section, “ground floor level” shall mean the finished floor level of a #story# that ~~is within five feet of an adjacent public sidewalk or any other #publicly accessible open area#.~~

[NOTE: the definition of “ground floor level” moved to 87-01 and amended.]

87-11
Vehicle _____ Storage _____ Establishments
Use Regulations within the Core Subdistrict

[NOTE: Existing Section 87-11 provisions, moved to Section 87-111]

The special #use# provisions of this Section, inclusive, shall apply to #zoning lots# within the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter.

87-111
Vehicle storage establishments

[NOTE: Existing provisions, moved from Section 87-11 and cross-references are updated]

Commercial or public utility vehicle storage, open or enclosed, including #accessory# motor fuel pumps as listed in Use Group 16C shall be a permitted #use# on Parcel 5, as shown on Map 1 in the Appendix to this Chapter, provided that:

- (a) such #use# is the primary #use# on the parcel;
- (b) no more than 10,000 square feet of #floor area# shall be provided on Parcel 5; and

- (c) a #shore public walkway# is provided as set forth in paragraph (a) of Section 87-6171 (Special Public Access Provisions by Parcel).

The streetscape provisions of Section 87-1341, inclusive, the maximum width of establishment provisions of Section 87-23 and the special height and setback regulations of Section 87-3032, inclusive, shall not apply to such #use#. In lieu thereof, the applicable height and setback provisions of Article VI, Chapter 2 shall apply.

87-112

Location of Commercial Space

[NOTE: Existing provisions, moved from Section 87-12]

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

87-12

Location of Commercial Space Use Regulations in the North Subdistrict

[NOTE: Existing provisions, moved to Section 87-112]

[NOTE: This section would contain special use provisions proposed by Lower Concourse North Rezoning]

~~87-13~~

~~Streetscape Regulations~~

[NOTE: Existing provisions, moved to Section 87-40]

87-14

Location of Underground Uses

~~Notwithstanding the provisions of Section 62-332 (Rear yards and waterfront yards), underground #uses#, such as parking garages, shall not be allowed in #waterfront yards#.~~

87-20

SPECIAL FLOOR AREA REGULATIONS

The applicable #floor area# regulations of the underlying districts, of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), or of Article XII, Chapter 3 (Special Mixed Use District), are modified by the provisions of this Section, inclusive.

[NOTE: The following provisions, moved to Section 87-045]

~~The #Special Harlem River Waterfront District# shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special District.~~

87-21

Special Residential Floor Area Regulations
Floor Area Regulations in the Core Subdistrict

[NOTE: Existing provisions, moved to Section 87-211]

The provisions of this Section, inclusive, shall apply to #developments# and #enlargements# within the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter.

87-211**Special Floor Area Regulations**

[NOTE: Existing floor area ratio (FAR) provisions for mixed buildings, moved from Section 87-21 and amended]

The ~~base maximum~~ #floor area ratio# for ~~any~~ #zoning lots# containing ~~only~~ #residences residential uses#, ~~or~~ #residential uses# and #community facility# or #commercial uses# shall be 3.0. Such ~~base maximum~~ #floor area ratio# may be increased to ~~a maximum of~~ 4.0 through the provision of #affordable housing# pursuant to ~~the provisions for~~ #Inclusionary Housing designated areas# in ~~Section 23-90 (INCLUSIONARY HOUSING)~~ paragraph (b) of Section 23-154 (Inclusionary Housing). The maximum #floor area ratio# for #affordable independent residences for seniors# shall be 4.0, ~~except that the height and setback regulations of Sections 23-951 (Height and setback for compensated developments in Inclusionary Housing designated areas) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.~~

[NOTE: the above height and setback applicability provisions, moved to Section 87-30]

87-212**Special floor area requirement for certain commercial uses**

[NOTE: Existing special floor area provisions, moved from Section 87-22]

- (a) For each square foot of #commercial floor area# in a #building# occupied by the #uses# listed in paragraph (a)(1) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# shall be provided from #uses# listed in paragraph (a)(2) of this Section.

* * *

87-213**Location of building entrances**

[NOTE: Existing provisions, moved from 87-24]

On Parcels ~~1, 2, 3 and 4~~, as shown on Map 1 in the Appendix to this Chapter, the main front entrance of at least one #building# on each Parcel, as the term “main front entrance” is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), or its successor, shall be located facing the #shore public walkway#. Such main front entrance of a #building# shall be:

- ~~(a)~~ on Parcel 1, located no less than 120 feet from 149th Street;
- ~~(b)~~ (a) on Parcel 2, located no less than 95 feet from a mapped parkland; and
- ~~(c)~~ (b) on Parcels 3 and 4, located no less than 45 feet from an #upland connection#.

~~87-22~~

Special	Retail	Floor	Area	Requirement
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[NOTE: Existing provisions moved to Section 87-212]

~~87-23~~

~~Maximum Width of Establishments~~

[NOTE: Existing requirements for commercial and community facility would be eliminated and be replaced with provisions of Section 87-40]

On Parcels ~~5 and 6~~, as shown on Map 1 in the Appendix to this Chapter, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway# or #upland connection#, shall be limited to 60 feet for each #street wall# facing such #shore public walkway# or #upland connection#.

~~87-24~~

~~Location of Building Entrances~~

[NOTE: Existing 87-24 provisions, moved to 87-213]

87-30**SPECIAL HEIGHT AND SETBACK AND OTHER BULK REGULATIONS**

~~The underlying height and setback regulations shall not apply. In lieu thereof, the special height and setback regulations of this Section, inclusive, shall apply. For the purposes of applying such regulations:~~

In the #Special Harlem River Waterfront District#, the provisions of Section 87-32 (Special Height and Setback Regulations in the Core Subdistrict), inclusive, shall apply to the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter.

In the Core Subdistrict, the underlying height and setback regulations shall apply, except as modified by the provisions of this Section, inclusive. The height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall not apply.

In the South Subdistrict, as shown on Map 1, the height and setback and other bulk regulations of Article XII, Chapter 3 (Special Mixed Use District) applicable to M1 Districts mapped with an R8 District in #waterfront blocks# shall apply.

The height of all #buildings or other structures# shall be measured from the #base plane#.

[NOTE: Lower Concourse North text amendment also contains applicability language]

[The following paragraph (a) provisions moved to Section 87-32, and (b) re-located above.]

(a) ~~a #shore public walkway#, mapped parkland, an #upland connection# or fire apparatus access road, as required by the New York City Fire Code, shall be considered a #street# and its boundary shall be considered a #street line#. However, the following shall not be considered #streets# for the purposes of applying the #street wall# location provisions of paragraph (a) of Section 87-32:~~

~~(1) Exterior Street; and~~

- (2) ~~that portion of any other #street#, mapped parkland, #upland connection# or fire apparatus access road that is located east of the #Parcel 1 building line#; and~~
- (b) ~~the height of all #buildings or other structures# shall be measured from the #base plane#.~~

**87-31
Permitted Obstructions**

In the Core Subdistrict, the provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**87-32
Street ——— Wall ——— Location ——— and ——— Building ——— Base
Special Height and Setback Regulations in the Core Subdistrict**

In the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter, for #developments# and #enlargements#, the provisions of this Section, inclusive, shall apply.

[Following #street line# provisions moved from 87-30 and modified]

For the purposes of applying the special height and setback regulations of this Section, inclusive, and the underlying height and setback, distance between #legally required windows# and #lot lines#, and #court# regulations, as applicable, , a #shore public walkway#, mapped parkland, #supplemental public access area#, #upland connection#, or fire apparatus access road provided pursuant to the provisions of Section 87-62 (Fire Apparatus Access Roads), shall be considered a #street# and its boundary shall be considered a #street line#, except that:

- (a) for Parcel 1, the westerly #street line# of Exterior Street shall be the #Parcel 1 building line#;
- (b) for Parcel 1, the #street line# of East 149th Street shall be the southernmost boundary of or any easement area existing on [date of adoption], any fire apparatus access road or any private road; and

- (c) for all other parcels with frontage along Exterior Street, the #street line# of such #street# shall be the westerly boundary of Exterior Street or the Major Deegan Expressway, whichever is closest to the #shoreline#.

[NOTE: Lower Concourse North text amendment proposed temporary language to apply existing rules to Core Subdistrict]

[NOTE: Existing 87-32 provisions moved to 87-321 and 87-322 and modified]

(a) ~~—#Street wall# location~~

~~The #street wall# of a #building# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:~~

- ~~(1) — ground floor level recesses up to three feet deep shall be permitted for access to #building# entrances;~~
- ~~(2) — to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#;~~
- ~~(3) — for #buildings# that are required to locate at least one main front entrance facing a #shore public walkway#, pursuant to Section 87-24 (Location of Building Entrances), no portion of the #street wall# containing such entrance shall be closer to the #shore public walkway# than the main front entrance; and~~
- ~~(4) — no portion of a #building# facing a #shore public walkway#, except on Parcel 1, as shown on Map 1 in the Appendix to this Chapter, shall exceed a width of 300 feet.~~

~~However, on Parcel 1, in order to accommodate a sewer easement located within an area bounded by the eastern boundary of the #shore public walkway#, East 149th Street, a line 120 feet south of and parallel to East 149th Street and a line 120 feet east of and parallel to the #shore public walkway#, no #street wall# shall be required along that portion of East 149th Street and any fire apparatus access road within such easement area. Such area~~

~~not developed as a fire apparatus access road and open to the sky shall be at least 35 percent planted and shall not be used for parking or loading. Furthermore, in the event such area contains a driveway, it shall be screened from the #shore public walkway# and East 149th Street, except for curb cuts and pedestrian paths, with densely planted evergreen shrubs maintained at a height of three feet.~~

~~(b) — Minimum and maximum base heights~~

~~The #street wall# shall rise without setback to a minimum base height of six #stories# or 60 feet, or the height of the #building#, whichever is less, and a maximum base height of eight #stories# or 85 feet, whichever is less, before a setback is required.~~

~~However, on Parcels 5 and 6, as shown on Map 1 in the Appendix to this Chapter, for #street walls# facing a #shore public walkway#, the minimum base height shall be 20 feet and the maximum base height shall be four #stories# or 40 feet, whichever is less, before a setback is required. Any portion of a #building or other structure# that does not exceed such maximum base heights shall hereinafter be referred to as a “building base.”~~

~~All portions of #buildings or other structures# that exceed the maximum base heights set forth in this paragraph, (b), shall be set back from the #street wall# at least ten feet along a #shore public walkway#, mapped parkland and Exterior Street, and at least 15 feet along an #upland connection#.~~

~~For #buildings# that exceed a height of eight #stories# or 85 feet, except on Parcels 5, 6, 7 and 9, as shown on Map 1 in the Appendix to this Chapter, not more than 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of six #stories# or 60 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of eight #stories# or 85 feet, whichever is less.~~

~~Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(1) of this Section.~~

~~(e) — Transition heights~~

All ~~#street walls#~~, except on Parcels 5 and 6, may rise to a maximum transition height of 115 feet, provided that, except on Parcel 7, not more than 60 percent of the ~~#aggregate width of street walls#~~ facing a ~~#shore public walkway#~~ exceeds a height of 85 feet. On Parcels 5 and 6, a ~~#street wall#~~ may rise to a maximum transition height of 85 feet, without limitation.

All portions of ~~#buildings#~~ that exceed the transition heights set forth in this paragraph, (e), shall comply with the tower provisions of Section 87-33.

87-321

Street wall location

[Existing provisions, moved from 87-32 (a), and modified]

In the Core Subdistrict, the following #street wall# location rules shall apply.

(a) Parcels 1, 2, 3 and 4

On Parcels 1, 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, for frontages along the #shore public walkway#, #supplemental public access areas#, #upland connections#, mapped parkland or #visual corridors#, as shown on Map 2, at least 70 percent of the #aggregate width of street walls# of a #building# shall be located within eight feet of the #street line#. For frontages beyond 50 feet of the #shore public walkway#, such #street wall# shall rise to at least the minimum base height specified in Section 87-322 (Base heights and transition heights), or the height of the #building#, whichever is less. Along all frontages, up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along any #street#, or deeper than 15 feet along #shore public walkway#, are located within an #outer court#.

Along other frontages, no #street wall# location provisions shall apply.

(b) Parcels 5, 6, 7, 8 and 9

On Parcels 5, 6, 7, 8 and 9, as shown on Map 1, for frontages along #visual corridors#, or #upland connections#, as shown on Map 2, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall rise to at least the minimum base height specified in Section 87-322, or the height of the #building#, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any such recesses deeper than 10 feet along any #street#, or deeper than 15 feet along #shore public walkway#, are located within an #outer court#.

Along other frontages, no #street wall# location provisions shall apply.

87-322

Base heights and transition heights

[Existing provisions, moved from paragraph (a) of Section 87-32, and modified]

In the Core Subdistrict, the following base heights, required setbacks and maximum transition heights shall apply. Towers are permitted above the maximum heights set forth in this Section only in accordance with Section 87-323 (Tower provisions).

(a) Base heights

(1) Within 50 feet of the #shore public walkway#

For #street walls# fronting on, or within 50 feet of, the #shore public walkway#, the maximum base height shall be 85 feet, except that:

- (i) on Parcels 1, 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, for #street walls# fronting on a #shore public walkway#, at least 30 percent of the #aggregate width of street walls# fronting on the #shore public walkway#, or a contiguous #street wall# width of 60 feet, whichever is greater, shall not exceed a maximum height of 45 feet. In addition to being applied along the #shore public walkway#, such lowered #street wall# may be applied along intersecting #streets# within 100 feet of the #shore public walkway#; and**

(ii) on Parcels 5 and 6, as shown on Map 1 in the Appendix to this Chapter, such maximum base height shall be 45 feet.

(2) Beyond 50 feet of the #shore public walkway#

Along all other frontages, beyond 50 feet of the #shore public walkway#, the #street wall# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, and may rise to a maximum base height of 105 feet.

(b) Required setbacks

Above such maximum base height, #street walls# shall be set back a minimum of 30 feet from the #street line# along the #shore public walkway# on Parcel 1, 15 feet from such #street line# on any other parcels, and a minimum of 10 feet from the #street line# along all other #streets#. Along all #streets#, such set back shall have a minimum depth of seven feet from any portion of the #street wall# below such maximum base height. However, the depth of such setback may include the depth of recesses or #outer courts# provided that the aggregate width of such portion of a #street wall# with a reduced setback shall not exceed 30 percent of the #street wall#.

In addition, on Parcels 1, 2, 3 and 4, in locations where the maximum base height is limited to 45 feet, #street walls# above such maximum base height shall be set back a minimum of 30 feet from the #street line#, and a minimum of seven feet from any portion of the #street wall# below such height.

Dormers provided in accordance with paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts) shall be permitted obstructions in all setback areas, except along the #shore public walkway#. Such dormers shall not exceed the maximum transition height set forth in paragraph (c) of this Section.

(c) Maximum transition heights

For #street walls# fronting on, or within 50 feet of, the #shore public walkway#, #street walls# above a required setback may rise to a maximum transition height of 125 feet and, along all other frontages, #street walls# above a required setback may rise to a maximum

transition height of 155 feet. Such transition heights may only be exceeded where towers are provided in accordance with the provisions of Section 87-323 (Tower provisions).

