AGENDA

FOR THE

REVIEW SESSION

OF THE

CITY PLANNING COMMISSION

January 30, 2017

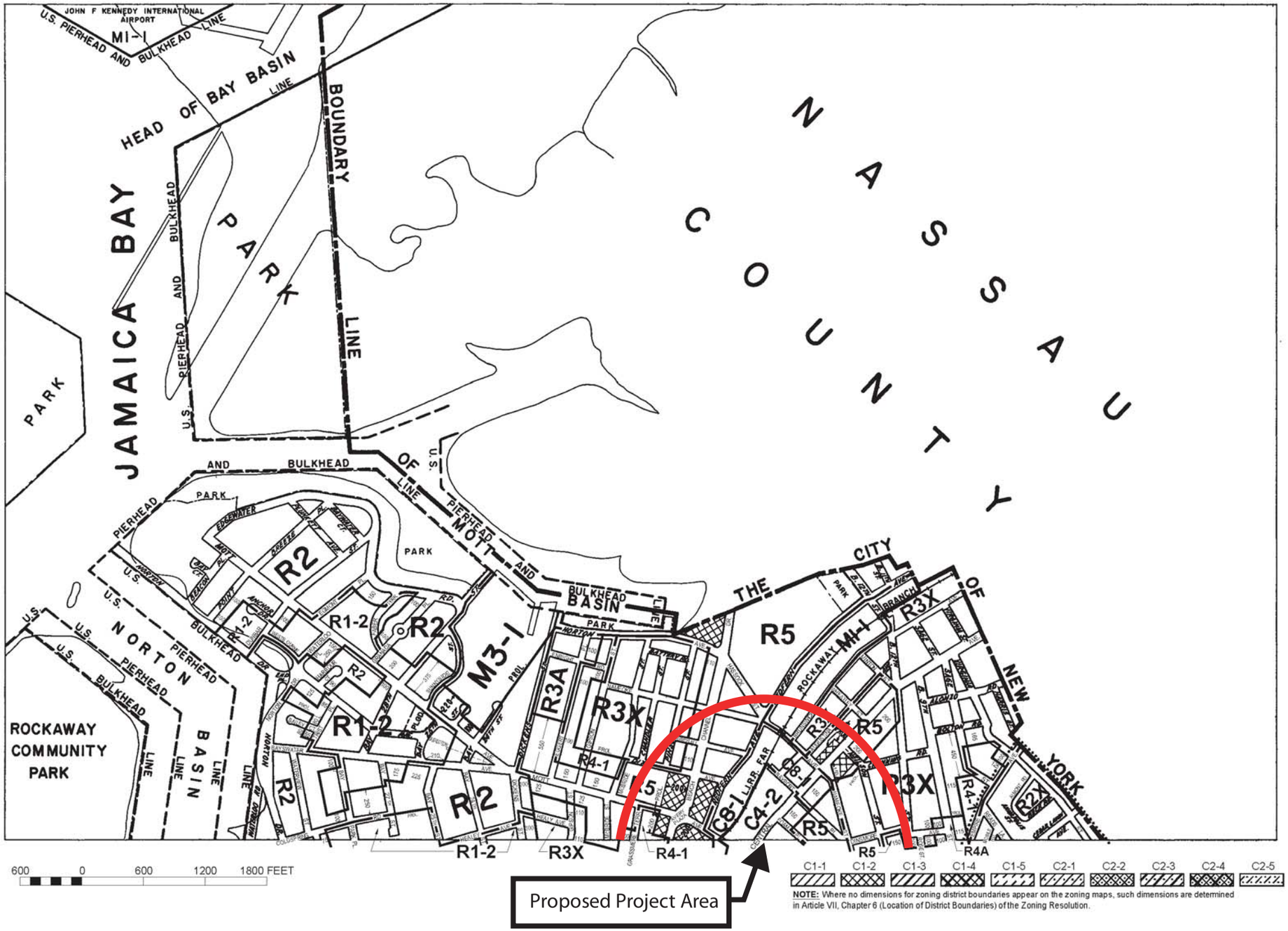
CITY PLANNING COMMISSION/REVIEW SESSION

January 30, 2017 @1:00 P.M.

	ULURP Number(s)	Page	Description of Request(s)
			Queens Certification
1	170243 ZMQ N170244 ZRQ 170245 HGQ 170246 HUQ 170247 HDQ 170248 PPQ	12	Downtown Far Rockaway Development Plan; zoning map and zoning text amendments, Urban Renewal Plan designation, acquisition and disposition of property. (Q14)
			Bronx Certification
2	170087 ZMX N170088 ZRX	49	Whitlock Avenue and 165th Street Rezoning; zoning map and zoning text amendments. (X2)
			Manhattan Non-ULURP Referral
3	N170251 ZRM	63	Section 93-122 Text Amendment; zoning text amendment. (M4)
			Brooklyn Non-ULURP Post Referral
4	N170111 CMK	73	470 Vanderbilt Renewal; renewal of a previously approved special permit. (K2)
			Staten Island Non-ULURP Referral
5	N170197 ZAR N170198 ZAR	144	The Boulevard at Hylan Plaza; authorizations. (SI2)
			Staten Island Pre-Hearings
6	C160378 ZMR	173	901 Manor Road Rezoning; zoning map amendment. (SI2) (3/24)
7	C170156 PPR	185	Teleport Site A; disposition of city-owned property. (SI2) (3/24)
			Brooklyn Pre-Hearings
8	C170153 HAK C170154 ZSK	200	210-214 Hegeman Avenue; UDAAP designation, project approval, disposition of city-owned property and a special permit. (K16) (3/23)
9	C160072 PQK	239	Friends of Crown Heights Child Care Center 29; acquisition. (K8) (3/27)
			Manhattan Non-ULURP Post Referral St.
10	N170091 ZAM	260	Patrick's Cathedral; authorization. (M5)

CITY PLANNING COMMISSION/REVIEW SESSION
January 30, 2017 @1:00 P.M.

	ULURP Number(s)	Page	Description of Request(s)
			Future Votes / Post Hearing Follow-Ups
			February 1st
11	C170097 HAK et.al.		Sunset Park Library (K7) (2/21) ***{Commissioner Douek and De La Uz, recused}***
	N170207 HKK		183-195 Broadway Building; landmark (K1) (2/21)
	N170208 HKK		St. Barbara's RC Church; landmark (K4) (2/21)
	C170102 ZSM		34 Howard Street (M2) (2/17)
	C170048 HAM et.al.		The Leroy (M10) (2/13)
	C170051 HAM et.al.		The Robeson (M10) (2/13)
	C170081 ZMM et.al.		The Frederick (M10) (2/17)
	N170201 HKM		Sullivan Thompson Historic District (M2) (2/21)
	N170202 HKM		Excelsior Steam Power Co. Building; landmark (M1) (2/21)
	N170203 HKM		Bergdorf Goodman; landmark (M5) (2/21)
	N170204 HKM		412 East 85th Street House; landmark (M8) (2/21)
	N170205 HKM		Young Men's Christian Association Building; landmark (M10) (2/21)
	N170206 HKM		Loew's 175th Street Theater; landmark (M12) (2/21)
	C170079 PCQ		DOHMH Distribution Center (Q5) (2/27)
	N170209 HKQ		Protestant Reformed Dutch Church; landmark (Q7) (2/21)
	C170119 PCR		South Shore Coastal Storm Risk Management Phase I (SI3) (2/17)
	N170210 HKR		Lakeman Cortelyou Taylor House; landmark (SI2) (2/21)
	N170211 HKR		Brougham Cottage; landmark (SI3) (2/21)
			February 22nd
12	C160221 ZMK et.al.		Rose Castle Rezoning (K3) (3/13)
	C170057 ZSK		Red Hook Initiative (K6) (3/13)
	C170127 PPK et.al.		Caton Flats (K14) (3/13)
	N160396 ZRM		West 23rd Street Text Amendment (M4)



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

08–14–2008 C 080371 ZMQ

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

N

MAP KEY

24c	25a	
24d	**25b**	
30c	31a	

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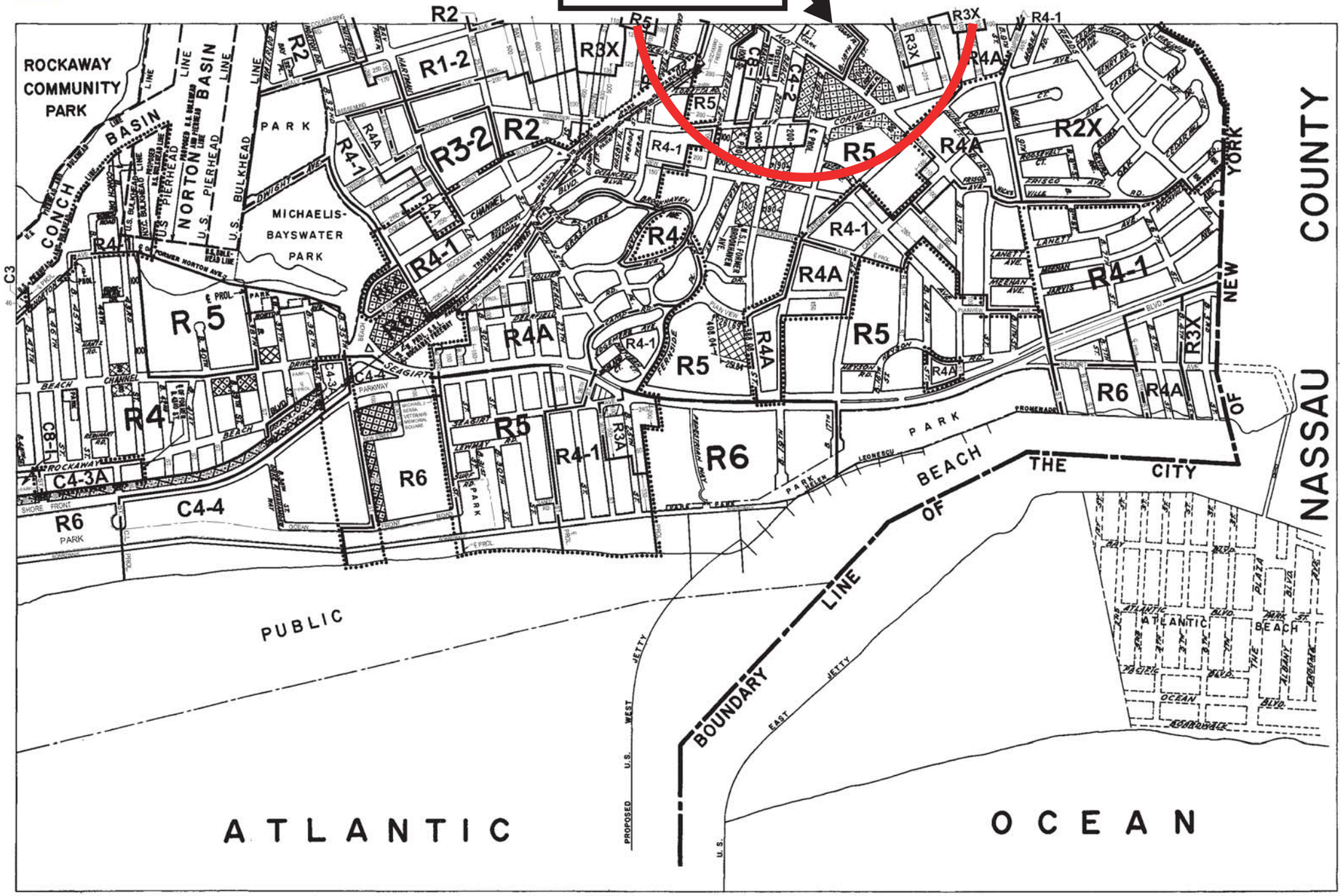
ZONING MAP **25b**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Click blue box on map to view sketch map of **proposed** map change

Proposed Project Area



600 0 600 1200 1800 FEET

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

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ZONING MAP **31a**

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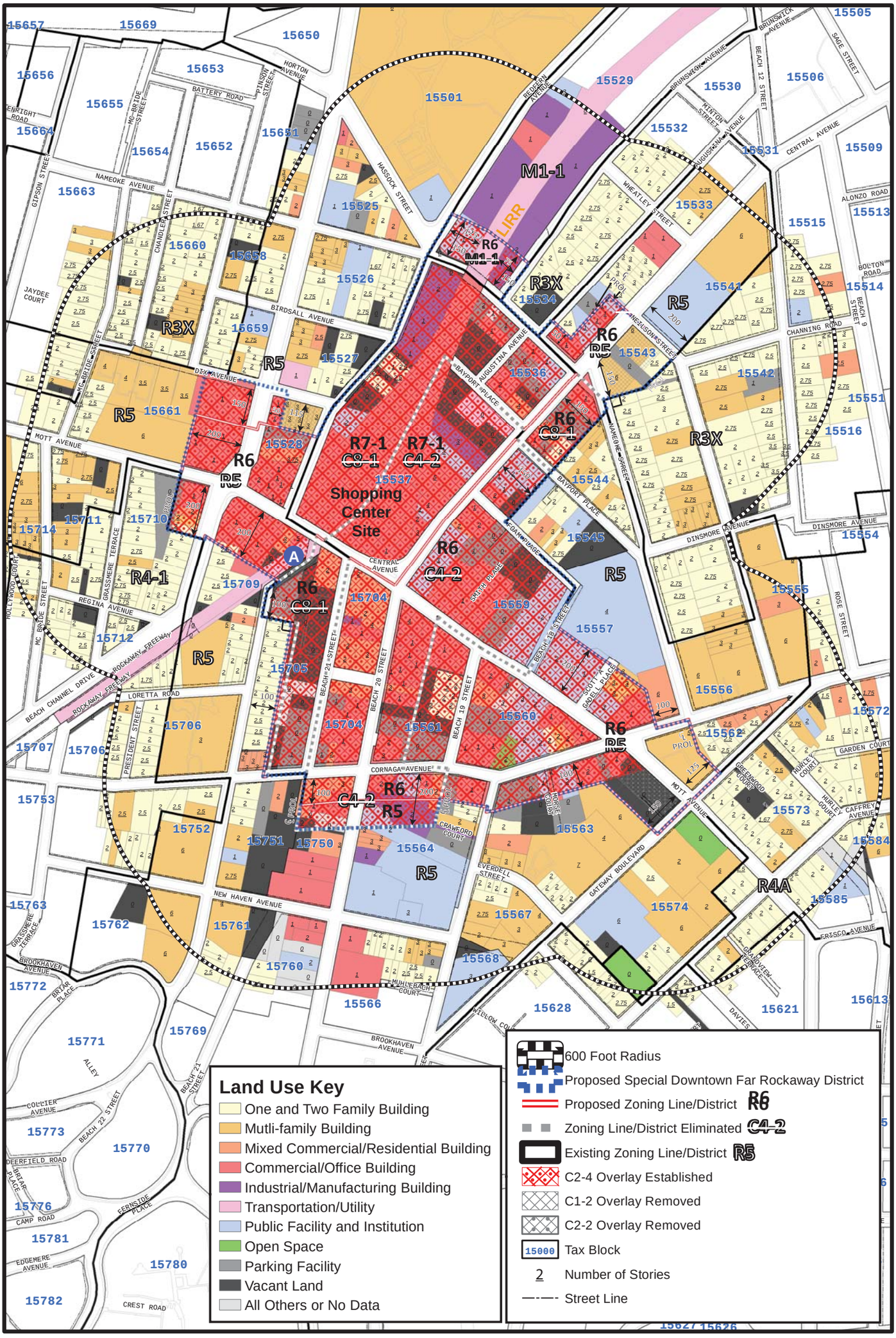
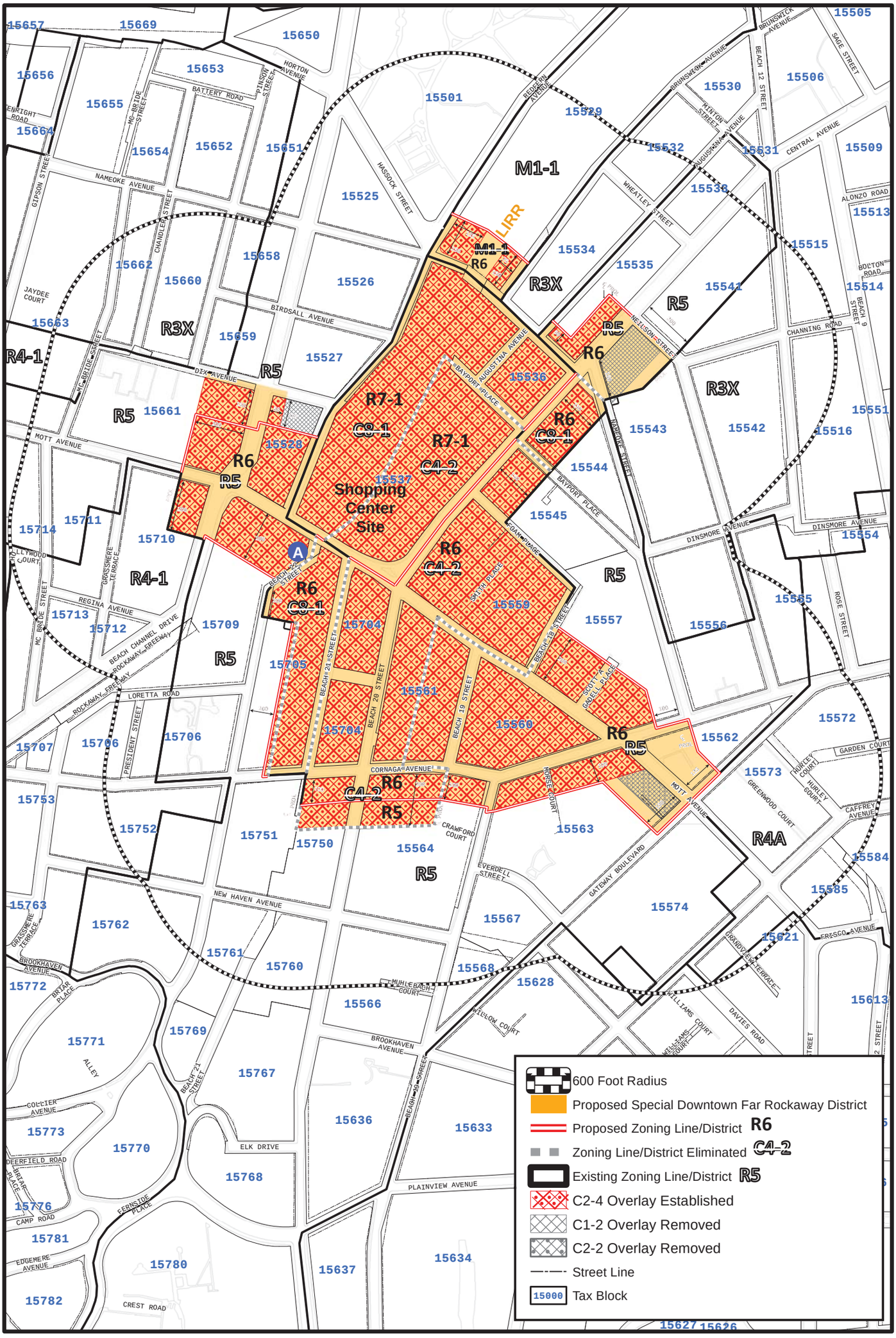
Downtown Far Rockaway Area Map



Downtown Far Rockaway Zoning Change Map



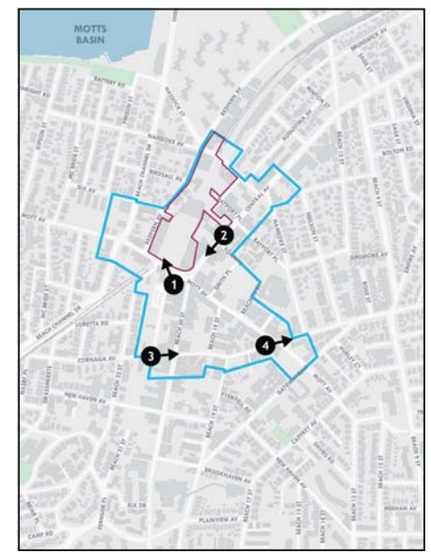
Photos taken September 2016

1. *View of Mott Avenue looking northwest from Beach 21st Street. Mott Avenue at Beach 21st Street with the development site in the background.*

2. *View of Central Avenue looking south from Foam Place.*

3. *View of Cornaga Avenue looking east from Beach 21st Street. Cornaga Avenue near Beach 21st Street*

4. *View of Cornaga Avenue looking east from Mott Avenue. Commercial uses along Cornaga Avenue at Mott Avenue. A seven-story apartment building is seen in the background.*



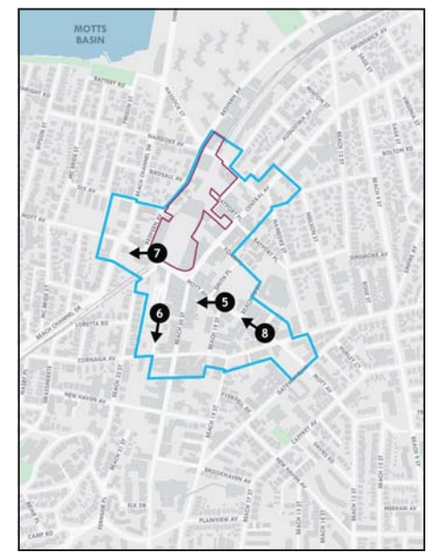
Photos taken September 2016

5. *View of Mott Avenue looking southwest from Beach 19th Street.*
The south side of Mott Avenue near Smith Place is developed with one-story retail and taller, older commercial buildings including 19-31 Mott Avenue, a four-story tan brick building, seen toward the right.

6. *View of Beach 21st Street looking southwest.*
An automotive business and associated parking lot (Project Site 5) is located on the northwest corner of Cornaga Avenue and Beach 21st Street.

