

CITY PLANNING COMMISSION DISPOSITION SHEET

REMOTE/IN PERSON PUBLIC MEETING:
WEDNESDAY, SEPTEMBER 22, 2021
10:00 A.M. NYC CITY PLANNING COMMISSION HEARING ROOM,
LOWER CONCOURSE, 120 BROADWAY, NEW YORK, NY 10271
AND VIA THE NYC ENGAGE PORTAL

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	N 210434 ZRY	CW	OPEN RESTAURANTS TEXT AMENDMENT	Scheduled to be Heard 10/6/21
2	N 220101 BDX	9, 10	CASTLE HILL BUSINESS IMPROVEMENT DISTRICT	" "
3	C 210253 ZMK	16	GLENMORE MANOR	" "
4	N 210254 ZRK	16	" "	" "
5	C 210255 HAK	16	" "	" "
6	C 210256 HUK	16	" "	" "
7	C 200184 ZMK	9	960 FRANKLIN AVENUE REZONING	Unfavorable Report Adopted
8	N 200185 ZRK	9	" "	" "
9	C 200186 ZSK	9	" "	" "
10	C 200187 ZSK	9	" "	" "
11	C 210177 ZMK	2, 6	GOWANUS NEIGHBORHOOD PLAN	Favorable Report Adopted
12	N 210178 ZRK	2, 6	" "	Fav. Report as Modified
13	C 210179 MMK	6	" "	Favorable Report Adopted
14	C 210180 MMK	6	" "	" "
15	C 210053 PPK	6	" "	" "
16	C 210052 HAK	6	" "	" "
17	C 210278 ZMK	2	130 ST. FELIX STREET	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		3	4	5	6	7	8	9	10	11	12	13	14	15	16
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
David Burney	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Allen P. Cappelli, Esq.	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
Joseph I. Douek	A														
Richard W. Eaddy	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	P	Y	Y	Y	Y	Y	Y	Y	Y	AB	AB	AB	AB	AB	AB
Raj Rampershad, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

MEETING ADJOURNED AT: 12:04 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
18	N 210279 ZRK	2	130 ST. FELIX STREET	Favorable Report Adopted
19	C 210280 ZSK	2	" "	" "
20	C 210281 ZSK	2	" "	" "
21	C 210369 ZSM	5	343 MADISON AVENUE-MTA/HQ	" "
22	C 210370 ZSM	5	" "	" "
23	C 210351 ZMM	8	NEW YORK BLOOD CENTER	" "
24	N 210352 ZRM	8	" "	" "
25	C 210353 ZSM	8	" "	" "
26	C 210025 ZMQ	1	BROADWAY AND 11 TH STREET REZONING	" "
27	N 210026 ZRQ	1	" "	" "
28	C 210459 ZSQ	1	WILDFLOWER STUDIOS	" "
29	N 210457 ZAQ	1	" "	Authorization Approved
30	N 210458 ZAQ	1	" "	" "
31	N 210346 RCR	3	7 MASSACHUSETTS STREET	Certification Approved
32	PROPOSED RULE	CW	CAPA FRESH RULE CHANGE	Hearing Closed
33	N 220033 PXX	8	COMMUNITY BOARD B 8 OFFICE SPACE	" "
34	C 210398 ZSX	1	WIN POWERS	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		17	18	19	20	21	22	23	24	25	26	27	28	29	30
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
David Burney	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Allen P. Cappelli, Esq.	P	Y	Y	Y	Y	R	R	Y	Y	Y	Y	Y	Y	Y	Y
Alfred C. Cerullo, III	P	Y	Y	Y	Y	R	R	N	N	N	Y	Y	Y	Y	Y
Joseph I. Douek	A														
Richard W. Eaddy	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	N	N	N	Y	Y	Y	Y	Y
Orlando Marin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Larisa Ortiz	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Raj Rampershad, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	R	R	Y	Y	Y

MEETING ADJOURNED AT: 12:04 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

REMOTE/IN PERSON PUBLIC MEETING:
WEDNESDAY, SEPTEMBER 22, 2021
10:00 A.M. NYC CITY PLANNING COMMISSION HEARING ROOM,
LOWER CONCOURSE, 120 BROADWAY, NEW YORK, NY 10271
AND VIA THE NYC ENGAGE PORTAL

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 210399 HAX	1	WIN POWERS	Hearing Closed
36	C 210408 ZMM	4	STARRETT-LEHIGH+TERMINAL WAREHOUSE REZONING	" "
37	N 210409 ZRM	4	" "	" "
38	C 210119 ZMK	6	506 THIRD AVENUE	" "
39	N 210120 ZRK	6	" "	" "
40	N 210382 ZRY	CW	HEALTH AND FITNESS CITYWIDE TEXT AMENDMENT	" "
41	N 210380 ZRY	CW	FRESH II ZONING TEXT AMENDMENT	" "
	Supplemental Cal			
1	C 220062 ZMK	1	RIVER RING	Scheduled to be Heard 10/6/21
2	N 220063 ZRK	1	" "	" "
3	C 220064 ZSK	1	" "	" "
4	C 220070 ZSK	1	" "	" "
5	C 220061 MLK	1	" "	" "
6	C 210425 MMK	1	" "	" "

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:																	
Present (P) Absent (A)		In Favor - Y Oppose - N Abstain - AB Recuse - R																	
Calendar Numbers:		31																	
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y																	
David Burney	P	Y																	
Allen P. Cappelli, Esq.	P	Y																	
Alfred C. Cerullo, III	P	Y																	
Joseph I. Douek	A																		
Richard W. Eaddy	P	Y																	
Hope Knight	P	Y																	
Anna Hayes Levin	P	Y																	
Orlando Marin	P	Y																	
Larisa Ortiz	P	Y																	
Raj Rampershad, Commissioners	P	Y																	

MEETING ADJOURNED AT: 12:04 P.M.

CITY PLANNING CALENDAR

of

The City of New York

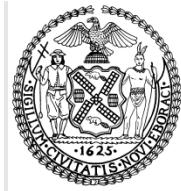
CITY PLANNING COMMISSION

WEDNESDAY, SEPTEMBER 22, 2021

REMOTE PUBLIC MEETING AT 10:00 A.M.

NYC CITY PLANNING COMMISSION

VIA THE NYC ENGAGE PORTAL



Bill de Blasio, Mayor

City of New York

[No. 17]

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 INFORMATION**HOW TO PARTICIPATE:**

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold this public meeting remotely. To join the meeting and comment, please visit **NYC Engage** at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287262/1> or dial **877-853-5247** (US Toll-free), **888-788-0099** (US Toll-free), **(253) 215-8782** (Toll number) or **(213) 338-8477** (Toll number). If calling into the meeting, please use the following **Meeting ID 618 237 7396**, and when prompted for a participation code, please enter “#” followed by the password “1” when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP's website.

Please inform DCP if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance should be emailed to AccessibilityInfo@planning.nyc.gov or made by calling 212-720-3508. Requests must be submitted at least five business days before the meeting.

Signing up to speak: Anyone wishing to speak on the items listed under “Public Hearings” in this Calendar should follow the instructions on NYC Engage Portal. Public officials will be given speaking priority. The first five speakers in favor will be heard and given the opportunity to conclude their testimony before the next five speakers in opposition are heard. The hearing will proceed in this manner until all speakers present have had an opportunity to be heard.

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

Written 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](#) on the public meeting page of the Department of City Planning website:

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

Written comments may also be submitted by filling out the form below and mailing 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) _____

B

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 hearings 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).

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.

CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, N.Y. 10271

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*

DAVID BURNEY

ALLEN P. CAPPELLI, *Esq.*

ALFRED C. CERULLO, III

JOSEPH I. DOUEK

RICHARD W. EADDY

HOPE KNIGHT

ANNA HAYES LEVIN

ORLANDO MARIN

LARISA ORTIZ

RAJ RAMPERSHAD, *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., and will be accessible remotely via Zoom Webinar unless otherwise ordered.

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WEDNESDAY, SEPTEMBER 22, 2021

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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 October 6, 2021 will be held remotely via Zoom Webinar.

SEPTEMBER 22, 2021

APPROVAL OF THE MINUTES OF the Public Meeting of September 1, 2021
and Special Meeting of September 2, 2021

I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, OCTOBER 6, 2021
STARTING AT 10:00 A. M. VIA ZOOM WEBINAR

CITYWIDE

No. 1

OPEN RESTAURANTS TEXT AMENDMENT

CITY WIDE

N 210434 ZRY

IN THE MATTER OF an application submitted by the New York City Department of Transportation and the New York City 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, removing Article I, Chapter 4 (Sidewalk Cafe Regulations) and modifying related Sections.

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 I
GENERAL PROVISIONS**

**Chapter 2
Construction of Language and Definitions**

* * *

12-10

DEFINITIONS

* * *

Dwelling unit

A “dwelling unit” contains at least one #room# in a #residential building#, #residential# portion of a #building#, or #non-profit hospital staff dwelling#, and is arranged, designed, used or intended for use by one or more persons living together and maintaining a common household, and which #dwelling unit# includes lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.

~~Enclosed sidewalk cafe~~ — see Sidewalk cafe, enclosed

Enlargement, or to enlarge

* * *

Side yard — see Yard, side

~~Sidewalk cafe~~

~~A “sidewalk cafe” is a portion of an eating or drinking place that is located on a public sidewalk and is either an #enclosed#, #unenclosed# or #small sidewalk cafe#. #Sidewalk cafes# are further defined in Section 20-223, subdivision (a), of the Administrative Code.~~

~~Sidewalk cafe, enclosed~~

~~An “enclosed sidewalk cafe” is a #sidewalk cafe# that is contained within a structure constructed predominantly of light materials such as glass, slow burning plastic or lightweight metal.~~

~~Sidewalk cafe, small~~

~~A “small sidewalk cafe” is an #unenclosed sidewalk cafe# containing no more than a single row of tables and chairs adjacent to the #street line# where such tables and chairs occupy a space on the sidewalk no greater than 4 feet, 6 inches from the #street line#.~~

~~Sidewalk cafe, unenclosed~~

~~An “unenclosed sidewalk cafe” is a space on the sidewalk that contains readily removable tables, chairs or railings with no overhead coverage other than umbrellas or a retractable awning that is affixed to the #building# wall and does not extend further than the width of the #unenclosed sidewalk cafe#.~~

Sign

* * *

Two-family residence

~~A “two-family residence” is a #building# containing not more than two #dwelling units#, and occupied by only two #families#.~~

~~Unenclosed sidewalk cafe — see Sidewalk cafe, unenclosed~~

~~Urban plaza — see Plaza, urban~~

* * *

Chapter 4
Sidewalk Cafe Regulations

14-00
GENERAL PURPOSES

~~The sidewalk cafe regulations as established in this Resolution are citywide regulations, designed to encourage sidewalk cafes in locations where they are appropriate, discourage them in locations where they are inappropriate, and promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:~~

- ~~(a) — To ensure adequate space for pedestrians on the sidewalk adjacent to sidewalk cafes.~~
- ~~(b) — To promote sidewalk cafes as visual amenities that better relate to the streetscape.~~
- ~~(c) — To preserve and enhance the character of neighborhoods throughout the City.~~

- (d) ~~To simplify administrative regulations and strengthen enforcement procedures for sidewalk cafes and ensure that such requirements are effective, efficient and enforceable.~~
- (e) ~~To promote the most desirable use of land and thus to conserve the value of land and buildings and thereby protect the City's tax revenues.~~

14-01 General Provisions

~~In harmony with the general purpose and intent of this Resolution, and the general purposes of the #sidewalk cafe# regulations, certain specified regulations concerning area eligibility, sidewalk locational criteria and physical criteria for #sidewalk cafes#, in general, and specifically for #enclosed sidewalk cafes#, are herein established.~~

~~The three types of #sidewalk cafes# that are permitted by the regulations of this Chapter and defined in Section 12-10 (DEFINITIONS) are #enclosed sidewalk cafes#, #unenclosed sidewalk cafes# and #small sidewalk cafes#.~~

~~The amendments to Article I, Chapter 4, adopted by the City Council on January 29, 2003, shall become effective March 27, 2003.~~

~~Physical criteria, including structural and operational requirements for #sidewalk cafes#, and #unenclosed sidewalk cafes# in particular, shall be regulated by the Department of Consumer Affairs and found in Title 6, Chapter 2, Subchapter F., of the Rules of the City of New York.~~

~~Licenses for all #sidewalk cafes# must be obtained from the Department of Consumer Affairs, or its successor.~~

14-011 Sidewalk cafe locations

~~#Sidewalk cafes# may be located in all R10H Districts, in all #Commercial Districts# other than C3 Districts and in all #Manufacturing Districts# only where eating or drinking establishments are permitted, as modified by special eligibility regulations set forth in Sections 14-40 through 14-45, inclusive. These sections identify #streets#, areas, special districts and malls or portions of #streets# for which special area eligibility regulations apply:~~

~~Section 14-40 — (AREA ELIGIBILITY FOR SIDEWALK CAFES)~~

~~Section 14-41—(Locations Where Certain Sidewalk Cafes Are Not Permitted)~~

~~Section 14-42—(Locations Where Enclosed Sidewalk Cafes Are Not Permitted)~~

~~Section 14-43—(Locations Where Only Small Sidewalk Cafes Are Permitted)~~

~~Section 14-44—(Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted)~~

~~Section 14-45—(Street Malls Where Certain Sidewalk Cafes Are Permitted).~~

~~#Sidewalk cafes# shall be permitted in Historic Districts or in designated landmark #buildings# only if such #sidewalk cafe# is approved by the Landmarks Preservation Commission.~~

14-10

ENCLOSED SIDEWALK CAFES

14-11

Locational Criteria for Enclosed Sidewalk Cafes

~~The regulations of this Section, governing clear path, clearance at intersection of #streets#, clearance from large obstructions and minimum distance between two cafes shall apply to all #enclosed sidewalk cafes#.~~

(a) ~~Clear path~~

~~There shall be a minimum of 8 feet, 0 inches clear distance or 50 percent of the sidewalk width, whichever is greater, free of all obstructions, in order to allow adequate pedestrian movement.~~

~~The minimum distance shall be measured from the portion of the #enclosed sidewalk cafe# frontage that is nearest either the curb line or the nearest obstruction. In no event may recesses in the #enclosed sidewalk cafe# frontage be used to satisfy this unobstructed width requirement, except that the corners of the #enclosed sidewalk cafe# may be rounded or mitered. A clearance of 8 feet, 0 inches shall be maintained around the corners of #enclosed sidewalk cafes#, measured in radius.~~

~~For the purpose of the minimum clear path, but not the clearance from corners of #enclosed sidewalk cafes#, parking meters, traffic signs, and trees that have gratings flush to grade, without fences or guards, shall not count as obstructions~~

~~In the case of a #street# for which a mall plan or other special plan has been adopted, the clear path requirements pursuant to this Section shall be deemed satisfied if there is not~~

less than an 8 feet, 0 inches clear path.

(b) — ~~Clearance at intersections of street line~~

~~There shall be a minimum of 9 feet, 0 inches clearance, free of all obstructions with no exception, measured from the outer edge of the #enclosed sidewalk cafe# to the curbside obstacle. The corner of the #enclosed sidewalk cafe# wall may be rounded or mitered. Such distance shall be measured from the outer edge of the #enclosed sidewalk cafe# to either the curb line or the nearest obstruction.~~

(c) — ~~Clearance from large obstructions~~

~~All #enclosed sidewalk cafes# shall be a minimum of 15 feet from large obstructions. For the purposes of this Section, large obstructions shall be bus stop shelters, newsstands, subway entrances or any other object greater than 15 square feet in area. The closed end of a subway entrance located along the #front lot line# may #abut# an #enclosed sidewalk cafe#.~~

(d) — ~~Minimum distance between enclosed sidewalk cafes~~

~~There shall be a minimum distance of 40 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor #commercial use#, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them.~~

~~There shall be a minimum distance of 15 feet between the near end walls of two #enclosed sidewalk cafes# if an entrance to a ground floor non #commercial use#, or a #use# located above or below the ground floor, other than an entrance to the eating or drinking place associated with either #enclosed sidewalk cafe#, is located between them.~~

14-12

Physical Criteria for Enclosed Sidewalk Cafes

14-121

Structural requirements for enclosed sidewalk cafes

The regulations of this Section governing certain structural and operational requirements shall apply to all #enclosed sidewalk cafes#.

(a) — ~~Ceiling~~

The ceiling of an ~~#enclosed sidewalk cafe#~~ shall be of incombustible materials, including colored or colorless safety glass or fabric which has been treated to be fire resistant as approved by the Department of Buildings.

At no point shall the height of the ceiling of an ~~#enclosed sidewalk cafe#~~ be lower than 7 feet, 0 inches above the floor of the ~~#sidewalk cafe#~~.

(b) ~~Transparency~~ ~~exterior walls~~

An ~~#enclosed sidewalk cafe#~~ may provide a base wall of opaque material up to a maximum height of 12 inches from the finished floor level. The base wall shall include any horizontal structural members that support transparent materials above.

All enclosing walls, doors and windows, except for the structural members, above finished floor level or base wall as provided in this Section, up to a height of 7 feet, 0 inches above finished floor level, must be of colorless, untinted, non-reflective, transparent material, as approved by the Department of Buildings. In order to maximize transparency, the horizontal as well as vertical structural members shall not be sized more than 10 inches wide.

At least 50 percent of the walls, up to a height of 7 feet, 0 inches above finished floor level, shall consist of operable transparent windows.

(c) ~~Elevation~~

The ~~#enclosed sidewalk cafe#~~ floor shall not be more than seven inches above the level of the adjoining sidewalk.

In the event of a major grade change, however, the City Planning Commission may, by certification, permit the floor level to be more than seven inches above the level of the adjoining sidewalk.

(d) ~~Designated boundaries~~

No portion of ~~#enclosed sidewalk cafes#~~, such as doors, windows, walls or any objects placed within an ~~#enclosed sidewalk cafe#~~, shall swing or project beyond the designated exterior perimeter of the ~~#enclosed sidewalk cafe#~~. However, fire exit doors that are used exclusively as emergency fire exit doors shall be exempt from this provision.

(e) ~~Fixtures~~

The furnishings of the interior of an ~~#enclosed sidewalk cafe#~~ shall consist solely of moveable tables, chairs and decorative accessories. No objects, except lighting fixtures

and HVAC installations, may be permanently affixed onto any portion of the wall of the #enclosed sidewalk cafe#. In no event shall such objects penetrate the exterior perimeter of the wall or the roof of the #enclosed sidewalk cafe# or impede the transparency as required by this Chapter. The exhaust for such HVAC installations on the adjacent walls shall not be less than 10 feet above #curb level#.