87-323

Tower provisions

[Existing provisions, moved from 87-33, and modified]

A #building or other structure# may exceed the applicable maximum heights set forth in Section 87-322 (Base heights and transition heights) only in accordance with the tower provisions of this Section.

(a) Maximum number of towers

For #zoning lots# with less than 100,000 square feet of #lot area#, only one tower shall be permitted. For #zoning lots# with 130,000 square feet of #lot area# or more, not more than two towers shall be permitted. The minimum separation between any two towers on the same #zoning lot# shall be 60 feet.

(b) Setbacks

All towers shall comply with the applicable setback provisions set forth in paragraph (b) of Section 87-322, except that on Parcel 1, towers shall be set back from the #shore public walkway# a minimum of 30 feet.

The former provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts) shall not apply to the tower portion of a #building#. In lieu thereof, up to 50 percent of the width of the #street wall# of a tower shall be permitted to encroach into a required setback area, except in setback areas along the #shore public walkway#.

(c) Maximum tower size

Each #story# of a tower shall not exceed a gross area of 10,000 square feet, except that any encroachment into a setback area provided in accordance with paragraph (b) of this Section need not be included in such gross area.

(d) Maximum tower width

On Parcels 1, 3, 4 and 7, as shown on Map 1 in the Appendix to this Chapter, the maximum width of any #story# of a tower facing the #shoreline# shall not exceed 130 feet, and on Parcel 2, the maximum width of any #story# of a tower facing mapped parkland shall not exceed 100 feet.

(e) Maximum height of towers

For #zoning lots# with 100,000 square feet or less of #lot area#, the maximum height of a tower shall be 300 feet, and for #zoning lots# with more than 100,000 square feet of #lot area# the maximum height of a tower shall be 400 feet.

However, for #zoning lots# with two towers, such maximum tower height of 400 feet shall apply to only one tower and a maximum tower height of 260 feet shall apply to the second tower. There shall be a height differential of at least 40 feet between any two #towers# on a #zoning lot#.

(f) Tower top articulation

The uppermost three #stories# of a tower, or as many #stories# as are located entirely above a height of 300 feet, whichever is less, shall have a #lot coverage# not exceeding 90 percent of the #lot coverage# of the #story# immediately below such #stories#.

87-33**[Towers****Special Height and Setback and Other Bulk Regulations in the North Subdistrict]**

[NOTE: Lower Concourse North text amendment is adding height and setback provisions for the North Subdistrict]

[Existing text moved to 87-323 and modified]

~~All #stories# of a #building# located partially or wholly above the applicable transition height set forth in paragraph (c) of Section 87-32 shall be considered a “tower” and shall comply with the~~

provisions of this Section. For ~~#zoning lots#~~ with less than 130,000 square feet of ~~#lot area#~~, only one tower shall be permitted. For ~~#zoning lots#~~ with 130,000 square feet of ~~#lot area#~~ or more, not more than two towers shall be permitted.

(a) ~~Maximum tower height~~

~~For #zoning lots# with 100,000 square feet of #lot area# or less, the maximum height of a #building# shall be 300 feet. The maximum height of #buildings# on #zoning lots# with more than 100,000 square feet of #lot area# shall be 400 feet. For #zoning lots# with two towers, however, such maximum #building# height of 400 feet shall apply to not more than one tower and a maximum #building# height of 260 feet shall apply to the second tower. There shall be a height differential of at least 40 feet between towers.~~

(b) ~~Location rules for #zoning lots# adjacent to mapped parkland~~

~~Where a tower is provided on a #zoning lot# adjacent to mapped parkland, such tower or portion thereof shall be located within 85 feet of such mapped parkland, and if two towers are provided on such #zoning lot#, the second tower or portion thereof shall be located either within 120 feet of East 149th Street or within 45 feet of an #upland connection#. Where two towers are provided on a #zoning lot# adjacent to mapped parkland, the shorter of the towers shall be located nearer the mapped parkland.~~

(c) ~~Maximum tower size~~

~~The outermost walls of each #story# located entirely above the applicable transition height shall be inscribed within a rectangle. The maximum length of any side of such rectangle shall be 135 feet. Each #story# of a tower located entirely above the applicable transition height shall not exceed a gross area of 8,800 square feet.~~

(d) ~~Tower top articulation~~

~~All #buildings# that exceed a height of 200 feet shall provide articulation in accordance with at least one of following provisions:~~

(1) ~~Setbacks on each tower face~~

- (i) ~~For #buildings# less than 260 feet in height, the highest three #stories#, or as many #stories# as are located entirely above a height of 200 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#;~~
- (ii) ~~For #buildings# 260 feet or more in height, the highest four #stories#, or as many #stories# as are located entirely above a height of 260 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.~~

~~Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (d)(1), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.~~

(2) ~~Three setbacks facing Harlem River~~

~~The upper #stories# of a tower shall provide setbacks with a minimum depth of 15 feet measured from the west-facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 230 feet, whichever is less. The lowest level at which such setbacks may be provided is 230 feet, and the highest #story# shall be located entirely within the eastern half of the tower.~~

* * *

87-40

**~~SPECIAL REQUIREMENTS FOR CERTAIN ROADS AND SIDEWALKS~~
SPECIAL REGULATIONS FOR GROUND FLOOR LEVEL**

[NOTE: All existing Sections 87-40, 87-41 and 87-42 provisions, moved to Section 87-50]

[NOTE: Existing provisions, moved from Section 87-13 and modified]

The provisions set forth in this Section, inclusive, shall apply to #ground floor levels# of #developments# and #ground floor level enlargements# within the #Special Harlem River Waterfront District#, as applicable.

87-41

Fire _____ Apparatus _____ Access _____ Roads
Streetscape Requirements in the Core and South Subdistricts

[NOTE: Existing 87-41 provisions, moved to 87-62]

In the Core and South Subdistricts, as shown on Map 1 in the Appendix to this Chapter, for #developments# and #ground floor level enlargements#, the provisions of this Section, inclusive, shall apply.

For the purposes of applying the special streetscape regulations of this Section, inclusive , a #shore public walkway#, mapped parkland, #supplemental public access area#, #upland connection# or a fire apparatus access road provided pursuant to the provisions of Section 87-62 (Fire Apparatus Access Roads), shall be considered a #street# and its boundary shall be considered a #street line#.

87-411

Ground floor uses

[NOTE: Existing provisions, moved from Section 87-13 and modified]

All ~~#ground floor level uses#~~ facing a ~~#shore public walkway#, mapped parkland or an #upland connection#~~ shall comply with the minimum depth requirements of 37-32 (Ground Floor Depth Requirements for Certain Uses). For the purposes of applying such provisions, ~~#shore public walkways#, mapped parkland or an #upland connection#~~ shall be considered designated retail ~~#streets#~~. Lobbies and entrances shall comply with the provisions for Type 1 lobbies set forth in Section 37-33 (Maximum Width of Certain Uses). The level of the finished ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent public sidewalk or other publicly accessible area.

For ~~#buildings#~~ on Parcels 1 through 6, as shown on Map 1 in the Appendix to this Chapter, that face a ~~#shore public walkway#, mapped parkland or #upland connection#~~, not less than 20 percent of the ground floor level ~~#floor area#~~ of such portions of ~~#buildings#~~ shall consist of ~~#uses#~~ from Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2.

Within the Core and South Subdistricts, as shown on Map 1 in the Appendix to this Chapter, the following shall apply:

(a) Minimum amount of required #ground floor level floor area#

At least 50 percent of the width of the #ground floor level street wall# of a #building# shall be occupied by #floor area#, and on Parcels 1 and 2, as shown on Map 1, the entire width of the #ground floor level street wall# facing a #shore public walkway# or a mapped parkland, shall be occupied by #floor area#. Such #floor area# shall be allocated to any permitted #use#, except #group parking facilities#.

(b) Required non-#residential uses# in certain locations

The #ground floor level street wall# within 50 feet of the intersection of two #streets# at locations designated on Map 2, shall be occupied exclusively by non-#residential floor area#. In addition, on Parcels 3 and 4, at least 50 feet of additional #ground floor level street wall# facing the #shore public walkway# shall be occupied exclusively by non-#residential floor area#, at the locations designated on Map 2. #Group parking facilities#, including entrances and exits thereto, shall not be permitted within such locations.

Non-#residential floor area# required pursuant to this paragraph may satisfy #ground floor level floor area# required pursuant to paragraph (a) of this Section.

All #ground floor level floor area# required pursuant to this Section shall extend to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses). For the purposes of applying such provisions, all #streets# shall be considered designated retail streets.

87-412

Transparency requirements in the Core and South Subdistricts

[NOTE: Existing provisions, moved from 87-13 (b)]

~~Any#building# wall containing #ground floor level commercial# or #community facility uses# that faces a #shore public walkway#, mapped parkland or #upland connection#, shall be glazed in accordance with the transparency requirements set forth in Section 37-34 (Minimum Transparency Requirements). For the purposes of applying such provisions, #shore public walkways#, mapped parkland or an #upland connection# shall be considered designated retail streets.~~

In the Core and South Subdistricts, for non-#residential uses# located at the #ground floor level# shall be subject to the following requirements, any portion of a #ground floor level street wall# that is subject to the #floor area# requirements of paragraph (b) of Section 87-411 (Ground floor uses), shall be glazed in accordance with the transparency requirements for designated retail streets set forth in Section 37-34 (Minimum Transparency Requirements), except that:

- (a) in the South Subdistrict, where the #ground floor level street wall# is occupied by #uses# in Use Groups 16, 17 or 18, up to 50 percent of the length of such #ground floor level street wall# may be exempt from such transparency requirements, provided that any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide planting or screening in accordance with the provisions of paragraphs (a) or (e) of Section 87-415 (Special streetscape provisions for certain blank walls) for at least 75 percent of such blank wall; and
- (b) in #flood zones#, for #buildings# utilizing the provisions of paragraph (a) of Section 64-21 (Ground Floor Use), where no transparent materials or #building# entrances or exits are provided on the #ground floor level street wall# below a height of four feet above the level of the adjoining sidewalk for a continuous width of at least 25 feet, visual mitigation elements shall be provided in accordance with Section 87-415 for such blank wall.

For the purposes of applying the provisions of Section 37-34, locations subject to the provisions of paragraph (b) of Section 87-411 shall be considered designated retail streets.

87-413

Parking wrap and screening requirements in the Core and South Subdistricts

The following provisions shall apply to any #group parking facility# in the Core and South Subdistricts:

[NOTE: Existing provisions, moved from paragraphs (c) through (e) of 87-50]

~~(e) Location requirements for parking facilities~~

~~No parking facility, open or enclosed, shall front upon or be visible from:~~

- ~~(1) — a #shore public walkway#, except as provided for in paragraph (e) of this Section for Parcel 5;~~
- ~~(2) — any #upland connection# or mapped parkland, or portion thereof, that is located west of the #Parcel 1 building line#.~~

~~(d)(a) Design requirements for enclosed off-street #group parking facilities#~~

~~All enclosed off-street #group parking facilities# shall be located either entirely below the level of any #street# an adjacent sidewalk or open area accessible to the public upon which such facility fronts any other adjacent pedestrian area required to be accessible to the public or, when located above grade, shall comply with the following: in compliance with the following provisions:~~

- ~~(1) — The provisions of this paragraph, (d)(1), shall apply to facilities facing a #shore public walkway#, an #upland connection#, mapped parkland, or the northern #street line# of 138th Street.~~

~~At every level above grade, off-street parking facilities shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements). For the purposes of applying such provisions, #shore public walkways#, an #upland connection# or mapped parkland and East 138th Street shall be considered designated retail streets. All such parking facilities shall be exempt from the definition of #floor area#.~~

~~On Parcel 6, as shown on Map 1 in the Appendix to this Chapter, the ground floor of a #building# within 60 feet of the intersection of Exterior Street and East 138th Street shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 so that no portion of a parking facility is visible from such portion of Exterior Street or East 138th Street.~~

- ~~(2) The provisions of this paragraph, (d)(2), shall apply to facilities not facing a #shore public walkway#, or that portion of an #upland connection# or mapped parkland located west of the #Parcel 1 building line#, or the northern #street line# of East 138th Street.~~

~~Such facilities shall be screened in accordance with the provisions set forth in paragraphs (b)(1) through (b)(3) of Section 37-35.~~

- (1) #Group parking facilities# on the #ground floor level# within 30 feet of #street walls# subject to the provisions of Section 87-411 (Ground floor uses) shall be wrapped by #floor area# in accordance with the provisions of paragraph (a) of Section 37-35 (Parking Wrap and Screening Requirements. For the purpose of applying such provisions, #street walls# subject to the provisions of Section 87-411 shall be considered designated retail streets.
- (2) #Group parking facilities# along all other frontages shall either be wrapped by #floor area#, or screened in accordance with the provisions of paragraph (e) of Section 87-415. In addition, any continuous stretch of screening that exceeds 25 feet in width shall provide planting in accordance with the provisions of paragraph (a) of Section 87-415 (Special streetscape provisions for certain blank walls) along 50 percent of such screened frontage.

~~(e)(c)~~ Open parking areas

Open parking areas shall be permitted only in the following locations:

- (1) on Parcel 1, as shown on Map 1 in the Appendix to this Chapter, a parking lot shall be permitted east of the #Parcel 1 building line#;
- (2) on Parcel 5, as shown on Map 1, a parking lot shall be permitted anywhere within the Parcel only if a commercial or public utility vehicle storage #use#, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel;
- (3) on Parcel 6, a parking lot shall be permitted within 130 feet of the southern boundary of the parcel with East 138th Street; and
- (4) on all parcels, open, unscreened, in tandem (one behind the other), #accessory# off-street parking spaces shall be permitted on private roads, including fire apparatus access roads provided pursuant to the provisions of Section 87-62 (Fire Apparatus Access Roads), provided that all parking spaces comply with the Department of Transportation standards for on-street parking.

For such open parking lots, the provisions of Section 28-43 (Location of Accessory Parking) shall not apply. In addition, on Parcel 1, for parking lots located east of the #Parcel 1 building line#, or on Parcel 5, for parking lots used solely as a commercial or public utility vehicle storage #use# as listed in Use Group 16C, the provisions of Sections 37-90 (PARKING LOTS) and 62-655 (Planting and trees) shall be modified to permit fencing, excluding chain link fencing, in lieu of all planting requirements, provided that the surface area of such fencing is not more than 50 percent opaque and provided that the height does not exceed six feet. The provisions of Sections 37-90 and 62-555 shall not apply to any parking lots provided within private roads, including fire apparatus access roads provided pursuant to the provisions of Section 87-62.

[ORIGINAL PROVISIONS]

~~The requirements of Section 37-90 (PARKING LOTS) and screening requirements for open parking lots of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), are modified as set forth in this paragraph, (e).~~

For the purposes of applying the requirements of Section 37-90, a fire apparatus access road shall be considered a #street#.