7. *View of Mott Avenue looking southwest from Redfern Avenue.*
Potential Site C, seen in the foreground, consists of a strip of small retail stores, while Potential Site B, seen in the background, is a fast-food restaurant.

8. *View of Mott Avenue looking northwest from Scott A. Gadell Place.*
The steeple of the historic Trinity Chapel can be seen above trees and low-scale buildings along Mott Avenue.

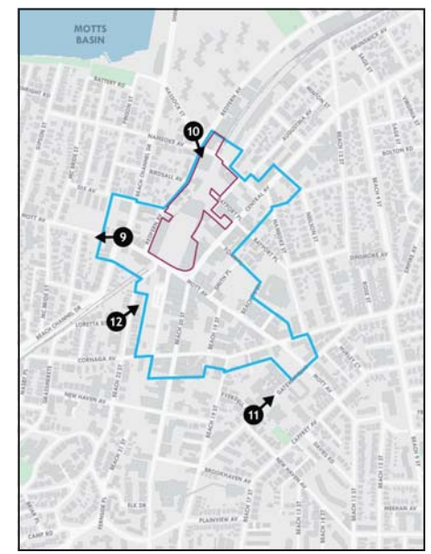


9. *View of Mott Avenue looking southwest from Beach Channel Drive. Beach Channel Drive is an 80-foot wide street with dedicated bike lanes.*

10. *View of Redfern Avenue looking south at Nameoke Avenue. Redfern Avenue is a one-way street with curbside parking South of Nameoke Avenue and a two-way, two-lane street with curbside parking north of Nameoke Avenue.*

11. *View of Gateway Boulevard looking northeast at Everdell Avenue. 14-50 Gateway Boulevard, a seven-story brick apartment building is located between two-story brick row¬houses and a four-story brick apartment building along a residential cross street.*

12. *View of Beach 22nd Street looking northeast from Loretta Road. Residential houses with landscaped yards.*

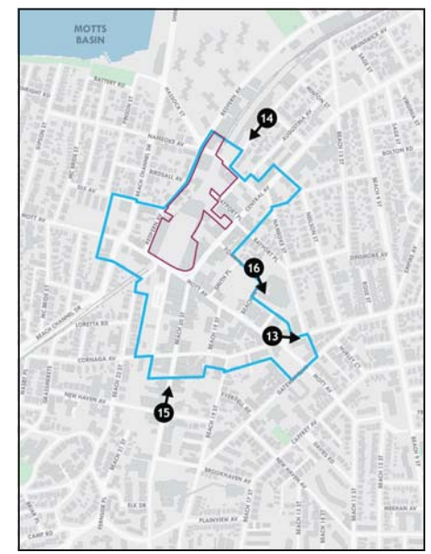


13. *View of Cornaga Avenue looking southeast from Mott Avenue. 15-02 Mott Avenue is a large, five-story apartment building on the southeast corner of Mott and Cornaga Avenues.*

14. *View of Brunswick Avenue looking southwest from Wheatley Avenue. Manufacturing buildings located along Brunswick Avenue near Wheatley Avenue*

15. *View of Beach 20th Street looking north from New Haven Avenue. Mixed-use buildings and smaller commercial buildings are located along Beach 20th Street.*

16. *View of Foam Place looking southeast. M.S. 53 located at Foam Place and Beach 18th Street is a large building with high-lot coverage.*

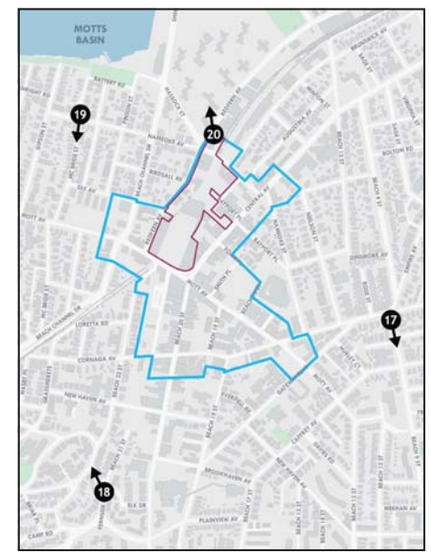


17. *View of Beach 9th Street looking south from Cornaga Avenue. Beach 9th Street is set back from the two-way street by landscaping.*

18. *View from Fernside Place, Elk Drive, and Beach 21st Street looking northwest. The streets in the southwest section of the secondary study area are curving, creating odd block shapes.*

19. *View of McBride Street looking southwest from Nameoke Avenue. McBride Street is developed with two-story houses clad in siding.*

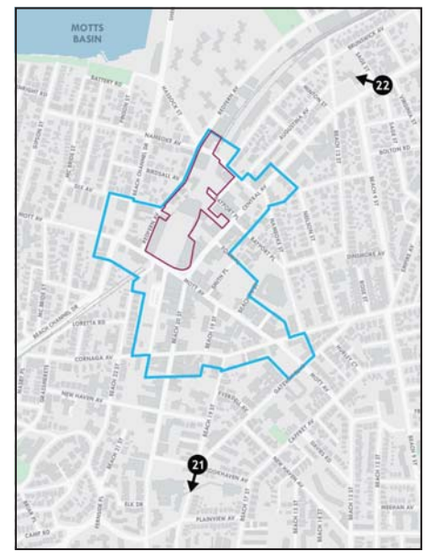
20. *View of Redfern Avenue looking northwest from Hassock Street. The NYCHA Redfern Houses are seven-story brick buildings set among landscaping.*



Photos taken September 2016

21. *View of Beach 19th Street looking southwest from Brookhaven Avenue. St. John's Episcopal Hospital and pedestrian bridge.*

22. *View of Central Avenue looking west near Sage Street. The First Presbyterian Church as seen from Central Avenue.*



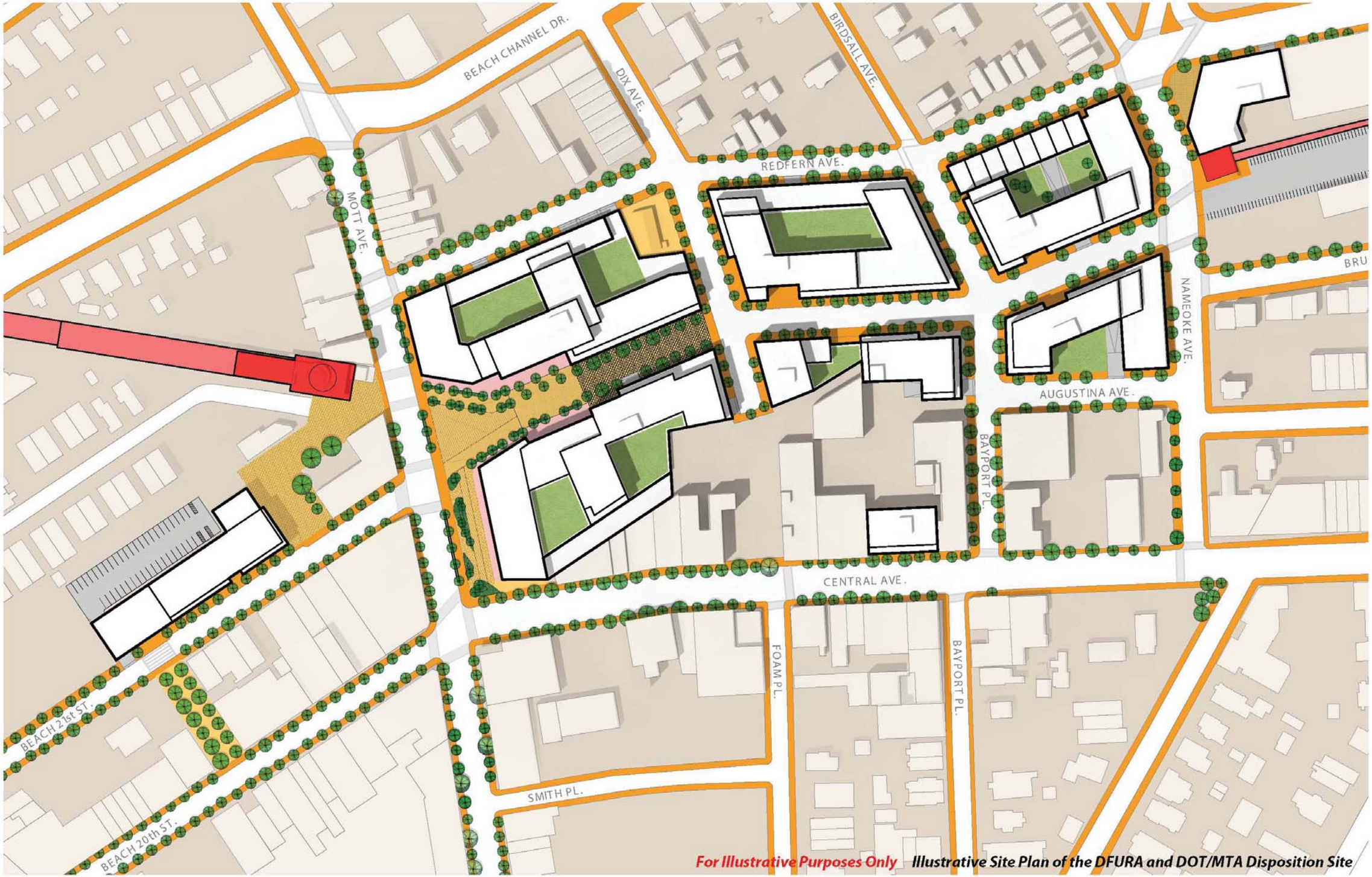
Illustrative Massing of DFRURA and DOT/MTA Disposition Site

For Illustrative Purposes Only

Illustrative rendering of the DTFRURA looking north from the A train station across Mott Avenue

For Illustrative Purposes Only

Illustrative rendering of the new public open space within the DTFRURA along Mott Avenue facing east



For Illustrative Purposes Only **Illustrative Site Plan of the DFURA and DOT/MTA Disposition Site**

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

DOWNTOWN FAR ROCKAWAY

URBAN RENEWAL PLAN

DOWNTOWN FAR ROCKAWAY

URBAN RENEWAL AREA

Queens

Community District No. 14

January, 2017

HISTORY OF PRIOR APPROVALS

Original

City Planning Commission: _____, 20__
[Board of Estimate: _____, 20__ (Cal. No. __)]
[City Council: _____, 20__ (Cal. No. __)
Mayor: _____, 20__ (Cal. No. __)]

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EXHIBITS

A: PROPERTIES ACQUIRED AND TO BE ACQUIRED

B: PROJECT BOUNDARY DESCRIPTION

MAPS

1: PROJECT BOUNDARY MAP, DATED JANUARY, 2017

2: LAND USE MAP, DATED JANUARY, 2017

A: URBAN RENEWAL AREA

1. LEGAL AUTHORITY

The City of New York ("City") has designated the Downtown Far Rockaway Urban Renewal Area ("Area") as an urban renewal area pursuant to §504 of Article 15 ("Urban Renewal Law") of the General Municipal Law. The Department of Housing Preservation and Development ("HPD") represents the City in carrying out the provisions of the Urban Renewal Law pursuant to §502(5) of the Urban Renewal Law and §1802(6)(e) of the Charter.

2. AREA

The properties indicated on Map 1 and listed in Exhibit A ("Acquisition Parcels") have been or will be acquired by the City for redevelopment pursuant to this Downtown Far Rockaway Urban Renewal Plan ("Plan"). These Acquisition Parcels comprise the entire Area and, as such, are the only properties to be redeveloped pursuant to this Plan.

3. BOUNDARY

The Area is located in Community District No. 14 in the borough of Queens and is generally bounded by (i) Nameoke Avenue on the north, (ii) Augustina Avenue and Central Avenue on the east, (iii) Mott Avenue on the south, and (iv) Redfern Avenue on the west. The perimeter described in Exhibit B and shown on Map 1 ("Project Boundary") encompasses all of the Acquisition Parcels which comprise the Area, but may also encompass other properties which are not part of the Area. The Acquisition Parcels, and not the Project Boundary, define the Area.

4. OTHER PROPERTIES

Any properties located within the Project Boundary which are not listed in Exhibit A ("Exempt Parcels") will not be acquired by the City for redevelopment pursuant to this Plan. Notwithstanding the fact that they are located within the Project Boundary, Exempt Parcels are not part of the Area and are not subject to the controls of this Plan, even if they are or become City-owned.

5. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to the Urban Renewal Law. The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity:

a. Abandoned, vacant, substandard, underutilized, and/or obsolete buildings and structures characterized by physical deterioration, high levels of code violations, defective construction, outmoded design, and/or inadequate fire or safety protection.

b. Abandoned, vacant, underutilized, substandard, and/or insanitary, lots.

c. Incompatible adjacent uses.

d. Hazardous or detrimental industrial uses.

e. Illegal uses.

f. Blocks and lots of irregular form or shape or of insufficient size, width, or depth.

g. Poorly or improperly designed street patterns and intersections.

B: URBAN RENEWAL PLAN

1. LEGAL AUTHORITY

The City has established this Plan for the redevelopment of the Area pursuant to §505 of the Urban Renewal Law.

2. STATEMENT OF COMPLIANCE

In accordance with §502(7) of the Urban Renewal Law, this Plan states the following information:

a. Proposed Land Uses

See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures

See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights

None.

d. Proposed Methods Or Techniques Of Urban Renewal

See Section D.

e. Proposed Public, Semi-Public, Private, Or Community Facilities Or Utilities

None.

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan

See Section E.

g. Proposed Program Of Code Enforcement

Properties will be required to comply with applicable United States ("Federal"), State of New York ("State"), and City laws, codes, ordinances, and regulations (collectively, "Laws").

h. Proposed Time Schedule For Effectuation Of Plan

Project Activity	Estimated Commencement Date	Estimated Completion Date
Land Acquisition	August 2017	June 2021
Relocation of Site Occupants	September 2017	June 2022
Demolition and Site Clearance	September 2017	July 2023
Site Preparation (Including Installation of Site Improvements)	August 2017	August 2024
Land Disposition	June 2018	June 2025
Project Completion		December 2027

3. OBJECTIVES

This Plan seeks to:

a. Redevelop the Area in a comprehensive manner, removing blight and maximizing appropriate land use.

b. Remove or rehabilitate substandard and insanitary structures.

c. Remove impediments to land assemblage and orderly development.

d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area.

e. Provide new housing of high quality and/or rehabilitated housing of upgraded quality.

f. Provide appropriate community facilities, publicly-accessible open spaces, retail shopping, public parking, and private parking.

g. Provide a stable environment within the Area which will not be a blighting influence on surrounding neighborhoods.

4. DESIGN OBJECTIVES

It is the intent of this Plan that, to the extent deemed feasible by HPD, (i) the Area should be developed in a manner compatible with or beneficial to the surrounding community, (ii) the project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern, and (iii) in areas with exceptionally strong or uniform street character, the new construction should reinforce the existing urban pattern.

C: CONTROLS ON REDEVELOPMENT

1. ZONING

The controls of this Plan will be concurrent with, and will not preempt or supersede, the controls of the Zoning Resolution of the City, as amended ("Zoning Resolution"). The controls of the Zoning Resolution will apply to all Acquisition Parcels at all times to the extent permitted by Law. The controls of this Plan will commence to apply to any Acquisition Parcel upon acquisition by the City or at such later date as may be specified in this Plan. Thereafter, if there is any conflict between the controls imposed by the Zoning Resolution and the controls imposed by this Plan, the more restrictive of the two will govern.

2. PROPOSED USES

Map 2 indicates the permitted use of each Acquisition Parcel following disposition by the City to a redeveloper. Each use indicated in Map 2 will have the meaning set forth in this Section C.2.

a. Commercial/Residential

Commercial, residential, community facility, recreational, open space, private and public street, and parking uses will be permitted in accordance with the Zoning Resolution.

b. Transportation

Private and public street and parking uses will be permitted in accordance with the Zoning Resolution.

3. SUPPLEMENTARY CONTROLS

a. Building Bulk

Building bulk requirements will be as required by the Zoning Resolution.

b. Parking

Parking requirements will be as required by the Zoning Resolution.

c. Utilities

(1) Any existing overhead telecommunications, electrical, and cable network lines in the Area will be removed and relocated underground and all new or additional telecommunications, electrical, and cable network lines will be placed underground, unless HPD determines that such placement underground is either unnecessary or infeasible.

(2) Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply, sanitary sewers, and storm sewers will be provided in accordance with the requirements of the City's Department of Environmental Protection.

d. Easements

Easements, if any, will be provided as shown on Map 2, and as set forth in the Zoning Resolution.

D: PROPOSED METHODS AND TECHNIQUES OF URBAN RENEWAL

1. ACQUISITION

a. Method Of Acquisition

Acquisition Parcels may be acquired by any means permitted by applicable Laws. Regardless of the method of acquisition, every Acquisition Parcel acquired by the City will be subject to the controls of, and developed in accordance with, this Plan.

b. Properties Acquired or to be Acquired

The Acquisition Parcels have been or will be acquired by the City. The Acquisition Parcels, if any, that the City acquired with Federal assistance are identified in Exhibit A. All other Acquisition Parcels have been or are intended to be acquired with City funds, without Federal assistance.

2. RELOCATION

There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment. HPD will relocate residential and commercial site occupants, if any, in compliance with all applicable Federal, State, and City Laws.

3. DEMOLITION AND/OR REHABILITATION

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation.

4. LAND DISPOSITION

Properties acquired will be disposed of for redevelopment in accordance with this Plan.

E: RELATED ACTIONS

1. ZONING MAP AMENDMENTS

The zoning of the Area will be as set forth in the Zoning Resolution. Zoning Map Amendments may be necessary in order to implement this Plan, but any proposed amendments set forth in this Section E.1 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. The proposed Zoning Map Amendments include the creation of a Special Downtown Far Rockaway District under which Acquisition Parcels currently zoned M1-1 will be rezoned to R6/C2-4, Acquisition Parcels currently zoned C8-1 will be rezoned to R7-1/C2-4, and Acquisition Parcels currently zoned C4-2 will be rezoned to R7-1/C2-4.

2. STREET MODIFICATIONS

It may be necessary to map, demap, or modify streets within and/or adjacent to the Area in order to implement this Plan, but any proposed street modifications set forth in this Section E.2 will have no force or effect until they are approved and become effective pursuant to the applicable provisions of the Charter. However, no street modifications are proposed at this time.

F: REDEVELOPER OBLIGATIONS

1. RECORDABLE AGREEMENTS

The instruments by which the City disposes of any Acquisition Parcel or part thereof to a redeveloper will be recorded in the Office of the City Register and will contain covenants running with the land which (i) incorporate this Plan by reference, (ii) require compliance with the terms and restrictions set forth in this Plan, and (iii) require compliance with Section F.4. An amendment to this Plan which becomes effective after the date of disposition of an Acquisition Parcel to a redeveloper will not apply to the real property comprising such Acquisition Parcel unless, following the effective date of such amendment, the City and the owner of such real property execute a written agreement, approved as to form by the Corporation Counsel, providing that such amendment shall thereafter apply to such real property.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified as permitted uses in this Plan and to comply with all other terms and restrictions set forth in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to expeditiously apply for all required governmental approvals and to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

Each redeveloper, its successors and assigns of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument which restricts the sale, lease, or occupancy of such land or any part thereof upon the basis of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability, and (ii) will comply with all applicable Federal, State, and City laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

5. DESIGN REVIEW

HPD may require any redeveloper to (i) submit site plans, landscape plans, architectural drawings, outline specifications, schedules of materials and finishes, and/or final working drawings, in sufficient detail to permit determination of compliance with the controls of this Plan, for HPD approval prior to commencement of construction, and (ii) submit any material change to such documents thereafter proposed for HPD approval prior to commencement of construction of such change.

6. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. COOPERATION WITH HPD

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project.

8. COOPERATION WITH OTHER CITY AGENCIES

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. CERTIFICATE OF COMPLETION

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of

construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

G: MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to §505 of the Urban Renewal Law and §197-c and §197-d of the Charter and may amend the designation of the Area at any time pursuant to §504 of the Urban Renewal Law.

2. MINOR CHANGES

HPD, with the concurrence of the City Planning Commission ("CPC"), may authorize minor changes of the terms of these restrictions which conform with the intent and purpose of this Plan.

3. MERGERS AND SUBDIVISIONS

The development sites in the Area may be merged and/or subdivided where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of the subdivided development site, if any, is marketable and developable in accordance with this Plan and with all applicable Federal, State, and City Laws. The merger and/or subdivision of a development site will not require review or approval by CPC, but HPD will file the Plan, as modified to indicate such merger and/or subdivision, with the Department of City Planning for information purposes.

H: DURATION OF PLAN

This Plan will remain in effect for a period of forty (40) years from the date of the original approval of this Plan, until 2057, except as provided in Section G.