(f) ~~Refuse storage area~~

~~No structure or enclosure to accommodate the storage of garbage may be erected or placed adjacent to or separate from the #enclosed sidewalk cafe# on the public right-of-way.~~

14-122

Access for persons with physical disabilities

~~An #enclosed sidewalk cafe# or its restaurant shall be directly accessible to persons with physical disabilities. In the event the main restaurant has provided such access, the #enclosed sidewalk cafe# shall be accessible to persons with disabilities from the interior of the restaurant.~~

~~In order to ensure access for persons with physical disabilities:~~

- (a) ~~at least one door leading into the #enclosed sidewalk cafe# or restaurant from the adjoining sidewalk shall be not less than three feet wide, clear; and~~
- (b) ~~a ramp with non-skid surface, if there is change of grade, having a minimum width of three feet and a slope of not greater than 1 in 12, shall be provided. Such ramp may be of portable type for #enclosed sidewalk cafes# that are six feet wide or less, except if such #sidewalk cafe# is at least 180 square feet in area.~~

14-123

Signage

~~No #signs# are permitted on an #enclosed sidewalk cafe#, except that the name and type of establishment may be placed upon the glass wall but shall not obscure the required transparency.~~

14-124

Music and noise amplification

~~Musical instruments or sound reproduction devices shall not be operated or used within an #enclosed sidewalk cafe# for any purpose.~~

14-13**Special Permit Modifications of Locational or Physical Criteria for Enclosed Sidewalk Cafes**

In all ~~#Commercial# or #Manufacturing Districts#~~, where ~~#enclosed sidewalk cafes#~~ are permitted in accordance with the provisions of this Chapter, the City Planning Commission may permit, upon application, modifications to the locational or physical criteria regulations for ~~#enclosed sidewalk cafes#~~, except that there shall be no modification of Sections 14-41 (Locations Where Certain Sidewalk Cafes Are Not Permitted), 14-42 (Locations Where Enclosed Sidewalk Cafes Are Not Permitted), 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted) and 14-45 (Street Malls Where Certain Sidewalk Cafes Are Permitted), provided the Commission finds that:

- (a) ~~the #enclosed sidewalk cafe# is developed consistent with the general purposes and objectives of this Chapter;~~
- (b) ~~any proposed modification to the requirements of this Chapter will result in good overall design and enhance the general character of the #street# and the neighborhood;~~
- (c) ~~any proposed modifications to the requirements of this Chapter will not cause a serious adverse effect on pedestrian traffic;~~
- (d) ~~the restaurant or #enclosed sidewalk cafe# provides access for persons with disabilities;~~
- (e) ~~where a proposed #enclosed sidewalk cafe# is located between two existing stoops, it will not project beyond the stoops; and~~
- (f) ~~modifications to the provisions of paragraph (a) of Section 14-11 (Locational Criteria for Enclosed Sidewalk Cafes) shall be limited to the minimum clear path for a proposed #enclosed sidewalk cafe# that would be located on a #street# with a special pedestrian plan.~~

14-20**UNENCLOSED SIDEWALK CAFES**

Physical criteria for ~~#unenclosed sidewalk cafes#~~, including structural and operational requirements, shall be regulated by the Department of Consumer Affairs pursuant to the Rules of the City of New York as described in Section 14-01 (General Provisions). ~~#Small sidewalk cafes#~~, however, shall also conform to the requirements of Section 14-30.

14-30**~~SMALL SIDEWALK CAFES~~**

~~#Small sidewalk cafes# shall be subject to the regulations of Section 14-01 (General Provisions) and, in addition, shall comply with the requirements for the definition of #small sidewalk cafes# in Section 12-10 as well as the following physical criteria:~~

- ~~(a) — no form of serving station or any other type of furniture, other than the single row of tables and chairs set adjacent to the #street line#, may be placed within that space occupied by a #small sidewalk cafe#;~~
- ~~(b) — there shall be no railing, structure or other form of barrier between a #small sidewalk cafe# and the remaining area of the sidewalk; and~~
- ~~(c) — there shall be no overhead coverage other than a retractable awning that is affixed to the #building# wall and does not extend further than 4 feet, 6 inches.~~

~~#Small sidewalk cafes# are permitted wherever #sidewalk cafes# may be located pursuant to the requirements of Section 14-011. Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted) lists specific #streets# and areas where no #sidewalk cafes# other than #small sidewalk cafes# may be located.~~

14-40**~~AREA ELIGIBILITY FOR SIDEWALK CAFES~~**

~~Sections 14-40 through 14-45 identify those locations where specific area eligibility regulations apply.~~

~~For the purposes of Sections 14-40 through 14-45, the length of a #street# shall run the full #block# to the nearest intersections with cross #streets#, unless otherwise stated.~~

~~Areas bounded by #streets# shall include both sides of such #streets# and shall be subject to the regulations of this Chapter pertaining to such areas. When a #street# forms the boundary of a special district, however, only that side of the #street# located within the special district shall be subject to the regulations pertaining to the special district.~~

~~#Sidewalk cafes# shall only be allowed to locate along the length of a #street# or within the area bounded by #streets#, as set forth in Sections 14-40 through 14-45, where the applicable #use# regulations of the district allow eating and drinking establishments, either as of right, by certification or by authorization or special permit.~~

14-41**Locations Where Certain Sidewalk Cafes Are Not Permitted**

No ~~enclosed or unenclosed sidewalk cafes~~ shall be permitted on any of the following ~~streets, portions of streets and areas, except that small sidewalk cafes may be permitted pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).~~

Citywide:

All ~~streets with elevated rail transit lines, unless specifically permitted in Section 14-43.~~

Manhattan:

All ~~streets bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west~~

All ~~streets within the M1-5A and M1-5B Districts south of Houston Street~~

Bowery — from East Broadway to Canal Street

Elizabeth Street — from Bayard Street to Canal Street

Pell Street — the entire length

Mott Street — from Park Row to Canal Street

Mulberry Street — from Worth Street to Canal Street

Bayard Street — the entire length

Doyers Street — the entire length

All streets facing Chatham Square

Canal Street — the entire length

Orchard Street — from Canal Street to Houston Street

Delancey Street — from Norfolk Street to the Bowery

Eighth Street — from Avenue A to Sixth Avenue

14th Street — from Second Avenue to Eighth Avenue

23rd Street — from the East River to Eighth Avenue

31st Street — from Fifth Avenue to Eighth Avenue

32nd Street — from Fifth Avenue to Eighth Avenue

33rd Street — from Fifth Avenue to Eighth Avenue

34th Street — from the East River to Eighth Avenue

42nd Street — from the East River to Eighth Avenue

All ~~streets or portions of streets bounded by 43rd Street on the south, 45th Street on the north, Eighth Avenue on the east and, on the west, a line 150 feet west of Eighth Avenue~~

57th Street — from the East River to Eighth Avenue

58th Street — from the East River to Eighth Avenue

59th Street — from the East River to Fifth Avenue
 59th Street — from Sixth Avenue to Columbus Circle
 All #streets# bounded by 59th Street on the south, 61st Street on the north, Fifth Avenue on the west and, on the east, a line 125 feet east of Fifth Avenue
 60th Street — from Third Avenue to Fifth Avenue
 61st Street — from Third Avenue to Fifth Avenue
 62nd Street — from Second Avenue to Fifth Avenue
 63rd Street — from Second Avenue to Fifth Avenue
 68th Street — from First Avenue to Fifth Avenue
 72nd Street — from the East River to Fifth Avenue
 77th Street — from First Avenue to Fifth Avenue
 79th Street — from the East River to Fifth Avenue
 86th Street — from the East River to Fifth Avenue, south side only
 86th Street — from the East River to 125 feet east of York Avenue, north side only, and from York Avenue to Fifth Avenue, north side only
 116th Street — from Malcolm X Boulevard to Frederick Douglass Boulevard
 First Avenue — from 48th Street to 59th Street
 Third Avenue — from 59th Street to 62nd Street
 Lexington Avenue — the entire length
 Park Avenue — the entire length from 38th Street, northward
 Madison Avenue — the entire length
 Fifth Avenue — from Washington Square North to 61st Street
 Sixth Avenue — from 31st Street to 38th Street
 Broadway — from 31st Street to 38th Street
 Seventh Avenue — from 31st Street to 38th Street
 Eighth Avenue — from 31st Street to 38th Street
 Herald Square.

Brooklyn:

13th Avenue — from 39th Street to New Utrecht Avenue
 86th Street — from Third Avenue to Gowanus Expressway
 Court Street — from Schermerhorn Street to Montague Street.

Queens:

82nd Street — from 34th Avenue to 41st Avenue
 Austin Street — from Yellowstone Boulevard to Ascan Avenue
 Junction Boulevard — from Northern Boulevard to 41st Avenue
 Roosevelt Avenue — from Union Street to Prince Street
 Skillman Avenue — from 43rd Street to 56th Street.

14-42**Locations Where Enclosed Sidewalk Cafes Are Not Permitted**

No ~~enclosed sidewalk cafe~~ shall be permitted on any of the following ~~streets~~.

Manhattan:

~~Bleecker Street — from Bank Street to Mercer Street
 Central Park South — from Fifth Avenue to Sixth Avenue
 Park Avenue South and Park Avenue — from 31st Street to 38th Street
 86th Street — from the East River to Fifth Avenue.~~

14-43**Locations Where Only Small Sidewalk Cafes Are Permitted**

~~Small sidewalk cafes~~ may be located wherever ~~sidewalk cafes~~ are permitted. In addition, only ~~small sidewalk cafes~~ shall be allowed on the following ~~streets~~, notwithstanding any regulations set forth in Sections 14-41 or 14-42 prohibiting certain ~~sidewalk cafes~~ on such ~~streets~~.

Manhattan:

~~Orchard Street — from Canal Street to Houston Street
 Delancey Street — from Norfolk Street to the Bowery
 Centre Street — from Canal Street to Spring Street
 Lafayette Street — from Canal Street to Houston Street
 Sixth Avenue — from Canal Street to a line 100 feet south of Spring Street
 Special Union Square District[†]
 14th Street — from Second Avenue to Irving Place
 14th Street — from a line 100 feet west of University Place to Eighth Avenue
 23rd Street — from the East River to Eighth Avenue
 31st Street — from Fifth Avenue to a line 200 feet east of Broadway
 34th Street — from the East River to Fifth Avenue
 35th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet east of Sixth Avenue
 36th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue
 37th Street — from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue
 37th Street — from a line 150 feet east of Sixth Avenue to Broadway
 38th Street — from Third Avenue to Seventh Avenue~~

~~39th Street — from Exit Street to Seventh Avenue~~
~~40th Street — from a line 100 feet east of Exit Street to Broadway~~
~~41st Street — from a line 100 feet east of Exit Street to Third Avenue~~
~~42nd Street — from First Avenue to Third Avenue~~
~~42nd Street — from Fifth Avenue to a line 275 feet east of Sixth Avenue~~
~~All #streets# bounded by 43rd Street on the south, 46th Street on the north, a line 200 feet east of Third Avenue on the east and Third Avenue on the west~~
~~43rd Street — from Fifth Avenue to Sixth Avenue~~
~~44th Street — from Fifth Avenue to Sixth Avenue~~
~~45th Street — from Fifth Avenue to Sixth Avenue~~
~~46th Street — from Fifth Avenue to Sixth Avenue~~
~~47th Street — from a line 200 feet east of Third Avenue to Third Avenue~~
~~48th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west~~
~~49th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west~~
~~50th Street — from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west~~
~~51st Street — from a line 150 feet east of Third Avenue to Eighth Avenue~~
~~52nd Street — from a line 160 feet east of Third Avenue to Eighth Avenue~~
~~53rd Street — from a line 160 feet east of Third Avenue to Eighth Avenue~~
~~54th Street — from a line 150 feet east of Third Avenue to Eighth Avenue~~
~~55th Street — from a line 100 feet west of Second Avenue to Eighth Avenue~~
~~56th Street — from a line 100 feet west of Second Avenue to Eighth Avenue~~
~~57th Street — from the East River to Eighth Avenue~~
~~58th Street — from the East River to Eighth Avenue~~
~~59th Street — from the East River to Second Avenue~~
~~59th Street (Central Park South) — from Sixth Avenue to Columbus Circle~~
~~60th Street — from Lexington Avenue to Fifth Avenue~~
~~61st Street — from Third Avenue to Fifth Avenue~~
~~62nd Street — from Second Avenue to Fifth Avenue~~
~~63rd Street — from Second Avenue to Fifth Avenue~~
~~86th Street — from First Avenue to a line 125 feet east of Second Avenue, south side only~~
~~116th Street — from Malcolm X Boulevard to Frederick Douglass Boulevard~~
~~Special 125th Street District — only as set forth in Section 97-13 (Permitted Small Sidewalk Cafe Locations)~~
~~First Avenue — from 48th Street to 56th Street~~
~~Third Avenue — from 38th Street to 62nd Street~~
~~Lexington Avenue — from a line 100 feet south of 23rd Street to a line 100 feet north of 34th Street~~
~~Lexington Avenue — the entire length from a line 100 feet north of 96th Street, northward~~
~~Park Avenue — from 38th Street to 40th Street~~
~~Park Avenue — from 48th Street to 60th Street~~

~~Park Avenue — the entire length from a line 100 feet north of 96th Street, northward~~
~~Madison Avenue — from 23rd Street to 38th Street~~
~~Madison Avenue — from 59th Street to 61st Street~~
~~Special Madison Avenue Preservation District²~~
~~Madison Avenue — the entire length from a line 100 feet north of 96th Street, northward~~
~~Fifth Avenue — from 12th Street to 33rd Street~~
~~Fifth Avenue — from 59th Street to 61st Street~~
~~Sixth Avenue — from 36th Street to 42nd Street~~
~~Sixth Avenue — from a line 150 feet north of 42nd Street to 48th Street~~
~~Sixth Avenue — from 50th Street to Central Park South~~
~~Seventh Avenue — from 50th Street to Central Park South~~
~~Broadway — from 36th Street to 40th Street~~
~~Broadway — from 50th Street to Columbus Circle~~
~~Columbus Circle — from Eighth Avenue, westward, to Broadway.~~

¹ — ~~#Small sidewalk cafes# are not allowed on 14th Street~~

² — ~~#Small sidewalk cafes# are not allowed on 86th Street within the #Special Madison Avenue District#~~

Queens:

~~Jackson Avenue, north side — from 44th Drive to the prolongation of Dutch Kills Street~~
~~Queens Boulevard — from a line 100 feet west of 39th Place to 48th Street~~
~~Queens Plaza North — from 23rd Street to Northern Boulevard~~
~~Queens Plaza South — from 23rd Street to Jackson Avenue~~
~~Skillman Avenue, north side — from 45th Street to a line 100 feet east of 51st Street, including that portion within the #Special Planned Community Preservation District#~~
~~Skillman Avenue, south side — from 45th Street to 51st Street, excluding that portion within the #Special Planned Community Preservation District#.~~

14-44

Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

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

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
125th Street District	No	No ⁴
Battery Park City District	Yes	Yes
Clinton District	No	Yes
East Harlem Corridors District	No	Yes
Enhanced Commercial District 2 (Columbus and Amsterdam Avenues)	Yes	Yes
Enhanced Commercial District 3 (Broadway/Upper West Side)	Yes	Yes
Hudson Square District	Yes	Yes
Inwood District	No	Yes
Limited Commercial District	No	No ¹
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes ²
Manhattanville Mixed Use District	No ³	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes
West Chelsea District	No	Yes ⁵

¹ ——— #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue

² ——— #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway

³ ——— #Enclosed sidewalk cafes# are allowed in Subdistrict B

⁴ ——— #Unenclosed sidewalk cafes# are allowed on the east side of Malcolm X Boulevard between West 125th and West 126th Streets, on the west side of Malcolm X Boulevard between West 124th and West 125th Streets and on the east side of Fifth Avenue between East 125th and East 126th Streets

⁵ ——— #Unenclosed sidewalk cafes# are allowed only on #wide streets# except they are not

allowed on the west side of Ninth Avenue between West 15th Street and West 16th Street

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Ridge District	Yes	Yes
Coney Island District	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Enhanced Commercial District 1 (Fourth Avenue)	No	Yes
Enhanced Commercial District 4 (Broadway, Bedford Stuyvesant)	No	Yes
Mixed Use District 8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District [†]	Yes	Yes
Sheepshead Bay District	No	Yes

[†]—#Sidewalk cafes# are not allowed on Ocean Parkway

The Bronx	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
City Island District	No	Yes
Harlem River Waterfront District	No	Yes
Jerome Corridor District	No	Yes

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Downtown Far Rockaway District	No	Yes
Downtown Jamaica District	No	Yes
Flushing Waterfront District	No	Yes
Forest Hills District [†]	No	Yes
Long Island City Mixed Use District ²	No	Yes
Southern Hunters Point District	No	Yes

Willets Point District	No	Yes
------------------------	----	-----

¹—#Sidewalk cafes# are not allowed on Austin Street

²—See Appendix A in Article XI, Chapter 7

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Bay Street Corridor District	Yes	Yes
South Richmond Development District	Yes	Yes
St. George District	Yes	Yes
Stapleton Waterfront District	Yes	Yes

14-45

Street Malls Where Certain Sidewalk Cafes Are Permitted

#Sidewalk cafes# are permitted as indicated in the following malls where allowed by the underlying zoning.

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Mulberry Street Mall	No	Yes
Nassau Street Mall	No	Yes

Brooklyn	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Fulton Street Mall [†]	No	Yes

[†]—#Enclosed sidewalk cafes# are allowed along DeKalb Avenue

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Far Rockaway Beach 20th Street	No	Yes

* * *

**ARTICLE II
RESIDENCE DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

**22-00
GENERAL PROVISIONS**

* * *

Use Group 6C, limited to docks for ferries and water taxis, as specified in Section 22-15, is permitted in R6 through R10 Districts in Community District 1 in the Borough of Brooklyn.

~~In R10H Districts, an eating or drinking establishment, permitted pursuant to Section 72-21 (Findings Required for Variances), that operates a #sidewalk cafe# pursuant to the provisions of Article I, Chapter 4, may be #enlarged# into any open area that may exist between the #street wall# and the #street line#.~~

For the purposes of this Chapter, any #residence# and any #accessory building abutting# such #residence# on the same #zoning lot# shall be considered a single #building#.

* * *

**ARTICLE III
COMMERCIAL DISTRICT REGULATIONS**

**Chapter 2
Use Regulations**

* * *

**32-41
Enclosure Within Buildings**

C1 C2 C3 C4 C5 C6 C8

In the districts indicated, except as otherwise specifically provided in the Use Groups permitted in such districts and in Sections 36-11 (General Provisions), 36-61 (Permitted Accessory Off-street Loading Berths) and 73-36 (Physical Culture or Health Establishments), all permitted #uses# which are created by #development#, or which are #enlarged# or #extended#, or which

result from a change of #use# shall be subject to the provisions of this Section with respect to enclosure within #buildings#. With respect to the #enlargement# or #extension# of an existing #use#, such provisions shall apply to the #enlarged# or #extended# portion of such #use#.

32-411

In C1, C5, C6-5 or C6-7 Districts

C1 C5 C6-5 C6-7

In the districts indicated, all such #uses# shall be located within #completely enclosed buildings# except for store fronts or store windows, associated with eating and drinking establishments, which may be opened to serve customers outside the #building#.

32-412

In other Commercial Districts

C2 C3 C4 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9 C8

In the districts indicated, all such #uses# shall be located within #completely enclosed buildings# or within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#.

* * *

Chapter 3

Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts

33-00

APPLICABILITY, DEFINITIONS AND GENERAL PROVISIONS

* * *

33-05

Outdoor Table Service Areas

Notwithstanding any other provisions of this Resolution, outdoor table service areas, associated with eating and drinking establishments, meeting all requirements set forth by the Department of Transportation shall be permitted within any required sidewalk widening areas.

* * *

ARTICLE IV

MANUFACTURING DISTRICT REGULATIONS

**Chapter 3
Bulk Regulations**

**43-00
APPLICABILITY AND GENERAL PROVISIONS**

* * *

**43-03
Outdoor Table Service Areas**

Notwithstanding any other provisions of this Resolution, outdoor table service areas, associated with eating and drinking establishments, meeting all requirements set forth by the Department of Transportation shall be permitted within any required sidewalk widening areas.