On Parcel 1, for parking lots or portions thereof located east of the #Parcel 1 building line#, no landscaping shall be required. Such parking lots shall be screened from #streets# and any other publicly accessible areas by ornamental fencing, excluding chain link fencing, with a surface area at least 50 percent open and not more than four feet in height. However, along that portion of Exterior Street located between East 149th Street and a sewer easement, a seven foot wide strip, densely planted with evergreen shrubs maintained at a height of three feet shall be provided.

On Parcel 5, as shown on Map 1 in the Appendix to this Chapter, if a commercial or public utility vehicle storage #use#, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel, the screening requirements applicable to open parking lots set forth in Article VI, Chapter 2, shall not apply. In lieu thereof, such open parking lot shall be screened from the adjacent #shore public walkway# and #upland connection# with a wall or fence, other than a chain link fence, not more than 50 percent opaque, and at least five feet in height, but not more than six feet in height.

87-414

Special provisions applicable within the flood zone

In the Core and South Subdistricts, the provisions of Section 64-336 (Alternative height measurement in Commercial and Manufacturing Districts) shall be modified so that where the #flood-resistant construction elevation# is between four feet and 12 feet above #curb level#, #building# height may be measured from a reference plane 12 feet above #curb level#, and any minimum base height requirements may be measured from #curb level#. The requirements of Section 64-642 (Transparency requirements for buildings utilizing alternative height measurement) shall apply to #buildings# utilizing these alternative height measurement provisions.

87-415

Special streetscape provisions for certain blank walls

The provisions of this Section shall apply to a #ground floor level building# frontage, or any portion thereof, facing a #street#, #shore public walkway#, #upland connection#, or fire apparatus access road provided pursuant to the provisions of Section 87-62 (Fire Apparatus Access Roads), where no transparent materials or entrances or exits are provided on the #ground floor level# below a height of four feet above the level of the adjoining sidewalk, or grade, as applicable, for a continuous width of at least 25 feet. For the purpose of this Section, such a #building# wall, or portion thereof, shall be referred to as a “blank wall” and visual mitigation elements shall be provided in accordance with this Section.

At least 50 percent of the linear footage of any blank wall on a #ground floor level building# frontage shall be treated by one or more of the following visual mitigation elements. Where a #building# wall fronts upon a #street#, such visual mitigation elements shall be provided on the #zoning lot#, except that the depth of an area containing such elements within the #zoning lot# need not be greater than three feet, when measured perpendicular to the #street line#. Where a blank wall exceeds a #street wall# width of 50 feet, at least 25 percent of such #street wall# width shall be planted in accordance with the provisions of paragraph (a) of this Section, and where a blank wall exceeds a height of 10 feet, as measured from the level of the adjoining grade, for a width of more than 25 feet, at least 50 percent of such #street wall# width shall provide wall treatments in accordance with the provisions of paragraph (e) of this Section.

The maximum width of a portion of the #ground floor level# blank wall without visual mitigation elements shall not exceed 10 feet. However, such blank wall limitation shall not include portions of #street walls# occupied by entrances or exits to #accessory# off-street parking facilities and #public parking garages#, where permitted, entryways to required loading berths, where permitted, or doors accessing emergency egress stairwells and passageways.

Visual mitigation elements:

(a) Planting

Any combination of perennials, annuals, decorative grasses or shrubs shall be provided in planting beds, raised planting beds or planter boxes in front of the #street wall#. Each foot in width of a planting bed, raised planting bed or planter box, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Such planting bed shall extend to a depth of at least three feet, inclusive of any structure containing the planted material. Any individual planted area shall have a width of at least five feet, and the height of such planting, inclusive of any structure containing the planted materials, shall be at least three feet.

(b) Benches

Fixed benches with or without seatbacks shall be provided in front of the #street wall#. Unobstructed access shall be provided between such benches and an adjoining sidewalk or required circulation paths. Each linear foot of bench, as measured parallel to the #street wall#, shall satisfy one linear foot of frontage mitigation requirement. Any individual bench shall have a width of at least five feet, and no more than 20 feet of benches may be used to fulfill such requirement per 50 feet of frontage.

(c) Bicycle racks

Bicycle racks, sufficient to accommodate at least two bicycles, shall be provided in front of the #street wall#, and oriented so that the bicycles are placed parallel to the #street wall#. Each bicycle rack so provided shall satisfy five linear feet of frontage mitigation requirement. No more than three bicycle racks may be used to fulfill such requirement per 50 feet of frontage.

(d) Tables and chairs

Fixed tables and chairs shall be provided in front of the #street wall#. Each table shall have a minimum diameter of two feet, and have a minimum of two chairs associated with it. Each table and chair set so provided shall satisfy five linear feet of frontage mitigation requirement.

(e) Wall treatment

Wall treatment, in the form of permitted #signs#, graphic or sculptural art, rustication, decorative screening or latticework, or living plant material, shall be provided along the #street wall#. Each linear foot of wall treatment shall constitute one linear foot of frontage mitigation requirement. Such wall treatment shall extend to a height of at least 10 feet, as measured from the level of the adjoining sidewalk or grade, and have a minimum width of 10 feet, as measured parallel to the #street wall#.

87-50

SPECIAL PARKING REGULATIONS

[NOTE: Existing provisions, moved to 87-51]

The applicable parking and loading regulations of underlying districts or of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall apply, except as modified by the provisions of this Section, inclusive.

87-51

Curb Cut Restrictions

Special Parking Regulations in the Core Subdistrict

[NOTE: Existing provisions, moved from 87-50; existing 87-51 provisions moved to 87-52]

The following provisions shall apply to all parking facilities in the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter:

~~(a)~~ Use of parking facilities

~~All accessory off-street parking spaces may be made available for public use; any such space, however, shall be made available to the occupant of a residence to which it is accessory within 30 days after written request therefore is made to the landlord.~~

~~(b)~~(a) Off-site parking

The off-site parking location provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required accessory off-street parking spaces may be provided on any zoning lot ~~other than the same zoning lot to which such spaces are accessory, provided the lot to be used for parking is within the Special Harlem River Waterfront District~~ Core Subdistrict.

[NOTE: Existing text in paragraphs (c) through (e) of 87-51 moved to Section 87-412]

~~(f)~~(b) Roof parking

~~Any roof, or portion thereof, of a facility containing that covers off-street parking spaces; not otherwise covered by a building, that and is larger than 400 square feet in surface~~

area, shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the #building# in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

~~(e)~~(c) Open parking lots

Open parking lots shall be permitted only in the following locations:

- (1) on Parcel 1, as shown on Map 1 in the Appendix to this Chapter, a parking lot shall be permitted east of the #Parcel 1 building line#;
- (2) on Parcel 5, as shown on Map 1, a parking lot shall be permitted anywhere within the Parcel only if a commercial or public utility vehicle storage #use#, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel;
- (3) on Parcel 6, along the southern boundary of the Parcel with East 138th Street, provided that such parking lot is south of any #building# on the Parcel and east of the #shore public walkway#; and
- (4) on all Parcels, open, unscreened, tandem (one behind the other), #accessory# off-street parking spaces shall be permitted on fire apparatus access roads provided pursuant to the provisions of Section 87-62 (Fire Apparatus Access Roads), provided that all parking spaces comply with Department of Transportation standards for on-street parking.

For such open parking lots, the provisions of Section 28-43 (Location of Accessory Parking) shall not apply, and, on Parcels 1 and 5, the provisions of Sections 37-90 (PARKING LOTS) and 62-655 (Planting and trees) shall be modified to permit fencing, excluding chain link fencing, in lieu of all planting requirements, provided that the surface area of such fencing is not more than 50 percent opaque and provided that the height does not exceed six feet. The provisions of Sections 37-90 and 62-655 shall not apply to fire apparatus access roads provided pursuant to the provisions of Section 87-62.

[ORIGINAL PROVISIONS]

The requirements of Section 37-90 (PARKING LOTS) and screening requirements for open parking lots of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), are modified as set forth in this paragraph, (e).

For the purposes of applying the requirements of Section 37-90, a fire apparatus access road shall be considered a #street#.

On Parcel 1, for parking lots or portions thereof located east of the #Parcel 1 building line#, no landscaping shall be required. Such parking lots shall be screened from #streets# and any other publicly accessible areas by ornamental fencing, excluding chain link fencing, with a surface area at least 50 percent open and not more than four feet in height. However, along that portion of Exterior Street located between East 149th Street and a sewer easement, a seven foot wide strip, densely planted with evergreen shrubs maintained at a height of three feet shall be provided.

On Parcel 5, as shown on Map 1 in the Appendix to this Chapter, if a commercial or public utility vehicle storage #use#, as listed in Use Group 16C, is #developed# or #enlarged# as the primary #use# on the parcel, the screening requirements applicable to open parking lots set forth in Article VI, Chapter 2, shall not apply. In lieu thereof, such open parking lot shall be screened from the adjacent #shore public walkway# and #upland connection# with a wall or fence, other than a chain link fence, not more than 50 percent opaque, and at least five feet in height, but not more than six feet in height.

87-52

Curb Cut Restrictions

[EXISTING PROVISIONS MOVED FROM 87-51]

On Parcels 1, 2, 3 and 4, as shown on Map 1 in the Appendix to this Chapter, no curb cuts shall be provided facing a #shore public walkway#, and further, on Parcels 1 and 2, no curb cuts shall be provided facing a mapped parkland.

87-60**HARLEM RIVER WATERFRONT ACCESS PLAN**
SPECIAL REQUIREMENTS FOR CERTAIN ROADS AND SIDEWALKS

The following provisions shall apply in the Core Subdistrict, as shown on Map 1 in the Appendix to this Chapter.

87-61**Special Public Access Provisions**
Sidewalks

[NOTE: Existing 87-61 provisions moved to 87-71]

[NOTE: Existing provisions, moved from 87-42 and modified]

In the event that Parcel 1, as shown on Map 1 in the Appendix to this Chapter, is #developed# with #mixed use buildings#, as defined in Section 123-11, sidewalks shall be provided on Parcel 1, as follows:

- (a) Sidewalks with a ~~depth-width~~ of at least 15 feet, ~~measured perpendicular to the curb of a #street#~~, shall be provided along the entire Exterior Street and East 149th Street frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 15 feet, a sidewalk widening shall be provided on the #zoning lot# ~~so~~ such that the combined width of the sidewalk within the #street# and the sidewalk widening equals at least 15 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement.
- (b) A 22 foot wide walkway shall extend east of and along the #Parcel 1 building line#, linking East 149th Street and mapped parkland, or a fire apparatus access road if such a road is provided adjacent to mapped parkland. ~~In the event that a parking lot is provided east of such walkway, the easternmost seven feet of such walkway shall be densely planted with evergreen shrubs maintained at a maximum height of three feet above the adjoining walkway.~~ Such walkway and planting strip may be interrupted to allow vehicular or pedestrian access.

- (e) ~~Any driveway located east of the #Parcel 1 building line# that extends along a sewer easement and intersects Exterior Street shall have curbs and sidewalks with a minimum width of 13 feet along each curb, which may be interrupted to allow for vehicular access to a parking lot.~~

All sidewalks and sidewalk widenings shall be constructed or improved to Department of Transportation standards, shall connect at grade to be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times, except when required to be closed for repairs.

87-62

Certification to Waive Supplemental Public Access Area Requirement Fire Apparatus Access Roads

[NOTE: Existing provisions, moved from Section 87-41 and modified]

Within the Core and South Subdistricts, for Parcels 1, 2, 3, 4 and 11, where a fire apparatus access road is provided as required by New York City Fire Code Section 503.2 (Fire apparatus access roads), or its successor, the Chairperson of the City Planning Commission shall certify, in conjunction with a certification application filed pursuant to paragraph (c) of Section 62-811, the following:

- (a) the road shall be constructed to minimum Department of Transportation standards for public #streets#, including sidewalks, curbs and curb drops, lighting, signage, materials, and crosswalk, and shall meet the requirements set forth in the New York City Fire Code;
- (b) for Parcels 2, 3, or 4, the contiguity provisions of paragraph (a) of Section 87-64 shall be met, except that where no connection for vehicular travel lanes terminating at the opposite side of a shared #lot line# exist at the time of construction, the provisions of paragraph (b) of such section may be utilized as an interim alternative;
- (c) a restrictive declaration shall be executed in accordance with the provisions of Section 87-66; and
- (d) street trees shall be planted pursuant to the requirements of Section 26-41 along such fire apparatus access road as if it were a #street#.

However, the requirements of this Section shall not apply to: fire apparatus access roads on Parcels 1 and 3 that are provided pursuant to the provisions of paragraph (b)(3) of Section 87-71 (Special Public Access Provisions); and to a fire apparatus access road on Parcel 11 located in the required #upland connection# within the prolongation of East 134th Street.

[ORIGINAL PROVISIONS]

~~Where a fire apparatus access road is provided as required by the New York City Fire Code, such road shall comply with the following requirements:~~

- ~~(a) — the width of a paved road bed shall be 34 feet, constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops;~~
- ~~(b) — curbs shall be provided along each side of the entire length of such road;~~
- ~~(c) — a minimum 13 foot paved sidewalk shall be provided adjacent to and along the entire length of the required curb;~~
- ~~(d) — for the purposes of making the #street# tree requirements of Section 26-41 applicable to fire apparatus access roads, a fire apparatus access road shall be considered a #street#; and~~
- ~~(e) — all such roads shall be constructed with lighting, signage, materials and crosswalks to minimum Department of Transportation standards for public #streets#.~~

87-63

Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways Contiguity of Fire Apparatus Access Road with Adjacent Zoning Lots on Parcels 2, 3 and 4

[NOTE: Existing provisions, moved to paragraph (b) of this Section]

On Parcels 2, 3 and 4, in addition to the certification provisions of Section 87-62 (Fire Apparatus Access Roads), a fire apparatus access road shall be provided in accordance with the provisions of this Section.

(a) Bi-Directional Road

[NOTE: Existing provisions, moved from Section 87-66 (Connection with Adjacent Zoning Lots) and modified]

On each of Parcels 2, 3 and 4, and only among such Parcels, a connection for bi-directional vehicular travel lanes to an adjacent #zoning lot line# shall be provided. When complete, such fire apparatus access road shall provide bi-directional contiguous vehicular access from the northerly #upland connection# of Parcel 2 along the mapped parkland, along the #shore public walkway# of Parcels 2, 3 and 4, and within the southerly #upland connection# of Parcel 4.

Any connection of fire apparatus access roads across a shared #zoning lot line# must meet the grade of, and maintain the street width of, the existing adjacent fire apparatus access road. Such fire apparatus access road shall extend along the entire #shore public walkway# of the #zoning lot#, from #lot line# to #lot line#. A connection need not be opened unless and until such declaration of restrictions, in accordance with Section 87-64, has been recorded against the adjacent #zoning lot#.

(b) Interim fire apparatus turnaround

[NOTE: Existing provisions of Section 87-63, modified]

When bi-directional vehicular travel lanes are constructed that terminate at a #lot line# and do not continue on the adjacent #zoning lot# at the time of their construction, an interim dead-end fire apparatus access road turnaround may be constructed as an alternative to the provisions of paragraph (a) of this Section, in accordance with the following provisions.