EXHIBIT A

PROPERTIES ACQUIRED AND TO BE ACQUIRED

Site	Block	Lot(s)	Land Use
1	15537	p/o 1, 5, p/o 40, 46, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 63, 65, 71, 89, 92, 94, 99, 100, 112, 128, 130	Commercial/Residential
2	15529	10	Commercial/Residential
3	15529 15537 15537	9 79 p/o1	Transportation

EXHIBIT B

PROJECT BOUNDARY DESCRIPTION

All that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of Queens, City and State of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the Easterly line of Redfern Avenue and the Northerly line of Mott Avenue;

Running thence Easterly along the Northerly line of Mott Avenue 382.91 feet to a point;

Thence Easterly along a curve connecting the Northerly line of Mott Avenue with the Westerly line of Central Avenue a distance of 114.57 feet to a point;

Thence Northwesterly along the dividing line between the Northerly line of Tax Lot 1 and the Southerly line of Tax Lot 153 in Tax Block 15537 a distance 0.04 feet to the Westerly line of Tax Lot 153, as shown on the Tax Map for the Borough of Queens as said Map existed on January 11th, 2017;

Thence Northerly along the dividing line between Tax Lot 1 and Tax Lots 153, 152, 150 and 148 on said Tax Map a distance of 244.65 feet, more or less, to the Southerly line of Tax Lot 147;

Thence Northwesterly along the Southerly line of Tax Lot 147, parallel to the Southerly line of Bayport Place, a distance of 74.08 feet to the Westerly line of Tax Lot 147;

Thence Northerly along the Westerly lines of Tax Lots 147, 137 and 133 a distance of 291.48 feet , more or less, to the Northerly line of Tax Lot 133;

Thence Southeasterly along the Northerly line of Tax Lot 133 parallel to Bayport Place a distance of 268.60 feet to the Westerly line of Central Avenue;

Thence Northeasterly along the Westerly line of Central Avenue a distance of 100.00 feet to a point;

Thence Northwesterly parallel with the Southerly line of Bayport Place a distance of 100.00 feet to a point;

Thence Southwesterly parallel with the Westerly line of Central Avenue a distance of 50.00 feet to a point;

Thence Northwesterly parallel with the Southerly line of Bayport Place a distance of 125.00 feet to a point;

Thence Northeasterly parallel with the Westerly line of Central Avenue a distance of 100.00 feet to the Southerly line of Bayport Place;

Thence Northwesterly along the Southerly line of Bayport Place a distance of 109.30 feet to the Westerly terminus of Bayport Place:

Thence Northeasterly along the Easterly line of Tax Lot 1, which is coincident with the Westerly terminus of Bayport Place where it intersects Tax Lot 1 in Tax Block 15537 a distance of 56.00 feet, more or less, to a point on the Northerly line of Bayport Place;

Thence Southeasterly along the Northerly line of Bayport Place a distance of 108.10 feet to the corner formed by the intersection of the Northerly line of Bayport Place with the Westerly line of Augustina Avenue;

Thence Northeasterly along the Westerly line of Augustina Avenue a distance of 250.00 feet to the corner formed by the intersection of Southerly line of Nameoke Avenue with the Westerly line of Augustina Avenue;

Thence Northwesterly along the Southerly line of Nameoke Avenue a distance of 200.50 feet to the Easterly line of Tax Lot 1 in Tax Block 15537;

Thence Northerly along the Easterly line of Tax Lot 1 a distance of 25.66 feet, more or less, to the dividing line between Tax Lot 1 in Tax Block 15537 and Tax Lot 4 in Tax Block 15529, as shown on the Tax Map as said Tax Map existed on January 11th, 2017;

Thence Westerly along the dividing line between Tax Lot 1 in Tax Block 15537 and Tax Lot 4 in Block 15529, as shown on the said Tax Map, a distance of 105.00 feet, more or less, to the Westerly line of Tax Lot 1 in Tax Block 15537 and Tax Lot 4 in Tax Block 15529;

Thence Northerly along the Westerly line of Tax Lot 4 to the intersection of the Westerly line of Tax Lot 4 in Tax Block 15529 and the Southerly line of Tax Lot 9 in Tax Block 15529;

Thence continuing Northerly along the Westerly line of Tax Lot 4 which is coincident with the Easterly lines of Tax Lot 9 and Tax Lot 10 a distance of 155.33 feet to the Southerly line of Tax Lot 19;

Thence Westerly along the Southerly line of Tax Lot 19 a distance of 114.47 feet to the Easterly line of Redfern Avenue;

Thence Southwesterly along the Easterly line of Redfern Avenue a distance of 181.78 feet to the former Northerly line of Nameoke Avenue;

Thence Southwesterly along the Easterly line of Redfern Avenue, if extended Southwesterly, to to the former Southerly line of Nameoke Avenue;

Thence Southwesterly along the Westerly line of Tax Lots 79, 71, 65, 63 and part of 60 in Tax Block 15537, as shown on said Tax Map, a distance of 345.75 feet, more or less, to a point;

Thence Southwesterly along the Westerly line of Tax Lots 60, 59, 58, 57, 56, 55, 54, 53, 51, 50 and 46, as shown on said Tax Map, a distance of 298.45 feet, more or less, to the Southerly line of Tax Lot 46;

Thence Easterly along the Southerly line of Tax Lot 46 a distance of 10.65 feet to the Easterly line of Redfern Avenue;

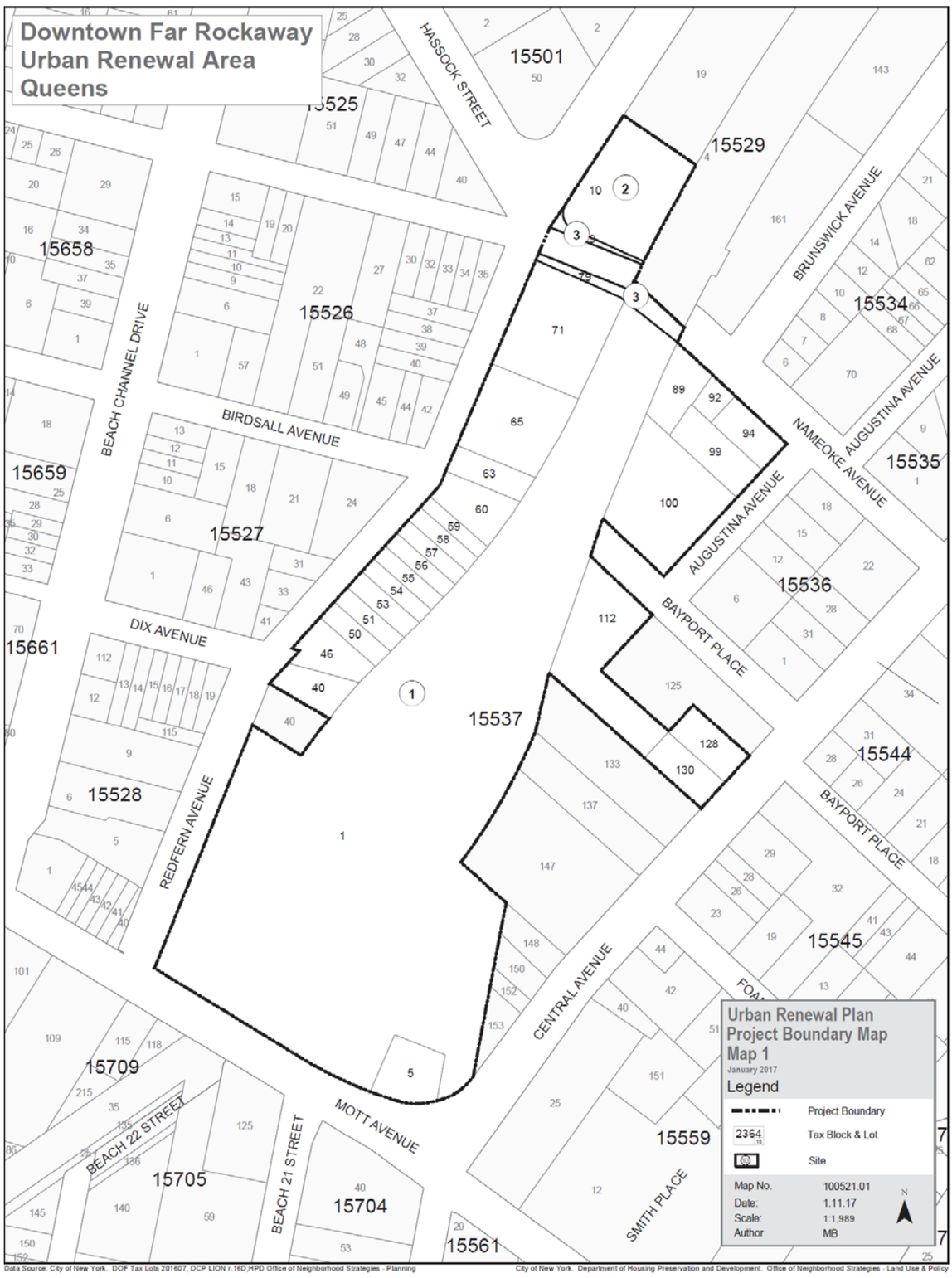
Thence Southerly along the Easterly line of line of Redfern Avenue a distance of 64.56 feet to a point on the Westerly line of Tax Lot 40;

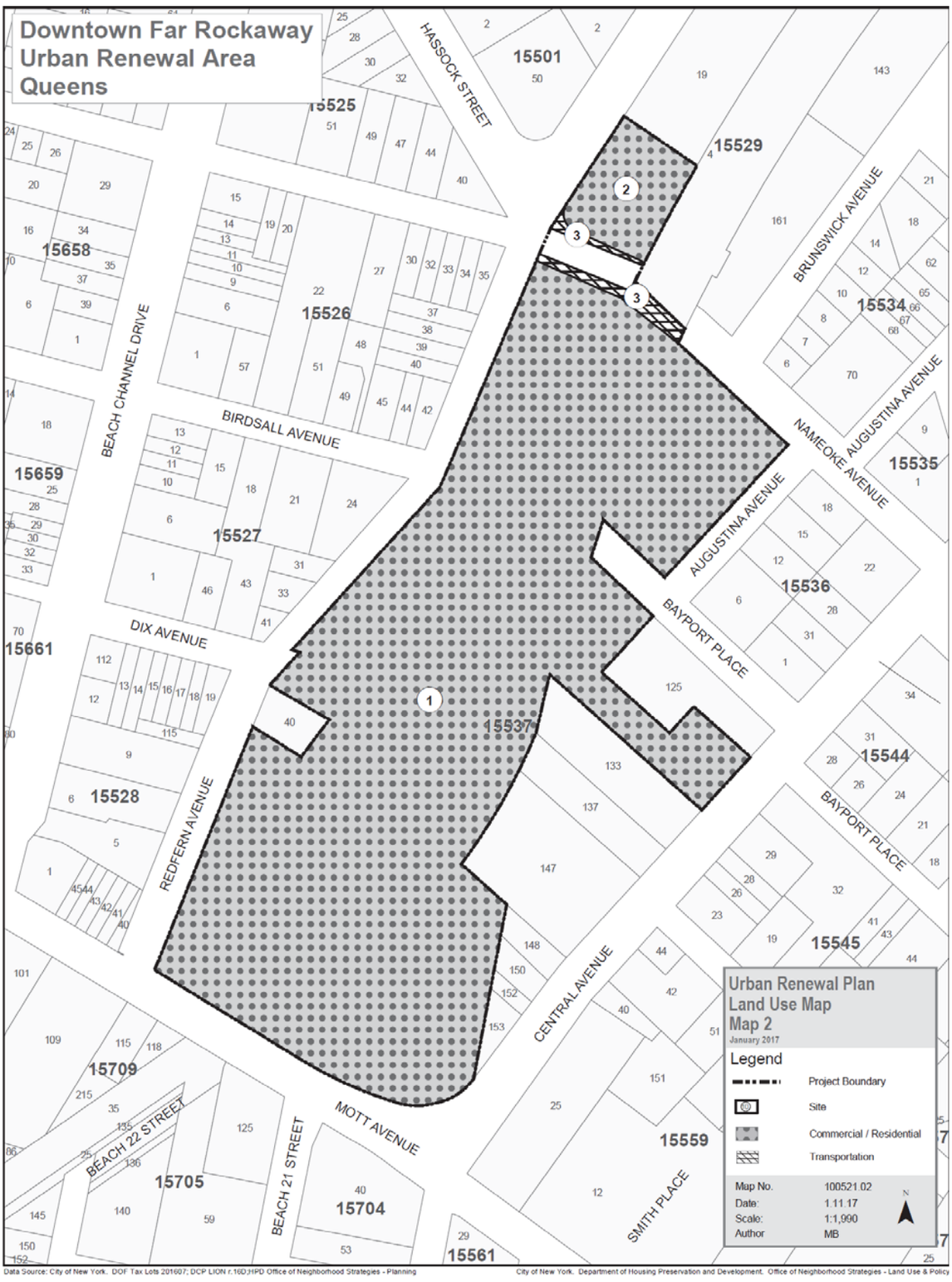
Thence Southeasterly along a line forming an exterior angle of 84 degrees with the previous course an undetermined distance to the Easterly line of Tax Lot 40 which is coincident with the dividing line between Tax Lot 40 and Tax Lot 1 in Tax Block 15537 as shown of said Tax Map;

Thence Southwesterly along the dividing line between Tax Lot 40 and Tax Lot 1 for an undetermined distance to the Southerly line of Tax Lot 40 in Block 15537 as shown on said Tax Map;

Thence Northwesterly along the Southerly line of Tax Lot 40 a distance of 67.26 feet to the Easterly line of Redfern Avenue;

Thence Southerly along the Easterly line of Redfern Avenue a distance of 361.73 feet to the point or place of beginning.


Downtown Far Rockaway
Urban Renewal Area
Queens
HASSOCK STREET
BEACH CHANNEL DRIVE
BIRDSALL AVENUE
DIX AVENUE
REDFERN AVENUE
MOTT AVENUE
BEACH 22 STREET
BEACH 21 STREET
CENTRAL AVENUE
SMITH PLACE
BAYPORT PLACE
AUGUSTINA AVENUE
NAMEOKE AVENUE
BRUNSWICK AVENUE
15501
15525
15529
15658
15526
15534
15659
15527
15535
15661
15536
15537
15528
15544
15545
15709
15559
15705
15704
15561
Urban Renewal Plan
Project Boundary Map
Map 1
January 2017
Legend
Project Boundary
Tax Block & Lot
Site
Map No. 100521.01
Date: 1.11.17
Scale: 1:1,989
Author MB
Data Source: City of New York. DOF Tax Lots 201607; DCP LION r.16D;HPD Office of Neighborhood Strategies - Planning
City of New York. Department of Housing Preservation and Development. Office of Neighborhood Strategies - Land Use & Policy


Downtown Far Rockaway
Urban Renewal Area
Queens
HASSOCK STREET
BEACH CHANNEL DRIVE
BIRDSALL AVENUE
DIX AVENUE
REDFERN AVENUE
BRUNSWICK AVENUE
AUGUSTINA AVENUE
NAMEOKE AVENUE
BAYPORT PLACE
CENTRAL AVENUE
MOTT AVENUE
BEACH 22 STREET
BEACH 21 STREET
SMITH PLACE
15501
15525
15529
15658
15526
15534
15659
15527
15535
15536
15661
15528
15537
15544
15545
15709
15705
15704
15559
15561
Urban Renewal Plan
Land Use Map
Map 2
January 2017
Legend
Project Boundary
Site
Commercial / Residential
Transportation
Map No. 100521.02
Date: 1.11.17
Scale: 1:1,990
Author MB
Data Source: City of New York. DOF Tax Lots 201607; DCP LION r.16D;HPD Office of Neighborhood Strategies - Planning
City of New York. Department of Housing Preservation and Development. Office of Neighborhood Strategies - Land Use & Policy

FACT SHEET

DOWNTOWN FAR ROCKAWAY URBAN RENEWAL PLAN

The project is is generally bounded by Nameoke Avenue, Redfern Avenue, Augustina Avenue, Central Avenue, and Mott Avenue and contains portions of two tax blocks, Block 15537 and 15529.

Purpose of Plan

The Downtown Far Rockaway Urban Renewal Plan ("Plan") is intended to address substandard and insanitary conditions that exist within the proposed Downtown Far Rockaway Urban Renewal Area ("Area") through new mixed-use development containing commercial, residential, community facility, parking and open space uses. The Area will improve connectivity in and through the neighborhood through new pedestrian and vehicular connections that may include public and private streets.

The Plan seeks to:

- Facilitate the redevelopment of the Area in a comprehensive manner, removing blight and maximizing appropriate land use.
- Remove impediments to land assemblage and orderly development.
- Strengthen the tax base of the City by encouraging development and employment opportunities in the Area.
- Provide new housing of high quality and appropriate community facilities, publicly-accessible open spaces, retail shopping, public parking, and private parking.
- Provide for other improvements, including public and private streets for vehicular and pedestrian circulation.

The plan for the area involves a rezoning and a zoning text change that will create the Special Downtown Far Rockaway District.

FOR INFORMATION ONLY

NOT PART OF URBAN RENEWAL PLAN

NOT PART OF ULURP APPLICATION

INTRODUCTION

This application is for the closing of a public facility. As part of the Downtown Far Rockaway Redevelopment Project (the "Proposed Project"), the City is seeking disposition approval of a site comprised of two lots (Block 15705, Lots 59 and 69) which are under the jurisdiction of the NYC Department of Transportation (DOT) and the Metropolitan Transportation Authority (MTA), respectively. The approximately 1.3-acre DOT/MTA Disposition Site, which is located on Beach 21st Street between Mott and Cornaga Avenues adjacent to the Far Rockaway-Mott Avenue subway station, currently serves as a municipal parking lot and layover area for buses. The parking lot is an unattended metered facility with a capacity of 70 spaces that is open Monday through Saturday from 8:00 AM to 10:00 PM. Parking rates are 25¢ per 15 minutes, with a maximum charge of $8, or $30 per quarter for a parking permit. The parking facility has a utilization rate of approximately 31 percent (22 occupied spaces) during the weekday midday peak period and 33 percent (23 occupied spaces) during the Saturday midday peak period.[1] The layover area is utilized by two MTA bus routes, the Q22 local and QM17 express, as well as one Nassau Inter-County Express (NICE) bus, the N33.

The proposed disposition would require approval from the MTA Board of Directors authorizing the surrender of the MTA's leasehold interest in Block 15705, Lot 69 (which is a non-discretionary action) so that the site can be developed pursuant to zoning following a competitive Request for Proposal (RFP) process led by the NYC Economic Development Corporation (EDC) and the NYC Department of Housing Preservation and Development (HPD). The DOT/MTA Disposition Site would be redeveloped with 176 dwelling units, 7,421 gross square feet (gsf) of ground floor retail space, and 11,557 gsf of community facility space. As part of DOT's Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project, which is independent of the Proposed Project, the bus layover area will be relocated within the immediate neighborhood.

The following analysis describes how the Proposed Project responds to New York City's Fair Share Criteria. The analysis balances many factors including community needs for service and effects on the surrounding neighborhood.

ARTICLE 8: CRITERIA FOR CLOSING OR REDUCING FACILITIES

Article 8 of the Fair Share Criteria applies to the closing of existing facilities and the significant reduction in size or capacity to deliver service of existing facilities.

Section 8.1 The sponsoring agency shall consider the following criteria:

(a) The extent to which the closing or reduction would create or significantly increase any existing imbalance among communities of service levels relative to need. Wherever possible, such actions should be proposed for areas with high ratios of service supply to service demand.

The DOT/MTA Disposition Site (Block 15705, Lots 59 and 69) occupies 1.3-acres of land on Beach 21st Street between Mott and Cornaga Avenues adjacent to the Far Rockaway-Mott Avenue subway station. The lot serves as a municipal parking facility and bus layover area and is generally underutilized. The parking facility has a capacity of 70 spaces and utilization rate of approximately 31 percent (22 occupied spaces) during the weekday midday peak period and 33 percent (23 occupied spaces) during the Saturday midday peak period. The layover area is utilized by two MTA bus routes (Q22 and QM17) and one NICE bus route (N33).

Closure of the parking facility would result in the displacement of up to 23 vehicles, which would be required to park on-street as there are no other municipal parking facilities or privately-operated off-street parking facilities in the surrounding area. Curbside parking regulations in the surrounding area are generally governed by alternate-side-of-the-street regulations to facilitate street cleaning, with more restrictive regulations in place during the weekday daytime hours. On commercial corridors such as Mott Avenue, Central Avenue, Beach 20th Street, and Beach 19th Street, there are a number of one to two hour time limit metered parking spaces. Parking rates for metered spaces are 25¢ per 15 minutes. On-street parking within an approximate ¼-mile radius of the DOT/MTA Disposition Site is approximately 55 percent utilized (1,947 available spaces) during the weekday midday.[2] In the future with full build-out of the Proposed Project (3,000 dwelling units, 90,000 sf commercial space, 70,000 sf community facility space), on-street parking utilization is expected to increase slightly to 62 percent (1,725 available spaces) during the weekday midday.[3] As such, vehicles displaced by the closure of the parking facility are expected to be able to find on-street parking in the surrounding area and would not be adversely affected by the closure of this facility.

[1] Weekday midday utilization is based on a June 2016 site visit conducted by Philip Habib & Associates. Saturday midday utilization is based on the DOT's January 2014 *Far Rockaway Central Business District (CBD) – Traffic Study* draft report.
[2] Based on June 2016 site visit conducted by Philip Habib & Associates.
[3] Based on *Downtown Far Rockaway Redevelopment Project DEIS* (2017).

Closure of the bus layover area would result in the displacement of the layover area for two MTA buses and one NICE bus. This layover area is being relocated within the immediate neighborhood as part of DOT's Downtown Far Rockaway Urban Design and Streetscape Reconstruction Project, which is occurring independent of the Proposed Project. As such, MTA and NICE buses displaced by closure of the bus layover area would not be adversely affected by the closure of this facility.