* * *

**ARTICLE V
NON-CONFORMING USES AND NON-COMPLYING BUILDINGS**

**Chapter 2
Non-Conforming Uses**

* * *

**52-30
CHANGE OF NON-CONFORMING USE**

* * *

**52-34
Commercial Uses in Residence Districts**

In all #Residence Districts#, a #non-conforming use# listed in Use Group 6, 7, 8, 9, 10, 11B, 12, 13, 14 or 15 may be changed, initially or in any subsequent change, only to a conforming #use# or to a #use# listed in Use Group 6. In the case of any such change, the limitation on #floor area# set forth in Section 32-15 (Use Group 6) shall not apply. Eating or drinking ~~places;~~ establishments with musical entertainment, but not dancing, thus permitted as a change of #use#, shall be ~~limited exclusively to the sale of food or drink for on-premises consumption by seated~~

~~patrons within a #completely enclosed building#~~ subject to the enclosure provisions of Section 32-411.

* * *

**ARTICLE VII
ADMINISTRATION**

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

* * *

**73-24
Eating or Drinking Places**

* * *

**73-243
In C1-1, C1-2 and C1-3 Districts**

In C1-1, C1-2 and C1-3 Districts, (except in Special Purpose Districts) the Board of Standards and Appeals may permit eating or drinking places (including those which provide musical entertainment but not dancing, with a capacity of 200 persons or less, and those which provide outdoor table service) with #accessory# drive-through facilities for a term not to exceed five years, provided that the following findings are made:

* * *

- (d) that in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, M1-5A and M1-5B Districts, such #use# shall ~~take place in a #completely enclosed building#~~ be subject to the enclosure provisions of Section 32-411; and

* * *

~~In connection therewith, the Board may modify the requirement of Section 32-411 (In C1, C5, C6-5 or C6-7 Districts) insofar as it relates to the #accessory# drive-through facility. The Board may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.~~

* * *

Article VIII - Special Purpose Districts

**Chapter 3
Special Limited Commercial District**

* * *

**83-00
GENERAL PURPOSES**

* * *

(10/9/69)

**83-05
Enclosure of Uses**

All permitted #uses# shall be located within #completely enclosed buildings# be subject to the enclosure provisions of Section 32-411.

* * *

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS**

**Chapter 7
Special 125th Street District**

**97-00
GENERAL PURPOSES**

* * *

**97-03
District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special 125th Street District# Plan. The District Plan, including Map 1 (Special 125th Street District and Subdistricts) ~~and Map 2 (Permitted Small Sidewalk Cafe Locations)~~, is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

* * *

**97-10
SPECIAL USE AND LOCATION REGULATIONS**

* * *

**97-13
~~Permitted Small Sidewalk Cafe Locations~~**

~~#Small sidewalk cafes# shall be permitted in the #Special 125th Street District# as indicated on Map 2 (Permitted Small Sidewalk Cafe Locations) in Appendix A of this Chapter, subject to all applicable regulations of Article I, Chapter 4 (Sidewalk Cafe Regulations).~~

**97-14
Transient Hotels Within the Park Avenue Hub Subdistrict**

* * *

**97-40
SPECIAL BULK REGULATIONS**

* * *

**97-41
Special Floor Area Regulations**

* * *

**97-412
Maximum floor area ratio in the Park Avenue Hub Subdistrict**

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum #floor area ratio# for #zoning lots# is set forth in paragraph (a) of this Section, and is modified for certain #zoning lots# in accordance with paragraph (b) of this Section.

(a) Maximum #floor area ratio#

The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential floor area#, such #zoning lot# shall satisfy the provisions of either:

- (1) a minimum non-#residential floor area ratio# of 2.0 shall be provided on such

#zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel# pursuant to the provisions of Section 97-1413 (Transient Hotels Within the Park Avenue Hub Subdistrict); or

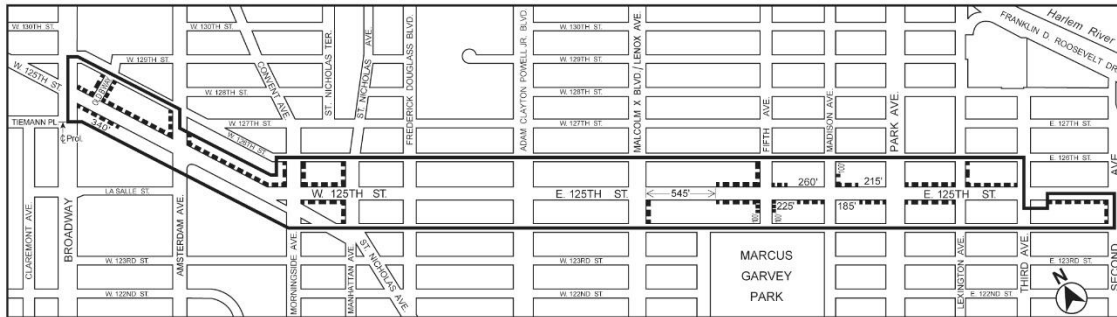
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**Appendix A
Special 125th Street District Plan**

* * *

~~Map 2: Permitted Small Sidewalk Cafe Locations (97A.2)~~

[TO BE DELETED]



— Special 125th Street District boundary
- - - - - Locations where only small sidewalk cafes are permitted

* * *

**ARTICLE X
SPECIAL PURPOSE DISTRICTS**

**Chapter 9
Special Little Italy District**

**109-00
GENERAL PURPOSES**

* * *

109-02

General Provisions

* * *

~~The use of the public #streets# and sidewalks for the maintenance of #sidewalk cafes#, outdoor cafes or any other structures shall require the separate approval of the Board of Estimate, which may be granted upon such terms and conditions as the Board of Estimate may deem appropriate.~~

* * *

**ARTICLE XI
SPECIAL PURPOSE DISTRICTS**

**Chapter 7
Special Long Island City Mixed Use District**

**117-00
GENERAL PURPOSES**

* * *

**117-03
District Plan and Maps**

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

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

Appendix A Special Long Island City Mixed Use District and Subdistricts Plan Map;
~~including Permitted Sidewalk Cafe Locations~~

* * *

**117-05
Permitted Sidewalk Cafe Locations**

~~#Unenclosed sidewalk cafes#, including #small sidewalk cafes#, shall be permitted in the #Special Long Island City Mixed Use District# only on the #streets# indicated on the map in Appendix A (Special Long Island City Mixed Use District and Subdistricts Plan Map, including Permitted Sidewalk Cafe Locations) of this Chapter, except that such #unenclosed sidewalk~~

~~cafes# may also extend up to 100 feet along the non-designated #street# frontage of a #corner lot#, subject to all other applicable regulations of Article I, Chapter 4.~~

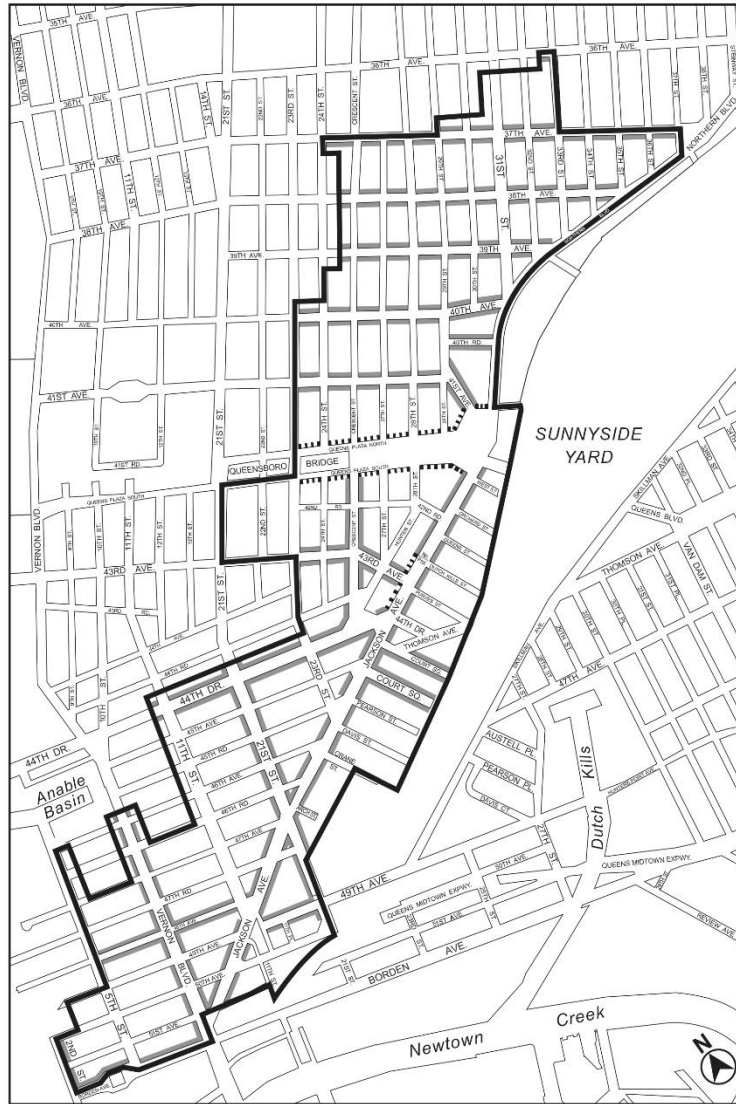
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Appendix A
Special Long Island City Mixed Use District and Subdistricts ~~Plan Map, including~~
~~Permitted Sidewalk Cafe Locations~~

* * *

Permitted Sidewalk Cafe Locations

[TO BE DELETED]



———— Unenclosed Sidewalk Cafes Small Sidewalk Cafes Only

* * *

Resolution for adoption scheduling October 6, 2021 for a public hearing.

————

BOROUGH OF THE BRONX

No. 2

CASTLE HILL BUSINESS IMPROVEMENT DISTRICT

CDs 9 & 10

N 220101 BDX

IN THE MATTER OF an application submitted by New York City Department of Small Business Services on behalf of the Castle Hill Business Improvement District Steering Committee pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning the establishment of the Castle Hill Business Improvement District.

Resolution for adoption scheduling October 6, 2021 for public hearing.

II. REPORTS

BOROUGH OF BROOKLYN

Nos. 3-6

GLENMORE MANOR

No. 3

CD 16

C 210253 ZMK

IN THE MATTER OF an application submitted by New York City Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17c and 17d:

1. changing from an R6 District to an R7A District property bounded by Liberty Avenue, Christopher Avenue, a line 100 feet northerly of Glenmore Avenue, and a line midway between Mother Gaston Boulevard and Christopher Avenue;
2. changing from an R6 District to an R7D District property bounded by a line 100 feet northerly of Glenmore Avenue, Christopher Avenue, Glenmore Avenue, and Mother Gaston Boulevard;
3. establishing within the proposed R7A District a C2-4 District bounded by Liberty Avenue, Christopher Avenue, a line 100 feet northerly of Glenmore Avenue, and a line midway between Mother Gaston Boulevard and Christopher Avenue; and
4. establishing within the proposed R7D District a C2-4 District bounded by a line 100 feet northerly of Glenmore Avenue, Christopher Avenue, Glenmore Avenue, and Mother Gaston Boulevard;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021.

(On July 28, 2021, Cal. No. 5, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 60, the hearing was closed.)

For consideration.

No. 4

CD 16

N 210254 ZRK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development 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

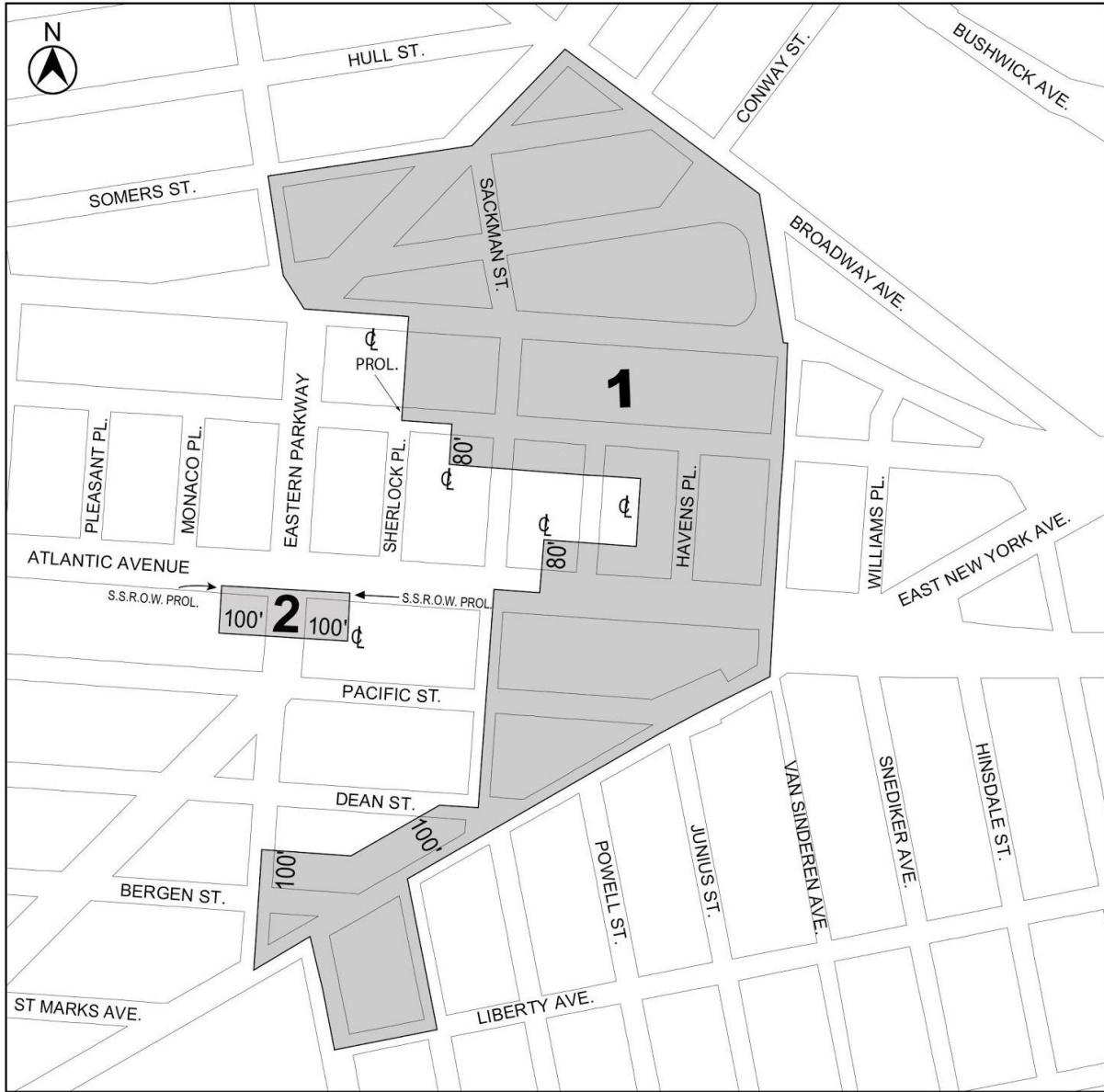
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Brooklyn Community District 16

* * *

Map 1– (5/24/17) [date of adoption]

[EXISTING MAP]

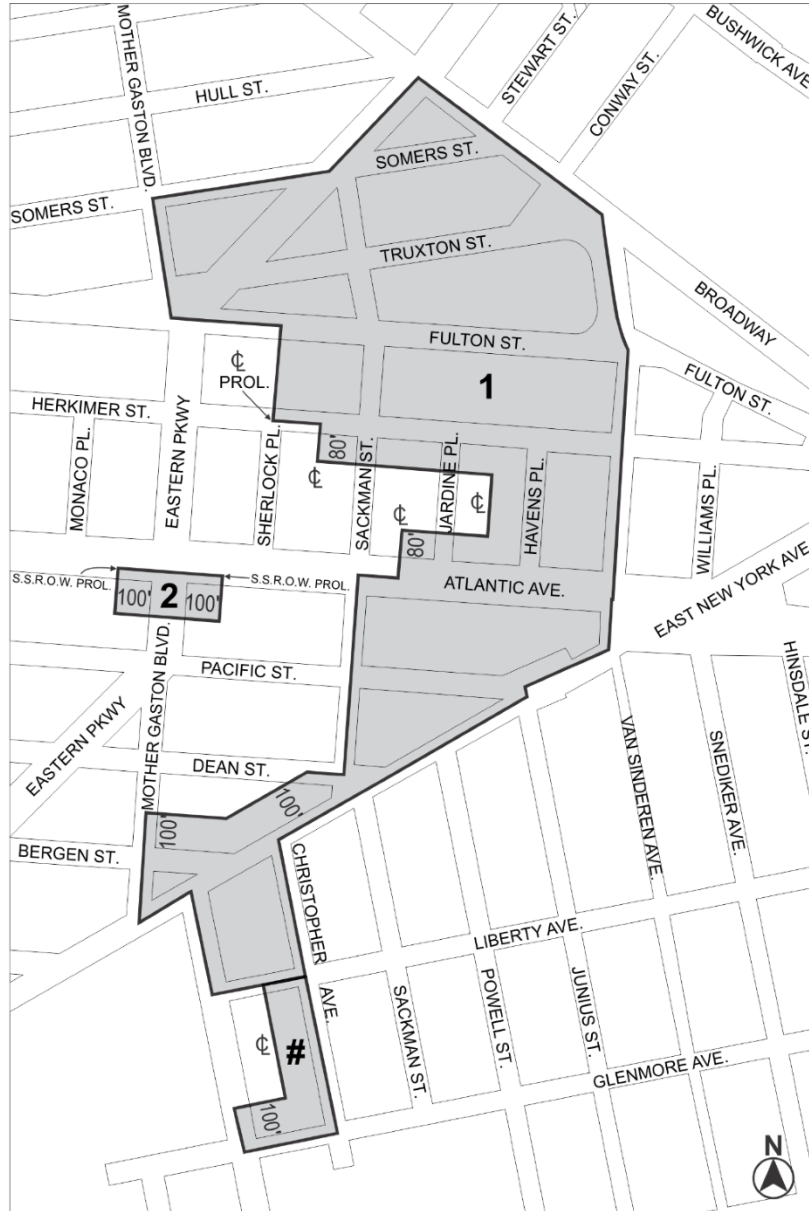


■ Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **1** — 4/20/16 MIH Program Option 1 and Deep Affordability Option

Area **2** — 5/24/17 MIH Program Option 1

[PROPOSED MAP]



- Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
- Area 1 — 4/20/16 — MIH Program Option 1 and Deep Affordability Option
- Area 2 — 5/24/17 — MIH Program Option 1
- Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 16, Brooklyn

* * *

(On July 28, 2021, Cal. No. 6, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 61, the hearing was closed.)

For consideration.

No. 5

CD 16

C 210255 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 305-309 Mother Gaston Boulevard (Block 3692, Lots 1, 2, 3 and 4), 46 – 64 Christopher Avenue (Block 3692, Lots 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32), 111-117 Glenmore Avenue (Block 3692, Lots 34, 35 and 37) as an Urban Development Action Area; and
 - b. 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 development of an 11-story mixed use development containing approximately 232 affordable housing units, commercial and community facility space.

(On July 28, 2021, Cal. No. 7, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 62, the hearing was closed.)

For consideration.

No. 6

CD 16

C 210256 HUK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the third amendment to the Brownsville II Urban Renewal Plan.

(On July 28, 2021, Cal. No. 8, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 63, the hearing was closed.)

For consideration.

Nos. 7-10

960 FRANKLIN AVENUE REZONING

No. 7

CD 9

C 200184 ZMK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

1. changing from an R6A District to an R9D District property bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue; and
2. establishing within the proposed R9D District a C2-4 District bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, and a line 100 feet northwesterly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated February 1, 2021, and subject to the conditions of CEQR Declaration E-586.

(On July 14, 2021, Cal. No. 20, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 1, the hearing was closed.)

For consideration.