An applicant utilizing the provisions of this paragraph shall construct a fire apparatus access road that extends along the entire #upland connection# and #shore public walkway# of the #zoning lot#, from #lot line# to #lot line#, and shall provide an “approved turnaround area,” constructed as part of a “dead-end fire apparatus access road,” as those terms are defined in the New York City Fire Code, Section 503.2.9 (Dead-end turnarounds), or its successor.

Such turnaround area shall be constructed to dimensions no greater than required under the New York City Fire Code, Section 503.2.9 (Dead-end turnarounds), or its successor, and shall be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. Such turnaround area may extend into the designated #shore public walkway#, but at no point may such turnaround area extend into the associated circulation path. Sidewalks shall not be required adjacent to the turnaround area. The portion of the turnaround area that lies within a #shore public walkway# shall remain clear of obstacles, shall be composed of permeable materials to the extent permissible by the Fire Commissioner and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.2 (Fire apparatus access roads), or its successor. In addition, the roadbed material of a fire apparatus access road leading to a turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage.

At the time of certification pursuant to Section 87-62, the site plan shall demonstrate a suitable design for the dead-end fire apparatus access road that demonstrates both the approved turnaround area and the repurposed turnaround area outside of the roadbed upon the issuance of a notice of substantial compliance for the adjacent #zoning lot#. In addition, a conceptual site plan shall demonstrate that the proposed site plan and grading plan for required contiguous access pursuant to the provisions of paragraph (a) of this Section is compatible with future #development# on the adjoining #zoning lot#. Such site plans shall be included as an exhibit to the declaration of restrictions recorded pursuant to Section 87-64.

Repurposing a turnaround area and providing contiguous access in accordance with an approved conceptual site plan shall not necessitate a certification pursuant to Section 62-811, provided that there are no further modifications to an approved #waterfront public access area#.

[BELOW: Original provisions of Section 87-66 (Connection with Adjacent Zoning Lots)]

~~The following provisions apply to #developments#, #enlargements#, alterations or changes of #use#, pursuing certification, pursuant to either Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement) or 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).~~

~~On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development#, #enlargement#, alteration or change of #use#, shall provide a connection for bi-directional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection of fire apparatus access roads across a shared #zoning lot line# must meet the grade of, and maintain the street width of, the existing adjacent private street. In addition to such physical shared #lot line# connection, a #private road# declaration shall be provided pursuant to the provisions of Section 87-64. A connection need not be opened unless and until such declaration of restrictions, in accordance with Section 87-64, has been recorded against the adjacent #zoning lot#.~~

~~When no connection for vehicular travel terminating at the opposite side of a shared #lot line# exists, a dead-end fire apparatus access road turnaround may be constructed, pursuant to Section 87-63, which may extend into the designated #shore public walkway#. Such certification is also contingent upon providing a declaration of restrictions, in accordance with Section 87-64.~~

[BELOW: Original provisions of Section 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways)]

~~On Parcels 2, 3 and 4, a dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code, Section 503.2.5 (Dead ends) may, by certification, extend into the designated #shore public walkway#, provided that:~~

- ~~(a) — a declaration of restrictions has been provided, pursuant to Section 87-64;~~
- ~~(b) — a fire apparatus access road abutting the shared #zoning lot line# between the #development#, #enlargement#, alteration or change of #use# seeking certification under this Section and Parcels 2, 3 or 4 does not exist; and~~
- ~~(c) — the fire apparatus access road serves as a segment of a bi-directional loop road along the #shore public walkway#, providing a connection to Exterior Street at the northeast corner of Parcel 2 and a connection to Exterior Street at the southeast corner of Parcel 4.~~

~~Such turnaround shall have a diameter of 70 feet and be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. At no point may the turnaround extend into the #shore public walkway# for a distance greater than 23 feet. Sidewalks shall not be required adjacent to the turnaround. The portion of the turnaround that lies within a #shore public~~

~~walkway# shall remain clear of obstacles, shall be composed of permeable materials, and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.1.1 (Fire apparatus access roads), or its successor. In addition, the roadbed material of a fire apparatus access road leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush with the level of adjoining sidewalks.~~

87-64

Declaration of Restrictions

[NOTE: Existing provisions, modified]

For any fire apparatus access road proposed for certification pursuant to Sections 87-62 (Fire Apparatus Access Roads), a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road, and any sidewalk adjacent to such road, to guarantee that such road, and any sidewalk adjacent to such road, remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Sections 87-62 ~~and 87-63~~, where applicable.

For certifications proposed pursuant to Section ~~87-63~~62 on Parcels 2, 3 or 4, where #developments# or #enlargements# on such parcels utilize the allowance for interim fire access turnaround, in accordance with paragraph (b) of Section 87-63 (Cross Access Connection with Adjacent Zoning Lots on Parcels 2, 3 and 4), any declaration of restrictions shall include that, at the time of the issuance of the notice of substantial compliance for the adjacent #development#, or #enlargement# pursuant to this Section, thereby permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously-constructed fire apparatus access road turnaround area shall be responsible for the following actions on the portion of the connection on such #zoning lot#:

- (a) repurposing the fire apparatus access road turnaround area pursuant to the requirements set forth in paragraph (b) of Section 87-63;
- (b) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable unobstructed pedestrian movement across parcels;
- (c) complying with all applicable waterfront rules, #street# regulations and the New York City Fire Code; and
- (d) providing a connection with the adjacent #zoning lot# pursuant to Section 87-63.

[BELOW: Original provisions of Section 87-64 (Declaration of Restrictions)]

~~For any fire apparatus access road proposed for certification pursuant to Sections 87-62 or 87-63, a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road, to guarantee that such road remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Sections 87-62 and 87-63, where applicable.~~

~~For certifications proposed pursuant to Section 87-63, at the time a declaration of restrictions has been provided by the adjacent #development#, #enlargement#, alteration or change of #use#, pursuant to this Section, permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously constructed fire apparatus access turnaround shall be responsible for the following actions on the portion of the connection on such #zoning lot#:~~

- ~~(a) deconstructing the fire apparatus access road turnaround;~~
- ~~(b) re-landscaping the area that had extended into the #shore public walkway#, so as to create the conditions of the immediately surrounding #shore public walkway#, which~~

~~may include any combination of tree planting, laying sod, removing pavers, or any other required landscaping action;~~

- ~~(e) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable pedestrian movement across parcels; and~~
- ~~(d) complying with all applicable waterfront rules, #street# regulations and the New York City Fire Code.~~

87-70 **HARLEM RIVER WATERFRONT ACCESS PLAN**

[NOTE: Existing waterfront access plan provisions, moved from Section 87-60]

Map 23 (Waterfront Access Plan: Public Access Elements) in the Appendix to this Chapter shows the boundaries of the area comprising the Harlem River Waterfront Access Plan and the location of where certain features are mandated or permitted by the Plan.

87-71 **Special Public Access Provisions**

[NOTE: Existing provisions, moved from 87-61]

The provisions of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS) shall apply to #developments#, #enlargements#, ~~alterations or changes of #use#~~, as follows modified in this Section. For the purpose of applying the provisions of this Section, “development” shall be as defined in Section 62-11, that require #waterfront public access areas#. To “develop” shall mean to create such #development#.

- (a) #Shore public walkways#

- (1) The ~~#shore public walkway#~~ shall be provided in the location designated on Map 3 (Waterfront Access Plan: Public Access Elements) and constructed at an elevation ~~of two feet above~~ not lower than the highest level of the train track bed of the Oak Point Rail Link, except that:
- (i) ~~on Parcels 6 and 7, no such elevation requirement shall apply;~~
 - (ii) on Parcel 5, if commercial or public utility vehicle storage, as listed in Use Group 16C, is ~~#developed# or #enlarged#~~ as the primary ~~#use#~~ on the ~~#zoning lots#, such~~ the elevation requirement shall not apply. However, for any other ~~#use#, such~~ the elevation requirement shall only apply along the westernmost section of the ~~#shore public walkway#~~ to a depth of 40 feet.
 - (iii) ~~on all #zoning lots#, a #shore public walkway# shall be required to meet the grade of an existing adjacent #street#, which may include deviating from such elevation requirement where necessary.~~
- (2) An approved turnaround area in a dead-end fire apparatus access road ~~turnaround area~~, as defined in the New York City Fire Code, Section 503.2.95 (Dead-end turnarounds), or its successor, may, by certification extend into a designated ~~#shore public walkway#~~ pursuant to paragraph (b) of Section 87-63 (Certification to Allow Fire Apparatus Access Road Turnaround Area in Shore Public Walkways Contiguity of Fire Apparatus Access Road with Adjacent Zoning Lots on Parcels 2, 3 and 4).
- (3) In the event that a portion of a ~~#waterfront zoning lot#~~ is within 40 feet of the ~~#shoreline#~~ yet does not abut the ~~#shoreline#~~ because of an intervening ~~#zoning lot#~~, a ~~#shore public walkway#~~ shall be provided on such upland portion. The width of the ~~#shore public walkway#~~ on such portion shall be 40 feet measured from the ~~#shoreline#~~ of the intervening ~~#zoning lot#~~ and shall include the width of the intervening ~~#zoning lot#~~. The portion of such ~~#shore public walkway#~~ located upland of the intervening ~~#zoning lot#~~ shall be improved with a circulation path at least ten feet wide, and any required planted screening buffer shall have a width of at least four feet.

- (4) On Parcel 5, if a commercial or public utility vehicle storage ~~#use#~~ is ~~#developed# or #enlarged#~~ as the primary ~~#use#~~ on the parcel, the ~~#shore public walkway#~~ requirements set forth in Section 62-62 shall apply, except that:
- (i) the required width of the ~~#shore public walkway#~~ may be reduced to a minimum of 20 feet along the northern edge of the inlet and may be reduced to a minimum of 30 feet along the eastern edge of the inlet;
 - (ii) the circulation path required in paragraph (a)(1) of Section 62-62 shall be modified to a minimum width of 10 feet along the northern and eastern edge of the inlet; and
 - (iii) the screening provisions of paragraph (c)(2) of Section 62-62 shall not apply. In lieu thereof, a planted screening buffer with a width of four feet shall be provided. Such planted buffer shall consist of densely planted shrubs or multi-stemmed screening plants, with at least 50 percent being evergreen species. Shrubs shall have a height of at least four feet at the time of planting; and.
 - (iv) ~~in the event that the #upland connection# on Parcel 6 has not been provided,~~ a ten foot wide pedestrian walkway between the ~~#shore public walkway#~~ and Exterior Street shall be provided on Parcel 5 adjacent to such ~~#upland connection#~~ location.

(b) ~~#Upland connections#~~

~~#Upland connections#~~ shall be located on Parcels 1, 3, 4, 5 and 6 and 11, as designated on Map 23 in the Appendix to this Chapter.

The applicable provisions of Sections 62-50, inclusive, are modified, as follows:

- (1) On Parcel 1, for an #upland connection# required along the northern boundary of a mapped park, the additional open area requirement of paragraph (a)(2) of Section 62-561 (Types of upland connections) shall not apply;
- (2) ~~Parcel 3 may provide the #upland connection# at either of the two optional locations indicated on Map 2.~~ Parcel 3 shall provide an #upland connection# at

the designated location shown on Map 3. In addition, such #upland connection# shall be provided as specified below:

- (i) On Parcel 3, an #upland connection# is required at the designated location as shown on Map 3. The additional area requirements of paragraph (a)(2) of Section 62-561 shall not apply;
 - (ii) In the event that Parcel 3 is developed with Parcels 2 or 4, an #upland connection# shall be provided within the flexible location zone shown on Map 3. The additional area requirements of paragraph (a)(2) of Section 62-561 shall apply.
- (3) On Parcels 1 and 3, if a Type 1 #upland connection# is provided, and a fire apparatus access road is required pursuant to the New York City Fire Code Section 503.2 (Fire apparatus access roads), or its successor, the design requirements of 62-64 shall be modified as follows:
- (i) the required circulation path may be used to allow such fire apparatus access road, and it's minimum width shall be in accordance with all applicable requirements of the Fire Code;
 - (ii) such circulation path shall be paved with distinct materials, not including asphalt, to facilitate pedestrian usage; and
 - (ii) the minimum planting area requirements shall be reduced to 15 percent;
- (4) The required width for an #upland connection# on Parcel 6 is reduced to 12 feet. Such #upland connection# shall be subject only to the applicable pedestrian path provisions.

(c) #Supplemental public access areas#

#Supplemental public access areas#, pursuant to this Plan, shall be provided on Parcels 1, ~~and 2~~ and 11, as indicated on Map ~~23~~ in the Appendix to this Chapter, except that:- However, the requirement may be waived by certification by the Chairperson of the City

~~Planning Commission as set forth in Section 87-62 (Certification to Waive Supplemental Public Access Area Requirement).~~

- (1) such requirement may be waived for Parcels 1 and 2 by the Chairperson of the City Planning Commission, in conjunction with a certification pursuant to paragraph (c) of Section 62-811 (Waterfront public access and visual corridors), where the site plan includes a vehicular connection through the #zoning lot#, provided that:
- (i) such vehicular connection complies with the requirements of Section 87-62 (Fire Apparatus Access Roads) and, for Parcel 2, the requirements of Section 87-63 (Contiguity of Fire Apparatus Access Road With Adjacent Zoning Lots on Parcels 2, 3 and 4); and
 - (ii) such vehicular connection, either:
 - (a) on Parcel 1, provides access between East 149th Street and Exterior Street, serving all #buildings# along the #shore public walkway# and mapped parkland; or
 - (b) on Parcel 2, provides a bi-directional connection between Exterior Street at its intersection with East 144th Street and the southernmost #lot line# of Parcel 2.
- (2) for Parcel 11, at the location designated as “Supplemental Public Access Area (Shore Public Walkway Location)” on Map 3, a #supplemental public access area# shall be provided at a minimum width of 40 feet as indicated on Map 3, and the design and dimensional requirements for #shore public walkway# as set forth in Sections 62-50, inclusive, and 62-60, inclusive, shall apply.

(d) ~~#Visual Corridors#~~

~~#Visual corridors# shall be located within Parcels 1 and 4, 9, 11, 12 and 13, and mapped parkland, as indicated on Map 24 (Waterfront Access Plan: Visual Corridors) in the Appendix to this Chapter. For all required #visual corridors#, the provisions of Section 62-512 (Dimension of visual corridors) shall be modified to allow the lowest level of a~~

#visual corridor#, at its seaward points, to be measure to a height two feet above #base flood elevation# or a height equal to the Oak Point Rail Link train track bed elevation, whichever is higher.

The Oak Point Rail Link shall be a permitted obstruction for #visual corridors#.