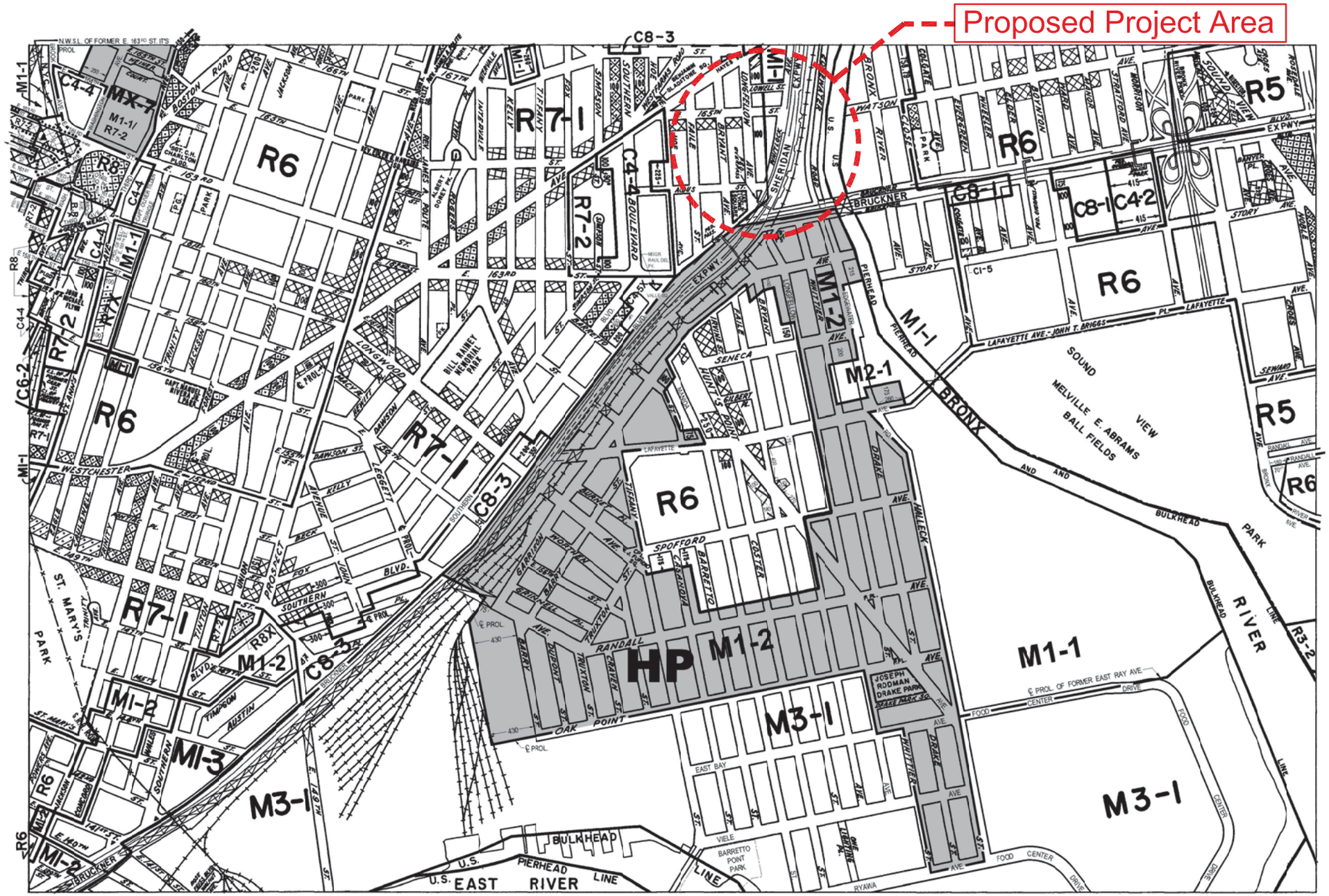
The existing municipal parking lot is a local facility that does not serve a defined service area. As noted above, there would be sufficient on-street parking spaces within an approximate ¼-mile radius of the existing municipal parking lot to accommodate the vehicles displaced by the closure of this facility. In addition, the displaced bus layover area would be relocated within the immediate neighborhood independent of the Proposed Project. As such, closure of the existing municipal parking lot and bus layover area would not create or worsen disparities among communities.

(b) Consistency with the specific criteria for selecting the facility for closure or reduction as identified in the Statement of Needs.

This closure was not anticipated prior to the final entry date for publication in the FY2018-2019 Citywide Statement of Needs. The parking facility and bus layover area were targeted for closure because the site is underutilized and because DOT already has plans to relocate the bus layover area within the immediate neighborhood as part of a larger urban design and streetscape project aimed at improving Downtown Far Rockaway.

Section 8.2 In proposing facility closings or reductions, the sponsoring agency shall consult with the affected Community Board(s) and Borough President about the alternatives within the district or borough, if any, for achieving the planned reduction and the measures to be taken to ensure adequate levels of service.

The Proposed Project has been crafted as part of a comprehensive community planning process intended to catalyze the revitalization of Downtown Far Rockaway. The Proposed Project is a comprehensive response to: 1.) recommendations of the local Council Member, local elected officials, and representatives of the local community, business, and nonprofit sectors; and 2.) the strategies proposed by an interagency planning effort in 2016.



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

03-11-2015 C 150152 ZMX

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

▲ 05-06-2015 C 120323 MMX

MAP KEY

3b	3d	4b
6a	**6c**	7a
6b	6d	7b

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600 0 600 1200 1800 FEET

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map check the Department of City Planning website: http://www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

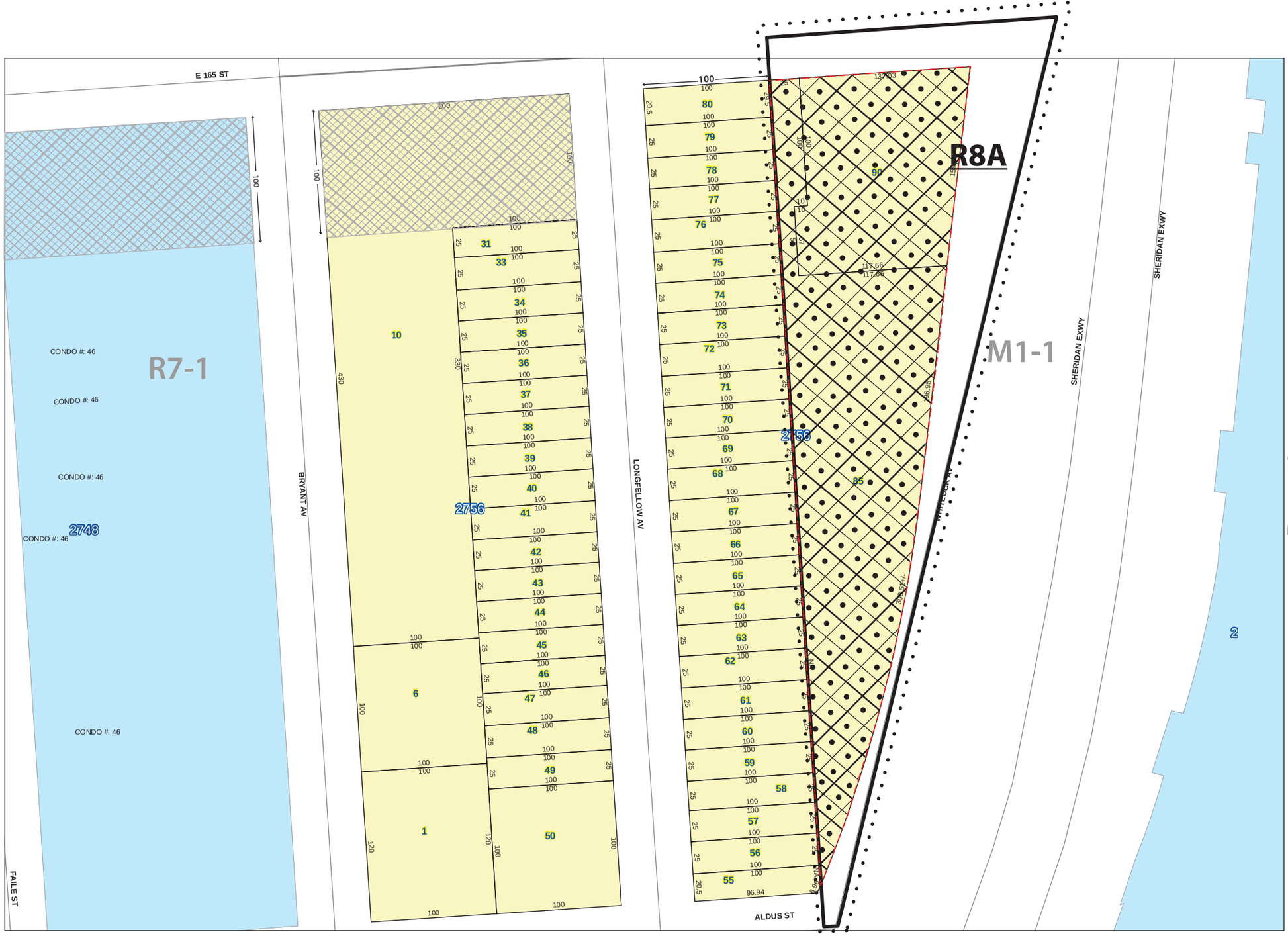
ZONING MAP **6c**

FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

Effective Date : 12-09-2008 14:46:26
End Date : Current

Bronx Block: 2756



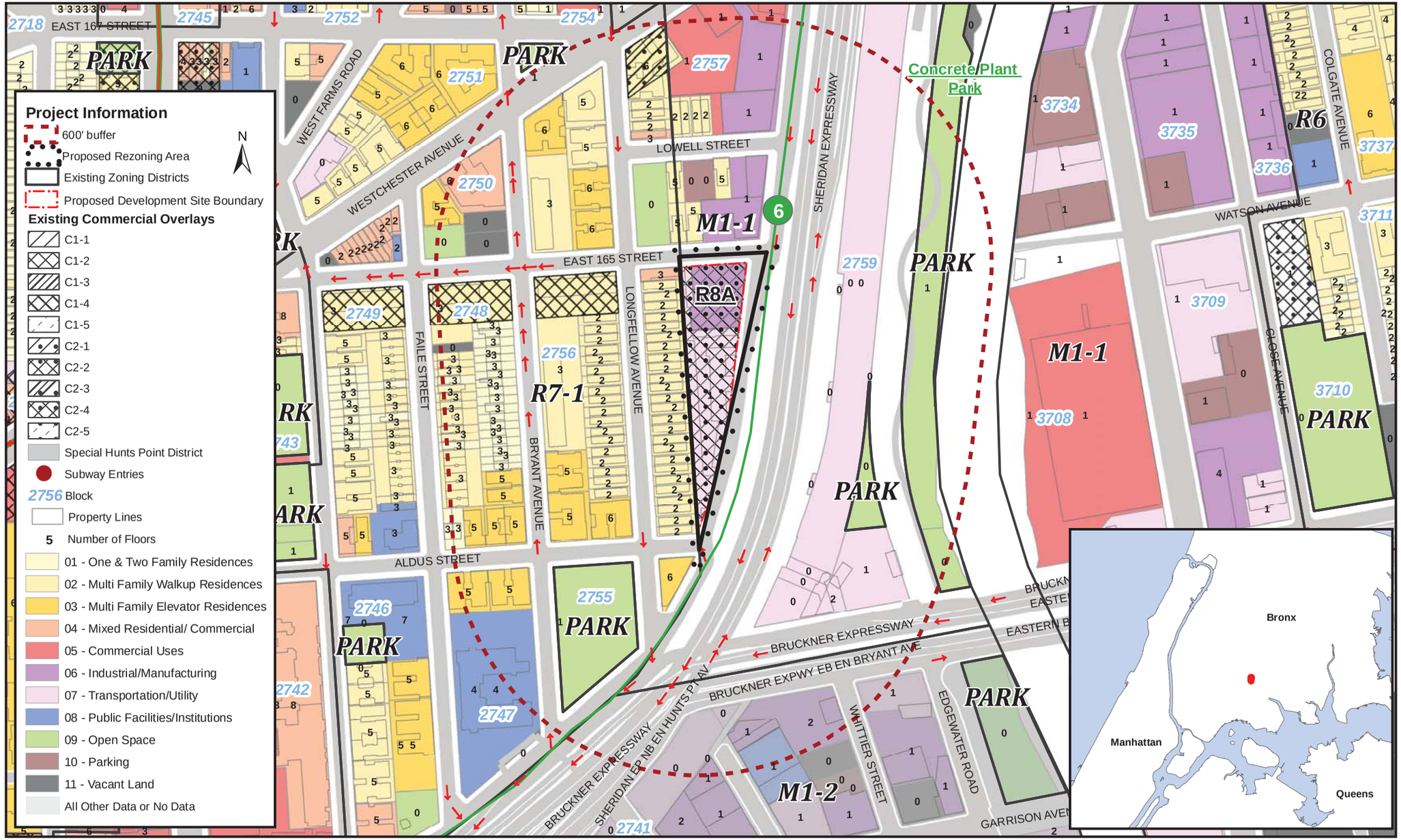
Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

- Zoning District Line
- R8A Proposed Zoning District
- M1-1 Existing Zoning District
- Proposed C2-4 District
- Existing C1-4 District
- Area of Rezoning
- Development Site

0 20 40 80 120 160 Feet

1125 WHITLOCK AVENUE AREA MAP



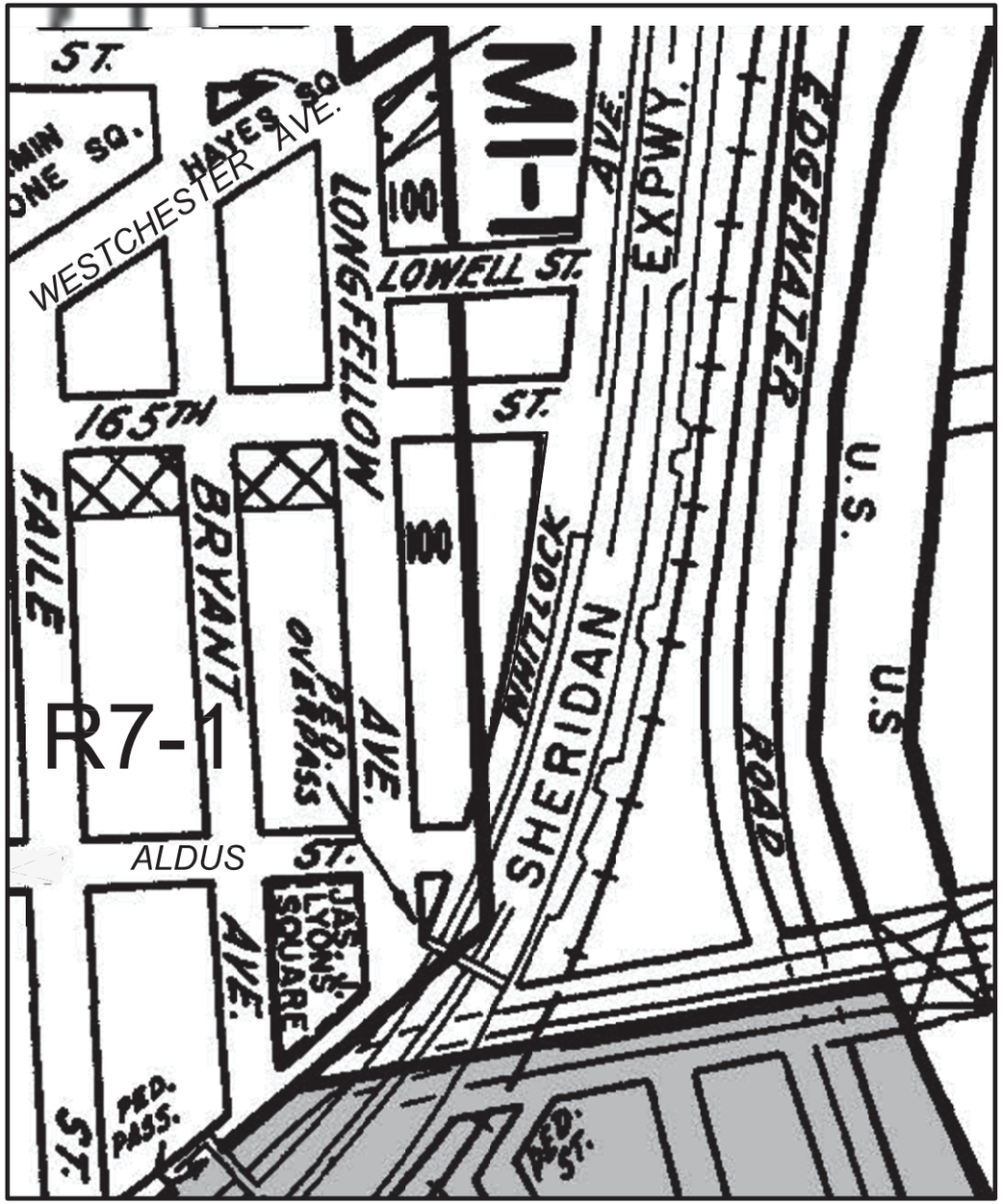
0 245 490 980 Feet

August 2016
Langan Engineering

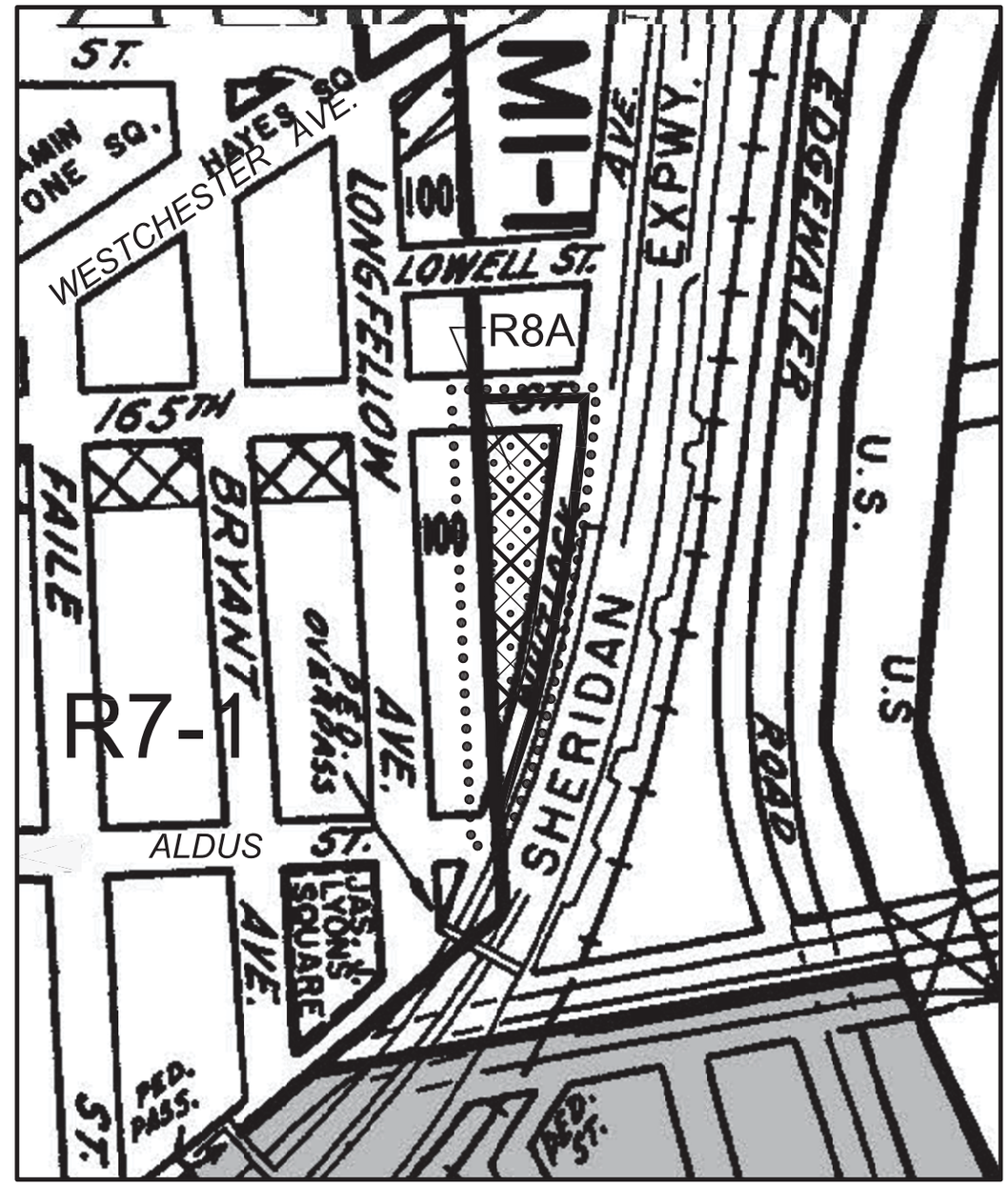
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Zoning Change Map



CURRENT ZONING MAP



PROPOSED ZONING MAP - area being rezoned is outlined in dotted lines

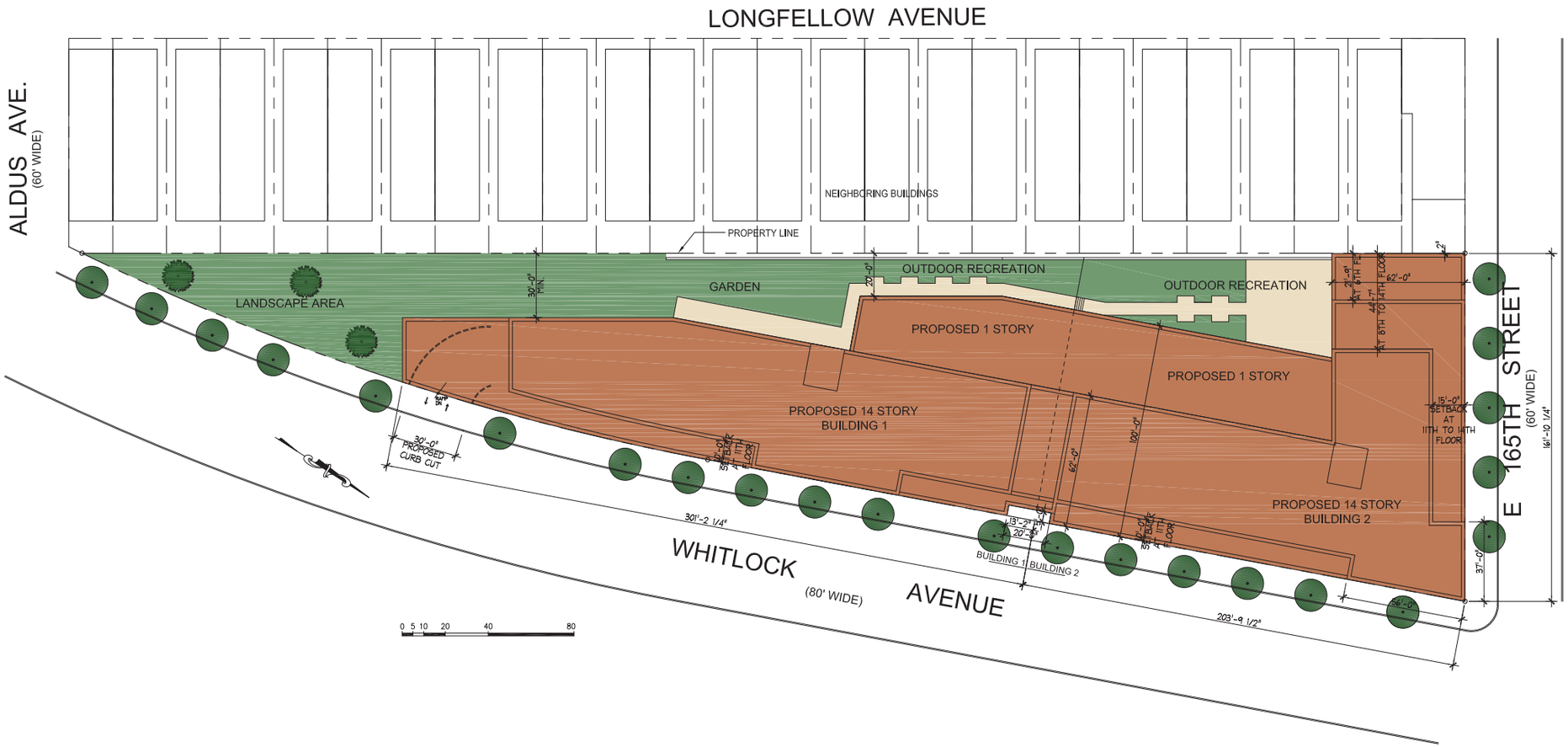
Changing a M1-1 district to a R8A w/ C2-4 overlay district

WHITLOCK

BRONX, NEW YORK

REV: 1-10-17
DATE: 4-4-16
JOB #: 15.36

Images are for graphic illustrations, and dimensions are subject to actual construction deviations, not to scale.