No. 8

CD 9

N 200185 ZRK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition 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

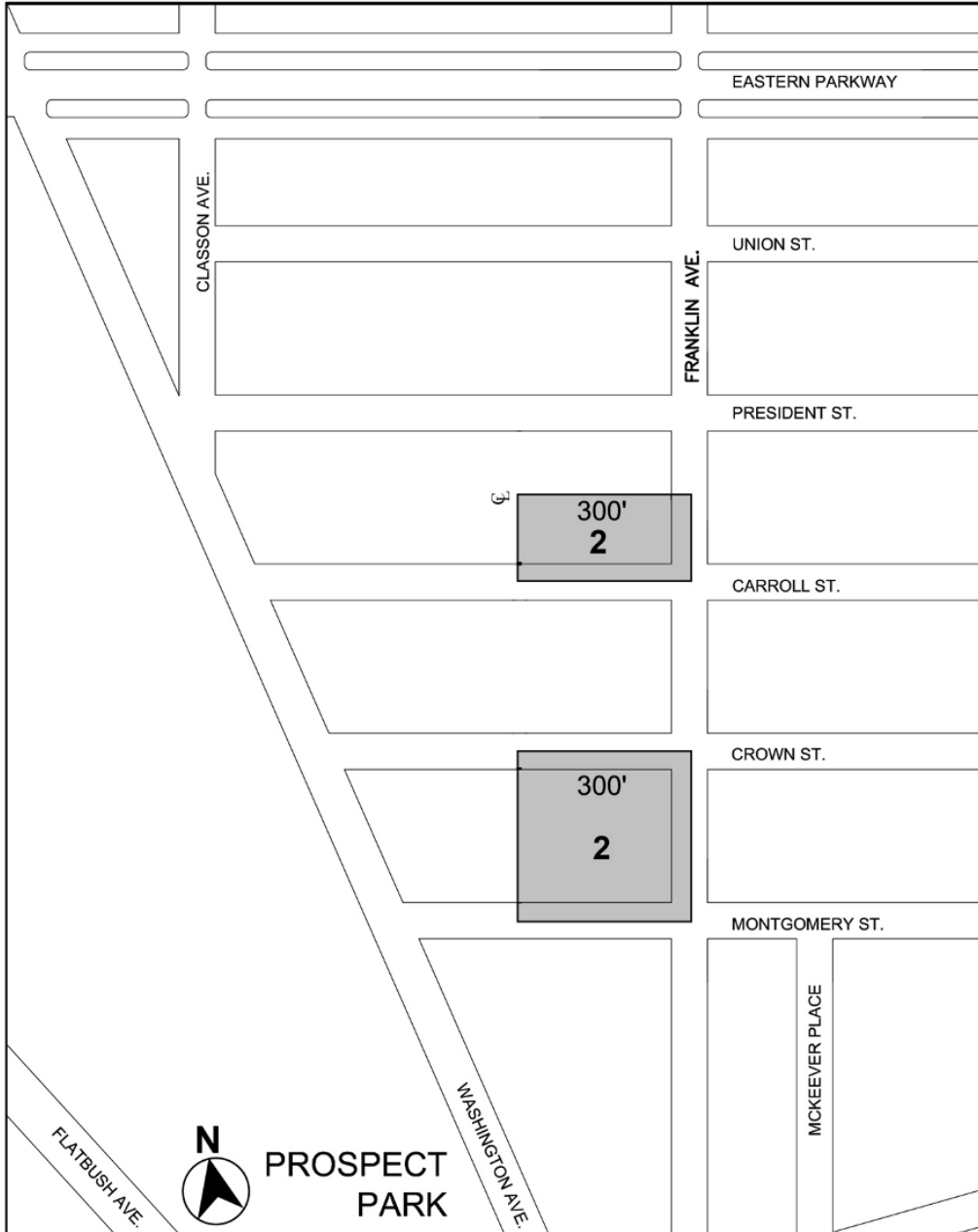
* * *

Brooklyn Community District 9

* * *

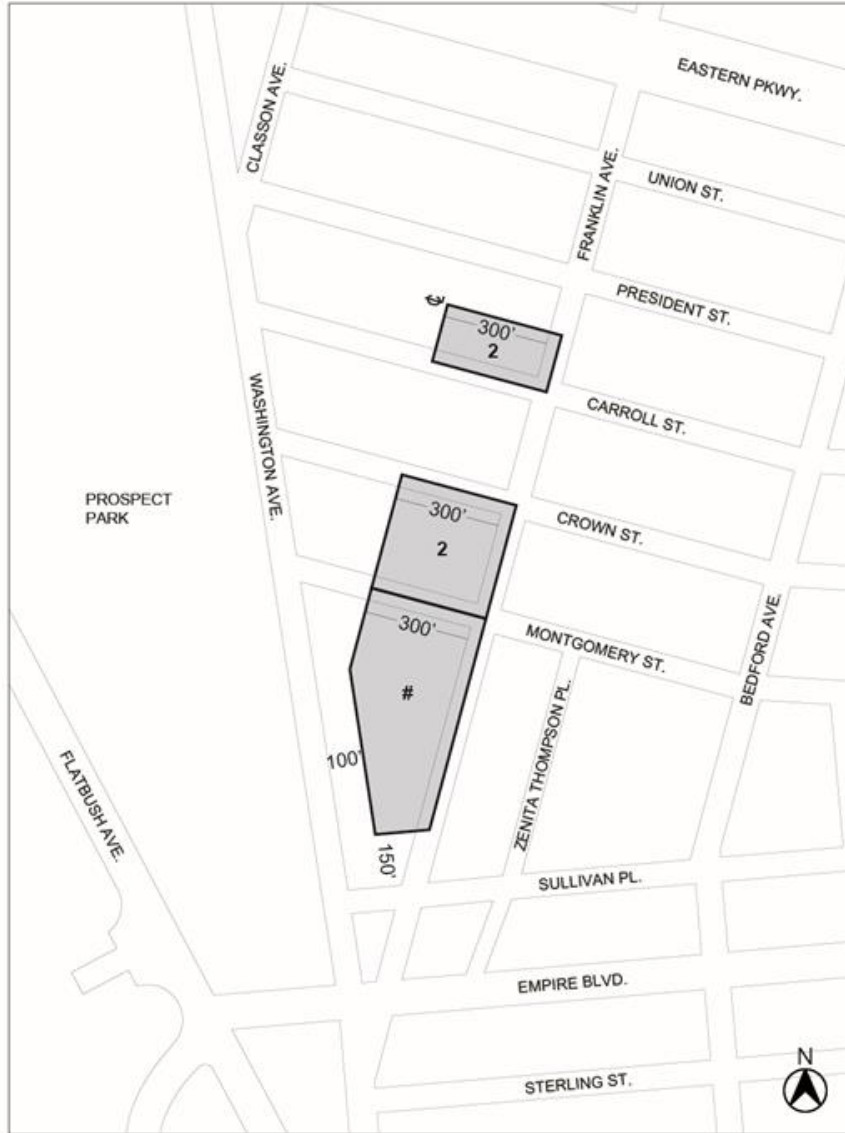
Map 2 - [date of adoption]

[EXISTING MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*
Area 2 12/20/18 — MIH Program Option 1

[PROPOSED MAP]



- Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
- Area 2 — 12/20/2018 — MIH Program Option 1
- Area # — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 9, Brooklyn

* * *

(On July 14, 2021, Cal. No. 21, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 2, the hearing was closed.)

For consideration.

No. 9

CD 9

C 200186 ZSK

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743 of the Zoning Resolution to modify the height and setback requirements of Section 23-662 (Maximum Height of Buildings and Setback Regulations) and the tower coverage requirements of Section 23-663 (Tower Regulations in R9D and R10X Districts), in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan

Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to R9D and R9D/C2-4 Districts under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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. 10271-0001.

(On July 14, 2021, Cal. No. 22, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 3, the hearing was closed.)

For consideration.

No. 10**CD 9****C 200187 ZSK**

IN THE MATTER OF an application submitted by Franklin Ave. Acquisition LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-533 of the Zoning Resolution to reduce from 40 percent to 16 percent, the required number of accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property generally bounded by Montgomery Street, Franklin Avenue, a line 150 feet northerly of Sullivan Place, a line 100 feet easterly of Washington Avenue, and a line 300 feet northwesterly of Franklin Avenue (Block 1192, Lots 41, 46, 63, & 66), in R9D* and R9D/C2-4* Districts.

* Note: This site is proposed to be rezoned by changing an existing R6A District to an R9 and R9/C2-4 District under a concurrent related application for a Zoning Map change (C 200184 ZMK).

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. 10271-0001.

(On July 14, 2021, Cal. No. 23, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 4, the hearing was closed.)

For consideration.

Nos. 11-16
GOWANUS NEIGHBORHOOD PLAN**No. 11****CDs 2 & 6****C 210177 ZMK**

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c and 16d:

1. eliminating from within an existing R8A District a C2-4 District bounded by:

- a. Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue; and
 - b. a line 210 feet northeasterly of 5th Street, a line 100 feet southeasterly of 4th Avenue,
7th Street, 4th Avenue, 9th Street, a line 100 feet southeasterly of 4th Avenue, 13th Street, 4th Avenue, 14th Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, and 4th Avenue;
2. eliminating a Special Enhanced Commercial District (EC-1) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;
 3. changing from an R6B District to an R6A District property bounded by Carroll Street, Bond Street, 1st Street, and a line 350 feet southeasterly of Hoyt Street;
 4. changing from an R6 District to an R6B District property bounded by Warren Street, Nevins Street, a line midway between Warren Street and Baltic Street, and a line 100 feet southeasterly of Bond Street;
 5. changing from an R8A District to a C4-4D District property bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue;
 6. changing from an C8-2 District to a C4-4D District property bounded by 3rd Street, 4th Avenue, 6th Street, and a line 100 feet northwesterly of 4th Avenue;
 7. changing from an M1-2 District to a C4-4D District property bounded by Douglass Street, 4th Avenue, 1st Street, a line 100 feet northwesterly of 4th Avenue;
 8. changing from an C8-2 District to an M1-4 District property bounded by 3rd Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 100 feet southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and a line 285 feet southeasterly of 3rd Avenue;
 9. changing from an M1-1 District to an M1-4 District property bounded by:

- a. a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street; and
 - b. 3rd Street, Bond Street, 4th Street, and Hoyt Street;
10. changing from an M1-2 District to an M1-4 District property bounded by:
 - a. a line midway between Baltic Street and Butler Street, Nevins Street, Butler Street and a line 360 feet northwesterly of Nevins Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of 3rd Avenue, Degraw Street, a line 200 feet southeasterly of 3rd Avenue, Douglass Street, and a line 100 feet southeasterly of 3rd Avenue; and
 - c. a line midway between Union Street and President Street, a line 180 feet northwesterly of 4th Avenue, President Street, a line 250 feet northwesterly of 4th Avenue, Carroll Street, and a line 100 feet southeasterly of 3rd Avenue;
11. changing from an M2-1 District to an M1-4 District property bounded by 3rd Street, a line 270 feet southeasterly of Bond Street, the centerline of the Gowanus Canal, and Bond Street and its southwesterly centerline prolongation;
12. changing from an M3-1 District to an M1-4 District property bounded by 4th Street, Bond Street and its southwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, a line 120 feet southwesterly of 4th Street, Hoyt Street, 5th Street, and a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street;
13. changing from an R6 District to an M1-4/R6A District property bounded by Warren Street, a line 100 feet southeasterly of Bond Street, Baltic Street and Bond Street;
14. changing from an M1-1 District to an M1-4/R6A District property bounded by a line midway between 3rd Street and 4th Street, Hoyt Street, 4th Street, and a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured

along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street;

15. changing from an M1-2 District to a M1-4/R6A District property bounded by:
 - a. a line midway between Warren Street and Baltic Street, a line 100 feet northwesterly of Nevins Street, a line midway between Baltic Street and Butler Street, a line 100 feet southeasterly of Bond Street, Douglass Street, Bond Street, Baltic Street, and a line 100 feet southeasterly of Bond Street;
 - b. a line midway between Baltic Street and Butler Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Butler Street and Douglass Street, a line 100 feet southeasterly of Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue;
 - c. Baltic Street, a line 100 feet northwesterly of 4th Avenue, a line midway between Baltic Street and Butler Street, and a line 100 feet southeasterly of 3rd Avenue;
 - d. a line midway between Degraw Street and Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet southeasterly of Nevins Street, a line midway between Union Street and President Street, a line 190 feet northwesterly of 3rd Avenue, President Street, a line 100 feet southeasterly of Nevins Street, Carroll Street, Nevins Street, Sackett Street, and a line 100 feet southeasterly of Nevins Street; and
 - e. Union Street, a line 270 feet southeasterly of 3rd Avenue, a line midway between Union Street and President Street, and a line 170 feet northwesterly of 3rd Avenue;
16. changing from an M2-1 District to an M1-4/R6A District property bounded by a line midway between Butler Street and Douglass Street, a line 200 feet southeasterly of Bond Street, Douglass Street, and a line 100 feet southeasterly of Bond Street;
17. changing from an C8-2 District to an M1-4/R6B District property bounded by a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, and a line 100 feet southeasterly of 3rd Avenue;
18. changing from an M1-1 District to an M1-4/R6B District property bounded by a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 390 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 5th Street, and Smith Street;
19. changing from an M1-2 District to an M1-4/R6B District property bounded by:

- a. a line midway between Baltic Street and Butler Street, a line 360 feet northwesterly of Nevins Street, Butler Street, and a line 100 feet southeasterly of Bond Street; and
 - b. a line midway between Union Street and President Street, a line 100 feet southeasterly of 3rd Avenue, Carroll Street, a line 250 feet northwesterly of 4th Avenue, President Street, a line 100 feet northwesterly of 4th Avenue, 1st Street, 3rd Avenue, Carroll Street, a line 100 feet southeasterly of Nevins Street, President Street, and a line 190 feet northwesterly of 3rd Avenue;
20. changing from an M2-1 District to an M1-4/R6B District property bounded by:
- a. Butler Street, a line 200 feet southeasterly of Bond Street, a line midway between Butler Street and Douglass Street, and a line 100 feet southeasterly of Bond Street; and
 - b. Carroll Street, 3rd Avenue, a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, a line 100 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue;
21. changing from an M2-1 District to an M1-4/R7-2 District property bounded by:
- a. Douglass Street and its southeasterly centerline prolongation, the centerline of the Gowanus Canal, Degraw Street and its northwesterly centerline prolongation, Nevins Street, Carroll Street, a line perpendicular to the southwesterly street line of Carroll Street distant 425 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Carroll Street and the northwesterly street line of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, the centerline of the Gowanus Canal, Carroll Street and its southeasterly centerline prolongation, and Bond Street; and
 - b. 2nd Street, a line 210 feet northwesterly of 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, a line 270 feet southeasterly of Bond Street and its southwesterly prolongation, 3rd Street, and Bond Street;

22. changing from an M3-1 District to an M1-4/R7-2 District property bounded by 5th Street, Hoyt Street, a line 120 feet southwesterly of 4th Street, a line 160 feet northwesterly of Bond Street and its southwesterly prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly prolongation, and Smith Street;
23. changing from an M1-2 District to an M1-4/R7A District property bounded by Sackett Street, a line 100 feet southeasterly of 3rd Avenue, a line midway between Sackett Street and Union Street, a line 100 feet northwesterly of 4th Avenue, President Street, a line 180 feet northwesterly of 4th Avenue, a line midway between Union Street and President Street, a line 270 feet southeasterly of 3rd Avenue, Union Street, a line 170 feet northwesterly of 3rd Avenue, a line midway between Union Street and President Street, a line 100 feet southeasterly of Nevins Street, a line midway between Sackett Street and Union Street, and a line 100 feet northwesterly of 3rd Avenue;
24. changing from an R6 District to an M1-4/R7X District property bounded by a line midway between Warren Street and Baltic Street, Nevins Street, Baltic Street, and a line 75 feet northwesterly of Nevins Street;
25. changing from an C8-2 District to an M1-4/R7X District property bounded 3rd Street, a line 285 feet southeasterly of 3rd Avenue, a line 305 feet southwesterly of 3rd Street, and 3rd Avenue;
26. changing from an M1-2 District to an M1-4/R7X District property bounded by:
 - a. a line midway between Warren Street and Baltic Street, a line 75 feet northwesterly of Nevins Street, Baltic Street, Nevins Street, a line midway between Baltic Street and Butler Street, and a line 100 feet northwesterly of Nevins Street;
 - b. Baltic Street, a line 100 feet southeasterly of 3rd Avenue, Douglass Street, a line 200 feet southeasterly of 3rd Avenue, Degraw Street, a line 100 feet southeasterly of 3rd Avenue, Sackett Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Degraw Street and Sackett Street, a line 100 feet southeasterly of Nevins Street, Sackett Street, Nevins Street, Butler Street, a line 100 feet southeasterly of Nevins Street, a line midway between Butler Street and Douglass Street, a line 100 feet northwesterly of 3rd Avenue, a line midway between Baltic Street and Butler Street, and a line 325 feet northwesterly of 3rd Avenue;
27. changing from an M2-1 District to an M1-4/R7X District property bounded by a line perpendicular to the northwesterly street line of 3rd Avenue distant 160 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of 3rd Avenue and the southwesterly street line of Carroll Street, 3rd Avenue, 3rd Street, a line 210 feet northwesterly of 3rd Avenue, the northwesterly centerline prolongation of 1st Street, and a line 100 feet northwesterly of 3rd Avenue, and

28. establishing a Special Gowanus Mixed Use District (G) bounded by Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, 3rd Street, a line 100 feet southeasterly of 4th Avenue, 15th Street, a line 100 feet northwesterly of 4th Avenue, a line midway between 6th Street and 7th Street, a line 360 feet southeasterly of 3rd Avenue, 7th Street, 3rd Avenue, 3rd Street and its northwesterly centerline prolongation, the centerline of the Gowanus Canal, Huntington Street and its southeasterly centerline prolongation, Smith Street, a line midway between 4th Street and 5th Street, a line perpendicular to the northeasterly street line of 5th Street distant 220 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 5th Street and the northwesterly street line of Hoyt Street, 4th Street, a line perpendicular to the northeasterly street line of 4th Street distant 365 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 4th Street and the northwesterly street line of Hoyt Street, a line midway between 3rd Street and 4th Street, Hoyt Street, 3rd Street, Bond Street, Warren Street, a line 100 feet southeasterly of Bond Street, a line midway between Warren Street and Baltic Street, Nevins Street, Butler Street, a line 325 feet northwesterly of 3rd Avenue, Baltic Street, and a line 100 feet northwesterly of 4th Avenue; and excluding the areas bounded by:

i. Butler Street, Nevins Street, Degraw Street and its northwesterly centerline prolongation, the center line of the Gowanus Canal, Douglass Street and its southeasterly centerline prolongation, and a line 200 feet southeasterly of Bond Street; and

ii. 1st Street, 4th Avenue, 3rd Street, and 3rd Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-601.

(On July 14, 2021, Cal. No. 5, the Commission scheduled July 28, 2021 for a public hearing. On July 28, 2021, Cal. No. 44, the hearing was closed.)

For consideration.

No. 12

CD 2 & 6

N 210178 ZRK

IN THE MATTER OF an application submitted by New York City 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 establishing the Special Gowanus Mixed Use District (Article XIII, Chapter 9) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections.

The proposed text amendment may be seen in the City Planning Calendar of July 28, 2021 (Cal. No. 45) and the Department of City Planning web site: www.nyc.gov/planning.

(On July 14, 2021, Cal. No. 6, the Commission scheduled July 28, 2021 for a public hearing. On July 28, 2021, Cal. No. 45, the hearing was closed.)

For consideration.

No. 13

CD 6

C 210179 MMK

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- 1) the establishment of Hoyt Street between 5th Street and Nelson Street;
- 2) the establishment of Luquer Street and Nelson Street between Smith Street and the Gowanus Canal;
- 3) the elimination, of a 7th Street between Smith Street and The Gowanus Canal;
- 4) the elimination of Public Place;
- 5) the establishment of legal grades;
- 6) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2754 dated December 7, 2020 and signed by the Borough President.