87-72

Applicability of Waterfront Regulations

[NOTE: Existing provisions, moved from Section 87-65]

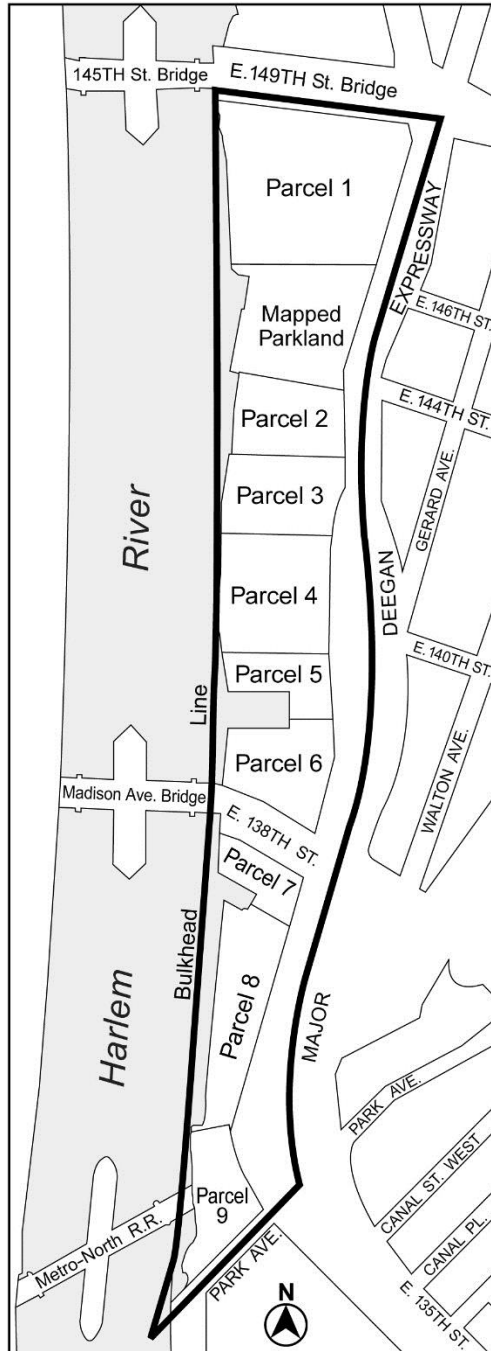
In the event that #streets# are mapped within a #zoning lot# on Parcels 1, 2, 3 ~~and~~ or 4 after June 30, 2009, or on Parcel 11 after [date of adoption], the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all waterfront regulations of the Zoning Resolution.

Appendix

Special Harlem River Waterfront District Plan

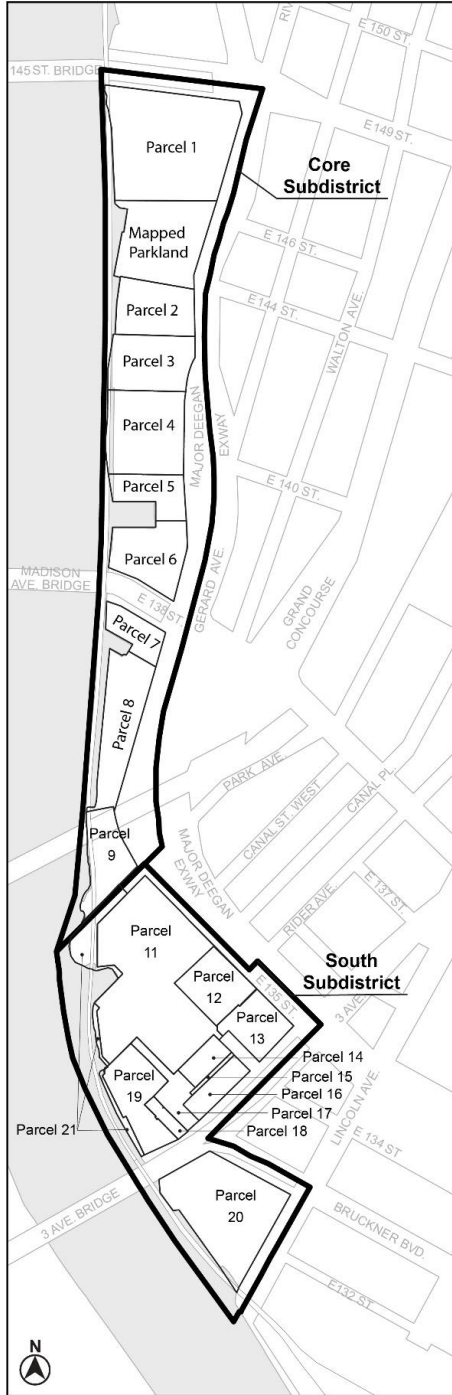
Map 1. Special Harlem River Waterfront District, Subdistricts and Parcels

[EXISTING MAP]



Special Harlem River Waterfront District

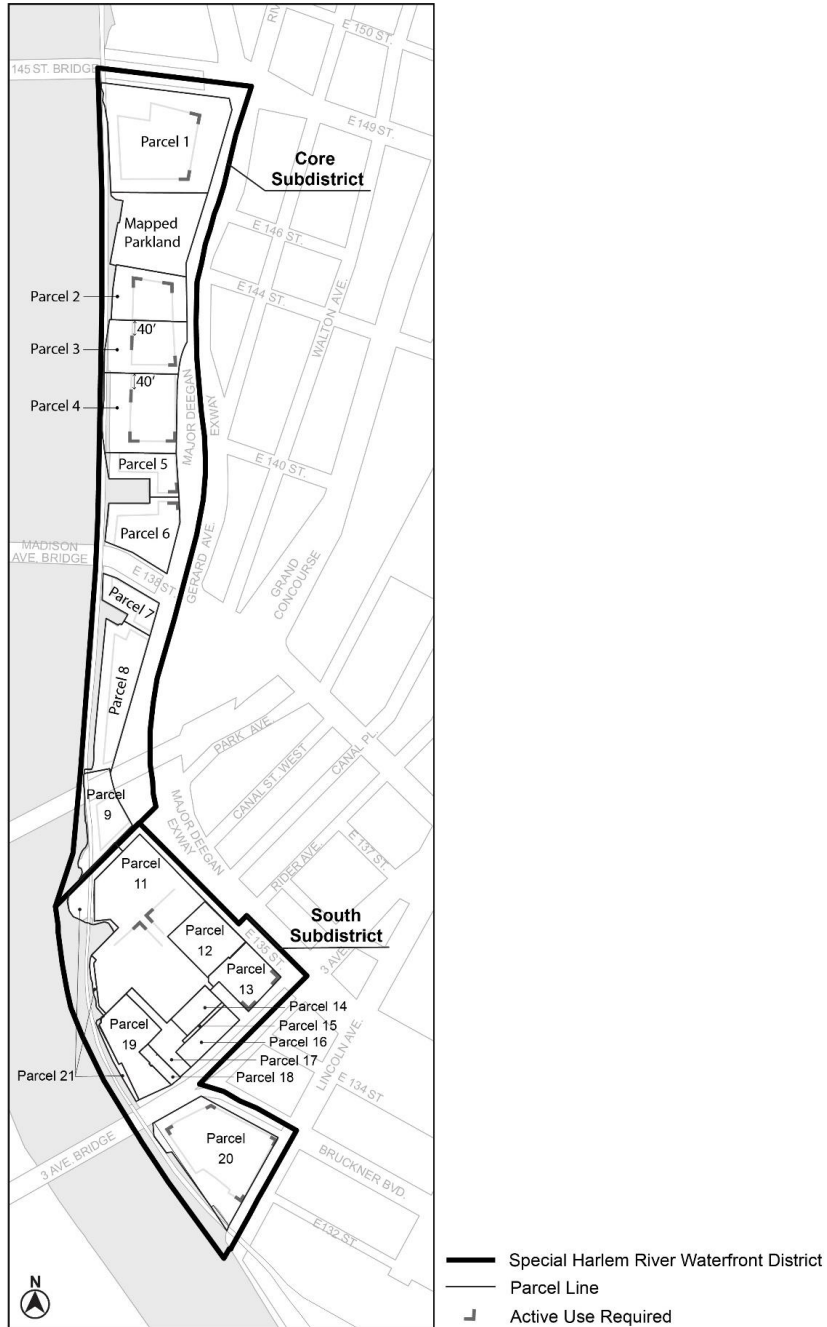
[PROPOSED MAP]



— Special Harlem River Waterfront District
— Parcel Line

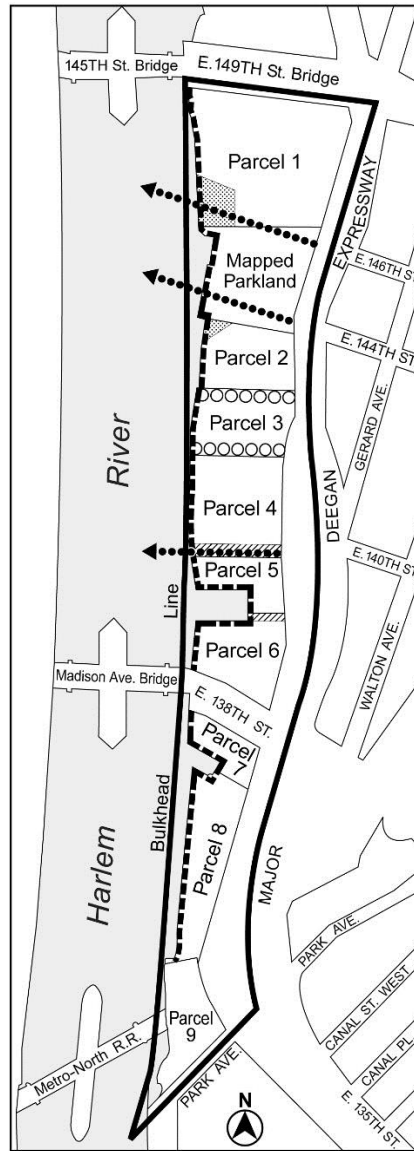
Map 2. Designated Non-residential Use Locations

[PROPOSED MAP]



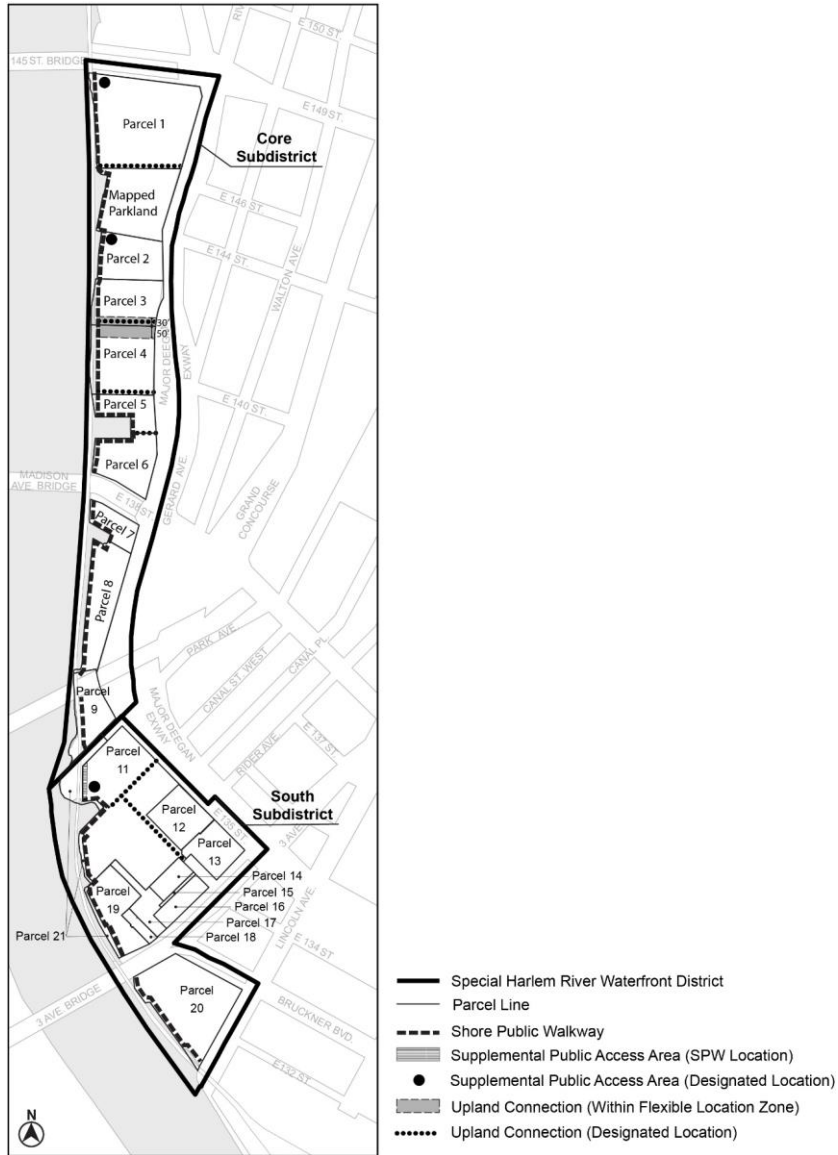
Map 3. Waterfront Access Plan: Public Access Elements

[EXISTING MAP]



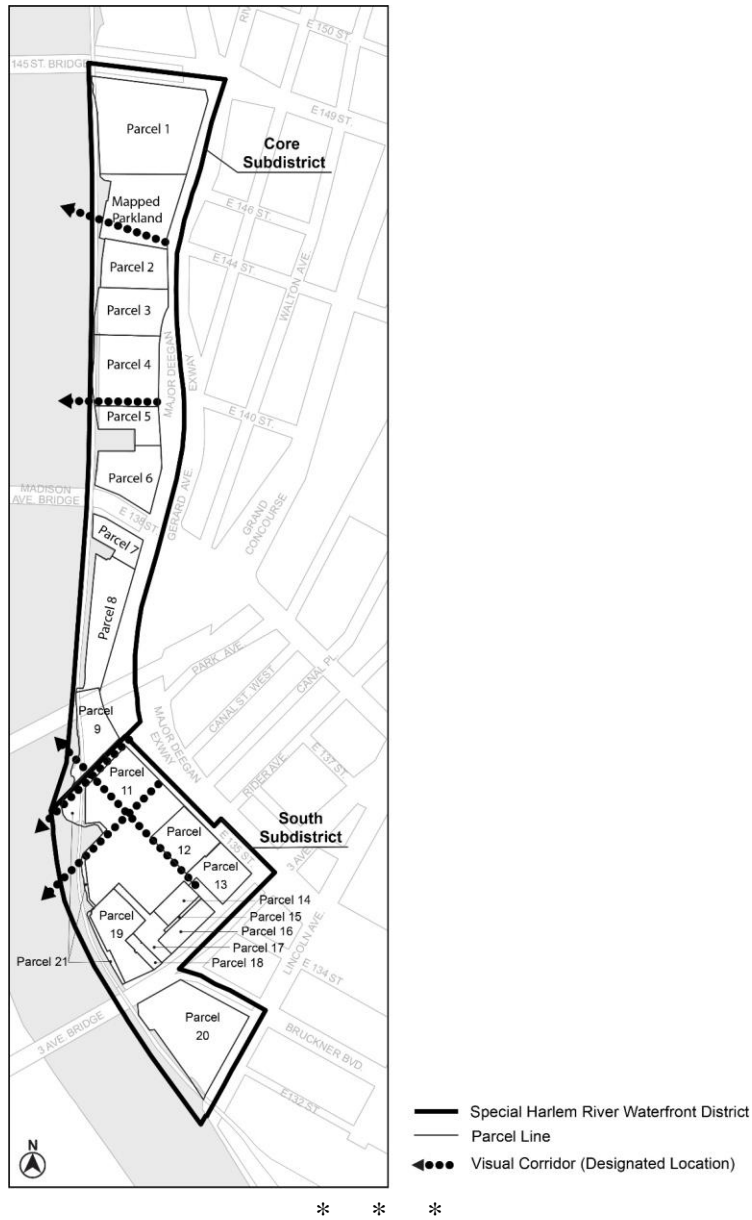
- Special Harlem River Waterfront District
- - - - - Shore Public Walkway/ Waterfront Yard
- ◄•••• Visual Corridor (Designated Location)
- ○ ○ ○ ○ Upland Connection (Variable Location)
- ▨ Upland Connection (Designated Location)
- ◻ Supplemental Public Access Area (Designated Location)

[PROPOSED MAP]



Map 4. Waterfront Access Plan: Visual Corridors

[PROPOSED MAP]



Resolution for adoption scheduling August 9, 2017 for a public hearing.