SITE PLAN

A -001

NEWMAN DESIGN

ARCHITECTURE • URBAN PLANNING

210 West Rogues Path • Cold Spring Hills, NY 11743

WHITLOCK

BRONX, NEW YORK

DATE: 4-4-16
JOB #: 15.36

EAST ELEVATION (WHITLOCK AVENUE)

~~NORTH ELE~~VATION (165TH STREET)

ELEVATIONS

A-8

NEWMAN DESIGN
ARCHITECTURE • URBAN PLANNING
210 West Rogues Path • Cold Spring Hills, NY 11743

WHITLOCK

BRONX, NEW YORK

DATE: 4-4-16
JOB #: 15.36

WEST ELEVATION

NORTH ELEVATION

NORTH ELEVATION - ALDUS AVE.

0 8' 16' 32

ELEVATIONS

A-9

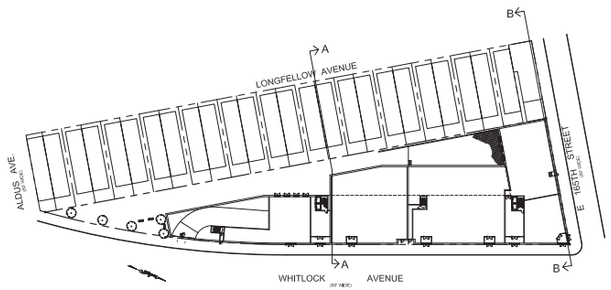
NEWMAN DESIGN

ARCHITECTURE • URBAN PLANNING
210 West Rogues Path • Cold Spring Hills, NY 11743

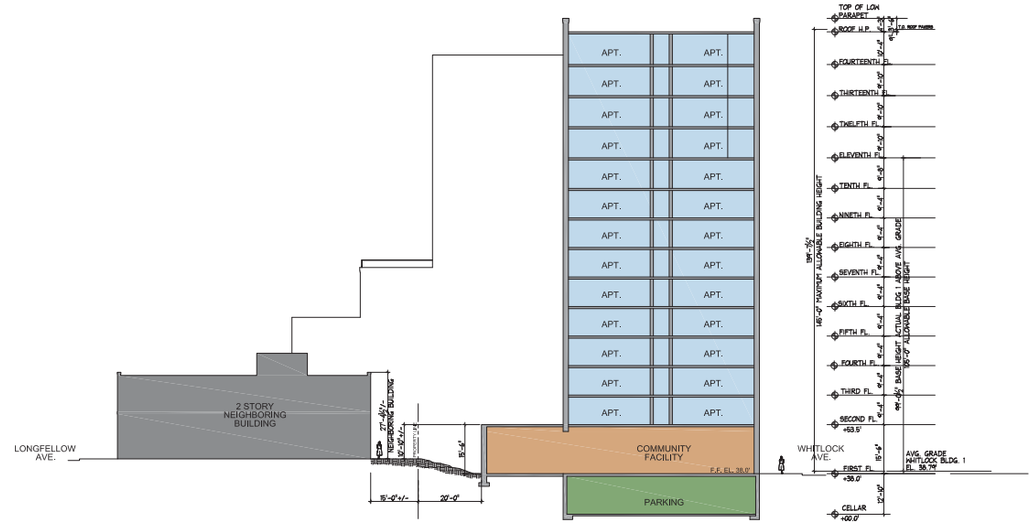
WHITLOCK

BRONX, NEW YORK

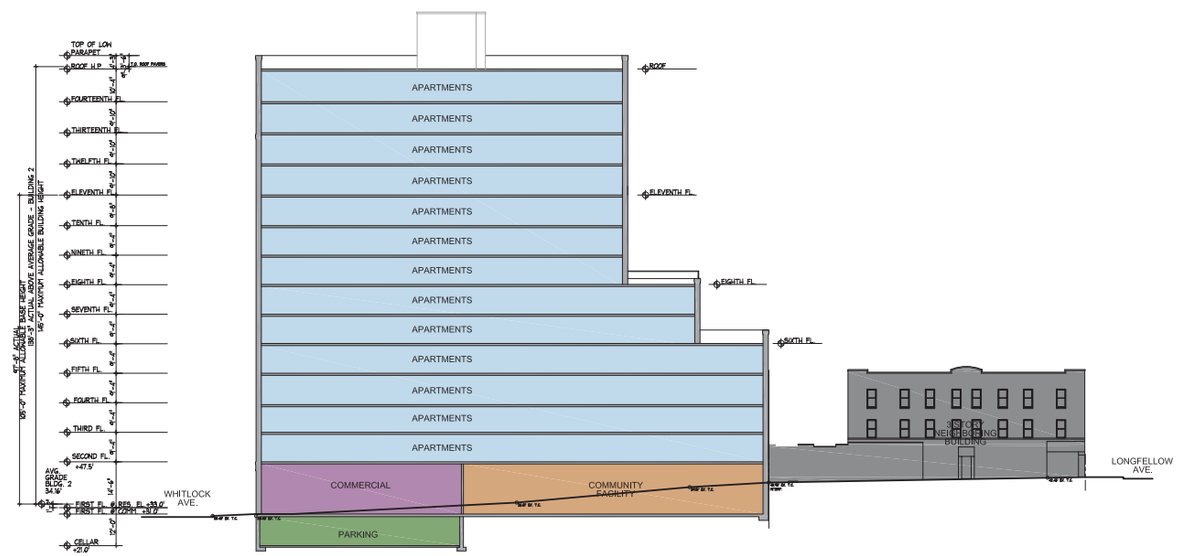
DATE: 4-4-16
JOB #: 15.36



SECTION KEY PLAN



SECTION A - BLDG. 1



SECTION B - BLDG. 2

SECTIONS

A-10

NEWMAN DESIGN
ARCHITECTURE • URBAN PLANNING
210 West Rogues Path • Cold Spring Hills, NY 11743

1125 WHITLOCK AVENUE

BRONX, NY

NEWMAN DESIGN

WHITLOCK AND 165TH STREET REZONING

28TH OCTOBER, 2016

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

THE BRONX

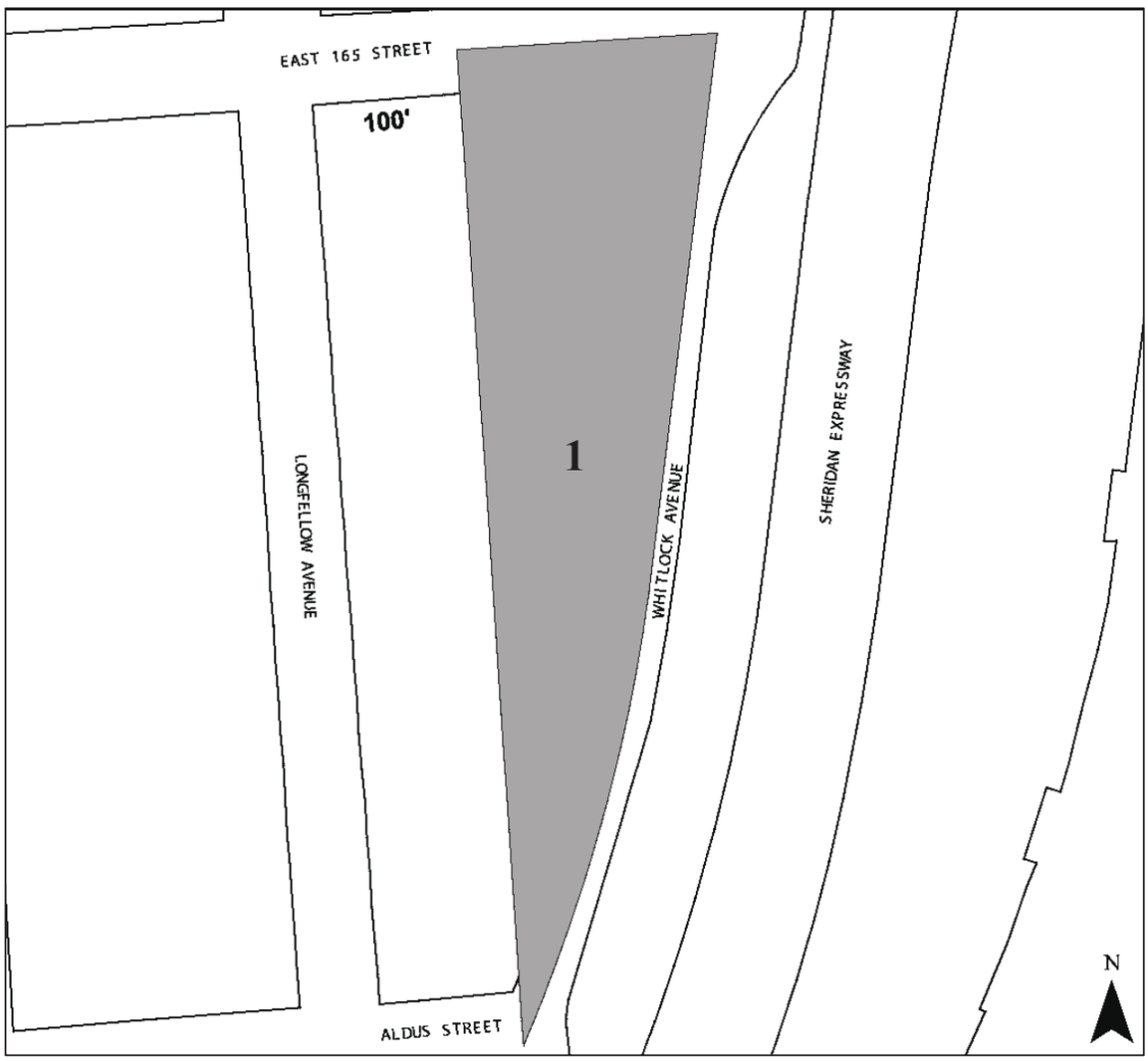
* * *

The Bronx Community District 2

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

Map 1 – [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 2, The Bronx

* * *

Proposed Project Area

NOTE: STREETS FOR THE STREET MAP CHANGE C 040508 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

*10-30-2013 C 130235 ZMM
05-08-2013 C 130076 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):
▲▲ 04-11-2014 C 110253 MMQ
▲ 10-12-2013 C 130007 MMM

MAP KEY

8a	8c	9a
8b	**8d**	9b
12a	12c	13a

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ZONING MAP **8d**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Area Map

451 Tenth Avenue, Manhattan
Block 707, Lots 20, 26, 31, 41 & 45

Project Information

- 600' Radius
- Development Site
- Zoning Districts
- Special Districts

Existing Commercial Overlays

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other

North

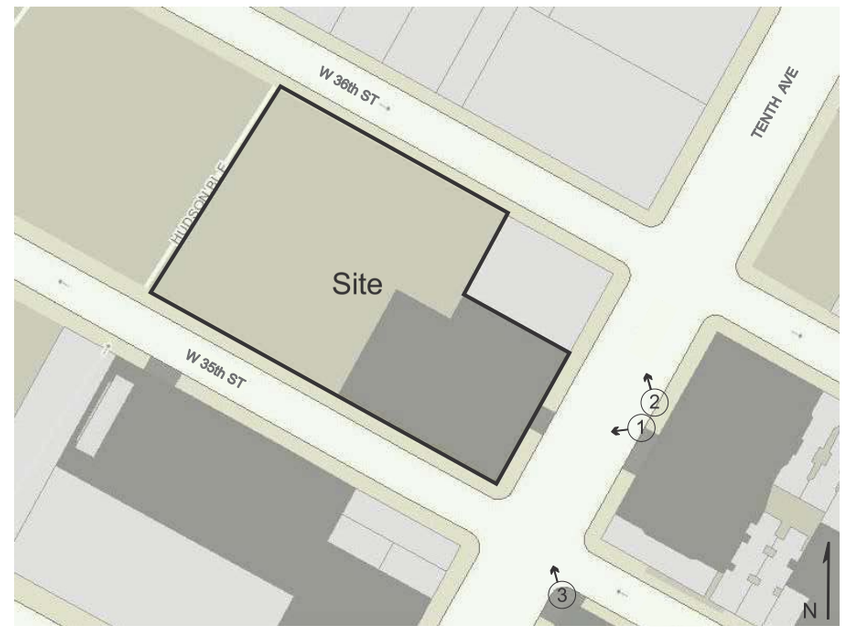
0 200 400 600 Feet

Prepared by Urban Cartographics January 2017

1. View of the Site facing west from Tenth Avenue.

2. View of the side of Tenth Avenue between West 35th Street and West 36th Street facing northwest.

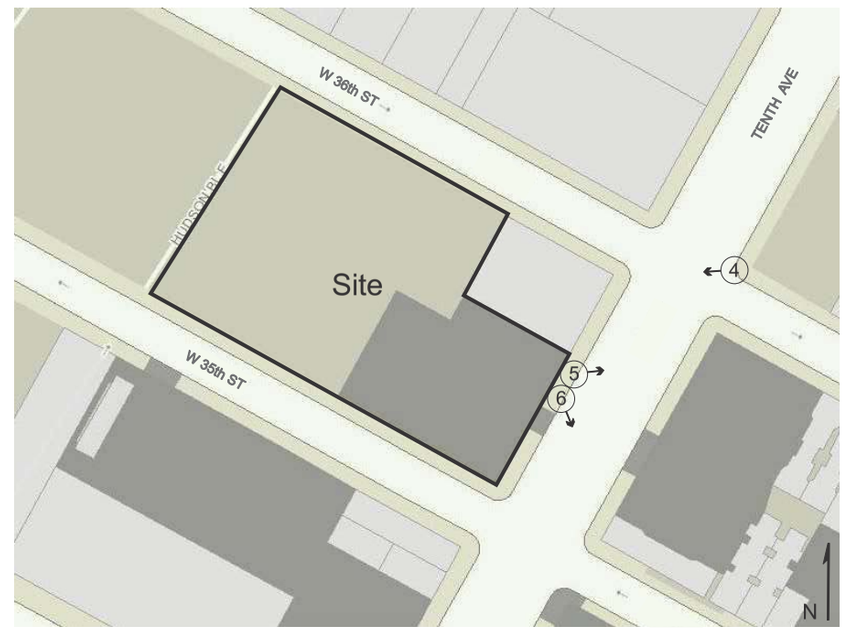
3. View of the Site facing northwest from the intersection of Tenth Avenue and West 35th Street.



4. View of 463 Tenth Avenue facing west from the intersection of Tenth Avenue and West 36th Street.

5. View of the side of Tenth Avenue facing east from the Site.

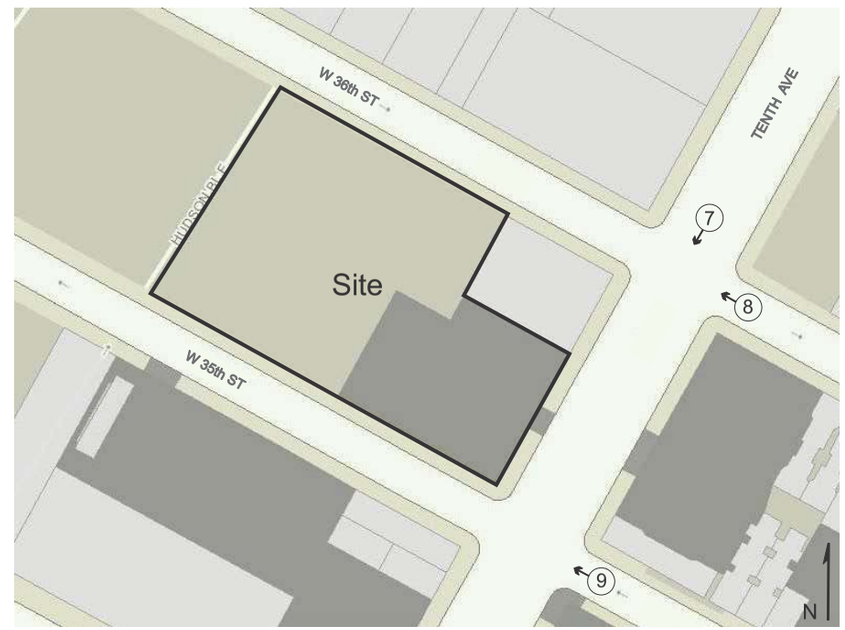
6. View of the side of Tenth Avenue facing southeast from the Site.



7. View of Tenth Avenue facing southwest from West 36th Street
(Site ahead, on right).

8. View of West 36th Street facing northwest from Tenth Avenue
(Site ahead, on left).

9. View of West 35th Street facing northwest from Tenth Avenue
(Site at right).



Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

Article IX
SPECIAL PURPOSE DISTRICTS

CHAPTER 3
Special Hudson Yards District

93-10
USE REGULATIONS

* * *

93-122
Certification for residential use in Subdistricts A, B and E

Within the Large-Scale Plan Subdistrict A, Subareas B1 and B2 of the Farley Corridor Subdistrict B, and the South of Port Authority Subdistrict E, #residential use# shall be permitted only upon certification of the Chairperson of the City Planning Commission that the #zoning lot# on which such #residential use# is located contains the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 (Floor Area Regulations in the Large-Scale Plan Subdistrict A) or 93-22 (Floor Area Regulations in Subdistricts B, C, D, E and F), as applicable, and that for #zoning lots# in Subareas A2 through A5 of the Large-Scale Plan Subdistrict A, a certification pursuant to Section 93-34 (Distribution of Floor Area in the Large-Scale Plan Subdistrict A) has been made.

* * *

However , special regulations shall apply to #zoning lots# with phased developments, as follows:

(a) Except as provided in paragraph (c) of this Section, for ~~For~~ #zoning lots# with less than 69,000 square feet of #lot area#, the Chairperson shall allow for phased development, upon certification that a plan has been submitted whereby the ratio of #commercial floor area# to #residential floor area#, in buildings in each phase, is no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot# as specified in Section 93-21 or 93-22, as applicable~~, and~~;

(b) For #zoning lots# with at least 69,000 square feet of #lot area#, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged# without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in Section 93-21 or 93-22, as applicable, upon certification that a plan has been submitted whereby one or more regularly-shaped portions of the #zoning lot# with a minimum area of 50,000 square feet are reserved for future development of not more than two million square feet of #commercial floor area# on each such portion, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21 or 93-22, as applicable~~.~~; and

(c) For #zoning lots# with at least 55,000 square feet but less than 69,000 square feet of #lot area# within Subarea A3 of the Large Scale Subdistrict A, the Chairperson shall allow for one or more #buildings# containing #residences# to be #developed# or #enlarged#

without the minimum amount of #commercial floor area# required before #residential use# is allowed, as specified in paragraph (a) Section 93-21, upon certification that a plan has been submitted whereby one or more regularly-shaped portions of the #zoning lot# with a minimum area of 35,000 square feet are reserved for future development, and that, upon full development of such #zoning lot#, the ratio of #commercial floor area# to #residential floor area# shall be no smaller than the ratio of the minimum amount of #commercial floor area# required on the #zoning lot# before #residential use# is allowed, to the maximum #residential floor area# permitted on the #zoning lot#, as specified in Section 93-21.

All #developments# or #enlargements# so certified shall be permitted only in accordance with the provisions of this Chapter.

* * *

CITY OF NEW YORK
Community Board No. 2
350 JAY STREET - 8TH FL.
BROOKLYN, N.Y. 11201
(718) 596-5410 FAX (718) 852-1461
cb2k@nyc.rr.com

ERIC ADAMS
Borough President

SHIRLEY A. McRAE
Chairperson

ROBERT PERRIS
District Manager

January 17, 2017

Carl Weisbrod, Chairman
New York City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

Dear Chairman Weisbrod:

I am writing to inform you that Brooklyn Community Board 2 (CB2) has reviewed and made a determination on Application N 170111 CMK, submitted by RXR 810 Fulton Owner LLC for the second three-year renewal of a previously approved special permit granted pursuant to an earlier application, C 090443 ZSK.