(On July 14, 2021, Cal. No. 7, the Commission scheduled July 28, 2021 for a public hearing On July 28, 2021, Cal. No. 46, the hearing was closed.)

For consideration.

No. 14

CD 6

C 210180 MMK

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

- 1) the establishment of Park within the area bounded by Huntington Street, Smith Street, Nelson Street, Hoyt Street, 4th Street, Bond Street and The Gowanus Canal;
- 2) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2755 and X-2756 dated December 7, 2020 and signed by the Borough President

(On July 14, 2021, Cal. No. 8, the Commission scheduled July 28, 2021 for a public hearing. On July 28, 2021, Cal. No. 47, the hearing was closed.)

For consideration.



No. 15

CD 6

C 210053 PPK

IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property, located at 276 4th Avenue (Block 456, Lot 29), pursuant to zoning.

(On July 14, 2021, Cal. No. 9, the Commission scheduled July 28, 2021 for a public hearing. On July 28, 2021, Cal. No. 48, the hearing was closed.)

For consideration.



No. 16

CD 6

C 210052 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 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100) as an Urban Development Action Area; and
 - b. 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 an affordable mixed-use development with approximately 950 units.

(On July 14, 2021, Cal. No. 10, the Commission scheduled July 28, 2021 for a public hearing. On July 28, 2021, Cal. No. 49, the hearing was closed.)

For consideration.

Nos. 17-20

130 ST. FELIX STREET

No. 17

CD 2

C 210278 ZMK

IN THE MATTER OF an application submitted by 130 St. Felix Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an existing C6-1 District to an C6-4 District property bounded by a line 330 feet northerly of Hanson Place, St. Felix Street, Hanson Place, a line midway between Ashland Place and St. Felix Street, a line 100 feet northerly of Hanson Place, Ashland

Place, a line 250 feet northerly of Hanson Place, and a line midway between Ashland Place and St. Felix Street; and

- 2. changing from an existing C6-1 District to an C6-6 District property bounded by a line 100 feet northerly of Hanson Place, a line midway between Ashland Place and St. Felix Street, Hanson Place, and Ashland Place;

as shown on a diagram (for illustrative purposes only) dated May 3, 2021, and subject to the conditions of CEQR Declaration E-616.

(On July 28, 2021, Cal. No. 9, the Commission scheduled August 18, 2021 for a public hearing. On July 28, 2021, Cal. No. 67, the hearing was closed.)

For consideration.



No. 18

CD 2

N 210279 ZRK

IN THE MATTER OF an application submitted by 130 St. Felix Street 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 the Special Downtown Brooklyn District (ARTICLE X, Chapter 1) and 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**

* * *

**101-20
SPECIAL BULK REGULATIONS**

* * *

**101-21
Special Floor Area and Lot Coverage Regulations**

* * *

(d) In C6-6 Districts

In C6-6 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 15.0, and the maximum #residential floor area ratio# shall be 9.0. However, in #Mandatory Inclusionary Housing areas# mapped after [date of adoption], the maximum #residential floor area ratio# shall be 12.0. No #floor area# bonuses shall be permitted.

* * *

**101-80
SPECIAL PERMITS**

* * *

**101-82
Modification of Bulk Regulations for Certain Buildings on Irregular Sites**

In C6-9 Districts within the #Special Downtown Brooklyn District#, mapped after March 13, 2019, and in C6-4 and C6-6 Districts within the #Special Downtown Brooklyn District#, mapped after [date of adoption], for #developments# or #enlargements# on irregular sites, the City Planning Commission may modify underlying #bulk# regulations, other than #floor area ratio#, provided that no Use Group 5 #use# shall be permitted in any portion of the #building# receiving such modifications, and:

- (a) there are physical conditions, including irregularity, narrowness or shallowness of lot shape or size that create practical difficulties in complying with the #bulk# regulations and would adversely affect the #building# configuration or site plan;
- (b) the practical difficulties of developing on the #zoning lot# have not been created by the owner or by a predecessor in title;
- (c) the proposed modifications are limited to the minimum needed to relieve such difficulties;

- (d) the proposed modifications will not unduly obstruct access of light and air to adjoining properties or #streets#; and
- (e) the proposed scale and placement of the #development# or #enlargement# relates harmoniously with the surrounding area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 2

* * *

Map 8 – [date of adoption]



- Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*
- Area **6** — 9/26/18 — MIH Program Option 1 and Option 2
- Area **#** — [date of adoption] — MIH Program Option 1 and Workforce Option

Portion of Community District 2, Brooklyn

* * *

(On July 28, 2021, Cal. No. 10, the Commission scheduled August 18, 2021 for a public hearing
On July 28, 2021, Cal. No. 68, the hearing was closed.)

For consideration.

No. 19**CD 2****C 210280 ZSK**

IN THE MATTER OF an application submitted by 130 St. Felix Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive all required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property generally bounded by a line 330 feet northerly of Hanson Place, St. Felix Street, a line 165 feet northerly of Hanson Place, a line midway between Ashland Place and St. Felix Street, Hanson Place, Ashland Place, a line 250 feet northerly of Hanson Place, and a line midway between Ashland Place and St. Felix Street (Block 2111, Lots 37, 40, & 1001-1199), in C6-4* and C6-6* Districts, within the Special Downtown Brooklyn District.

* Note: The development site is proposed to be rezoned by changing an existing C6-1 District to C6-4 and C6-6 Districts under a concurrent related application for a Zoning Map change (C 210278 ZMK).

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. 10271-0001.

(On July 28, 2021, Cal. No. 11, the Commission scheduled August 18, 2021 for a public hearing. On July 28, 2021, Cal. No. 69, the hearing was closed.)

For consideration.

No. 20
CD 2**C 210281 ZSK**

IN THE MATTER OF an application submitted by 130 St. Felix Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 101-82* of the Zoning Resolution to modify the tower lot coverage requirements of Section 101-223 (Tower Regulations), to modify the rear yard requirements of Section 23-532 (Required rear yard equivalents), to modify the inner court dimension requirements of Section 23-851 (Minimum dimensions of inner courts), in connection with a proposed mixed-use development, on property generally bounded by a line 330 feet northerly of Hanson Place, St. Felix Street, a line 165 feet northerly of Hanson Place, a line midway between Ashland Place and St. Felix Street, Hanson Place, Ashland Place, a line 250 feet northerly of Hanson Place, and a line midway between

Ashland Place and St. Felix Street (Block 2111, Lots 37, 40, & 1001-1199), in C6-4* and C6-6* Districts, within the Special Downtown Brooklyn District.

* Note: A zoning text amendment is proposed to Section 101-82 under a concurrent related application for a Zoning Text change (N 210279 ZRK).

** Note: The development site is proposed to be rezoned by changing an existing C6-1 District to C6-4 and C6-6 Districts under a concurrent related application for a Zoning Map change (C 210278 ZMK).

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

(On July 28, 2021, Cal. No. 12, the Commission scheduled August 18, 2021 for a public hearing. On July 28, 2021, Cal. No. 70, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

Nos. 21 & 22

343 MADISON AVENUE - MTA/HQ

No. 21

CD 5

C 210369 ZSM

IN THE MATTER OF an application submitted by BP 347 Madison Associates, LLC and Metropolitan Transportation Authority pursuant to Sections 197-c and 201 of the New York City Charter for, in conjunction with the grant of a special permit pursuant to 81-633 of the Zoning Resolution (Special permit for Grand Central public realm improvements), the grant of a special permit pursuant to Section 81-634 to modify:

1. the street wall requirements of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements);
2. the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations - Daylight Evaluation); and

3. the mandatory district plan elements of Section 81-42 (Retail Continuity Along Designated Streets), Section 81-45 (Pedestrian Circulation Space), Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), Sections 81-47 (Major Building Entrances), Section 81-674 (Ground floor use provisions), Section 81-44 (Curb Cut Restrictions), and Section 81-675 (Curb cut restrictions and loading berth requirements);

in connection with a proposed commercial development, on property located at 343 Madison Avenue (Block 1279, Lots 23, 24, 25 & 48), in a C5-3 District, within the Special Midtown District (Vanderbilt Corridor Subarea).

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 July 28, 2021, Cal. No. 19, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 55, the hearing was closed.)

For consideration.

No. 22

CD 5

C 210370 ZSM

IN THE MATTER OF an application submitted by BP 347 Madison Associates, LLC and Metropolitan Transportation Authority pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-633 of the Zoning Resolution to allow an increase in floor area in excess of the basic maximum floor area ratio established in the Table in Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea) up to a maximum floor area as set forth in such Table, in connection with a proposed commercial development, on property located at 343 Madison Avenue (Block 1279, Lots 23, 24, 25 & 48), in a C5-3 District, within the Special Midtown District (Vanderbilt Corridor Subarea).

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. 10271-0001.

(On July 28, 2021, Cal. No. 20, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 56, the hearing was closed.)

For consideration.

Nos. 23, 24 & 25***NEW YORK BLOOD CENTER*****No. 23****CD 8****C 210351 ZMM**

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

1. changing from an R8B District to a C2-7 District property bounded by East 67th Street, a line 325 feet easterly of Second Avenue, East 66th Street and a line 100 feet easterly of Second Avenue; and
2. changing from a C1-9 District to a C2-8 District property bounded by East 67th Street, a line 100 feet easterly of Second Avenue, East 66th Street, Second Avenue, East 66th Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated April 19, 2021, and subject to the conditions of CEQR Declaration E-612.

(On July 14, 2021, Cal. No. 17, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 1, the hearing was closed)

For consideration.

No. 24**CD 8****N 210352 ZRM**

IN THE MATTER OF an application submitted by New York Blood Center, 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 Article VII, Chapter 4, for the purpose of allowing scientific research and development facilities in C2-7 Districts and allowing related use and bulk modifications, and 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 III
COMMERCIAL DISTRICT REGULATIONS**

Chapter 2

Use Regulations

* * *

**32-30
USES PERMITTED BY SPECIAL PERMIT**

**32-32
By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4, or as otherwise indicated in this Section.

* * *

C1 C2 C3 C4 C5 C6 C7 C8

Railroad passenger stations

C2-7 C6

Research and development facility, scientific, in C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts

C1 C2 C3 C4 C5 C6 C7 C8

Seaplane bases

* * *

ARTICLE VII

Administration

* * *

Chapter 4

Special Permits by the City Planning Commission

74-40

USE PERMITS

* * *

74-48

Scientific Research and Development Facility

In C2-7 Districts within Community District 8 in the Borough of Manhattan, and in C6 Districts, the City Planning Commission may permit a scientific research and development facility ~~containing as a #commercial use#, where such facility contains~~ laboratories for medical, biotechnological, chemical or genetic research, including space for production, storage and distribution of scientific products generated through research and ~~may modify height and setback regulations for the facility. Such facility shall conform to the performance standards applicable to M1 Districts and occupy a #zoning lot# that either contains a minimum #lot area# of 40,000 square feet or comprises an entire #block#. No #residential use# is to be located anywhere on a #zoning lot# containing such a facility, in~~ conjunction with such facility, may allow the modifications set forth in paragraph (a) of this Section. For a special permit to be granted, applications shall comply with conditions in paragraph (b) and the findings of paragraph (c) of this Section. Additional requirements are set forth in paragraph (d).

a. Additional modifications

For such scientific research and development facility, the Commission may modify the following:

1. height and setback regulations; and

2. where such facility is located within C2-7 Districts:

i. sign# regulations;

ii. floor area ratio# regulations, up to the maximum floor area ratio# permitted

for community facility uses# for the District; and

iii. yard# regulations.

b. Conditions

As a condition for granting a special permit, such facility shall:

1. conform to the performance standards applicable to M1 Districts;
2. occupy a zoning lot# that either contains a minimum lot area# of 40,000 square feet or comprises an entire block#; and
3. occupy a zoning lot# containing no residential use#.

c. Findings

As a condition for granting a special permit, the Commission shall find that the scientific research and development facility:

- ~~(a)~~(1) will not unduly affect the essential character or impair the future use and development of the surrounding area;
- ~~(b)~~(2) will be located so as to draw a minimum of vehicular traffic to and through local streets#;
- ~~(c)~~(3) provides fully enclosed storage space for all raw materials, finished products, by-products and waste materials including debris, refuse and garbage; and
- ~~(d)~~(4) that the modification of such height and setback to any applicable bulk# regulations will not unduly obstruct the access of light and air to adjoining properties or public streets#.

5. with regard to #sign# modifications:

i. a signage plan has been submitted showing the location, size, height, and illumination of all #signs# on the #zoning lot#;

ii. the modifications are consistent with the amount and location of commercial life sciences laboratories that the Commission finds appropriate on the #zoning lot#; and

iii. #illuminated signs#, if provided:

a. utilize an illumination type, and are located and oriented in a manner so as to minimize any negative effects on nearby residences; and

b. do not alter the essential character of the adjacent area.

d. Additional requirements

1. To minimize traffic congestion in the area, the Commission shall require the

provision of off-street loading berths conforming to the requirements set forth in Section 36-62 (Required Accessory Off-street Loading Berths) for #commercial uses#.

2. The Commission may also require the provision of #accessory# off-street parking

facilities to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use#. The size and location of such parking, bicycle parking, and loading facilities shall comply with the applicable provisions of Section 36-00, inclusive.

3. All applications for the grant of a special permit pursuant to this Section shall be

referred to the Commissioner of Health of the City of New York or its successor for a report and recommendations on matters relating to health, safety and general welfare of the public with regard to the proposed facility. If the report is received within 45 days from the date of referral, the Commission shall, in its determination, give due consideration to the report and its recommendations. If such agency does

not report within 45 days, the Commission may make a final determination without reference thereto.

In order to promote and protect the public health, safety and general welfare, the City Planning Commission may impose additional conditions and safeguards and more restrictive performance standards where necessary.

* * *

(On July 14, 2021, Cal. No. 18, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 2, the hearing was closed.)

For consideration.

No. 25

CD 8

C 210353 ZSM

IN THE MATTER OF an application submitted by New York Blood Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-48* of the Zoning Resolution as follows:

1. to allow a scientific research and development facility as a commercial use;
2. to allow the floor area ratio regulations, up to the maximum floor area ratio permitted for community facility uses for the District, to apply to the scientific research and development facility use;
3. to modify the height and setback regulations of Section 33-432 (In other Commercial Districts), and the required yard equivalents regulations of Section 33-283 (Required rear yard equivalents); and,
4. to modify the signage regulations of Section 32-641 (Total surface area of signs), Section 32-642 (Non-illuminated signs), Section 32-643 (Illuminated non-flashing signs), Section 32-655 (Permitted Projections or Height of Signs), and Section 32-67 (Special Provisions Applying Along District Boundaries);

to facilitate a proposed 16-story building on property located at 310 East 67th Street (Block 1441, Lot 40), in a C2-7** District.

* Note: A zoning text amendment is proposed to Section 74-48 under a concurrent related application for a Zoning Text change (N 210352 ZRM).

** Note: This site is proposed to be rezoned by changing an R8B District to a C2-7 District under a concurrent related application for a Zoning Map change (C 210351 ZMM).

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

(On July 14, 2021, Cal. No. 19, the Commission scheduled July 29, 2021 for a public hearing. On July 29, 2021, Cal. No. 3, the hearing was closed)

For consideration.

BOROUGH OF QUEENS

Nos. 26 & 27

BROADWAY AND 11TH STREET REZONING

No. 26

CD 1

C 210025 ZMQ

IN THE MATTER OF an application submitted by 11 St & Broadway LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

1. changing from an R5 District to an M1-4/R7A District bounded by Broadway, 12th Street, 33rd Avenue, and 11th Street; and
2. establishing a Special Mixed Use District (MX-23) bounded by Broadway, 12th Street, 33rd Avenue, and 11th Street;

as shown on a diagram (for illustrative purposes only) dated April 19th, 2021, and subject to the conditions of CEQR Declaration E-613.

(On July 28, 2021, Cal. No. 21, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 52, the hearing was closed.)

For consideration.

No. 27

CD 1

N 210026 ZRQ

IN THE MATTER OF an application submitted 11 St & Broadway LLC pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) for the purpose of establishing a new Special Mixed Use District and 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 XII – Special Purpose Districts

* * *

Chapter 3 - Special Mixed Use District (MX-1), (MX-2), (MX-4), (MX-5), (MX-6), (MX-7), (MX-8), (MX-9), (MX-10), (MX-11), (MX-12), (MX-13), (MX-14), (MX-15), (MX-16), (MX-17), (MX-18), (MX-19), (MX-20) (MX-21) (MX-22) (MX-23)

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

* * *

#Special Mixed Use District#	Designated #Residence District#
* * *	* * *
<u>MX 23 - Community District 1, Queens</u>	<u>R7A</u>

* * *

**123-90
Special Mixed Use Districts Specified**

* * *

#Special Mixed Use District# - 23 [Date of Adoption]
Ravenswood, Queens

The #Special Mixed Use District#- 23 is established in Ravenswood in Queens as
indicated on the #zoning maps#.