BOROUGH OF BROOKLYN

No. 4

ALBANY NEIGHBORHOOD SENIOR CENTER

CD 8

C 150382 PQK

IN THE MATTER OF an application submitted by the Department for Aging 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 196 Albany Avenue (Block 1230, Lot 44) for continued use as a senior citizen center.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

No. 5

930 FLUSHING AVENUE

CD 4

C 170352 PQK

IN THE MATTER OF an application submitted by the Office of Emergency Management 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 930 Flushing Avenue (Block 3140, Lot 1) for use as a warehouse.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

BOROUGH OF QUEENS

No. 6

ALL MY CHILDREN DAY CARE CENTER

CD 12

C 150395 PQQ

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 117-16 Sutphin Blvd. (Block 12022, Lot 20) for continued use as a child care center.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

Nos. 7 & 8

NORTHEASTERN TOWERS ANNEX REZONING

No. 7

CD 12

C 170336 ZMQ

IN THE MATTER OF an application submitted by Northeastern Towers Annex LP pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 18c and 19a, by changing from an R3X District to an R6 District property bounded by a line perpendicular to the southwesterly street line of Guy R. Brewer Boulevard distant 350 feet northwesterly (as measured along the Street line) from the point of intersection of the northwesterly street line of 132nd Avenue and the southwesterly street line of Guy R. Brewer Boulevard, Guy R. Brewer Boulevard, 132nd Avenue, 161st Street, a line 295 feet northwesterly of 132nd Avenue, a line 135 feet northeasterly of 161st Street, and a line 355 feet northwesterly of 132nd Avenue, Borough of Queens, Community District 12, as shown on a diagram (for illustrative purposes only) dated May 22, 2017, and subject to the conditions of CEQR Declaration E-426.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

No. 8

CD 12

N 170337 ZRQ

IN THE MATTER OF an application submitted by Northeastern Towers Annex LP pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

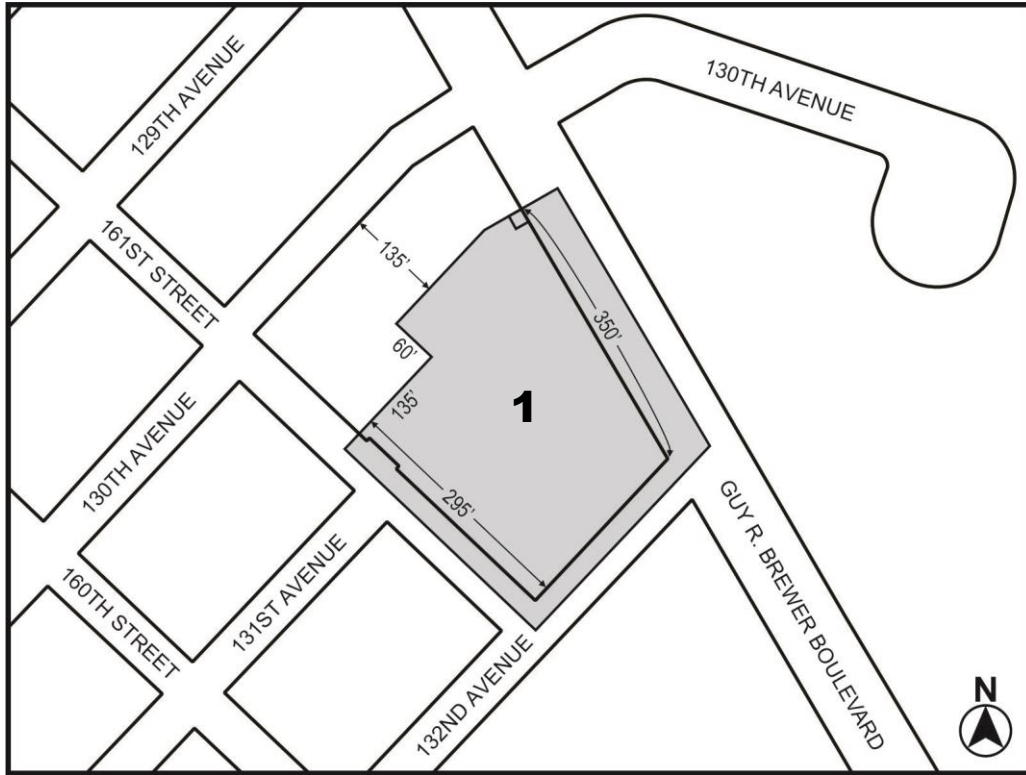
Queens Community District 12

* * *

In the R6 District within the area shown on the following Map 2:

Map 2 – (date of adoption)

[PROPOSED MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

1 Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 12, Queens

* * *

Resolution for adoption scheduling August 9, 2017 for a public hearing.

BOROUGH OF MANHATTAN

No. 9

EAST RIVER FIFTIES-SUTTON PLACE TEXT AMENDMENT

CD 6

N 170282 ZRM

IN THE MATTER OF an application submitted by the East River Fifties Alliance, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying Article II, Chapter 3 (Residential Bulk Regulations in Residence Districts), Article II, Chapter 4 (Bulk Regulations for Community Facilities in Residence Districts), Article III, Chapter 5 (Bulk Regulations for Mixed Buildings in Commercial Districts), and establishing a new Inclusionary Housing Designated Area in Appendix F, within an area generally bounded by East 58th Street and East 59th Street to the north, the East River and Franklin D. Roosevelt Drive to the east, midblock between East 51st Street and East 52nd Street to the south, and 100 feet east of First Avenue to the west.

Resolution for adoption scheduling August 9, 2017 for a public hearing.

II. REPORTS

BOROUGH OF MANHATTAN

No. 10

40 WOOSTER STREET

CD 2

C 160349 ZSM

IN THE MATTER OF an application submitted by 40 Wooster Restoration, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 42-10 to allow residential uses (Use Group 2 uses) on portions of the cellar and ground floor, the 2nd - 6th floors and the proposed 1-story penthouse, and the use regulations of Section 42-14D(2)(b) to allow retail uses (Use Group 6 uses) on portions of the ground floor and cellar, of an existing 6-story building, on property located at 40 Wooster Street (Block 475, Lot 34), in an M1-5B District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271.

(On June 7, 2017, Cal. No. 1, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 28, the hearing was closed.)

For consideration.

Nos. 11-14

126TH STREET BUS DEPOT

No. 11

CD 11

C 170275 ZMM

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an C6-3 District property

bounded by East 127th Street, First Avenue, East 126th Street, and Second Avenue*, as shown on a diagram (for illustrative purposes only) dated February 21, 2017.

*Note: Second Avenue between East 126th Street and East 127th Street is proposed to be narrowed under a concurrent related application (C 170093 MMM) for an amendment of the City Map.

(On May 24, 2017, Cal. No. 3, the Commission scheduled June 7, 2017 for a public hearing. On June 7, 2017, Cal. No. 23, the hearing was closed.)

For consideration.



No. 12

CD 11

N 170276 ZRM

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F, for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

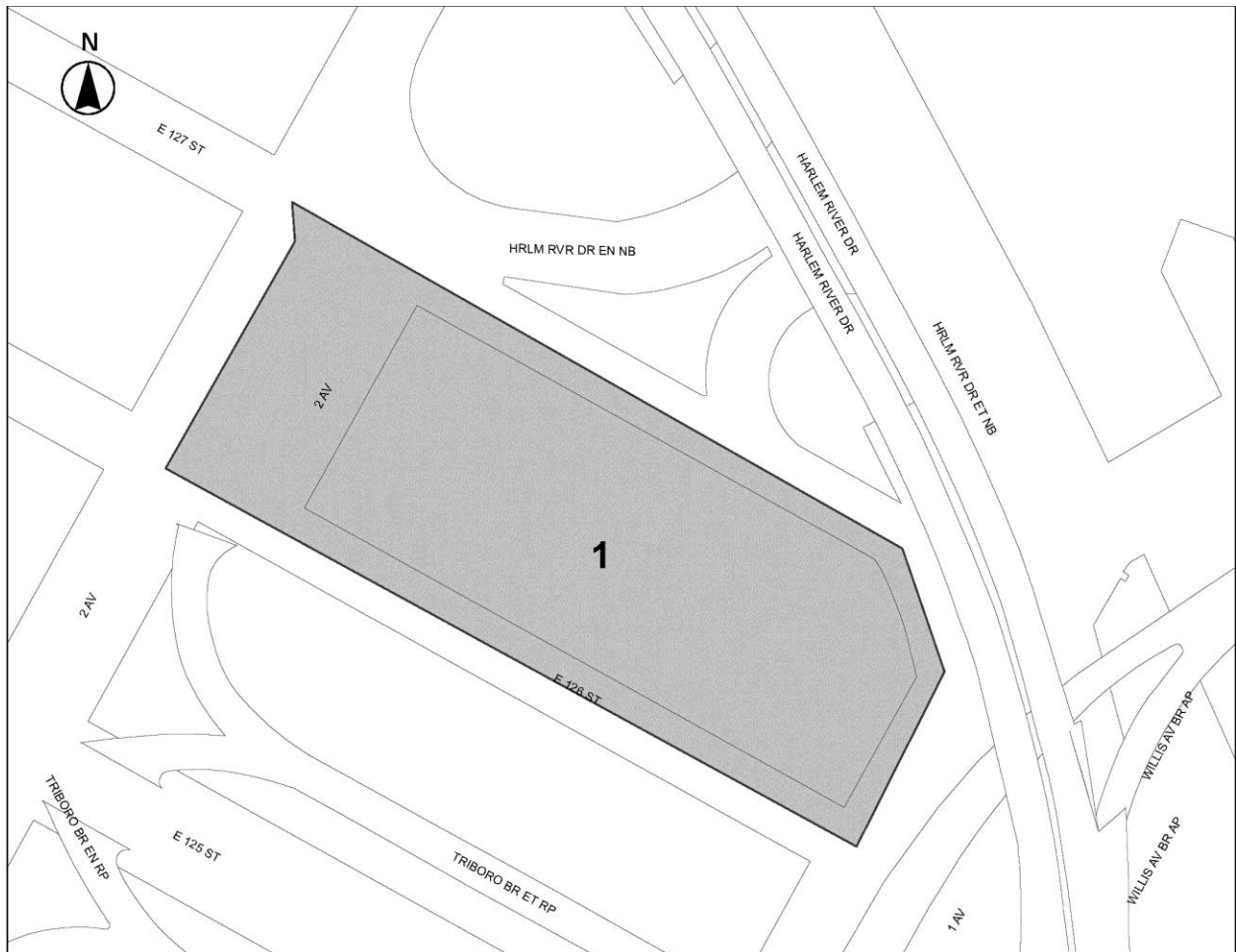
Manhattan Community District 11

* * *

In the C6-3 District (R9 equivalent) within the area shown on the following Map 2:

Map 2. (date of adoption)

[PROPOSED MAP]





Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*

Area 1 (date of adoption) — MIH Program Option 1 and Option 2

Portion of Community District 11, Manhattan

* * *

(On May 24, 2017, Cal. No. 4, the Commission scheduled June 7, 2017 for a public hearing. On June 7, 2017, Cal. No. 24, the hearing was closed.)

For consideration.



No. 13

CD 11

C 170093 MMM

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

1. the elimination, discontinuance and closing of a portion of Second Avenue between East 126th Street and East 127th Street;
2. the delineation of a sidewalk easement;
3. the adjustment of grades and block dimensions necessitated thereby;

in accordance with Map No. 30251 dated February 17, 2017 and signed by the Borough President.

(On May 24, 2017, Cal. No. 5, the Commission scheduled June 7, 2017 for a public hearing. On June 7, 2017, Cal. No. 25, the hearing was closed.)

For consideration.



No. 14

CD 11

C 170278 PPM

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 2460 Second Avenue (Block 1803, Lot 1), pursuant to zoning.

(On May 24, 2017, Cal. No. 6, the Commission scheduled June 7, 2017 for a public hearing. On June 7, 2017, Cal. No. 26, the hearing was closed.)

For consideration.

No. 15

SPECIAL WEST CHELSEA DISTRICT TEXT AMENDMENT

CD 4

N 170389 ZRM

IN THE MATTER OF an application submitted by Friends of the High Line and 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, modifying special regulations for zoning lots adjacent to the High Line in Article IX, Chapter 8 (Special West Chelsea District).

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of July 12, 2017, (Cal. No. 18) or at the City Planning web site; (www.nyc.gov/planning).

(On June 21, 2017, Cal. No. 1, the Commission scheduled July 12, 2017 for a public hearing. On July 12, 2017, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 16

120 KINGSTON AVENUE

CD 8

C 170086 ZSK

IN THE MATTER OF an application submitted by 120 Kingston LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the use regulations of Section 22-10 to allow a commercial use (Use Group 6 use) on portions of the cellar and ground floor, and the sign regulations of Section 22-30 to allow accessory commercial signs for an existing 3-story building, on property located at 120 Kingston Avenue (Block 1222, Lot 40), in an R6 District, within the Crown Heights North Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, N.Y. 10271.

(On June 7, 2017, Cal. No. 2, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 29, the hearing was closed.)

For consideration.

No. 17

1618 FULTON STREET

CD 3

C 170304 HAK

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 1616 and 1624 Fulton Street, and 20R Troy Avenue (Block 1699, Lots 35, 39, and 43), 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 the construction of an 11-story mixed use building with approximately 96 dwelling units and ground floor commercial space.

(On June 7, 2017, Cal. No. 3, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 30, the hearing was closed.)

For consideration.



Nos. 18 & 19

50 NEVINS STREET REZONING

No. 18

CD 2

C 170029 ZMK

IN THE MATTER OF an application submitted by Institute for Community Living pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from a C6-1 District to a C6-4 District property bounded by Schermerhorn Street, Nevins Street, a line midway between Schermerhorn Street and State Street, and a line 100 feet northwesterly of Nevins Street, as shown on a diagram (for illustrative purposes only) dated April 3, 2017, and subject to the conditions of CEQR Declaration E-421.