Dr. S. Nicholas Hockens, with Greenberg Traurig, and Ms. Rose Tilley, with RXR Realty, presented to the CB2 Land Use Committee on December 21, 2016. Following discussion and deliberation, the committee voted unanimously (9-0-0) to recommend that the community board support the renewal of the special permit. At its general meeting held on January 11, 2017, Community Board 2 voted 36 in favor, one opposed, no abstentions (36-1-0) to ratify the committee's recommendation.

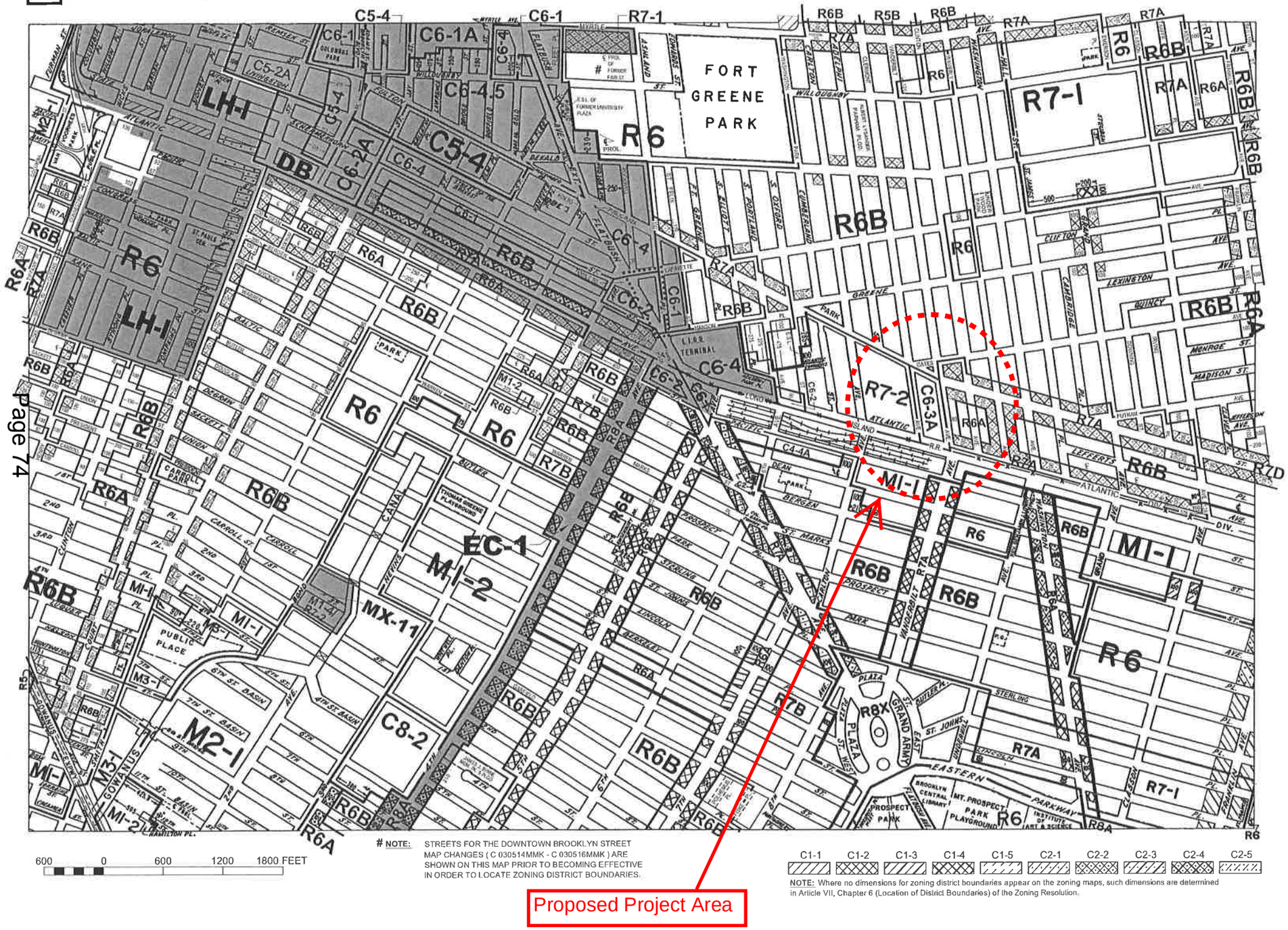
Thank you for the opportunity to comment.

Sincerely,

Shirley A. McRae

cc: Hon. Laurie Cumbo
New York City Council
Winston Von Engel, Brooklyn Borough Director
Calendar Information Office
Department of City Planning
Nick Hockens, Shareholder
Allison L. Curreri, Associate
Greenberg Traurig

Click blue box on map to view sketch map of **proposed** map change



600 0 600 1200 1800 FEET

NOTE: STREETS FOR THE DOWNTOWN BROOKLYN STREET MAP CHANGES (C 030514MMK - C 030516MMK) ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

06-17-2013 C 130116 ZMK

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

N

MAP KEY

12b	12d	13b
16a	**16c**	17a
16b	16d	17b

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ZONING MAP **16c**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

NYC Finance

NYC Digital Tax Map

Effective Date : 07-11-2011 15:57:08
End Date : Current

Brooklyn Block: 2009

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site Boundary

Area Map

470 Vanderbilt Avenue, Brooklyn
Block 2009, Lot 1

Project Information

- 600' Radius
- Development Site
- Project Area
- Zoning Districts

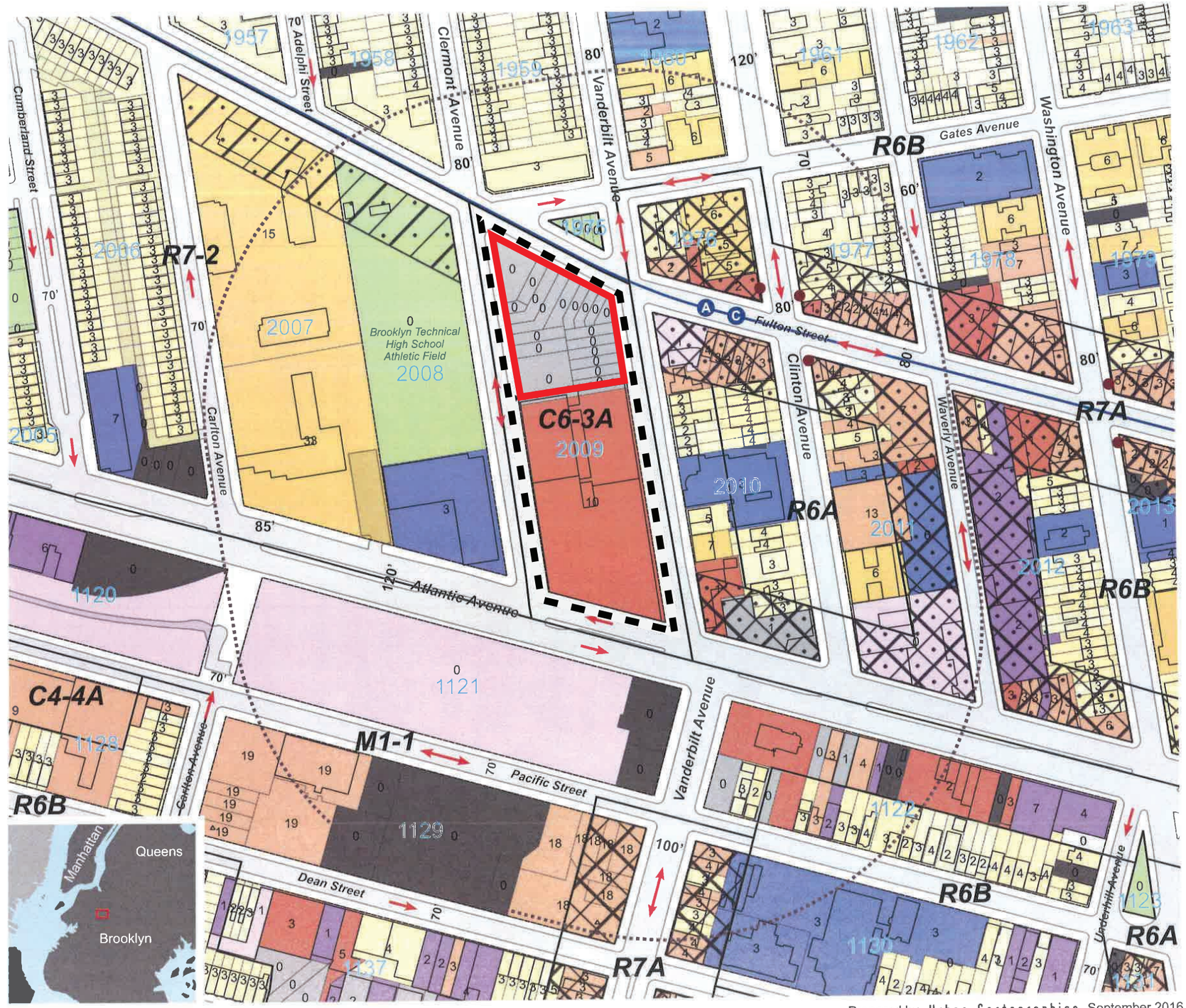
Existing Commercial Overlays

C1-1	C2-1
C1-2	C2-2
C1-3	C2-3
C1-4	C2-4
C1-5	C2-5

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other



North

0 200 400 600 Feet

Prepared by Urban Cartographics September 2016

470 Vanderbilt Avenue, Brooklyn, New York
September 27, 2016

11-43
Renewal of Authorization or Special Permit

Any authorization or special permit granted by the City Planning Commission, except one granted with a ten year lapse period, that would automatically lapse as set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) may be renewed without public hearing, for two additional three-year terms, provided that the Commission finds that the facts upon which the authorization or special permit was granted have not substantially changed. However, all special permits or authorizations granted by the Commission shall lapse after a total of ten years from the date of their original granting if substantial construction has not taken place at such time. An application for a renewal of authorization or special permit shall be filed with the Commission before it lapses.

The facts upon which the special permit was granted have not substantially changed. The findings required to be made by the Commission were, pursuant to Section 74-743(b), as follows:

74-743
Special provisions for bulk modification

*** * * * ***

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

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

Because there have been no significant changes to adjacent streets, surrounding development or adjacent open areas, and because DCP has determined that Revised Approved Plans are in substantial compliance with the original approval of the Special Permit, the Commission's conclusion regarding this finding would not change.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

Because DCP has determined that Revised Approved Plans are in substantial compliance with the original approval of the Special Permit and there have been no significant changes to buildings in the block or nearby blocks, the Commission's conclusion regarding this finding would not change.

(3) where a #zoning lot# of a #large-scale general development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;

Not applicable.

(4) considering the size of the proposed #large-scale general development#, the #streets# providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

Because DCP has determined that Revised Approved Plans are in substantial compliance with the original approval of the Special Permit, the Commission's conclusion regarding this finding would not change.

(5) when the Commission has determined that the #large-scale general development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;

Not applicable.

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #large-scale general development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

Not applicable.

(7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(5) of this Section or modification of the base and maximum #floor area ratios# or requirements regarding distribution of #affordable housing units# in accordance with paragraph (a)(8) of this Section, such modification will facilitate a desirable mix of #uses# in the #large-scale general development# and a plan consistent with the

objectives of the Inclusionary Housing Program and those of Section 74-74 (Large-Scale General Development) with respect to better site planning;

Not applicable.

(8) where the Commission permits portions of #buildings# containing #accessory# parking spaces to be excluded from the calculation of #lot coverage# in accordance with the provisions of paragraph (a)(9) of this Section, the exclusion of #lot coverage# will result in a better site plan and a better relationship among #buildings# and open areas than would be possible without such exclusion and therefore will benefit the residents of the #large-scale general development#; and

Not applicable.

(9) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

A form of restrictive declaration, which sets forth compliance with the ownership requirements in paragraph (b) of the definition of "general large-scale development" in Z.R. Section 12-10, was filed with the Commission and was executed and recorded prior to the approval of the application by the City Council as that certain Declaration of General Large-Scale Development, dated as of August 19, 2009 by Greenpoint Coldman SM LLC and Atara Vanderbilt, LLC.

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

TECHNICAL REVIEW DIVISION

Amanda M. Burden, FAICP, Director
Department of City Planning

November 4, 2009

Derek Lee, R.A.
Borough Commissioner
Department of Buildings
Municipal Building - 8th Floor
Brooklyn, New York 11201

Re: Applic. Nos. C 090443 ZSK, C 090441 ZMK and N 090442 ZRK
470 Vanderbilt Avenue
Block 2009, Lots 1, 19, 20, 23, 26, 31-44
C6-3A District
General Large-Scale Residential Development
Borough of Brooklyn
Community District 2

Dear Commissioner Lee:

Please be advised that the application (C 090443 ZSK) submitted by Atara Vanderbilt, LLC for the grant of a special permit pursuant to Section 74-743 (a) of the Zoning Resolution to modify the requirements of Section 23-145 (Residential buildings developed or enlarged pursuant to the Quality Housing Program), Section 23-852 (Inner court recess), and Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate a mixed use development on property at the above referenced location, within a General Large-Scale Residential Development, was approved by the City Planning Commission on August 19, 2009 (Cal. No. 27), and adopted by the City Council on September 30, 2009 (Res. No. 2214), on which date said Resolution of Approval became effective.

THE SPECIAL PERMT (C 090443 ZSK) HAS BEEN APPROVED SOLELY PURSUANT TO SECTION 74-743 (a) OF THE ZONING RESOLUTION, AND IS SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

Implementation of the proposal also requires the following related actions:

1. C 090441 ZMK – an application for an amendment to the Zoning Map by changing M1-1 District and R6/C2-3 Districts to a C6-3A District; and

Sotireos Voyages, R.A., Director
Irene Sadko, P.E., Deputy Director / Chief Engineer
22 Reade Street - Room 3N
New York, NY 10007-1216
(212) 720-3226 / FAX (212) 720-3244
www.nyc.gov/planning

2. N 090442 ZRK – an application for an amendment to the Zoning Resolution to apply the Inclusionary Housing Program to R 9A districts in Brooklyn Community District 2.

Applications C 090441 ZMK and N 090442 ZRK were approved by the City Planning Commission on August 19, 2009 (Cal. Nos. 25 and 26, respectively), and adopted by the City Council on September 30, 2009 (Res. Nos. 2212 and 2213, respectively) on which date said Resolutions of Approval became effective.

Enclosed for your information are the following:

1. a copy of applications C 090443 ZSK, C 090441 ZMK and N 090442 ZRK;

2. a copy of the City Planning Commission reports on applications C 090443 ZSK, C 090441 ZMK and N 090442 ZRK, dated August 19, 2009 (Cal. Nos. 27, 25 and 26, respectively);

3. a copy of City Council's Resolutions of Approval of applications C 090443 ZSK, C 090441 ZMK and N 090442 ZRK, dated September 30, 2009 (Res. Nos. 2214, 2212, and 2213, respectively);

4. a copy of the Declaration of General Large-Scale Development, dated August 19, 2009, executed by Greenpoint Goldman SM LLC and Atara Vanderbilt, LLC, and recorded in the New York County Office of the City Register on October 19, 2009; and

5. the following approved drawings prepared by Costas Kondylis and Partners LLP:

Dwg. No.	Title	Last Date Revised
Z-1	Site Plan	August 10, 2009
Z-2	Calculations	August 10, 2009
Z-5	Lot Coverage Base Plane Cal.	August 10, 2009
Z-6	Height and Setback Sections	August 10, 2009
Z-7	Height and Setback Sections	August 10, 2009

Sincerely,

Sotireos Voyages, R.A.

cc. I. Sadko
K. Ramnarine
P. Sperling
L. Whitson
F.Surrey
T. Smalls
Applicant

CITY PLANNING COMMISSION

August 19, 2009/Calendar No. 27 C 090443 ZSK

IN THE MATTER OF an application submitted by Atara Vanderbilt, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 (a) of the Zoning Resolution to modify the requirements of Section 23-145 (For residential buildings developed or enlarged pursuant to the Quality Housing Program), Section 23-852 (Inner court recess), and Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate a mixed-use development on property located at 470 Vanderbilt Avenue (Block 2009, Lots 1, 19, 20, 23, 26, 31-44), in a C6-3A District, within a General Large-Scale Development, Borough of Brooklyn, Community District 2.

This application for a Special Permit pursuant to Section 74-743 of the Zoning Resolution was submitted by Atara Vanderbilt, LLC on May 15, 2009, to facilitate the development of a new mixed-use building containing 376 dwelling units, 32,358 square feet of ground floor retail space, and the reuse and expansion of an existing 565,700 square foot loft building for commercial uses on Block 2009, bounded by Fulton Street, Vanderbilt Avenue, Clermont Avenue, and Atlantic Avenue in the Fort Greene neighborhood of Community District 2, Brooklyn.

RELATED ACTIONS

In addition to the special permit, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 090441 ZMK	Zoning map amendment changing an M1-1 district and an R6/C2-3 district to a C6-3A district.
N 090442 ZRK	Zoning text amendment to apply the Inclusionary Housing Program to R9A districts in Brooklyn Community District 2.

BACKGROUND

Atara Vanderbilt, LLC is seeking several actions to facilitate development of an approximately 376-unit residential building with ground floor retail and to allow the conversion and expansion of an existing 565,700 loft building on the block bounded by Vanderbilt Avenue, Atlantic Avenue, Clermont Avenue, and Fulton Street in the Fort Greene neighborhood of Community District 2, Brooklyn.

Site Description

The project site comprises a full city block, Block 2009, approximately 2.9 acres in size. The site contains a large loft building and an accessory surface parking lot. It is in an M1-1 zoning district and, within 100 feet of Fulton Street, an R6/C2-3 zoning district. The mostly vacant, seven to 10-story (94 feet to 135 feet,) 565,700 square-foot existing loft building is located on the southern portion of the block. The building was renovated to be used as a “server farm” to house computer network servers several years ago. However, it is currently mostly vacant, containing only limited telecommunications uses. The surface parking lot is at the north end of the block fronting Fulton Street.

The project site is surrounded by residential, institutional, commercial retail and transportation-related uses. Gateway Triangle, a 0.07-acre Department of Parks and Recreation community garden is located across Fulton Street from the site, North of Fulton Street are continuous blocks, zoned R6B, of well-maintained, four- and five-story brownstones, many of which are within the Fort Greene Historic District, as well as taller six- and seven-story apartment buildings. East of the project site, between Fulton Street and Atlantic Avenue, a mix of low- to mid-rise residential buildings are interspersed with institutional uses, zoned R7A. Along Fulton Street and Atlantic Avenue retail and auto-oriented uses predominate. All four streets bounding the site are two-way roadways and all four intersections at the corners of the project site are signalized. The Clinton-Washington Avenue stop for the C train is one block east of the project site on Fulton Street.

The area north and east of the site was rezoned in 2007 as part of the Fort Greene/Clinton Hill contextual rezoning, and the R7A district is an Inclusionary Housing-designated area, where inclusionary zoning provisions provide floor area incentives for the provision of affordable housing.

West of the site along Fulton Street, zoned R7-2/C2-3, are Public School 753, the Brooklyn School of Career Development and an athletic field related to Brooklyn Technical High School. One block further west are four residential towers, including the 31-story, 300-unit Housing Authority Atlantic Terminal development, and three 15-story residential buildings. South of the project site is the Long Island Rail Road's (LIRR) Vanderbilt Rail Yard, zoned M1-1, which is part of the planned site of the Empire State Development Corporation's (ESDC) mixed-use Atlantic Yards project.

Proposed Development

The applicant proposes to renovate and expand the existing building for commercial uses and to develop the surface parking lot with a new residential building with affordable housing, accessory parking and ground-floor retail. Renovation of the existing building would include converting much of the ground floor to retail use and the upper stories to office use. Existing inner courtyards on lower floors would be filled in to create efficient office floor plates, adding up to 18,500 square feet of commercial floor area to the building, for a total of approximately 584,000 square feet of commercial floor area.

On the surface parking lot at the north end of the block, the applicant proposes to develop a new mixed-use building with ground floor retail, below-grade accessory parking and up to 376 units of market-rate and affordable housing. The new building would contain approximately 328,000 square feet of floor area, of which up to 32,400 square feet is expected to be used for retail uses on the ground floor, and the balance of which would be used for the 376 residential units. Incentives for the development of affordable housing would be provided through the extension

of an already existing, adjacent Inclusionary Housing-designated area to the project site, being requested in the related application for a zoning text amendment (N 090442 ZRK).

The existing and new buildings combined would include 912,235 square feet or 7.13 FAR. The site would include 616,555 square feet of commercial floor area (4.82 FAR) and 295,680 square feet of residential floor area (2.31 FAR).

The new building would be designed to step down in height and scale toward the Fort Greene neighborhood to the north. Along Fulton Street, the new building would have a base height of six stories (69 feet 6 inches). After a ten-foot setback, the building's height would rise to 8 stories (91 feet) after a ten-foot setback. At the mid-block, adjacent to the existing building, the new building would have a base height of nine stories (102 feet) and, after setting back ten feet, would rise to 12 stories (133 feet). A north-south oriented inner court is proposed through the middle of the block above the first floor. Up to 397 accessory parking spaces would be located in a fully attended parking garage on two floors below the new building. The below-grade accessory parking would be accessed from Clermont and Vanderbilt avenues, both two-way streets, dispersing access to the site through four signalized intersections, and limiting traffic impacts. At-grade loading berths would be split between Clermont and Vanderbilt avenues, reducing impacts on each street.