* * *

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

* * *

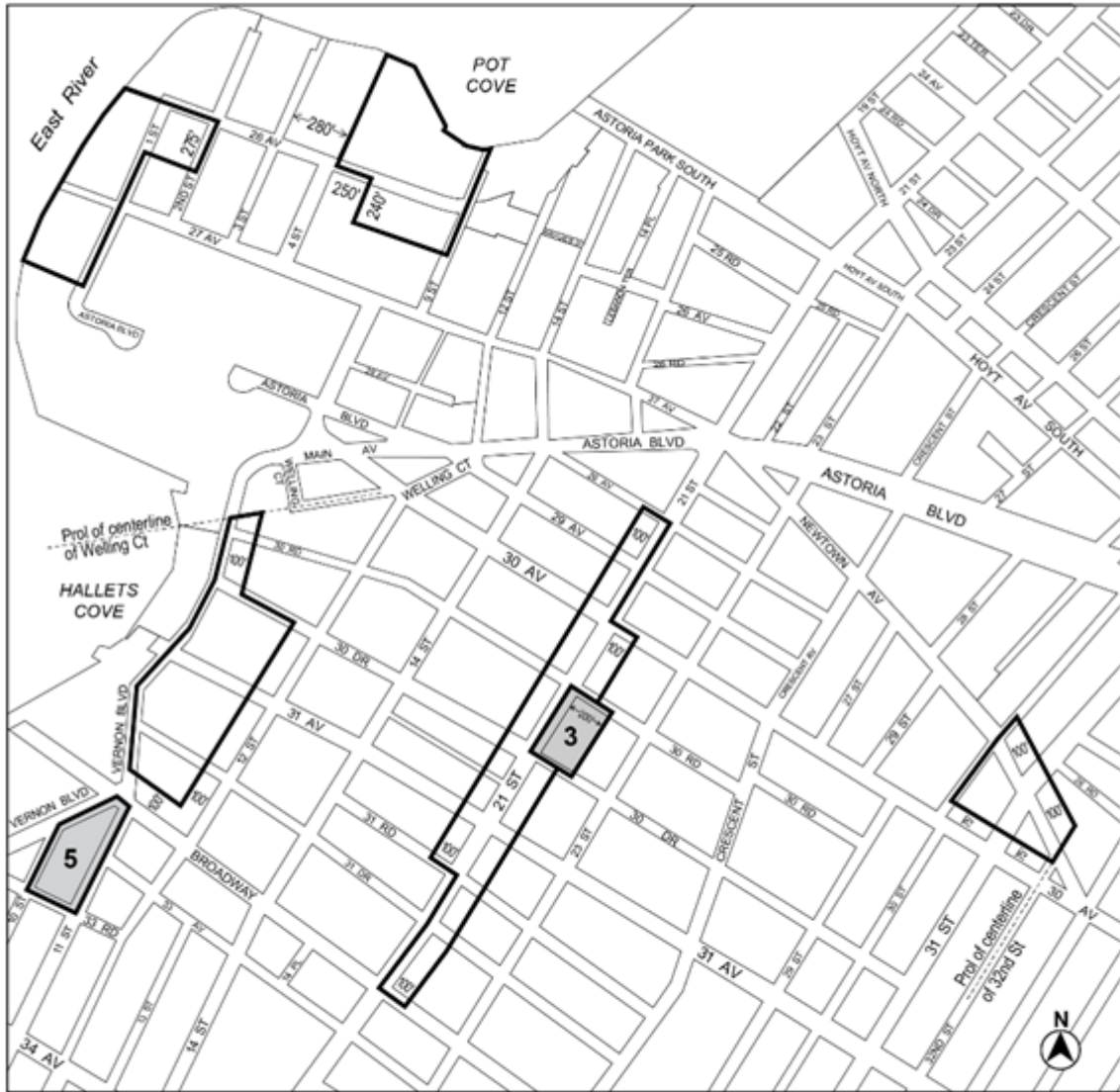
QUEENS



* * *

Queens Community District 1

Map 1– (10/31/18)

Existing Map

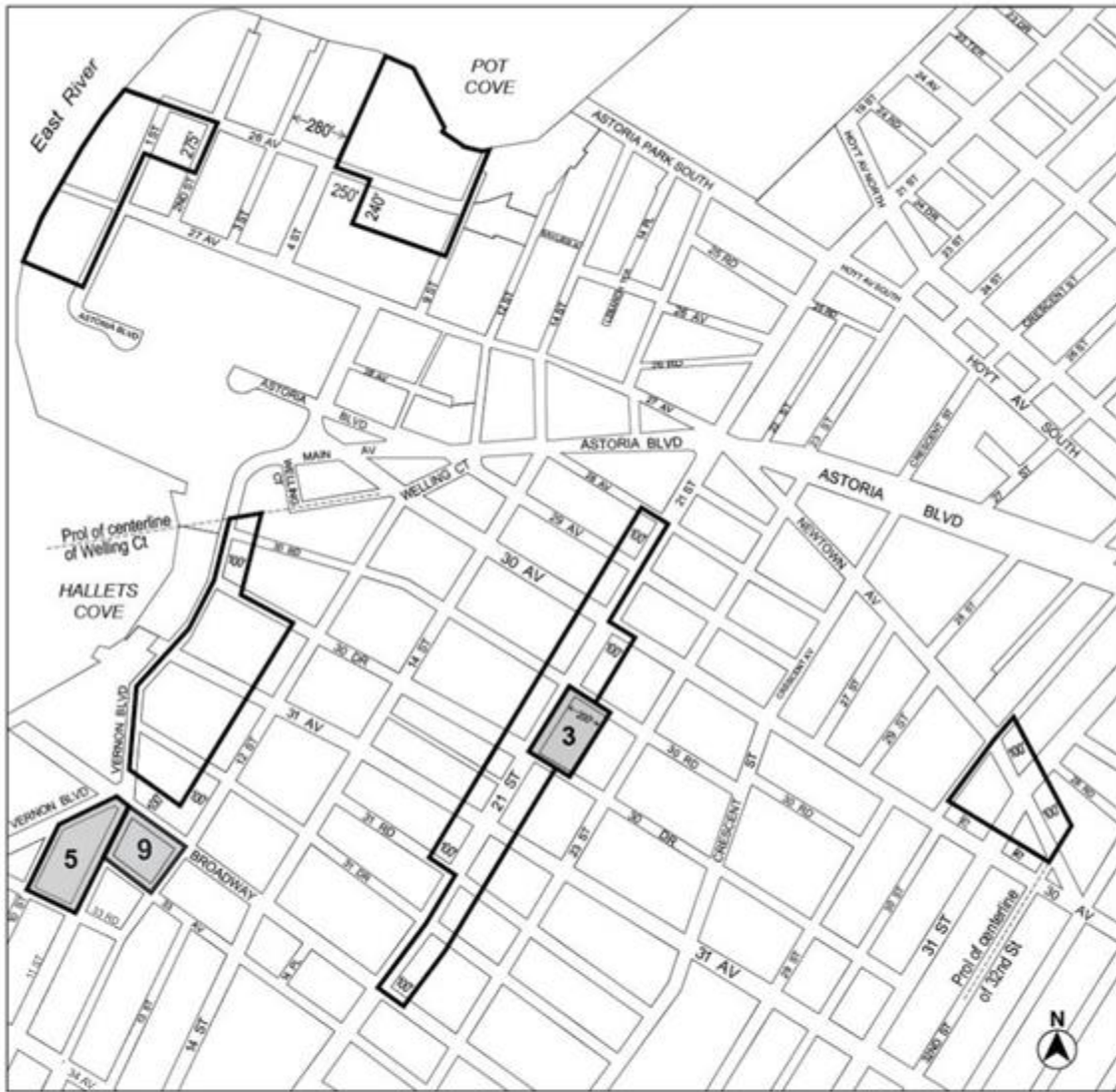




-  Inclusionary Housing designated area
-  Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 - Area 3— 10/31/18 MIH Program Option 1 and Option 2
 - Area 5— 10/17/19 MIH Program Option 1

* * *

Map 1 – [date of adoption]

Proposed Map



-  *Inclusionary Housing designated area*
-  **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
 - Area 3 — 10/31/18 MIH Program Option 1 and Option 2
 - Area 5 — 10/17/19 MIH Program Option 1
 - Area 9 — [date of adoption] — MIH Program Option 1

Portion of Community District 1, Queens

* * *

(On July 28, 2021, Cal. No. 22, the Commission scheduled August 18, 2021 for a public hearing. On August 18, 2021, Cal. No. 53, the hearing was closed.)

For consideration.

Nos. 28, 29 & 30

WILDFLOWER STUDIOS

No. 28

CD 1

C 210459 ZSQ

IN THE MATTER OF an application submitted by WF Industrial IV LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-837 of the Zoning Resolution to modify the height and setback, maximum width of walls facing shoreline and the ground floor streetscape requirements of Section 62-341 (Development on Land and Platforms), in connection with the construction of an approximately 495,000 square-foot motion picture studio, on property located at 1 Steinway Place a.k.a. 36-01 19th Avenue (Block 814, Lots 1 and 10), in an M3-1 District.

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

(On August 18, 2021, Cal. No. 23, the Commission scheduled September 1, 2021 for a public hearing. On September 1, 2021, Cal. No. 52, the hearing was closed.)

For consideration.

No. 29

CD 1

N 210457 ZAQ

IN THE MATTER OF an application submitted by WF Industrial IV, LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the area and dimensional requirements of Section 62-57 (Requirements for Supplemental Public Access Areas), in connection with the construction of an approximately

495,000-square-foot motion picture studio on property located at 1 Steinway Place a.k.a. 36-01 19th Avenue (Block 814, Lots 1 and 10), in an M3-1 District.

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

For consideration.

No. 30

CD 1

N 210458 ZAQ

IN THE MATTER OF an application submitted by WF Industrial IV, LLC for the grant of an authorization pursuant to Section 62-822(b) of the Zoning Resolution to modify the requirements of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), in connection with the construction of an approximately 495,000-square-foot motion picture studio on property located at 1 Steinway Place a.k.a. 36-01 19th Avenue (Block 814, Lots 1 and 10), in an M3-1 District.

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

For consideration.

BOROUGH OF STATEN ISLAND

No. 31

7 MASSACHUSETTS STREET

CD 3

N 210346 RCR

IN THE MATTER OF an application submitted by Steve Shapiro for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate future subdivision of the current zoning lot into three new zoning lots (Block 7939, Tentative Lots 55, 57, and 58) at 7 Massachusetts Street within the Special South Richmond Development District.

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

For consideration.

III. PUBLIC HEARINGS

CITYWIDE

No. 32

CAPA FRESH RULE CHANGE

PUBLIC HEARING:

(Proposed modification of Title 62 of the Rules of the City of New York pursuant to Sections 1043 and 191(b)(2) and ZR Section 63-00, *et seq.* (as amended by proposed N 210380 ZRY) of the City Charter to facilitate the implementation of the Food Retail Expansion to Support Health Program (FRESH) program as well as to correct aspects of the fee structure for certain applications.

PLEASE TAKE NOTICE that in accordance with Sections 1043 and 191(b)(2) of the New York City Charter, the New York City Department of City Planning (“City Planning”), proposes to amend rules within Chapter 3 and establish new Chapter 12 of Title 62 of the Rules of the City of New York.

This proposed rule was not included in the Department of City Planning’s regulatory agenda for this Fiscal Year because it was not contemplated when the Department of City Planning published the agenda.

The time and place of the hearing have been scheduled as follows:

DATE: September 22, 2021

TIME: 10:00 A.M.

LOCATION: Lower Concourse

120 Broadway

New York, NY 100271

In support of the City’s efforts to contain the spread of COVID-19, the City Planning Commission will hold this public hearing remotely as well. To join the meeting and comment, please visit NYC Engage at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287261/1> or dial 877-853-5247 (US Toll-free), 888-788-0099 (US Toll-free), (253) 215-8782 (Toll number) or (213) 338-8477 (Toll number). If calling into the meeting, please use the following Meeting ID 618 237 7396, and when prompted for a participation code, please enter “#” followed by the password “1” when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively

participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP's website.

Any person in attendance at this hearing (remotely or in person) shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes. Each speaker shall be allotted a maximum of three (3) minutes.

Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Dominick Answini at the address set forth below, or by telephone at (212) 720-3676, by September 8, 2021. In addition, written statements may be submitted to City Planning at the address stated below, provided the comments are received by 5:00 P.M. on September 22, 2021:

New York City Department of City Planning
Office of the Counsel
120 Broadway, 31st Floor
New York, NY 10271
Attention: Dominick Answini

Written comments received and a tape recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 a.m. and 5:00 p.m. at the Freedom of Information Law Desk, 120 Broadway, 31st Floor, telephone number (212) 720-3454.

The purpose of the hearing is to provide the public with an opportunity to comment on the proposed rule set forth herein.

Title 62 of the Rules of the City of New York is amended to read as follows:

Chapter 3: Fees and Contributions

* * *

§ 3-07 Schedule of Charges

* * *

(e) Applications for zoning certifications and zoning authorizations:

(1) For certification for public school space pursuant to § 107 – 121 [123] of Article X,

Chapter 7 (Special South Richmond Development District) of the Zoning Resolution, the fee shall be \$160.

* * *

(g) Supplemental Fee for Large Projects. In addition to all applicable fees as set forth above, a supplemental fee shall be required for the following applications:

Applications that may result in the development of 500,000 to 999,999 square feet of floor area	\$80,000
Applications that may result in the development of 1,000,000 to 2,499,999 square feet of floor area	\$120,000
Applications that may result in the development of at least 2,500,000 square feet of floor area	\$160,000

* * *

Chapter 12: Rules for the Processing of Applications for FRESH Certifications Pursuant to Section 63-30 of the Zoning Resolution of the City of New York

§ 12-01 Scope

This chapter governs the queuing of applications for the Food Retail Expansion to Support Health Program (“FRESH”) pursuant to section 63-00 et seq. of the Zoning Resolution as well as the effect such queuing has on closed projects, terminated applications, and lapsed certifications related to such program.

§ 12-02 Definitions

For the purposes of this chapter:

Application. The term “Application” means materials filed with the Department pursuant to section 10-09 of these rules to obtain a Certification in connection with a project.

Certification. The term “Certification” means a Certification by the Chair of the Commission pursuant to section 63-30 of the Zoning Resolution for a FRESH food store.

Commission. The term “Commission” means the City Planning Commission.

Department. The term “Department” means the Department of City Planning.

FRESH. The term “FRESH” means the Food Retail Expansion to Support Health Program

pursuant to section 63-00 *et seq.* of the Zoning Resolution.

FRESH Application Statement (“FAS”). The term “FRESH Application Statement” or “FAS” means a PAS in accordance with section 10-04 of this title or, if the Department determines that such statement is not necessary, a draft land use application in accordance with section 10-07 of this title, both of which are submitted in connection with a prospective Application.

FRESH Food Store. The term “Fresh Food Store” shall have the same meaning as that term is defined in section 63-01 of the Zoning Resolution.

FRESH Residential Floor Area. The term “FRESH Residential Floor Area” means the additional residential floor area permitted in accordance with this chapter and section 63-21 of the Zoning Resolution as a result of the provision of “FRESH Food Store Floor Area,” as that term is defined in section 63-01 of the Zoning Resolution.

Pre-Application Statement (“PAS”). The term “Pre-Application Statement” or “PAS” means the Pre-Application Statement described in section 10-04 of this title.

Queue. The term “Queue” means a list of projects ranked relative to each other in the order in which the Department received the FAS for each such project, subject to the provisions of this chapter.

Radius. The term “Radius” means a half-mile radius measured from zoning lots of the proposed FRESH Food Store where the total FRESH Residential Floor Area for all FRESH Food Stores within such radius may not exceed more than 40,000 sq ft. A FRESH Food Store with FRESH Residential Floor Area will be deemed to be included in such radius if any portion of such store’s zoning lot is located within such radius.

§ 12-03 Review and Queuing of Applications

(a) The Department shall queue all projects in the order that their respective FAS was received by the Department, provided that, with respect to an FAS that is a PAS, such PAS has been determined by the Department to be complete in accordance with section 10-04(b) of this title.

(b) When two or more projects, including the proposed project, are located within a Radius and the total of FRESH Residential Floor Area among them exceeds 40,000 sq ft, the project for which an FAS was first received and is deemed in compliance with this title shall have priority to obtain all of its requested FRESH Residential Floor Area. The project that is next in the Queue shall then have priority to obtain all the remaining FRESH Residential Floor Area within such Radius which has not been claimed by a project earlier in the Queue. The use of remaining FRESH Residential Floor Area unclaimed by projects earlier in the Queue shall continue in this manner for subsequent projects until there is no additional unclaimed FRESH Residential Floor Area within the Radius.

(c) After a project has been added to the Queue, if there is no response from the project sponsor

within two (2) months after the interdivisional meeting, held in accordance with section 10-05 of this title, or the last communication of instructions from the Department, whichever is later, the Department will notify the project sponsor that its project will be placed on hold if it does not respond within a specified period of time from such notice. If the project sponsor responds within the specified timeframe but does not provide the requested materials, if any, within thirty (30) days of such response, the project will be placed on hold. If a project is on hold for twelve (12) months, the project record will be closed or the corresponding Application terminated, whichever is applicable, and the project will be removed from the Queue. The previously claimed FRESH Residential Floor Area corresponding to the removed project will now be available to projects remaining in the Queue. For terminated Applications, if the Department permits the applicant to proceed directly to filing a new Application, the Department shall place such Application in the Queue in accordance with subdivision (a) of this section as if such Application were a new FAS.

§ 12-04 Effect of Lapse of Certification

If a Certification lapses pursuant to section 63-30 of the Zoning Resolution, the amount of FRESH Residential Floor Area permitted by such Certification shall become available for other projects within the same Radius as the project with the lapsed building permit. The project sponsor may reapply for FRESH Residential Floor Area but must submit a new FAS Queued in accordance with section 12-03 of this chapter.

(On September 1, 2021, Cal. No. 3, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF THE BRONX

No. 33

COMMUNITY BOARD B 8 OFFICE SPACE

CD 8

N 220033 PXX

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 185 West 231st Street (Block 3267, Lot 76) (Bronx Community Board 8 Office), Borough of the Bronx, Community District 8.

(On September 8, 2021, the Commission duly advertised September 22, 2021 for a public hearing.)

Close the hearing.

Nos. 34 & 35

WIN POWERS

No. 34

CD 1

C 210398 ZSX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of ZR 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with the development of two community facility buildings, on property located at 346 Powers Avenue (Block 2572, Lot 6) in an R6 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 September 1, 2021, Cal. No. 4, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 35**CD 1****C 210399 HAX****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the NYC 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 346 Powers Avenue (Block 2572, Lot 6), 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 development of two new buildings containing approximately 221 supportive housing units, 95 shelter units, and community facility space.

(On September 1, 2021, Cal. No. 5, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

Nos. 36 & 37

STARRETT-LEHIGH + TERMINAL WAREHOUSE REZONING

No. 36

CD 4

C 210408 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Terminal Fee Owner LP and RXR SL Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8b:

1. changing from an M2-3 District to an M2-4 District property bounded by West 28th Street, Eleventh Avenue, West 26th Street, and Twelfth Avenue; and
2. establishing a Special West Chelsea District (WCh) bounded by West 28th Street, Eleventh Avenue, West 26th Street, and Twelfth Avenue;

as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-625.

(On September 1, 2021, Cal. No. 8, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 37

CD 4

N 210409 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Terminal Fee Owner LP and RXR SL Owner LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing Subarea K within the Special West Chelsea District (Article IX, Chapter 8), and modifying other related Sections.

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 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).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
* * *	* * *	* * *
West Chelsea District	No	Yes ⁵

* * *

⁵ #Unenclosed sidewalk cafes# are allowed only on #wide streets# except they are not allowed on the west side of Ninth Avenue between West 15th Street and West 16th Street. #Unenclosed sidewalk cafes# shall also be allowed on West 27th Street between Eleventh Avenue and Joe DiMaggio Highway.

* * *

ARTICLE IX – SPECIAL PURPOSE DISTRICTS

Chapter 8 – Special West Chelsea District

**98-00
GENERAL PURPOSES**

* * *

**98-04
Subareas and High Line Transfer Corridor**

In order to carry out the provisions of this Chapter, Subareas A through J K and a #High Line Transfer Corridor# are established within the #Special West Chelsea District#.

* * *

**98-10
SPECIAL USE AND PARKING REGULATIONS WITHIN THE SPECIAL WEST
CHELSEA DISTRICT**

* * *

**98-12
Modification of Use Regulations**

The #use# regulations of the underlying districts are modified by the provisions of this Section, inclusive.

* * *

**98-122
~~Location within buildings~~
In Subarea K**

[Relocated to Section 98-124 below]

~~In any C6 District in the #Special West Chelsea District#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit #commercial uses# on the same #story# as a #residential use# or on a #story# higher than that occupied by #residential uses#, provided that the #commercial uses#:~~

- (a) ~~are located in a portion of the #building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and~~
- (b) ~~are not located directly over any portion of a #building# containing #dwelling units#, except this limitation shall not preclude the location of:~~
- (1) ~~#residential# lobby space below or on the same #story# as #commercial uses#; or~~
- (2) ~~a #commercial use# that fronts on the #High Line# and is located within five feet of the level of the #High Line bed#.~~

In Subarea K, the provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT), inclusive, shall be modified as follows:

- (a) The following additional #uses# shall be permitted, provided that the floor space allocated to such #uses# does not exceed 25 percent of the total #floor area# of the #building#:
- (1) from Use Groups 3 and 4, all #uses#, not otherwise permitted by the underlying regulations, other than those with sleeping accommodations;
- (2) from Use Group 6A, food stores, including supermarkets, grocery stores or delicatessen stores, larger than 10,000 square feet;
- (3) from Use Groups 6C, 9A, and 12B, all #uses# not otherwise permitted by the underlying regulations; or
- (4) from Use Group 10A, all #uses#, not otherwise permitted by the underlying regulations, provided that the floor space allocated to such #uses# does not exceed 15 percent of the total #floor area# of the #building#.