(On June 7, 2017, Cal. No. 4, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 31, the hearing was closed.)

For consideration.



No. 19

CD 2

N 170030 ZRK

IN THE MATTER OF an application submitted by the Institute of Community Living (ICL) pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F, for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

ARTICLE X

SPECIAL PURPOSE DISTRICTS

Chapter 1

Special Downtown Brooklyn District

* * *

101-02

General Provisions

* * *

101-021

Applicability of Inclusionary Housing Program

In #Mandatory Inclusionary Housing areas#, as specified in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING), shall apply, except as superseded, supplemented or modified by the provisions of this Chapter.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

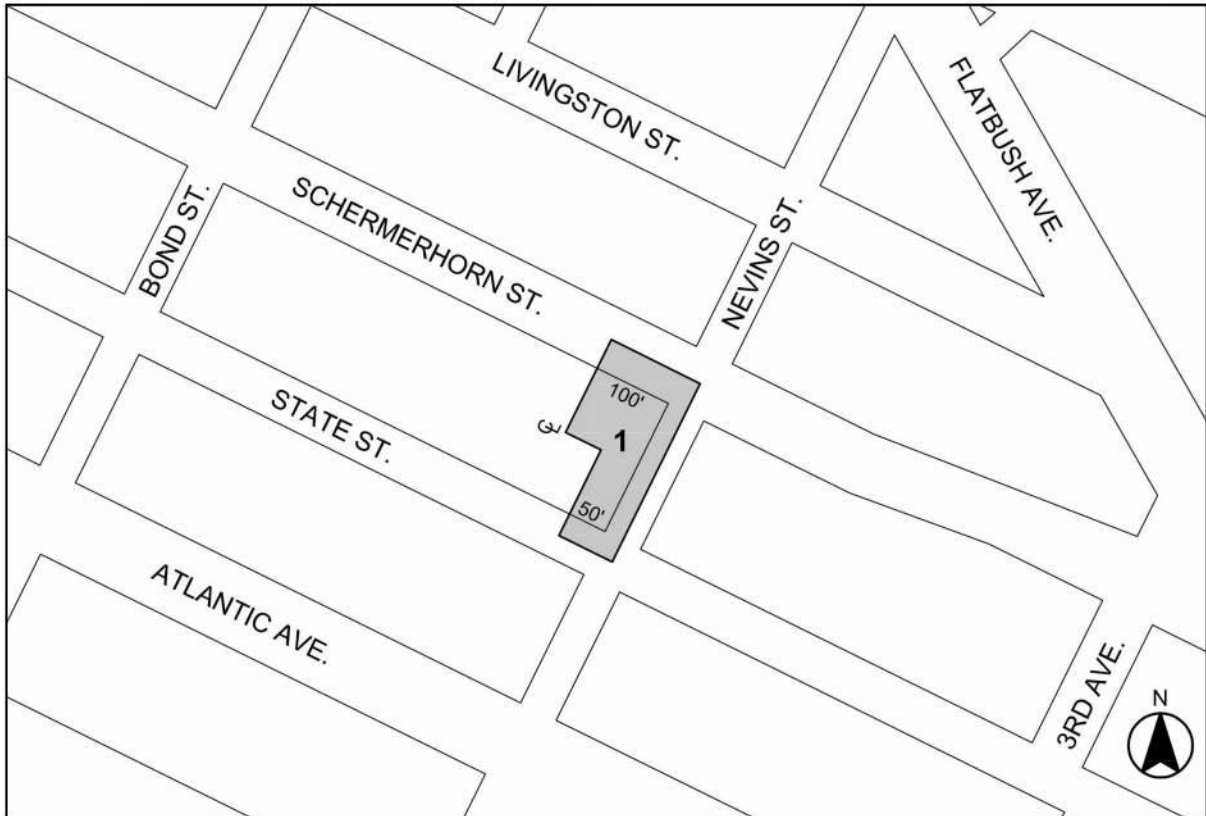
Brooklyn Community District 2

* * *

In portions of the #Special Downtown Brooklyn District# in the R6B and C6-4 (R10 equivalent) Districts within the areas shown on the following Map 6:

Map 6 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*

Area 1 (date of adoption) — MIH Program Option 1 and Option 2

Portion of Community District 2, Brooklyn

* * *

(On June 7, 2017, Cal. No. 5, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 32, the hearing was closed.)

For consideration.



No. 20

MAPLE STREET OPEN SPACE AND GARDEN

CD 9

C 170316 PCK

IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection acquisition of property located at 237 Maple Street (Block 5030, Lot 72) for use as passive recreation space and a community garden.

(On June 7, 2017, Cal. No. 6, the Commission scheduled June 21, 2017 for a public hearing. On June 21, 2017, Cal. No. 33, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 21

5 TOMPKINS CIRCLE

CD 1

N 170242 ZCR

IN THE MATTER OF an application submitted by Tompkins Avenue Development, LLC for the grant of certification pursuant to Section 119-04 of the Zoning Resolution for the future subdivision of one existing zoning lot into four separate zoning lots (Block 569, Existing Lot 276, Tentative Lots 276, 277, 278 & 279) within the Special Hillside Preservation District.

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

For consideration.

No. 22

SOUTH SERVICE ROAD

CD 3

N 170308 RCR

IN THE MATTER OF an application submitted by James Pugliese 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 three new zoning lots at South Service Road (Block 7499, Existing Tax Lots 39, 41 and 43, Tentative Lots 39, 41 and 43) 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. 23

GENESEE-BARTLETT-RICHMOND AVENUE

CD 3

N 170345 RCR

IN THE MATTER OF an application submitted by Circle Group Associates Corporation for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate a future subdivision of two existing zoning lots into nine new zoning lots at the intersection of Genesee and Richmond Avenue (Block 5520, Existing Lots 50 and 55, Tentative Lots 44, 45, 47, 48, 50, 52, 53, 54 and 55) 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.

BOROUGH OF THE BRONX

Nos. 24, 25 & 26

4490 FIELDSTON ROAD - LOT 1

No. 24

CD 8

N 170329 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-421 of the Zoning Resolution, for the grant of an authorization for modification of topographic features on Tier I sites to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 1) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.

No. 25

CD 8

N 170330 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-422 of the Zoning Resolution, for the grant of an authorization for a development within a portion of a zoning lot having a steep slope or steep slope buffer to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 1) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.

No. 26

CD 8

N 170331 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-425 of the Zoning Resolution, for the grant of an authorization for a modification of botanic environment and tree preservation requirements to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 1) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.

Nos. 27-30

4490 FIELDSTON ROAD - LOT 2

No. 27

CD 8

N 170332 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-422 of the Zoning Resolution, for the grant of an authorization for a development on a Tier II site or within a portion of a zoning lot having a steep slope or steep slope buffer to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 2) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.

No. 28

CD 8

N 170333 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-425 of the Zoning Resolution, for the grant of an authorization for a modification of botanic environment and tree preservation requirements to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 2) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.



No. 29

CD 8

N 170334 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-433 of the Zoning Resolution, for the grant of an authorization for modification of grading controls to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 1) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.



No. 30

CD 8

N 170335 ZAX

IN THE MATTER OF an application submitted by 245 Fieldston Road LLC and Jude Weiner pursuant to Sections 105-434 of the Zoning Resolution, for the grant of an authorization for modification of requirements for private roads and driveways to allow the construction of a single-family detached residence located at 4490 Fieldston Road (Block 5808, Lot 2) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.



Nos. 31 & 32

660 WEST 261st STREET – FEIGLESON POOL

No. 31

CD 8

N 170295 ZAX

IN THE MATTER OF an application submitted by Jonathan Feigleson pursuant to Sections 105-421 of the Zoning Resolution, for the grant of an authorization for modification of topographic features on Tier I sites to allow the construction of an in-ground swimming pool and surrounding deck on a site with an existing single-family residence located at 660 West 261st Street (Block 5955, Lot 622) within the Special Natural Area District (NA-2).

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.



No. 32

CD 8

N 170296 ZAX

IN THE MATTER OF an application submitted by Jonathan Feigleson pursuant to Sections 105-425 of the Zoning Resolution, for the grant of an authorization for a modification of botanic environment and tree preservation requirements to allow the construction of an in-ground swimming pool and surrounding deck on a site with an existing single-family residence located at 660 West 261st Street (Block 5955, Lot 622) within the Special Natural Area District (NA-2), Borough of the Bronx, Community District 8.

Plans for this proposal are on file with the City Planning Commission and may be seen at the Bronx Office of the Department of City Planning, One Fordham Plaza, 5th Floor, Bronx, New York 10458.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF THE BRONX

Nos. 33 & 34

1675 WESTCHESTER AVENUE REZONING

No. 33

CD 9

C 170377 ZMX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 1675 JV Associates LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3d:

1. changing from an R6 District to an R8A District property bounded by a line 200 feet northerly of Westchester Avenue, a line midway between Fteley Avenue and Metcalf Avenue, a line 100 feet northerly of Westchester Avenue, Fteley Avenue, Westchester Avenue, and Metcalf Avenue; and
2. establishing within the proposed R8A District a C2-4 District bounded by a line 100 feet northerly of Westchester Avenue, Fteley Avenue, Westchester Avenue, and Metcalf Avenue;

as shown on a diagram (for illustrative purposes only) dated May 22, 2017, and subject to the conditions of CEQR Declaration E-425.

(On July 12, 2017, Cal. No. 1, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 34

CD 9

N 170378 ZRX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by 1675 JV Associates, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of The Bronx, Community District 9.

Matter in underline is new, to be added;

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

THE BRONX

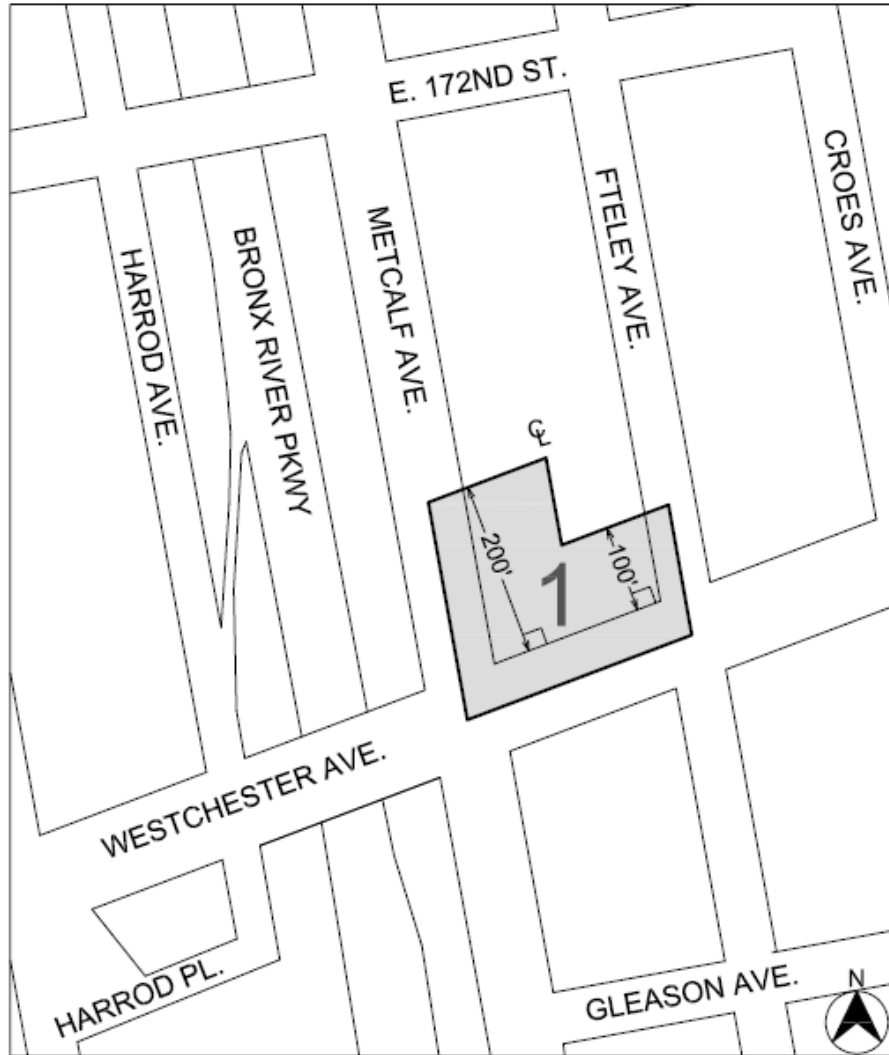
* * *

The Bronx Community District 9

In the R8A District within the area shown on the following Map 1:

Map 1 – [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*
Area 1 [date of adoption] – MIH Program Option 2

Portion of Community District 9, The Bronx

* * *

(On July 12, 2017, Cal. No. 2, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 35

SOHO TOWER

CD 2

C 170382 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Broome Property Owner JV, LLC 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 automated accessory parking garage with a maximum capacity of 42 spaces on portions of the ground floor, third floor and the fourth floor of a proposed mixed use building on property located at 100 Varick Street (Block 477, Lots 35, 42, 44, 46, 71-76 and 1001-1005), in an M1-6 District, within Special Hudson Square District.

Plans for this proposal are on file with the City Planning Commission and may be seen in 120 Broadway, 31st Floor, New York, N.Y. 10271-0001.

(On July 12, 2017, Cal. No. 3, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

Nos. 36, 37 & 38

135-01 35TH AVENUE REZONING

No. 36

CD 7

C 170180 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Stemmax Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 10a:

1. changing from an M1-1 District to an R7A District property bounded by a line 150 feet northerly of 35th Avenue, Linden Place, 35th Avenue, and Farrington Street; and
2. establishing within the proposed R7A District a C2-3 District bounded by a line 150 feet northerly of 35th Avenue, Linden Place, 35th Avenue, and Farrington Street;

as shown on a diagram (for illustrative purposes only) dated May 8, 2017, and subject to the conditions of CEQR Declaration E-424.

(On July 12, 2017, Cal. No. 5, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 37

CD 7

C 170180(A) ZMQ

IN THE MATTER OF an application submitted by Stemmax Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 10a, changing from an M1-1 District to an R7A District property bounded by a line 150 feet northerly of 35th Avenue, Linden Place, 35th Avenue, and Farrington Street, Borough of Queens,

Community District 7, as shown on a diagram (for illustrative purposes only) dated July 12, 2017 and subject to the conditions of CEQR Declaration E-424.