PROPOSED ACTIONS

To facilitate the development of the proposed building, the following actions are requested:

Zoning Map Amendment (C 090441 ZMK)

The proposed action would rezone the block bounded by Fulton Street, Vanderbilt Avenue, Atlantic Avenue and Clermont Avenue from M1-1 and R6/C2-3 to C6-3A. The existing M1-1 zoning district permits a floor area ratio (FAR) of 1.0 for manufacturing, commercial, and limited community facility uses (Use Groups 4-14, 16 and 17). The R6/C2-3 district allows residential, community facility and commercial uses (Use Groups 1-8, 14) with a maximum FAR

of up to 2.43 for residential uses, 4.8 for community facility uses, and 2.0 for commercial uses. The optional Quality Housing program permits up to 3.0 FAR for residential uses with a height limit of 70 feet.

The proposed C6-3A district permits residential, commercial and community facility uses (Use Groups 1-12,) including larger retail stores than are permitted under the C2-3 district, but excludes the manufacturing uses permitted under the M1 district. With the related zoning text amendment (N 090442 ZRK) to include the block as part of an Inclusionary Housing designated area, the C6-3A district would allow a base FAR of 6.5 for residential uses, and up to a maximum FAR of 8.5 with the provision of permanently affordable housing. Community facility uses would be limited to and FAR of 7.52 and commercial uses would be limited to an FAR of 6.0. C6-3A zoning districts have a height limit of 145 feet, with a minimum base height of 60 and a maximum base height of 102 feet. At the base height, a 10-foot setback is required from the surrounding wide streets.

The proposed zoning district would reflect the height and scale of the existing building and accommodate the proposed project's heights, FAR and uses. The C6-3A district reflects the heights of the existing building, which ranges from 94 feet to 135 feet, and allows for the lower heights along Fulton Street including a base height of 69 feet 6 inches. The proposed district's FAR limits would allow an increase in commercial floor area that would permit expansions of the existing building to better facilitate commercial uses and would allow the development of retail uses along Fulton Street. The proposed zoning district would also allow the addition of residential uses on undeveloped portions of the block, that are currently prohibited by the existing M1-1 district.

Zoning Text Amendment (N 090442 ZRK)

The applicant is requesting an amendment to Zoning Resolution (Z.R.) Section 23-922(e) to extend an existing Inclusionary Housing designated area to include the project site, and an amendment to Section 23-144 to allow the floor area ratios permitted under the Inclusionary

Housing Program to apply in designated R9A districts in Brooklyn Community District 2. An existing Inclusionary Housing designated area that includes areas east of Vanderbilt Avenue, adjacent to the project site, was adopted in 2007 as part of the Fort Greene/Clinton Hill rezoning. The Inclusionary Housing Program permits a base residential FAR of 6.5 and a maximum residential FAR of 8.5 with the provision of permanently affordable housing in a C6-3A district. Under the Inclusionary Housing Program, 80 percent of residential floor area above the base FAR of 6.5 would be required to be permanently-affordable to households earning up to 80 percent of Area Median Income (AMI). Approximately 85 units are proposed to be provided as affordable housing pursuant to the Inclusionary Housing Program, which would equal more than 20 percent of the residential floor area on the site. Affordable units would meet all of the size and distribution requirements of the Inclusionary Housing Program.

Special Permit for Bulk Modifications (C 090443 ZSK)

The applicant is requesting a special permit pursuant to Section 74-743 for bulk modifications in order to allow greater flexibility in developing a site plan for the 2.9-acre block. The waivers are intended to allow a better site plan and design in response to an irregularly shaped block and to provide a better relationship among the existing building, the proposed new building and open areas; and, between the project and adjacent streets, surrounding development and adjacent open areas than would be possible without the requested relief.

The applicant requests modification of the residential lot coverage requirements of Section 23-145 to permit lot coverage to be distributed on the property without regard to interior or corner lot lines or district boundaries. The regulations allow a maximum 80 percent lot coverage on corner lots and 70 percent lot coverage on interior and through lots. The proposed building would cover 88 percent of the corner lot at Fulton Street and Vanderbilt Avenue. The lot coverage would be below the maximum permitted lot coverage on the through lot and the corner lot at Fulton Street and Clermont Avenue, and would be below the total lot coverage permitted for the three lots combined.

A modification of the inner court recess requirements is also requested. Section 23-852 requires that the width of an inner court recess be at least twice its depth. Portions of the irregularly-shaped inner court recess for the new building would have a width of less than twice its depth. The proposed inner court responds to the unusually-shaped site while allowing for an optimal residential floorplate. All legally required windows facing the inner court recess would be a minimum of 30 feet from facing walls.

The applicant is requesting modification of the streetwall location requirements of Sections 35-24 and 23-942(b) to permit portions of the street wall below the maximum base height to be located away from the street line and to permit the street wall of the new building to be located more than 15 feet from the intersection of Fulton Street and Clermont Avenue. The regulations require a streetwall up to the minimum base height along the entire street frontage, except within 15 feet of a corner. The applicant proposes setting the building back 38 feet from the corner of Clermont Avenue and Fulton Street in order to allow that corner to provide a wide enough entry to serve as the principal residential entry to the building. A series of four 3-foot deep and 24-foot wide setbacks are proposed along Vanderbilt Avenue (one setback), Fulton Street (two setbacks), and Clermont Avenue (one setback) in order to break up the length of the new building's façades. Finally, the applicants propose 10-feet deep and 27-feet wide setbacks where the new building meets the existing building along Vanderbilt and Clermont Avenues, in order to provide a clear visual break between the new and existing buildings. Entrances and exits to the parking garage would be located within the 10-foot deep setbacks.

ENVIRONMENTAL REVIEW

This application (C 090443 ZSK), in conjunction with the applications for the related actions (C 090441 ZMK and N 090442 ZRK), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. And the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91

of 1977. The designated CEQR number is 09DCP025K. The lead agency is the City Planning Commission.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 1, 2009. A revised Environmental Assessment Statement was prepared August 14th, 2009 to reflect the revisions to the project discussed below, and a revised Negative Declaration was issued on August 17th, 2009.

UNIFORM LAND USE REVIEW

This application (C 090443 ZSK), in conjunction with the applications for the related zoning map change application (C 090441 ZMK), was certified as complete by the Department of City Planning on June 1, 2009, and was duly referred to Community Board 2 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b), along with the related application for a zoning text amendment (N 090442 ZRK), which was referred to Community Board 2 and the Borough President in accordance with the procedures for non-ULURP matters.

Community Board Public Hearing

Community Board 2 held a public hearing on this application and the related applications (C 090441 ZMK and N 090442 ZRK) on June 10, 2009 and on that date by a vote of 38 to 0 adopted a resolution recommending approval of the applications.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on July 17, 2009 approving the application and its related applications (C 090441 ZMK and N 090442 ZRK) "subject to the condition that the affordable housing commitment of not less than 20 percent be adequately memorialized."

City Planning Commission Public Hearing

On July 1, 2009 (Calendar No. 8), the City Planning Commission scheduled July 22, 2009 for a public hearing on this application (C 090443 ZSK). The hearing was duly held on July 22, 2009 (Calendar No. 22), in conjunction with the public hearings on the applications for the related actions (C 090441 ZMK and N 09442 ZRK). There were 5 speakers in favor of the application, and none in opposition.

Speakers in favor included four representatives of the developer and the Councilmember for the 35th District.

The Councilmember for the 35th District testified that she supported the project because it would provide affordable housing, would provide an anchor for the business district along Fulton Street, would provide space for businesses and would provide needed and desired services to the Fort Greene and Clinton Hill neighborhoods.

The developer's representatives, including counsel and architects, described the proposed project, and discussed the design process and considerations that led to the current proposal. They noted that the proposed new building, with retail along Fulton Street, and plans for the existing building, including retail at the ground floor and active uses in the upper floors, will help to enliven a Fulton Street. The developer's representative mentioned that they are currently talking with two schools who are interested in locating in the existing building, replacing commercial floor area with community facility floor area. The developer's counsel noted that the proposed accessory parking garage would be used primarily as accessory parking for the businesses, residents, visitors and customers of the building, but that some use by the surrounding community would be allowed. The developer testified that they will seek to provide affordable housing in the project.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this Special Permit (C 090443 ZSK) for bulk modifications, in conjunction with the related applications for amendment of the Zoning Map (C 090441 ZMK), and amendment of the Zoning Resolution (N 090442 ZRK) as modified, is appropriate.

The Commission believes that the requested actions would facilitate the reuse of the existing, primarily-vacant loft building and the development of a new residential building with affordable housing on the block consistent with the scale of the existing building. The proposed C6-3A district would allow for a mixture of commercial and residential uses that would reflect and complement the uses in the surrounding area, and would help to fill in a gap in the retail corridor along Fulton Street.

The proposed zoning text amendment, which would designate the project site an "Inclusionary Housing Designated Area" by extending the program adopted for Fort Greene/Clinton Hill one block to the west, would encourage the creation of permanently affordable housing on the project site. The program allows a bonus of up to 33 percent of total floor area for new development which provides 20 percent of its floor area as affordable housing. This program is an effective tool for promoting affordable housing in conjunction with new developments and would result in up to 85 permanently affordable housing units to be included on the proposed project. The Commission notes that since the application was referred, the City Council, on July 29, 2009 adopted amendments to the Inclusionary Housing Program and the Commission has therefore modified the proposed zoning text amendment (N 090442 ZRK) to conform to text adopted by the City Council on July 29, 2009.

The Commission believes that the special permit to modify bulk regulations, is appropriate. The Commission believes that modifying the streetwall requirements for the new building would create greater visual relief and interest than a wall built to the street lot line for the length of the new building. The Commission also believes that the proposed relief from the inner court recess requirement and the proposed redistribution of residential lot coverage respond appropriately to the unusual shape of the site. The proposed inner court recess maintains a minimum 30 foot

distance between windows and opposite walls while reflecting the shape of the block and maintaining appropriate floorplates for residential uses. The proposed lot coverage modification allows for a distribution of lot coverage that provides a wider courtyard through the middle of the block and appropriate floorplates on the northeast corner of the block. Together, the bulk waivers allow for a design that responds to the existing building's height, but that steps down toward Fulton Street, providing for a better transition to the neighborhoods to the north and east than a building built to the C6-3A limits.

The Commission notes that a condition of its approval is that the applicant record a restrictive declaration against the property that would, among other things, require that any development with more than 6.5 FAR be built pursuant to the inclusionary housing program requirements and that the building height and setbacks approved under this special permit be maintained.

The Commission notes that the application was revised on August 10, 2009 to allow up to 60,000 square feet in the existing building to be used for public schools as a community facility use, a use that was not contemplated when the application was certified. These revisions do not affect the design or overall FAR of the development.

FINDINGS

The City Planning Commission hereby makes the following findings pursuant to Section 74-743 (Special provisions for bulk modifications) of the Zoning Resolution:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access

of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

(3) not applicable;

(4) considering the size of the proposed #general large-scale development#, the #streets# providing access to such #general large-scale development# will be adequate to handle traffic resulting therefrom;

(5) not applicable;

(6) not applicable;

(7) not applicable; and

(8) a declaration with regard to ownership requirements in paragraph (b) of the #general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the consideration and findings described in this report, the application by Atara Vanderbilt, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a) of the Zoning Resolution to modify the requirements of Section 23-145 (For residential buildings developed or enlarged pursuant to the Quality Housing Program), Section 23-852 (Inner court recess), and Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate a mixed use development on property located at 470 Vanderbilt Avenue (Block 2009, Lots 1, 19, 20, 23, 26, 31-44), in a C6-3A District, within a General Large-Scale Development, Borough of Brooklyn, Community District 2:

1. The property that is the subject of this application (C 090443 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Costas Kondylis and Partners LLP, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Date Revised
Z-1	Site Plan	August 10, 2009
Z-2	Calculations	August 10, 2009
Z-5	Lot Coverage Base Plane Cal.	August 10, 2009
Z-6	Height and Setback Sections	August 10, 2009
Z-7	Height and Setback Sections	August 10, 2009

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above that have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit 1, with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed by Greenpoint Goldman SM LLC and Atara Vanderbilt, LLC, and recorded in the Office of the City Register of the City of New York, County of Kings. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. In the event that the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

7. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

8. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

The above resolution (C 090443 ZSK), duly adopted by the City Planning Commission on August 19, 2009 (Calendar No. 27), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER,
IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA,
ALFRED C. CERULLO, III, RICHARD W. EADDY,
NATHAN LEVENTHAL, SHIRLEY A. MCRAE,
KAREN A. PHILLIPS, Commissioners

EXHIBIT 1

DECLARATION OF GENERAL LARGE-SCALE DEVELOPMENT

THIS DECLARATION, made as of this 19th of August, 2009 by GREENPOINT GOLDMAN SM LLC, a New York limited liability company having an address at 640 Fifth Avenue, New York, New York 10019 ("Greenpoint") and ATARA VANDERBILT, LLC, a Delaware limited liability company having an address c/o GFI Capital Resources Group, Inc., 50 Broadway, 4th Floor, New York, New York 10004 ("Atara" and collectively with Greenpoint, hereinafter referred to as "Declarants").

WITNESSETH:

WHEREAS, Greenpoint is the fee owner of certain real property located in the Borough of Brooklyn, City of New York, County of Kings and State of New York, designated for real property tax purposes as Block 2009, Lots 1, 19, 20, 23, 26, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42 and 43, which real property is more particularly described in Exhibit "A" annexed hereto and made a part hereof (the "Greenpoint Property"); and

WHEREAS, Atara is the ground lessee of the Greenpoint Property and the fee owner of certain real property located in the Borough of Brooklyn, City of New York, County of Kings and State of New York, designated for real property tax purposes as Block 2009, Lots 35, 36 and 44, which real property is more particularly described in Exhibit "A" (together with the Greenpoint Property, the "Subject Property"); and

WHEREAS, Declarants desire to improve the Subject Property as a "general large- scale development" (such proposed improvement of the Subject Property the "Large Scale Development Project") meeting the requirements of Section 12-10 (Definition) of the New York City Zoning Resolution (the "Zoning Resolution"), such Large Scale Development Project to consist of the renovation and enlargement of an existing 10-story commercial building (the

"Existing Building") and the development of a new 12-story mixed residential and ground floor retail building (the "New Building") on the Subject Property; and

WHEREAS, Declarants filed the following applications (collectively, the "Applications") with the New York City Department of City Planning (hereinafter "City Planning") to modify (i) residential lot coverage requirements to permit lot coverage to be distributed without regard to through or corner lot lines [§ 74-743 (a)(1)]; (ii) requirements regarding the permissible configuration of inner court recesses [§74-743 (a)(2)]; and (iii) street wall location requirements [§74-743 (a)(2)] (items i through iii collectively, the "Large Scale Special Permits") (090443ZSK) and related applications for a zoning map change (090441ZMK) and zoning text amendment (N090442ZRY); and

WHEREAS, to insure that the development of the Subject Property (i) is consistent with the analysis in the Environmental Assessment Statement ("EAS") issued for City Environmental Quality Review Application No. 09DCP081K pursuant to Executive Order No. 91 of 1977, as amended, and the regulations promulgated thereunder at 62 RCNY §5-01 et. seq. ("CEQR") and the State Environmental Quality Review Act, New York State Environmental Conservation Law §§ 8-0101 et seq. and the regulations promulgated thereunder at 6 NYCRR Part 617 ("SEQRA") and (ii) includes certain project components related to the environment which were material to the analysis of potential environmental impacts in the EAS ("PCREs"), Declarants have agreed to restrict the development, operation, use and maintenance of the Subject Property in certain respects, which restrictions are set forth in this Declaration; and

WHEREAS, Section 74-743(b)(8) of the Zoning Resolution requires that a declaration with regard to ownership requirements in paragraph (b) of the definition of "general large scale development" in Section 12-10 be filed with the New York City Planning Commission (the "CPC"); and

WHEREAS, First American Title Insurance Company of New York, Inc., has certified in a certification attached hereto as Exhibit "B" and made a part hereof, that as of March 2, 2009, Declarants and Canadian Imperial Bank of Commerce, acting through its New York Agency, as administrative agent and acting in its capacity for certain other lenders ("CIBC"), are the only parties in interest ("Parties in Interest") to the Subject Property as "Parties in Interest" as defined in subdivision (c) of the definition of "zoning lot" in Section 12-10 of the Zoning Resolution; and

WHEREAS, Declarants represent and warrant that the Parties in Interest listed in Exhibit B are the only known parties in interest to the Subject Property as of the date hereof; and

WHEREAS, all Parties in Interest to the Subject Property have either executed this Declaration or waived their rights to execute this Declaration by written instruments annexed hereto as Exhibit "B-1" and made a part hereof, which instruments are intended to be recorded simultaneously with this Declaration; and

WHEREAS, Declarants desire to restrict the manner in which the Subject Property is developed in the future, and intends these restrictions to benefit all the land, including land owned by the City, lying within a one-half-mile radius of the Subject Property.

NOW THEREFORE: Declarants hereby declare, covenant and agree as follows:

1. Development of the Subject Property.

(a) Declarants hereby declare and agree that, following the Effective Date (as defined in Section 6 hereof), the Subject Property shall be treated as a general large-scale development site and, if developed pursuant to the Large Scale Special Permits, shall be developed and enlarged as a single unit, and that (i) the maximum floor area ratio, as defined in Section 12-10 of the Zoning Resolution, shall not exceed the base floor area

ratio of 6.5, except that such the maximum floor area ratio may be further increased to 7.13 through the provision of lower income housing, pursuant to the provisions relating to Inclusionary Housing designated areas in Section 23-90 of the Zoning Resolution; (ii) the maximum street wall height and building height of the New Building shall not exceed the heights set forth in the Approved Plans (as hereinafter defined); (iii) the maximum number of accessory parking spaces shall not exceed 397; (iv) the maximum aggregate square footage of Use Group 6A, 6C, and 10A retail or service uses permitted on the Subject Property shall not exceed 113,604 square feet; and (v) no residential uses shall be permitted in the Existing Building.

(b) Notwithstanding anything to the contrary herein, in the event that the Subject Property is not developed pursuant to the Large Scale Special Permits, Declarants may develop the Subject Property as would be permitted pursuant to the C6-3A district, provided that (i) such development does not violate any regulation applicable within a C6-3A district; (ii) such development complies with the provisions of clauses (i) through (v) of Section 1(a) above, except that the envelope of any as-of-right building containing up to 12 stories with mixed residential and ground floor retail (hereinafter the "As-of-Right Building") may comply with the street wall location requirements of Z.R. Sections 35-24 and 23-942(b); and (iii) such development complies with the provisions of Section 3 below.

2. Development of Large Scale Development Site. If the Subject Property is developed in whole or part pursuant to the Large Scale Special Permits, Declarants covenant that the Subject Property shall be developed in substantial compliance with the following plans prepared by Costas Kondylis and Partners LLP, approved as part of the Large Scale Special Permits and annexed hereto in Exhibit "C" and made a part hereof (the "Approved Plans"):

Sheet No.	Title	Date
Z-1	Site Plan	08/10/2009
Z-2	Calculations	08/10/2009
Z-5	Lot Coverage / Base Plane Calculation	08/10/2009
Z-6	Height and Setback Sections	08/10/2009
Z-7	Height and Setback Sections	08/10/2009

3. Project Components Related to the Environment.

Declarants shall undertake the PCREs set forth in this Section 3 for (i) development under the Large Scale Special Permits; and (ii) any development permitted on an 'as of right' basis under the provisions of the Zoning Resolution, subject to Section 1(b) hereof.

(a) Noise Attenuation. The New Building or any As-of-Right Building constructed on the Subject Property shall include both well-sealed double-glazed windows and an alternate means of ventilation (i.e., through-wall air conditioner sleeves or central air conditioning) in order to provide noise attenuation that meets or exceeds the values shown in Table 1 below. The Existing Building shall also meet or exceed the attenuation specified in Table 1 by using an alternate means of ventilation (i.e., through-wall air conditioner sleeves or central air conditioning).

Table 1

Noise Attenuation Requirements (in dBA)

Building	Use	Façade	Minimum Required Building Attenuation
Existing Building	Commercial	South	30
	Commercial	West	20*
	Commercial	East	30
	Commercial	North	25
	Community Facility	South	35
	Community Facility	West	30
	Community Facility	East	35
	Community Facility	North	30
New Building or As-of- Right Building	Residential	West	25**
	Residential	East	35
	Residential	North	30
	Commercial	West	20
	Commercial	East	30
	Commercial	North	25

* To be increased to 25 dBA in the event the Existing Building is occupied by any Community Facility uses.

** To be increased to 30 dBA in the event the Existing Building is occupied by any Community Facility uses.

(b) Air Quality. The HVAC system serving the Existing Building shall burn natural gas exclusively. If the Existing Building is occupied only by commercial uses its exhaust stack or stacks shall be located a minimum of 115 feet from the New Building or any As-of-Right Building. If the Existing Building is occupied by community facility uses its exhaust stack or

stacks shall be located a minimum of 120 feet from the New Building or any As-of-Right Building. In either case, no air intakes or operable windows shall be located along the western and southern facades of the portion of the Existing Building that is above such exhaust stack or stacks as shown on the diagrams attached as Exhibit "D".

(c) Certification of Compliance. Declarants shall provide certifications of compliance with the PCREs set forth in this Section 3 made by a licensed professional engineer or registered architect (i) with respect to the Existing Building only, concurrently with the execution of this Declaration ("Initial Certification of Compliance") in the form attached as Exhibit "E" and (ii) with respect to the Existing Building and the New Building or any As-of-Right Building, upon completion of construction on the Subject Property ("Final Certification of Compliance") in the form attached as Exhibit "F". In addition, prior to the change in the use of any portion of the Existing Building to a Use Group 3A community facility school and/or daycare facility, Declarants shall provide a certification of compliance ("Use Group 3A Certification of Compliance") in the form attached as Exhibit "G". Declarants shall provide the City or its designated representative reasonable access to the Subject Property for the purpose of verifying compliance. If, based on such verification, the City reasonably determines that the certification provided by Declarants is materially deficient or inaccurate, Declarants shall meet and confer with the City to establish and implement remedial measures to ensure adequate compliance.