98-123
Adult establishments

* * *

98-124
Location within buildings

[Relocated from Section 98-122 above]

In any C6 District the #Special West Chelsea District#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) are modified to permit #commercial uses# on the same #story# as a #residential use# or on a #story# higher than that occupied by #residential uses#, provided that the #commercial uses#:

- (a) are located in a portion of the #building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
- (b) are not located directly over any portion of a #building# containing #dwelling units#, except this limitation shall not preclude the location of:
 - (1) #residential# lobby space below or on the same #story# as #commercial uses#; or
 - (2) a #commercial use# that fronts on the #High Line# and is located within five feet of the level of the #High Line bed#.

* * *

**98-15
Signs**

* * *

**98-151
Modification of sign regulations in Subarea K**

Within Subarea K, the #sign# regulations of the underlying district shall apply. However, within 15 feet of the intersection of two #streets#, the provisions of Section 42-562 (Restriction on angle and height above curb level) shall not apply.

* * *

**98-17
Modification of Parking and Loading Regulations in Subareas H**

[Relocated to Section 98-171 below]

~~#Accessory# off-street parking spaces for existing or new governmental offices may be located on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that:~~

- ~~(a) such spaces are located within Subarea H and in a facility, or portion thereof, that is entirely below #curb level#;~~
- ~~(b) the portion of such facility beneath the required public plaza area shown on Diagram 3 in Appendix A of this Chapter is sufficiently below #curb level# so that trees may be planted at #curb level# within such public plaza but is in no case less than four feet below #curb level#; and~~
- ~~(c) no more than 377 spaces are provided within such facility. For purposes of this Section, the governmental offices on #Block# 688, Lots 1001-1002, as of June 23, 2005, may have up to 377 #accessory# off-street parking spaces in such facility.~~

The underlying provisions of Article III, Chapter 6 and Article IV, Chapter 4 (Accessory Off-street Parking and Loading Regulations) shall apply within the #Special West Chelsea District#, subject to modification by the regulations of this Section, inclusive.

98-171

Parking regulations in Subarea H

[Relocated from Section 98-17 above]

#Accessory# off-street parking spaces for existing or new governmental offices may be located on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that:

- (a) such spaces are located within Subarea H and in a facility, or portion thereof, that is entirely below #curb level#;
- (b) the portion of such facility beneath the required public plaza area shown on Diagram 3 in Appendix A of this Chapter is sufficiently below #curb level# so that trees may be planted at #curb level# within such public plaza but is in no case less than four feet below #curb level#; and
- (c) no more than 377 spaces are provided within such facility.

For purposes of this Section, the governmental offices on #Block# 688, Lots 1001-1002, as of June 23, 2005, may have up to 377 #accessory# off-street parking spaces in such facility.

98-172**Waiver of accessory off-street loading berths in Subarea K**

In Subarea K, the provisions of Section 44-52 (Required Accessory Off-street Loading Berths) shall not apply to changes of #use#.

* * *

98-20**FLOOR AREA AND LOT COVERAGE REGULATIONS**

* * *

98-22**Maximum Floor Area Ratio and Lot Coverage in Subareas**

For all #zoning lots#, or portions thereof, located in Subareas A through J K, the maximum #floor area ratios#, #open space ratios# and #lot coverages# of the applicable underlying district shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial#, #community facility# and #residential uses#, separately or in combination, shall be as specified in the table in this Section. For #residential use#, the maximum #lot coverage# shall be 70 percent for #interior# or #through lots# and no maximum #lot coverage# shall apply to any #corner lot#. For the #conversion# to #dwelling units# of non-#residential floor area# where the total #residential floor area# on the #zoning lot# will exceed the applicable basic maximum #floor area ratio# specified in the table in this Section, such excess #residential floor area# shall only be permitted pursuant to Section 98-26 (Modifications of Inclusionary Housing Program).

Sub-area	Basic #floor area ratio# (max)	Increase in FAR from #High Line Transfer Corridor# (98-30)	Increase in FAR with #High Line# Improvement Bonuses (98-25)	Inclusionary Housing		Permitted #floor area ratio# (maximum)
				FAR required to be transferred ¹ (minimum)	Increase in FAR for Inclusionary Housing Program (98-26)	
A	6.5	2.65	— ²	2.65	2.85	12.0
B	5.0	2.5	— ²	1.25	1.25	7.5
C	5.0	2.5	NA	1.25	1.25	7.5
D ⁵	5.0	2.5 ³	2.5 ³	1.25	1.25	7.5
E	5.0	1.0 ³	1.0 ^{2,3}	NA	NA	6.0
F	5.0	NA	NA	NA	NA	5.0
G	5.0	1.0 ³	1.0 ³	NA	NA	6.0

H	7.5	NA	2.5	NA	NA	10.0
I	5.0	2.5	NA	1.25	1.25	7.5
I ⁴	5.0	NA	2.5	NA	NA	7.5
J ⁶	5.0	NA	2.5	NA	NA	7.5
K	5.0	NA	NA	NA	NA	5.0

- ¹ Minimum #floor area ratios# required to be transferred pursuant to Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive, before Inclusionary Housing #floor area# bonus can be utilized
- ² In Subareas A, B, and E, the applicable maximum basic #floor area ratio# of that portion of the #zoning lot# that is within the #High Line Transfer Corridor# may be increased up to a maximum of 1.0, and the applicable maximum permitted #floor area ratio# increased accordingly, by certification of the Chairperson of the City Planning Commission, pursuant to Section 98-35 (High Line Transfer Corridor Bonus)
- ³ For certain zoning lots located in Subareas D, E and G, the provisions of Section 98-25 (High Line Improvement Bonus) may apply in lieu of the provisions of Section 98-30, subject to the provisions of Section 98-241 (In Subareas D, E and G)
- ⁴ For #zoning lots# over which the #High Line# passes
- ⁵ For #zoning lots# between West 22nd Street and West 24th Street, the #floor area ratios# shall be 7.5, and no #floor area# increases shall be permitted
- ⁶ Bonus contribution subject to provisions of Section 98-25 governing first contribution to Affordable Housing Fund

* * *

**98-40
SPECIAL YARD, HEIGHT AND SETBACK, AND MINIMUM DISTANCE BETWEEN BUILDINGS REGULATIONS**

* * *

**98-42
Special Height and Setback Regulations**

* * *

98-423

Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through ~~(g)~~ (h) of this Section.

* * *

(g) Subarea J

The provisions set forth in paragraph (a) of this Section shall not apply to any #development# or #enlargement# that utilizes the provisions of Section 98-25. In lieu thereof, the provisions of this paragraph (g) shall apply.

* * *

(3) Tenth Avenue Zone

The Tenth Avenue Zone shall be that portion of a #zoning lot# within 200 feet of the Tenth Avenue #street line#. Within the Tenth Avenue Zone, any portion of a #building# shall have a maximum #street wall# height of 185 feet before setback and a maximum #building# height of 230 feet, provided that any portion of a #building# located above a height of 90 feet shall be set back not less than 15 feet from the Tenth Avenue #street line#. Any portion of a #building# located above a height of 185 feet shall be set back at least 10 feet from the West 15th and West 16th Street #street lines#, and at least 25 feet from the Tenth Avenue #street line#. Any portion of a #building# above a height of 200 feet shall be set back at least 25 feet from the West 15th and West 16th Street #street lines#, and at least 35 feet from the Tenth Avenue #street lines#, and any portion of a building located above a height of 215 feet shall be set back at least 75 feet from the Tenth Avenue #street line#. Permitted obstructions allowed pursuant to Section 33-42 shall be permitted.

(h) Subarea K

The provisions set forth in paragraph (a) of this Section shall not apply. In lieu thereof, the provisions of the underlying zoning districts shall apply.

MINIMUM AND MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT
BY DISTRICT OR SUBAREA

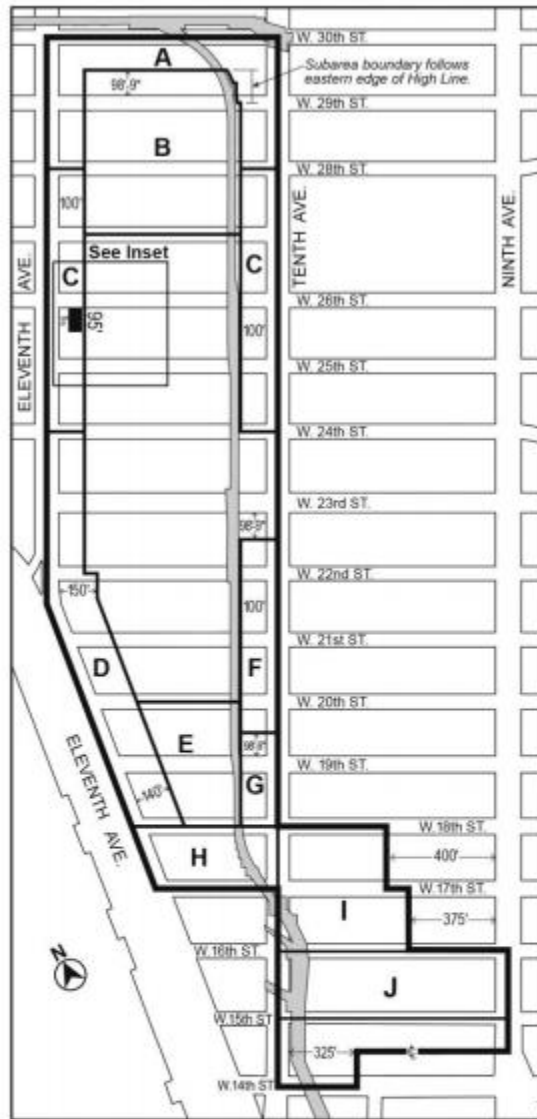
District or Subarea		Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum #Building# Height (in feet)
M1-5		50	95	135
Subarea A	within 50 feet of a #wide street#	60	85	____ ¹
	between 50 and 100 feet of a #wide street#	15	85	____ ¹
	for #zoning lots# with only #narrow street# frontage	40	60	____ ¹
Subarea B		60	95	135
Subarea C	for #zoning lots# with only #narrow street# frontage	60	110	110
	for #zoning lots# with Tenth Avenue frontage	105 ²	125 ²	125 ²
	for #zoning lots# with Eleventh Avenue frontage	125 ²	145 ²	145 ²
Subarea D		60	90	250 ¹
Subarea E		60	105 ³	120 ³
Subarea F		60 ²	80 ²	80 ²
Subarea G	for #zoning lots# with only #narrow street# frontage	60	95	95
	for #zoning lots# with #wide street# frontage	105 ²	120 ²	120 ²
Subarea H		60 ⁴	85 ⁴	____ ⁴
Subarea I	within 300 feet of Tenth Avenue between W. 16th St. & W. 17th St.	60	85	120 ⁵
	all other areas	60	105	135
Subarea J	Midblock Zone	NA	110 ⁶	130 ⁶
	Ninth Avenue Zone	NA	130 ⁶	135 ⁶
	Tenth Avenue Zone	NA	185 ⁶	230 ⁶
<u>Subarea K</u>		<u>NA</u> ⁷	<u>NA</u> ⁷	<u>NA</u> ⁷

- 1 See Section 98-423, paragraph (b)
- 2 See Section 98-423, paragraph (c)
- 3 See Section 98-423, paragraph (d)
- 4 See Section 98-423, paragraph (e)
- 5 See Section 98-423, paragraph (f)
- 6 See Section 98-423, paragraph (g)
- 7 See Section 98-423, paragraph (h)

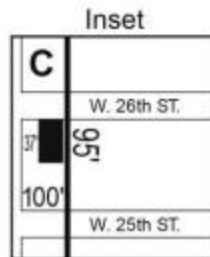
* * *

Appendix A
Special West Chelsea District and Subareas

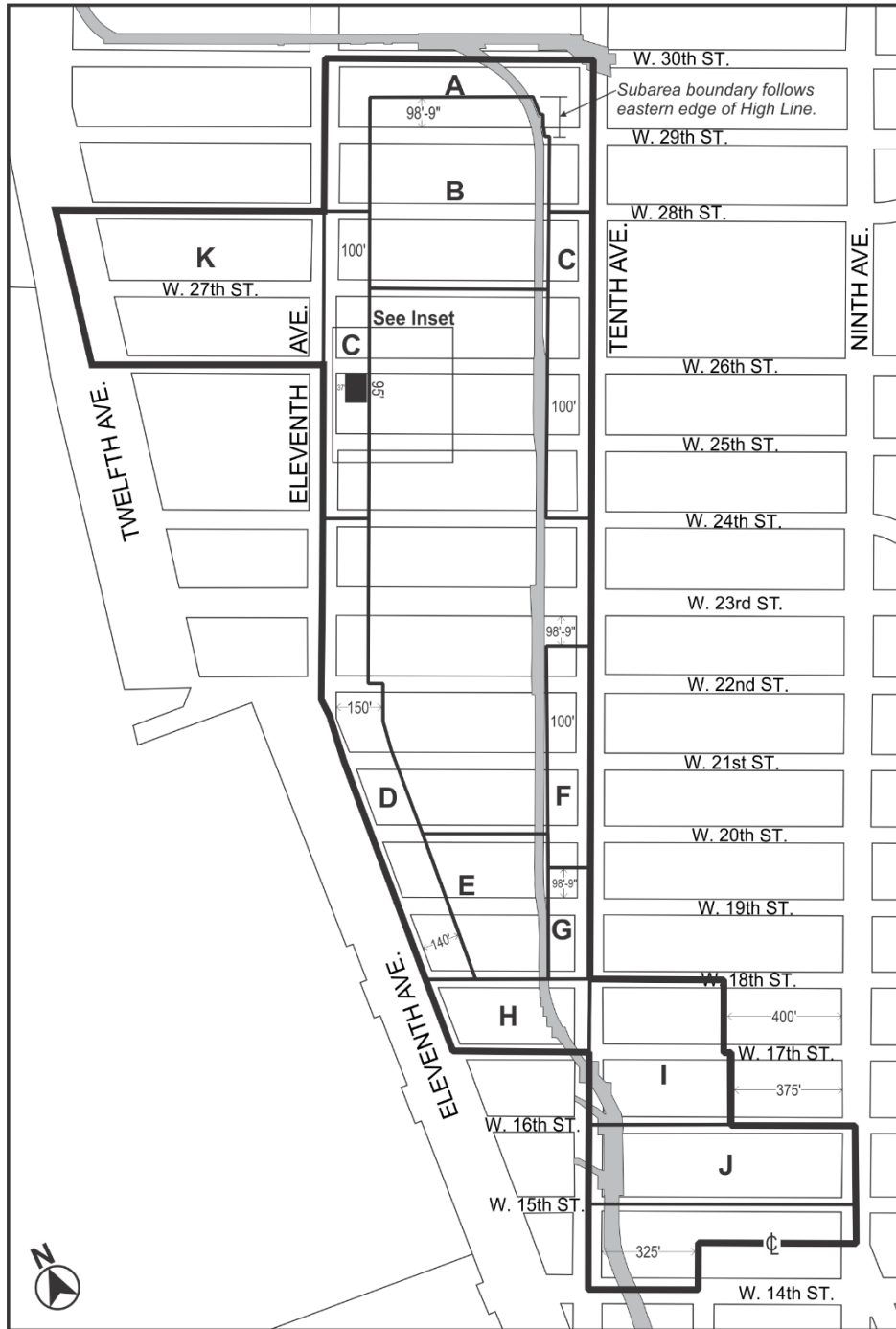
[EXISTING MAP]







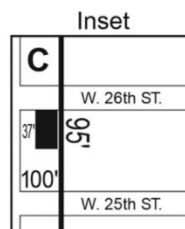
- Special West Chelsea District boundary
- Subarea boundary
- High Line
- Transit Facility



[PROPOSED MAP]

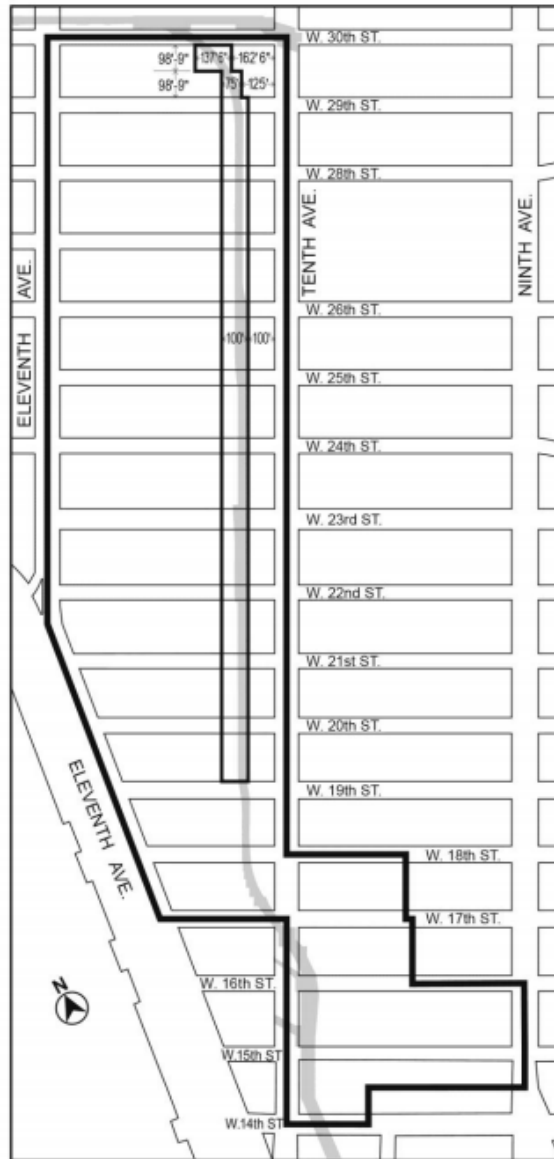


-  Special West Chelsea District boundary
-  Subarea boundary
-  High Line
-  Transit Facility



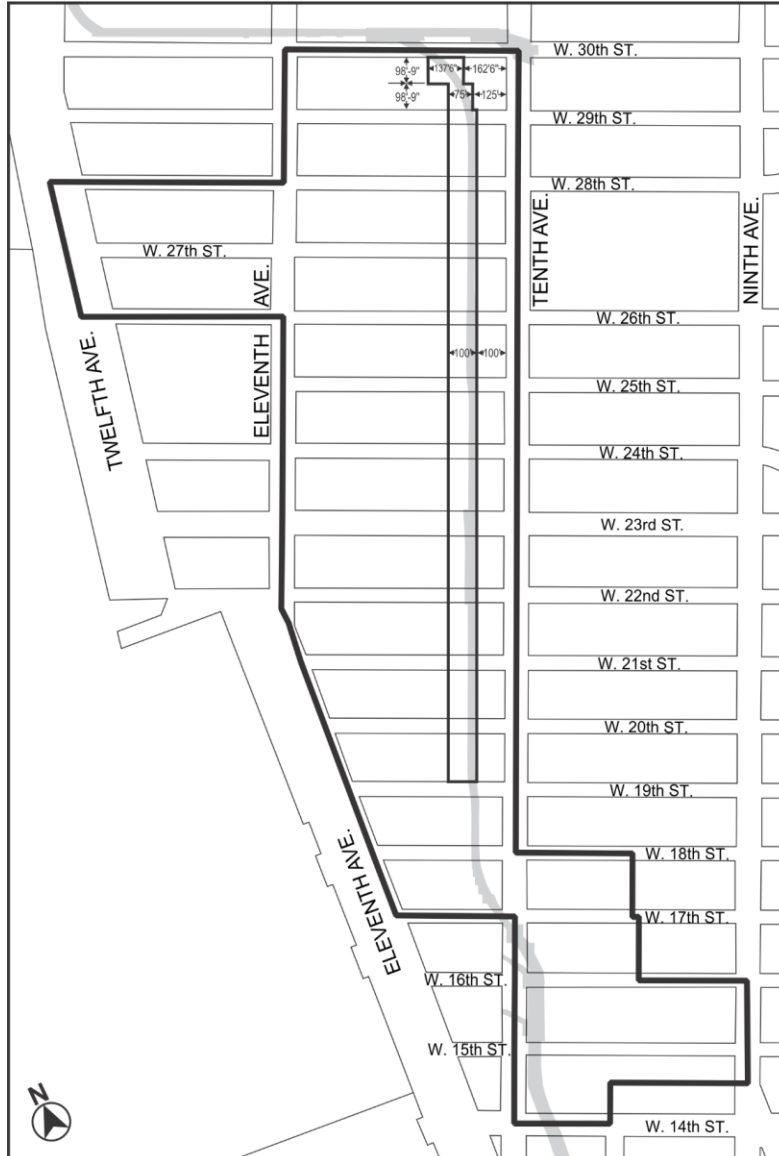
Appendix B High Line Transfer Corridor Location




[EXISTING MAP]



- Special West Chelsea District
- High Line Transfer Corridor
- High Line

[PROPOSED MAP]



-  Special West Chelsea District boundary
-  High Line Transfer Corridor
-  High Line

* * *

(On September 1, 2021, Cal. No. 9, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On September 22, 2021 a remote public hearing is being held by the City Planning Commission (CPC), in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by RXR SL Owner LLC and Terminal Fee Owner LP (the Applicants). The Applicants are seeking a zoning map amendment and zoning text amendment (the Proposed Actions) affecting the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1); these blocks contain the Starrett-Lehigh Building and the Terminal Warehouse (the project area), located in the West Chelsea neighborhood of Manhattan, Community District 4. The zoning map amendment would extend the Special West Chelsea District (WCh) over the project area and change the underlying zoning district from M2-3 to M2-4. The proposed zoning text amendments would create new subarea (Subarea K) in WCh and, within such subarea, modify certain use, signage, sidewalk café, and loading requirements. The Proposed Actions would allow the Applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types, allowing for flexibility needed to respond to changes in the economy over the long term.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, October 4, 2021.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP103M.