(On July 12, 2017, Supplemental Cal. No. 1, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 38

CD 7

N 170181 ZRQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Stemmax Realty Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

Queens Community District 7

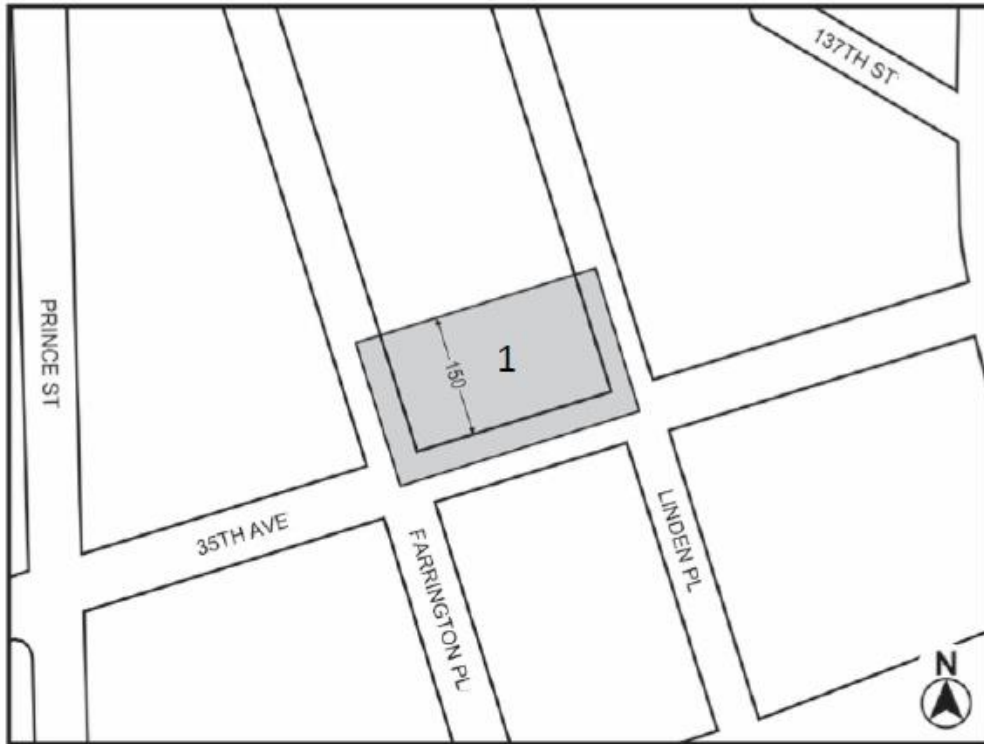
* * *

In the R7A and R7X Districts within the areas shown on the following Maps 1 and 2:

* * *

Map 2 – (date of adoption)

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area 1 — [date of adoption] MIH Program Option 2

Portion of Community District 7, Queens

* * *

(On July 12, 2017, Cal. No. 6, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 39

ENGINE 268-LADDER 127 FIREHOUSE

CD 14

C 170351 PCQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the New York City Fire Department and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection acquisition of property located at 116-11 Beach Channel Drive (Block 16198, Lot 1) for use as a firehouse.

(On July 12, 2017, Cal. No. 7, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

Nos. 40 & 41

SOUTH AVENUE RETAIL DEVELOPMENT

No. 40

CD 1

C 160174 ZSR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Josif A LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet within a proposed multi-building commercial development with a total floor area of approximately 219,377 square feet on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271.

(On July 12, 2017, Cal. No. 8, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 41

CD 1

C 150359 MMR

PUBLIC HEARING:

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

1. the establishment of North Morrow Street (formally Morrow Street) from Forest Avenue to a point 437 feet south; and
2. the elimination, discontinuance and closing of a portion of Morrow Street between Amador Street and a point 286 feet north; and
3. the elimination of Albany Avenue between Goethals Road North and Amador Street; and
4. the elimination of Amador Street between Morrow Street and South Avenue; and
5. the elimination of Garrick Street between Goethals Road North and Wemple Street; and
6. the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4243 dated December 5, 2016 and signed by the Borough President.

(On July 12, 2017, Cal. No. 9, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 26th, at 10:00 a.m., in Spector Hall, at 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the South Avenue Retail Development project. The development site is located at 534 South Avenue (Block 1707, Lots 1 and 5) in the Mariners Harbor neighborhood of Staten Island Community District 1. The discretionary actions proposed by the applicant, Josif A LLC, would facilitate a proposal to develop a retail establishment of 219,377 zoning square feet (or approximately 226,000 gross square feet) of Use Group (UG) 6, UG 10A, and UG 16 uses, and 838 required accessory parking spaces. The proposed actions include a zoning special permit to allow retail establishments with UG 6 and UG 10A uses in excess of 10,000 zsf in an M1-1 district. The proposed actions also include amendments to the City Map to eliminate portions of Garrick Street, Amador Street, Albany Avenue and Morrow Street, and establish a new section of Morrow Street. Written comments on the DEIS are requested and would be received and considered by the Lead Agency through Monday, August 7, 2017.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DCP030R.

BOROUGH OF BROOKLYN

Nos. 42 & 43

PFIZER SITES REZONING

No. 42

CD 1

C 150278 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

1. changing from an M3-1 District to an R7A District property bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100

feet southwesterly of Harrison Avenue;

2. changing from an M3-1 District to an R7D District property bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, and a line 265 feet southwesterly of Harrison Avenue;
3. changing from an M3-1 District to an R8A District property bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;
4. establishing within the proposed R7A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100 feet southwesterly of Harrison Avenue;
5. establishing within the proposed R7D District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, and a line 200 feet southwesterly of Harrison Avenue; and
6. establishing within the proposed R8A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;

as shown on a diagram (for illustrative purposes only) dated May 22, 2017, and subject to the conditions of CEQR Declaration E-427.

(On July 12, 2017, Cal. No. 10, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

No. 43

CD 1

N 150277 ZRK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Harrison Realty LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

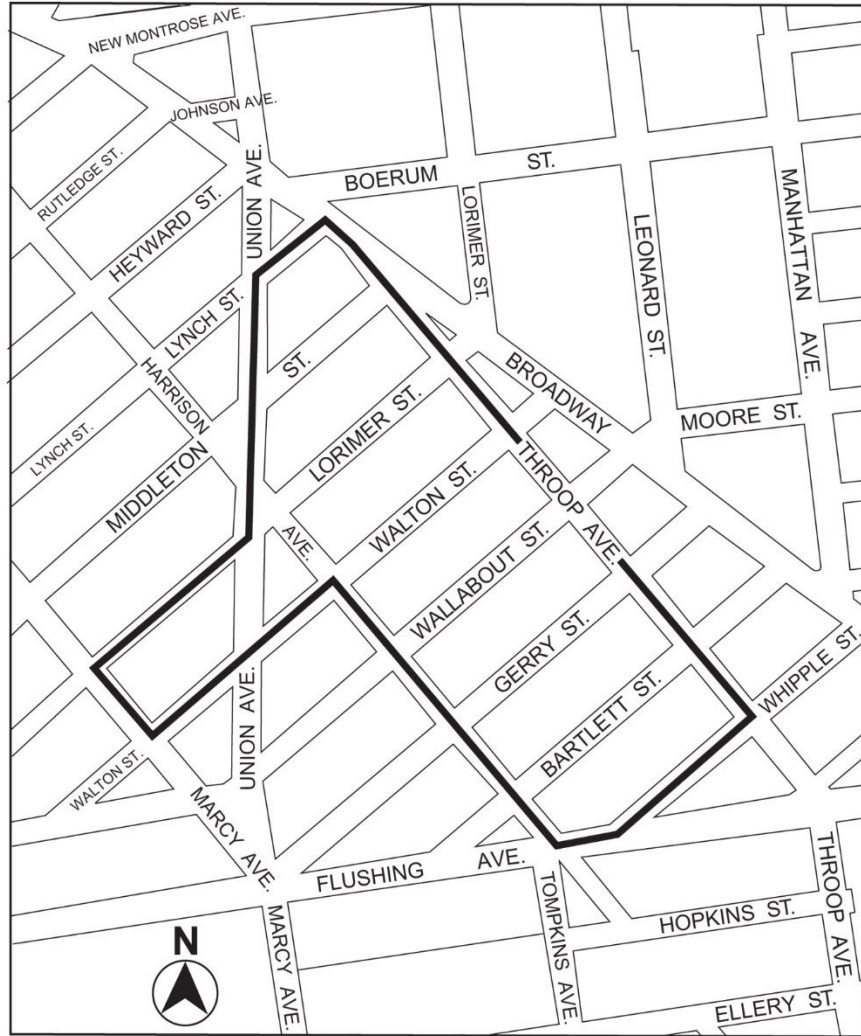
Brooklyn Community District 1

In Waterfront Access Plan BK-1, and in the R6, R6A, R6B, R7-3, R7A, R7D, ~~and~~ R8 and R8A Districts within the areas shown on the following Maps 1, 2, 3 and 4:

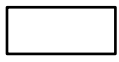
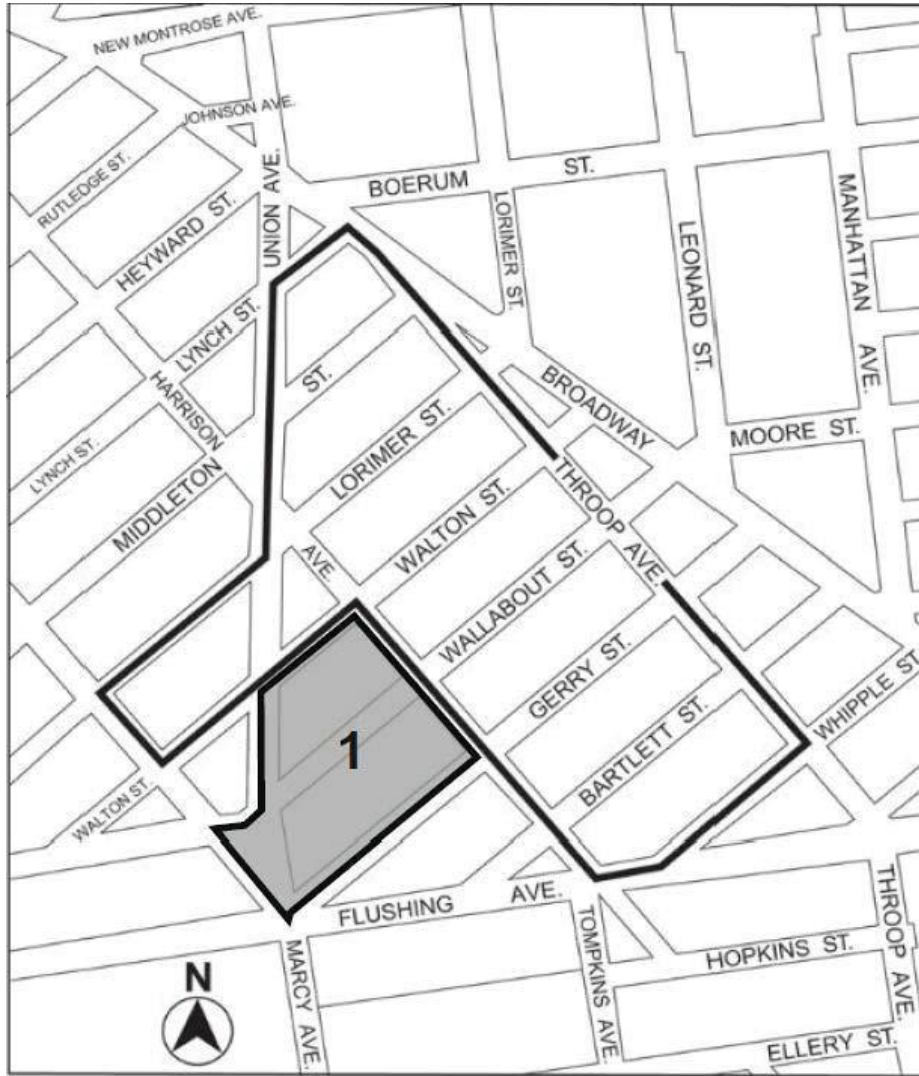
* * *

Map 4. [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Inclusionary Housing designated area



Mandatory Inclusionary Housing Project Area *see Section 23-154(d)(3)*
Area 1 (date of adoption) - MIH Program Option 1

Portion of Community District 1, Brooklyn

* * *

(On July 12, 2017, Cal. No. 11, the Commission scheduled July 26, 2017 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 26th, at 10:00 a.m., in Spector Hall, at 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the Pfizer Sites Rezoning project. The project site consists of two blocks in the South Williamsburg neighborhood of Brooklyn Community District 1. The project site is bounded by Walton Street to the north, Harrison Avenue to the east, Gerry Street to the south and Union Avenue to the west (Block 2249, Lots 23, 37, 41 and 122; Block 2265, Lot 14). The proposed actions would facilitate a proposal by the applicant, Harrison Realty LLC, to construct a 1.7 million gross square foot (gsf) mixed use development consisting of eight buildings and two publicly accessible open space amenities. The development would provide a total of 1,146 dwelling units, of which 287 units would be affordable; 64,807 gsf of local retail space; 404 accessory parking spaces and 26,000 square feet of publicly accessible open space. The proposed actions include a zoning map amendment from an M3-1 zoning district to R7A/C2-4, R7D, R7D/C2-4 and R8A/C2-4 zoning districts. The proposed actions also include a zoning text amendment to Appendix F to establish the project site as a Mandatory Inclusionary Housing Area. Written comments on the DEIS are requested and would be received and considered by the Lead Agency through Monday, August 7, 2017.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 15DCP117K.

IV CITY PLANNING COMMISSION 2017 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 REVIEW SESSION	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28 Chinese New Year
	29 REVIEW SESSION	30	31				
FEBRUARY				1 CPC PUBLIC MEETING	2	3	4
	5	6	7	8	9	10	11
	12 Lincoln's Birthday	13	14	15	16	17	18
	19	20 Presidents' Day	21 REVIEW SESSION	22 CPC PUBLIC MEETING	23	24	25
	26	27	28				
MARCH				1 Ash Wednesday	2	3	4
	5	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11
	12	13	14	15	16	17 St. Patrick's Day	18
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30	31	
APRIL							1
	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8
	9 Palm Sunday	10	11	12	13	14	15
	16 Easter	17	18 Passover	19	20 Good Friday	21	22
	23 REVIEW SESSION	24	25	26 CPC PUBLIC MEETING	27	28	29
30							
MAY		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 First Day Ramadan
	28 Memorial Day	29	30	31			
JUNE					1	2	3
	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	
JULY							1
	2	3	4 Independence Day	5	6	7	8
	9	10 REVIEW SESSION	11	12 CPC PUBLIC MEETING	13	14	15
	16	17	18	19	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
30	31						
AUGUST			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30	31		
SEPTEMBER						1	2
	3	4 Labor Day	5 REVIEW SESSION	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17	18 REVIEW SESSION	19 CPC PUBLIC MEETING	20	21 Rosh Hashanah	22	23
	24	25	26	27	28	29	30 Yom Kippur
OCTOBER	1	2 REVIEW SESSION	3	4 CPC PUBLIC MEETING	5	6	7
	8	9 Columbus Day Observed	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 REVIEW SESSION	31				
NOVEMBER				1 CPC PUBLIC MEETING	2	3	4
	5	6	7 Election Day	8	9	10 Veterans' Day Observed	11 Veterans' Day
	12	13 REVIEW SESSION	14	15 CPC PUBLIC MEETING	16	17	18
	19	20	21	22	23	24	25
	26	27 REVIEW SESSION	28	29 CPC PUBLIC MEETING	30		
DECEMBER						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22	23
	24	25 Christmas	26 Kwanzaa Begins	27	28	29	30
31							

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