BOROUGH OF BROOKLYN

Nos. 38 & 39

506 THIRD AVENUE

No. 38

CD 6

C 210119 ZMK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by PAB 3rd Avenue Holdings LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d, by changing from an existing M2-1 District to a C4-4A District property bounded by 11th Street, 3rd Avenue, 13th Street, and a line 100 feet northwesterly of 3rd Avenue, as shown on a diagram (for illustrative purposes only) dated May 17, 2021, and subject to the conditions of CEQR Declaration E-617.

(On September 1, 2021, Cal. No. 6, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.



No. 39

CD 6

N 210120 ZRK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by PAB 3rd Avenue Holdings 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 6

* * *

Map 3– [date of adoption]



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

Portion of Community District 6, Brooklyn

* * *

(On September 1, 2021, Cal. No. 7, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

CITYWIDE

No. 40

HEALTH AND FITNESS CITYWIDE TEXT AMENDMENT

CITYWIDE

N 210382 ZRY

PUBLIC HEARING:

IN THE MATTER OF an application submitted by New York City 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, to allow gymnasiums, spas, and other health- and fitness-related uses as-of-right.

(On September 1, 2021, Cal. No. 1, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.

No. 41

FRESH II ZONING TEXT AMENDMENT

CITYWIDE

N 210380 ZRY

PUBLIC HEARING:

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, to modify Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and related Sections, to expand areas in which the program is applicable and to update various requirements.

(On September 1, 2021, Cal. No. 2, the Commission scheduled September 22, 2021 for a public hearing which has been duly advertised.)

Close the hearing.



IV. CITY PLANNING COMMISSION 2021 SCHEDULE OF MEETINGS

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

Review Sessions are held at 120 Broadway, lower level, starting at 1:00 PM
 Public Meetings are held at 120 Broadway, lower level, starting at 10:00 AM

+

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

CITY PLANNING COMMISSION

WEDNESDAY, SEPTEMBER 22, 2021

**REMOTE PUBLIC MEETING AT 10:00 A.M.
NYC CITY PLANNING COMMISSION
VIA THE NYC ENGAGE PORTAL**



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

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the World Wide Web, visit the Department of City Planning (DCP) home page at:
nyc.gov/planning

A
CITY PLANNING COMMISSION

GENERAL INFORMATION

HOW TO PARTICIPATE:

In support of the City's efforts to contain the spread of COVID-19, the City Planning Commission will hold this public meeting remotely. To join the meeting and comment, please visit **NYC Engage** at <https://www1.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/287262/1> or dial **877-853-5247** (US Toll-free), **888-788-0099** (US Toll-free), **(253) 215-8782** (Toll number) or **(213) 338-8477** (Toll number). If calling into the meeting, please use the following **Meeting ID 618 237 7396**, and when prompted for a participation code, please enter “#” followed by the password “1” when prompted. Instructions on how to participate, as well as materials relating to the meeting, will be posted on NYC Engage in advance of the meeting. To help the meeting host effectively manage the meeting, those who do not intend to actively participate are invited to watch the meeting through the livestream/LINK provided on NYC Engage or the recording that will be posted after the meeting on DCP's website.

Please inform DCP if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance should be emailed to AccessibilityInfo@planning.nyc.gov or made by calling 212-720-3508. Requests must be submitted at least five business days before the meeting.

Signing up to speak: Anyone wishing to speak on the items listed under “Public Hearings” in this Calendar should follow the instructions on NYC Engage Portal. Public officials will be given speaking priority. The first five speakers in favor will be heard and given the opportunity to conclude their testimony before the next five speakers in opposition are heard. The hearing will proceed in this manner until all speakers present have had an opportunity to be heard.

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

Written 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](#) on the public meeting page of the Department of City Planning website:

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

B

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). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below.

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

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

City Planning Commission
Calendar Information Office
120 Broadway – 31st Floor
New York, New York 10271

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

C

CITY PLANNING COMMISSION

120 Broadway, 31st Floor, New York, N.Y. 10271

KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*

DAVID BURNEY

ALLEN P. CAPPELLI, *Esq.*

ALFRED C. CERULLO, III

MICHELLE R. DE LA UZ

JOSEPH I. DOUEK

RICHARD W. EADDY

HOPE KNIGHT

ANNA HAYES LEVIN

ORLANDO MARIN

LARISA ORTIZ

RAJ RAMPERSHAD, *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 NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, Manhattan, unless otherwise ordered.

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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 October 6, 2021 and will be held via Zoom Webinar.

SEPTEMBER 22, 2021

**I. PUBLIC HEARING OF THE FOLLOWING MATTER TO BE SCHEDULED FOR
WEDNESDAY, OCTOBER 6, 2021
STARTING AT 10:00 A. M. VIA ZOOM WEBINAR**

BOROUGH OF BROOKLYN

No. 1- 6

RIVER RING

No. 1

CD 1

C 220062 ZMK

IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and
2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636.

Resolution for adoption scheduling October 6, 2021 for a public hearing.

No. 2

CD 1

N 220063 ZRK

IN THE MATTER OF an application submitted by River Street Partners 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 Article VII, Chapter 4 (Special Permits by the City Planning

Commission) for the purpose of modifying Large-scale General Development provisions, and 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 VII
ADMINISTRATION**

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

**74-74
Large-scale General Development**

* * *

**74-742
Ownership**

* * *

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

* * *

- (d) partially under State or City ownership, or may include a tract of land under private ownership that is located within the bed of 26th Avenue between 1st Street and the bulkhead line within the Hallets Point Peninsula, in the area bounded by 8th Street and Vernon Boulevard on the east, the East River on the west and south, and the north side of 26th Avenue on the north, in Community District 1 in the Borough of Queens, provided that the exception to the ownership requirements set forth herein shall apply only to:

- (1) tracts of land in State or City ownership; or

- (2) a tract of land in private ownership located within the bed of 26th Avenue, between 1st Street and the bulkhead line; ~~or~~
- (e) within Manhattan Community District 2, where the City Planning Commission has approved a special permit under Section 74-74 for a #large-scale general development# located partially within a C2-7 District, and a portion of such #large-scale general development# is subsequently mapped as a park and transferred to City ownership, then the consent or authorization of any owner or party in interest to:

* * *

- (2) property other than the #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to the #public park#; or
- (f) partially under State or City ownership, and is located within the boundaries of Community District 1 in the Borough of Brooklyn, on a #waterfront zoning lot# located within a C6-2 District that is mapped within a #Mandatory Inclusionary Housing area#, provided that the exception to the ownership requirements set forth herein shall apply only to tracts of land in State or City ownership.

* * *

74-743
Special provisions for bulk modification

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

* * *

- (11) wholly within a C1-9 District entirely within the boundaries of Community District 8 in Manhattan, for a predominantly #community facility development#, a #floor area# bonus not to exceed 20 percent of the maximum #floor area ratio# permitted by the underlying district regulations where, in connection with such #development#, an improvement to a #public park# located within the same Community District and within a one mile radius of the proposed #development# is provided in accordance with the provisions of this Section.

* * *

- (ii) Prior to a determination as to whether to grant the special permit, the City Planning Commission shall have received from the Commissioner of Parks and Recreation:

* * *

(b) a letter that shall include:

* * *

(ii) a statement that the funding to be provided by the applicant, in combination with any other available funding, is adequate for completion of the necessary infrastructure, landscape and other work necessary to complete the #public park# improvement; ~~or~~

(12) within the boundaries of Community District 1 in the Borough of Queens, in the area generally north of 30th Road and west of 8th Street, within the Halletts Point Peninsula, the #floor area# distribution from a #zoning lot# containing existing public housing #buildings#, provided that upon approval of a #large-scale general development# there exists unused #floor area# on a separate parcel of land with existing light industrial #buildings# in an amount equivalent to, or in excess of, the #floor area# approved for distribution and further provided:

* * *

(ii) the existing light industrial #buildings# on the separate parcel of land are demolished; or

(13) within the boundaries of Community District 1 in the Borough of Brooklyn, on a #waterfront zoning lot# located within a C6-2 District that is mapped within a #Mandatory Inclusionary Housing area#, portions of the land, #piers# or #platforms# projecting seaward of the bulkhead line and existing on [date of adoption] may be replaced or reconstructed with #new piers# or #new platforms#, as follows:

(i) any such existing land projecting seaward of the bulkhead line may be replaced or reconstructed with #new platforms# and such #new platforms# may be included as part of the #upland lot#. In no event shall the #lot area# generated by such #new platforms# exceed the #lot area# of the land projecting seaward of the bulkhead line, as it existed on [date of adoption];

(ii) any other such #new piers# or #new platforms# may be considered #lot area# for the purposes of determining allowable #floor area# or number of #dwelling units#, or to satisfy any other #bulk# regulations, in accordance with the provisions of paragraphs (b) and (c) of Section 62-31 (Bulk Computations on Waterfront Zoning Lots). In no event shall the #floor area# generated by such #new piers# or #new platforms# exceed the

#floor area# generated by #piers# or #platforms# projecting seaward of the bulkhead line, as they existed on [date of adoption]; and

(iii) such #new piers# or #new platforms# that are subject to the provisions of paragraph (a)(13)(ii) of this Section need not meet the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers) or 62-63 (Design Requirements for Public Access on Piers and Floating Structures), inclusive.

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

* * *

(12) where #new piers# or #new platforms# are constructed, replaced or reconstructed in accordance with the provisions of paragraph (a)(13) of this Section, such #new piers# and #new platforms# are an integral part of such #large-scale general development#, result in a superior site plan and appropriate relationship with adjacent #waterfront public access areas# and #shorelines#, and provide significant public access to or within the #seaward lot# portion of the #waterfront zoning lot#.

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *


Brooklyn Community District 1


* * *

Map 2 - [date of adoption]

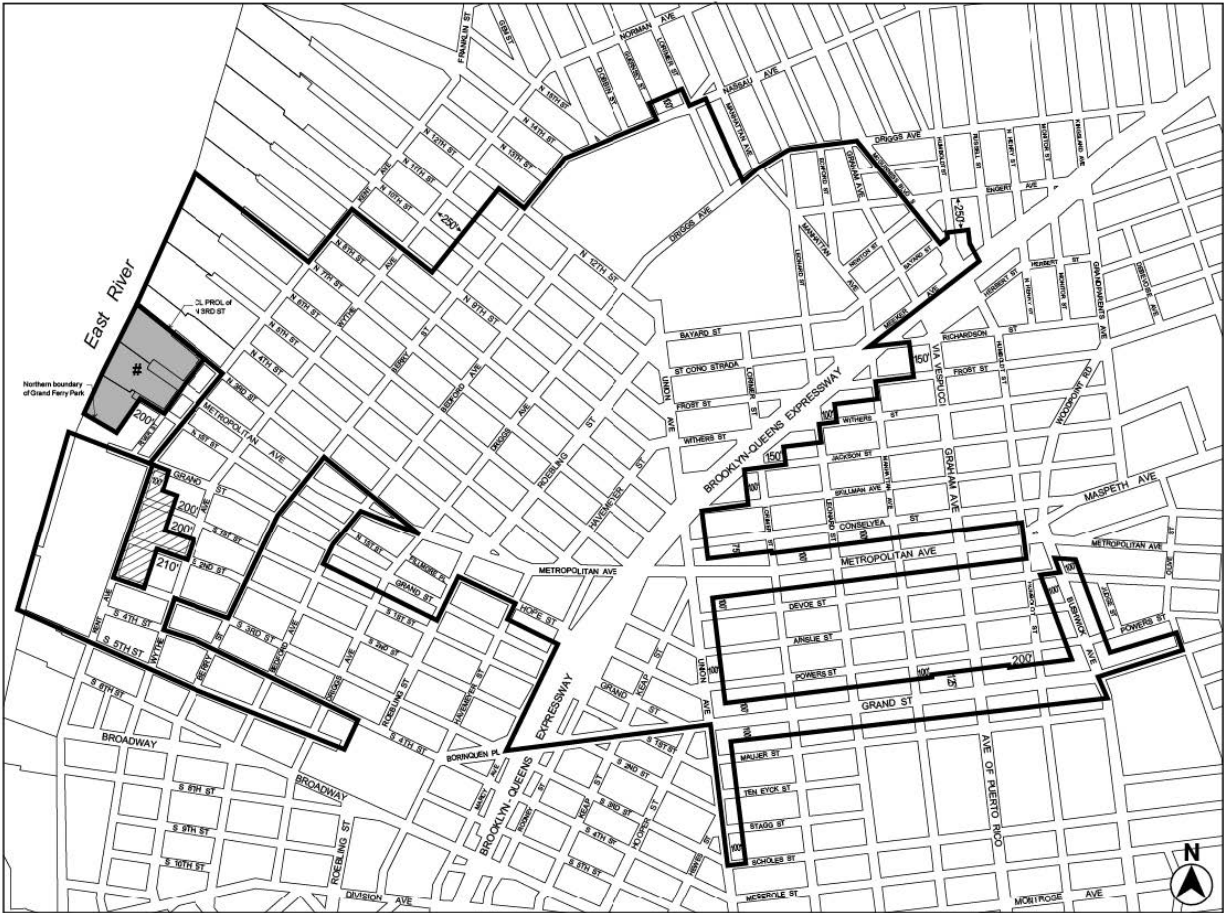
[EXISTING MAP]






 Inclusionary Housing designated area

 Excluded Area

[PROPOSED MAP]



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

Portion of Community District 1, Brooklyn

* * *

Resolution for adoption scheduling October 6, 2021 for a public hearing.

No. 3**CD 1****C 220064 ZSK**

IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for, for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(2) - to modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline requirements of Section 62-341 (Developments on land and platforms); and
2. Section 74-743(a)(13)*:
 - a. to allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot;
 - b. to allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots); and
 - c. to waive the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers, and Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures);

in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue** and North 1st Street**), in a C6-2 District***.

* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).

** Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).

*** Note: This site is proposed to be rezoned by changing an existing M3-1 District to a C6-2 District under a concurrent related application for a Zoning Map change (C 220062 ZMK).

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

Resolution for adoption scheduling October 6, 2021 for a public hearing.

No. 4**CD 1****C 220070 ZSK**

IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue** and North 1st Street**), in C6-2 District***.

* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).

** Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).

*** Note: This site is proposed to be rezoned by changing an existing M3-1 District to a C6-2 District under a concurrent related application for a Zoning Map change (C 220062 ZMK).

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

Resolution for adoption scheduling October 6, 2021 for a public hearing.

No. 5
CD 1**C 220061 MLK**

IN THE MATTER OF an application submitted by River Street Partners LLC pursuant to Section 197-c of the New York City Charter for a landfill of approximately 6,230 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue** and North 1st Street**), in C6-2 District***.

* Note: Section 74-743 is proposed to be changed under a concurrent related application for a Zoning Text Change (N 220063 ZRK).

** Note: Portions of Metropolitan Avenue and North 1st Street are proposed to be demapped under a concurrent related application for a City Map change (C 210425 MMK).

*** Note: This site is proposed to be rezoned by changing an existing M3-1 District to a C6-2 District under a concurrent related application for a Zoning Map change (C 220062 ZMK).

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

Resolution for adoption scheduling October 6, 2021 for a public hearing.

No. 6

CD 1

C 210425 MMK

IN THE MATTER OF an application submitted by River Street Partners 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 elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President.

Resolution for adoption scheduling October 6, 2021 for a public hearing.

NOTICE

On Wednesday, October 6, 2021, a public hearing is being held by the City Planning Commission (CPC), accessible remotely, in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by River Street Partners, LLC (the Applicant). The Applicant is seeking a series of land use applications including a city map change, a landfill application, zoning map amendment, zoning text amendments, zoning authorizations and special permits (the Proposed Actions) from the City Planning Commission (CPC) to facilitate the development of two mixed-use towers with mixed income residential, commercial, and community facility uses, and waterfront public spaces (the “Proposed Development”) on the proposed development site comprised of Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21;

Block 2376, Lot 50; and portions of Metropolitan Avenue and North 1st Street (collectively known as the “Proposed Development Site”) in the Williamsburg neighborhood of Brooklyn, Community District 1. The Project Area also includes two non-Applicant owned blocks to the east of the Proposed Development Site (Blocks 2356 and 2362).

The Proposed Development would contain approximately 1.336 million gsf, comprised of approximately 1.12 million gsf of residential space (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable pursuant to the MIH program), 50,000 gsf of community facility space, 83,000 gsf of commercial space (including 60,000 gsf of office and 23,000 gsf of local retail), and approximately 83,000 gsf of below-grade parking (up to 250 accessory attended parking spaces).

The Applicant is also requesting an extension of term of special permit and authorization approvals to a period of ten years during which substantial construction of the phased project would be completed. In addition, a Joint Permit Application from the NYS Department of Environmental Conservation (NYSDEC) and the US Army Corps of Engineers (USACE) is being sought in conjunction with the publicly accessible open space proposed along the waterfront.

Written comments on the DEIS are requested and will be received and considered by the Lead Agency through Monday, October 18, 2021 by 5 pm.

For instructions on how to submit comments and participate remotely, please refer to the instructions at the beginning of this agenda.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 21DCP157K.

II. CITY PLANNING COMMISSION 2021 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
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	10	11	12	13	14	15	16
	17	18 MARTIN LUTHER KING, JR. DAY	19 REVIEW SESSION	20 CPC PUBLIC MEETING	21	22	23
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31							
NOVEMBER		1 REVIEW SESSION	2 ELECTION DAY	3 CPC PUBLIC MEETING	4	5	6
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	26 KWANZAA BEGINS	27	28	29	30	31	CHRISTMAS

Review Sessions are held at 120 Broadway, lower level, starting at 1:00 PM
 Public Meetings are held at 120 Broadway, lower level, starting at 10:00 AM