(d) Declarants shall neither request nor accept a Temporary Certificate of Occupancy nor a Certificate of Occupancy for (i) any initial change in use in the Existing Building, (ii) any change in use in any portion of the Existing Building to a Use Group 3A school or daycare facility and (iii) any residential units in the New Building or an As-of-Right Building, until the Chairperson of the CPC certifies to the New York City Department of Buildings that an Initial Certification of Compliance, Use Group 3A Certification of Compliance or Final Certification of Compliance, as applicable, acceptable to the City has been provided to the City pursuant to Section (3)(c).

(e) Inconsistency with the EAS. If this Declaration inadvertently fails to include a PCRE set forth in the EAS, such PCRE shall be deemed incorporated in this Section 3 by reference. If there is any inconsistency between a PCRE as set forth in the EAS and as incorporated

in this Declaration, the more restrictive provision shall be applicable. For certainty, PCREs related to remediation of hazardous materials on the Subject Property are set forth in that certain Declaration, dated as of May 26, 2009, by Declarants, and shall not be deemed to be incorporated herein pursuant to this Section 3(e).

4. Representation. Declarants hereby represent and warrant that there is no restriction of record on the development, enlargement, or use of the Subject Property, nor any present or presently existing estate or interest in the Subject Property, nor any existing lien, obligation, covenant, easement, limitation or encumbrance of any kind that shall preclude the restriction and obligation to develop and enlarge the Subject Property as a general large-scale development as set forth herein.

5. Binding Effect. The restrictions, covenants, rights and agreements set forth in this Declaration shall be binding upon Declarants and any successor or assign of Declarants; provided that the Declaration shall be binding on any Declarants only for the period during which such Declarants, or any successor or assign thereof, is the holder of an interest in the Subject Property. At such time as a Declarants or any successor to Declarants no longer holds an interest in the Subject Property, such Declarants or such successor's obligations under this Declaration shall wholly cease and terminate and the party succeeding such Declarants or such successor shall assume the obligations of Declarants pursuant to this Declaration with respect to actions or matters occurring subsequent to the date such party assumes an interest in the Subject Property. For purposes of this Declaration, any successor to a Declarant shall be deemed a Declarant for such time as such successor holds all or any portion of any interest in the Subject Property.

6. Effective Date. This Declaration and the provisions and covenants hereof shall become effective upon the New York City Council's approval of the Applications pursuant to the New York City Charter ("Effective Date"). Prior to the approval of the Applications by the City

Council, Declarants shall deliver to City Planning duplicate originals of the executed Declaration.

7. Recordation. Declarants shall file and record this Declaration in the Office of the City Register of the City of New York (the "Register's Office"), indexing it against the Subject Property within five (5) business days of the Effective Date (such date, the "Recording Date"). Declarants shall promptly provide to the Chairperson of the CPC a copy of the Declaration as recorded, so certified by the City Register. If Declarants fail to so record this Declaration by the Recording Date, CPC may record a duplicate original of this Declaration, but all costs of recording, whether undertaken by Declarants or by CPC, shall be borne by Declarants.

8. Notice. All notices, demands, requests, consents, approvals, and other communications (each, a "Notice") which may be or are permitted, desirable, or required to be given under this Declaration shall be in writing and shall be sent or delivered as follows:

(i) if to Declarants:
to the addresses at the commencement of this Declaration;

with a copy to:
Greenberg Traurig, LLP
200 Park Avenue
New York, New York 10166
Attention: Jay A. Segal, Esq.;

and to:
Paul, Weiss, Rifkind, Wharton & Garrisson LLP
1285 Avenue of the Americas

New York, New York 10019
Attention: Steven Simkin, Esq.;

(ii) if to CPC:
New York City Planning Commission
22 Reade Street
New York, New York 10007
Attention: Chairperson;

with a copy to:
the general counsel of CPC at the same address;

(iii) if to CIBC:
Canadian Imperial Bank of Commerce
200 West Madison
Suite 2610
Chicago, Illinois 60606
Attention: US Loan Services;

with a copy to:
Winston & Strawn LLP
200 Park Avenue
New York, New York 10166
Attention: Ross A. Honig, Esq.;

(iv) if to a Party in Interest other than Declarants or CIBC:
at the address provided in writing to CPC in accordance with this Section 8.

Declarants, CPC and any Party in Interest may by notice provided in accordance with this Section 8, change any name or address for purposes of this Declaration. In order to be deemed effective any Notice shall be sent or delivered in at least one of the following manners: (A) sent by registered or certified mail, postage pre-paid, return receipt requested, in which case the Notice shall be deemed delivered for all purposes hereunder five days after being actually mailed; (B) sent by overnight courier service, in which case the Notice shall be deemed delivered for all purposes hereunder on the date the Notice was actually received or was refused; or (C) delivered by hand, in which case the Notice will be deemed delivered for all purposes hereunder on the date the Notice was actually received. All Notices from CPC to Declarants shall also be sent to every mortgagee of whom CPC has notice, and no Notice shall be deemed properly given to Declarants without such notice to such mortgagee(s). In the event that there is more than one Declarant at any time, any Notice from the City or the CPC shall be provided to all Declarants of whom CPC has notice.

9. Defaults and Remedies.

(a) Declarants acknowledge that the restrictions, covenants, and obligations of this Declaration will protect the value and desirability of the Subject Property, as well as benefit the City. If Declarants fail to perform any of Declarants' obligations under this Declaration, the City shall have the right, subject to Sections 9(c) and 9(d) hereof, to enforce this Declaration against Declarants and exercise any administrative legal or equitable remedy available to the City, and Declarants hereby consent to same; provided that this Declaration shall not be deemed to diminish Declarants's or any other Party in Interest's right to exercise any and all administrative, legal, or equitable remedies otherwise available to it. Declarants also acknowledge that the remedies set forth in this Declaration are not exclusive and that the City and any agency thereof may pursue other remedies not specifically set forth herein including, but not limited to, a mandatory injunction compelling Declarants to comply with the terms of this Declaration and a revocation by the City of any certificate of occupancy, temporary or permanent, for any portion of a development on the Subject Property to which the failure to perform applies.

(b) Notwithstanding any provision of this Declaration, only Declarants, and Declarants' successors and assigns and the City, acting through CPC, shall be entitled to enforce or assert any claim arising out of or in connection with this Declaration. Nothing contained herein should be construed or deemed to allow any other person or entity to have any interest in or right of enforcement of any provision of this Declaration or any document or instrument executed or delivered in connection with the Applications.

(c) Prior to the City instituting any proceeding to enforce the terms or conditions of this Declaration due to any alleged violation hereof, the City shall give Declarants twenty (20) business days written notice of such alleged violation, during which period Declarants shall have the opportunity to effect a cure of such alleged violation or to demonstrate to the City why the alleged violation has not occurred. If Declarants commence to effect such cure within such twenty (20) day period (or if cure is not capable of being commenced within such twenty (20) day period, Declarants commence to effect such cure when such commencement is reasonably possible), and thereafter proceeds diligently toward the effectuation of such cure, the aforesaid twenty (20) day period (as such may be extended in accordance with the preceding clause) shall be extended for so long as Declarants continue to proceed diligently with the effectuation of such cure. In the event that more than one Declarant exists at any time on the Subject Property, notice shall be provided to all Declarants from whom the City has received notice in accordance with Section 8 hereof, and the right to cure shall apply equally to all Declarants.

(d) If Declarants fail to observe any of the terms or conditions of this Declaration, and Declarants fail to cure such violation within the applicable grace period provided in Section 9(c) above, then, upon the expiration of such cure period, prior to institution by the City of any action or proceeding against Declarants, every Party in Interest to this Agreement or future Party in Interest which has given written notice of its name and interest in accordance with Section 8 hereof, shall be given twenty (20) days written notice of such alleged violation by the City, during which period each Party in Interest shall have the opportunity to effect such cure. If any Party in Interest commences to effect a cure during such twenty (20) day period and thereafter proceeds diligently to complete the effectuation of such cure, such cure period

shall be extended for so long as any Party in Interest continues to proceed diligently toward such cure. If a Party in Interest performs any obligation or effects any cure Declarants are required to perform or cure pursuant to this Declaration, such performance or cure shall be deemed performance on behalf of Declarants and shall be accepted by any person or entity benefited hereunder, including CPC and the City, as if performed by Declarants.

(e) If, after due notice and opportunity to cure as set forth in this Declaration, Declarants, or a Party in Interest shall fail to cure the alleged violation, the City may exercise any and all of its rights, including without limitation those delineated in this Section 9 and may disapprove any amendment, modification or cancellation of this Declaration on the sole ground that Declarants are in default of a material obligation under this Declaration.

10. Applications.

Declarants shall include a copy of this Declaration with any application made to Buildings as required for a foundation, new building, alteration, or other permit (a "Permit") for (i) any portion of the Large Scale Development Project built pursuant to the Large Scale Special Permits; or (ii) development permitted on an 'as of right' basis in accordance with Section 1(b). Nothing in this Declaration, including but not limited to the declaration and covenant made in Section 1 hereof to develop and enlarge the Subject Property as a single unit, shall be construed to prohibit or preclude Declarants from filing for and constructing, or Buildings from issuing, any permit for all or any portion of the Large Scale Development Project, in such phase or order as Declarants see fit in Declarants' discretion, provided that Sections 2 and 3 of this Declaration are fully complied with in connection therewith.

11. Amendment, Modification and Cancellation.

(a) This Declaration may be amended, cancelled, or modified only upon approval of the CPC after application by Declarants, and no other approval shall be required from any other public body, private person, or legal entity of any kind. Notwithstanding anything herein to the contrary, Declarants shall neither seek nor accept an amendment or modification to this

Declaration without the prior written consent of CIBC, for so long as it is a Party in Interest in the Subject Property, or any subsequent holder of a first mortgage on the Subject Property.

(b) Notwithstanding anything to the contrary contained in Section 11 (a) hereof, the Chair of CPC may by its express written consent administratively approve modifications or amendments to this Declaration that, in the sole judgment of the Chair, are determined by the Chair to be minor amendments or modifications of this Declaration, and such minor modifications and amendments shall not require the approval of CPC or from any other public body, private person, or legal entity of any kind.

(c) This Declaration and its obligations and agreements are in contemplation of Declarants receiving approvals or modified approvals of the Applications. In the event that (i) the Declarants withdraw the Applications before a final determination, (ii) the Applications are not approved or (iii) such approvals are set aside in a final, non-appealable judgment rendered by a court of competent jurisdiction (or are set aside and no appeal is taken within the period allowed), the obligations and agreements pursuant to this Declaration shall have no force and effect and this Declaration shall be cancelled.

12. Severability. In the event that any of the provisions of the Declaration shall be deemed, decreed, adjudged, or determined to be invalid or unlawful by a court of competent jurisdiction, such provision shall be severable and the remainder of this Declaration shall continue to be in full force and effect.

13. Default and Attorneys' Fees. If Declarants are found by a court of competent jurisdiction to have been in default in the performance of its obligations under this Declaration, and such finding is upheld on final appeal or the time for further review of such finding or appeal by a court of by other proceedings has lapsed, Declarants shall indemnify and hold harmless the City and the CPC from and against all reasonable legal and administrative expenses arising out of or in connection with the enforcement of Declarants' obligations under this Declaration.

14. Applicable Law. This Declaration shall be governed and construed by the laws of the State of New York, without regard to principles of conflicts of law.

15. Counterparts. This Declaration may be executed in counterparts, each of which shall be deemed to be an original.

IN WITNESS WHEREOF, the undersigned has executed this Declaration this _____ day of_____, 2009.

GREENPOINT GOLDMAN SM LLC
a limited liability company

By: Name:_____
Title: _____

ATARA VANDERBILT, LLC
a limited liability company

By: Name:_____
Title: _____

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK
COUNTY OF _____

On the_____day of_____in the year 2009 before me, the undersigned, personally appeared_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Signature and Office of individual taking acknowledgment

STATE OF NEW YORK
COUNTY OF _____

On the_____day of_____in the year 2009 before me, the undersigned, personally appeared_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Signature and Office of individual taking acknowledgment

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Description of Block 2009, Lots 1, 19, 20, 23, 26, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42 and 43

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Northeasterly side of Atlantic Avenue with, the Westerly side of Vanderbilt Avenue;

RUNNING THENCE Northerly along the Westerly side of Vanderbilt Avenue, 453 feet 2 inches;

THENCE Westerly at right angles to Vanderbilt Avenue, 100 feet;

THENCE Northerly parallel with Vanderbilt Avenue, 20 feet;

THENCE Easterly at right angles to Vanderbilt Avenue, 100 feet to the Westerly side of Vanderbilt Avenue;

THENCE Northerly along the Westerly side of Vanderbilt Avenue, 137 feet 7 inches to the comer formed by the Intersection of the Southwesterly side of Fulton Street and the Westerly side of Vanderbilt Avenue;

THENCE Westerly along the Southwesterly side of Fulton Street, 30 feet 1 inch;

THENCE Southerly at right angles to Fulton Street, 60 feet 4 inches;

THENCE Southerly parallel with Vanderbilt Avenue, 11 feet 10 inches;

THENCE Westerly at right angles to Vanderbilt Avenue, 40 feet;

THENCE Northerly parallel with Vanderbilt Avenue, 25 feet;

THENCE Northerly at right angles to Fulton Street, 73 feet 5-1/2 inches to the Southwesterly side of Fulton Street;

THENCE Westerly along the Southwesterly side of Fulton Street, 178 feet 3-3/4 inches to the corner formed by the intersection of the Southwesterly side of Fulton Street and the Easterly side of Clermont Avenue;

THENCE Southerly along the Easterly side of Clermont Avenue, 669 feet 1 inch to the corner formed by the intersection of the Easterly side of Clermont Avenue and the Northeasterly side of Atlantic Avenue;

THENCE Southeasterly along the Northeasterly side of Atlantic Avenue, 218 feet 11 inches to the corner, the point or place of BEGINNING.

Premises known as: 456-470 Vanderbilt Avenue a/k/a Atlantic Avenue a/k/a 810-836 Fulton Street, Brooklyn.

Description of Block 2009, Lots 35 & 36

BEGINNING at a point on the southerly side of Fulton Street 30 feet 1 inch westerly from the corner formed by the intersection of the southerly side of Fulton Street and the westerly side of Vanderbilt Avenue;

RUNNING THENCE southerly at right angles to Fulton Street 60 feet 4 inches;

THENCE southerly parallel with Vanderbilt Avenue 11 feet 10 inches;

THENCE westerly at right angles to Vanderbilt Avenue 40 feet;

THENCE northerly parallel with Vanderbilt Avenue 25 feet;

THENCE northerly at right angles to Fulton Street 73 feet 5½ inches to the southwesterly side of Fulton Street;

THENCE easterly along the southerly side of Fulton Street 40 feet to the point or place of BEGINNING.

Description of Block 2009, Lot 44

BEGINNING at a point on the westerly side of Vanderbilt Avenue 137 feet 7 inches southerly from the corner formed by the intersection of the westerly side of Vanderbilt Avenue and the southerly side of Fulton Street;

RUNNING THENCE southerly along the westerly side of Vanderbilt Avenue 20 feet;

THENCE westerly at right angles to Vanderbilt Avenue 100 feet;

THENCE northerly parallel with Vanderbilt Avenue 20 feet;

THENCE easterly at right angles to Vanderbilt Avenue 100 feet to the westerly side of Vanderbilt Avenue to the point or place of BEGINNING.

EXHIBIT B

CERTIFICATION OF “PARTIES-IN-INTEREST”

(attached behind)

EXHIBIT B-1

WAIVER OF EXECUTION OF DECLARATION OF GENERAL LARGE-SCALE DEVELOPMENT AND SUBORDINATION OF MORTGAGE

WAIVER OF EXECUTION OF DECLARATION OF GENERAL LARGE-SCALE DEVELOMPENT AND SUBORDINATION OF MORTGAGE, made this_____day of _____, 2009 by Canadian Imperial Bank of Commerce, acting through its New York agency, as administrative agent and acting in its capacity for certain other lenders (collectively, the "Mortgagee"), having an office at 200 West Madison, Suite 2610, Chicago, Illinois 60606, Attn. US Loan Services, as assignee.

W I T N E S S E T H :

WHEREAS, the Mortgagee is the lawful holder of that certain Project Loan Fee and Leasehold Mortgage, Assignment of Leases and Rents and Security Instrument, dated November 13, 2007 (the "Project Loan Mortgage") made by Atara Vanderbilt, LLC, a Delaware limited liability company (the "Mortgagor"), in favor of the Mortgagee, in the original principal amount of $23,640,000.00, recorded in the Office of the Register/Clerk of the City of New York, County of Kings, on January 15, 2008 as City Register File No. (CFRN) 2008000019688; and

WHEREAS, the Mortgagee is also the lawful holder of that certain Amended, Restated and Consolidated Acquisition Fee and Leasehold Mortgage, Assignment of Leases and Rents and Security Instrument, dated November 13, 2007 (the "Acquisition Loan Mortgage" and collectively with the Project Loan Mortgage, the "Mortgage")) made by the Mortgagor in favor of the Mortgagee, in the original principal amount of $24,000,000.00, recorded in the Office of the Register/Clerk of the City of New York, County of Kings, on January 15, 2008 as City Register File No. (CFRN) 2008000019687; and

WHEREAS, the Mortgage encumbers all or a portion of the property (the "Premises") known as Block 2009, Lot(s) 1, 19, 20, 23, 26, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 on the Tax Map of the City of New York, County of Kings, and more particularly described in **Schedule A** attached hereto and made a part hereof, and any improvements thereon (such improvements and the Premises are collectively referred to herein as the "Subject Property"), which Subject Property is the subject of a Declaration of General Large-Scale Development, dated_____, 2009 (the "Declaration"), made by Greenpoint Goldman SM LLC and Mortgagor; and

WHEREAS, Mortgagee represents that the Mortgage, together with certain related fixture filings and assignments of leases and rents, represents its sole interest in the Subject Property; and

WHEREAS, the Declaration, which is intended to be recorded in the Office of said Register/Clerk simultaneously with the recording hereof, shall subject the Subject Property and the sale, conveyance, transfer, assignment, lease, occupancy, mortgage and encumbrance thereof to certain restrictions, covenants, obligations, easements and agreements contained in the Declaration; and

WHEREAS, the Mortgagee agrees, at the request of the Mortgagor, to waive its right to execute the Declaration and to subordinate the Mortgage to the Declaration.

NOW, THEREFORE, the Mortgagee (i) hereby waives any rights it has to execute, and consents to the execution by the Mortgagor of, the Declaration and (ii) hereby agrees that the Mortgage, any liens, operations and effects thereof, and any extensions, renewals, modifications and consolidations of the Mortgage, shall in all respects be subject and subordinate to the terms and provisions of the Declaration.

This Waiver of Execution of Declaration of General Large-Scale Development and Subordination of Mortgage shall be binding upon the Mortgagee and its heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the Mortgagee has duly executed this Waiver of Execution of Declaration of General Large-Scale Development and Subordination of Mortgage as of the date and year first above written.

MORTGAGEE:

CANADIAN IMPERIAL BANK OF COMMERCE, New York Agency, as Agent for Certain Lenders

By: Name:
Title:

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK
COUNTY OF _____

On the_____day of_____in the year 2009 before me, the undersigned personally appeared_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Signature and Office of individual taking acknowledgment

SCHEDULE A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Description of Block 2009, Lots 1, 19, 20, 23, 26, 31, 32, 33, 34, 37, 38, 39, 40, 41, 42 and 43

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the Northeasterly side of Atlantic Avenue with, the Westerly side of Vanderbilt Avenue;

RUNNING THENCE Northerly along the Westerly side of Vanderbilt Avenue, 453 feet 2 inches;

THENCE Westerly at right angles to Vanderbilt Avenue, 100 feet;

THENCE Northerly parallel with Vanderbilt Avenue, 20 feet;

THENCE Easterly at right angles to Vanderbilt Avenue, 100 feet to the Westerly side of Vanderbilt Avenue;

THENCE Northerly along the Westerly side of Vanderbilt Avenue, 137 feet 7 inches to the comer formed by the Intersection of the Southwesterly side of Fulton Street and the Westerly side of Vanderbilt Avenue;

THENCE Westerly along the Southwesterly side of Fulton Street, 30 feet 1 inch;

THENCE Southerly at right angles to Fulton Street, 60 feet 4 inches;

THENCE Southerly parallel with Vanderbilt Avenue, 11 feet 10 inches;

THENCE Westerly at right angles to Vanderbilt Avenue, 40 feet;

THENCE Northerly parallel with Vanderbilt Avenue, 25 feet;

THENCE Northerly at right angles to Fulton Street, 73 feet 5-1/2 inches to the Southwesterly side of Fulton Street;

THENCE Westerly along the Southwesterly side of Fulton Street, 178 feet 3-3/4 inches to the corner formed by the intersection of the Southwesterly side of Fulton Street and the Easterly side of Clermont Avenue;

THENCE Southerly along the Easterly side of Clermont Avenue, 669 feet 1 inch to the corner formed by the intersection of the Easterly side of Clermont Avenue and the Northeasterly side of Atlantic Avenue;

THENCE Southeasterly along the Northeasterly side of Atlantic Avenue, 218 feet 11 inches to the corner, the point or place of BEGINNING.

Premises known as: 456-470 Vanderbilt Avenue a/k/a Atlantic Avenue a/k/a 810-836 Fulton Street, Brooklyn.

Description of Block 2009, Lots 35 & 36

BEGINNING at a point on the southerly side of Fulton Street 30 feet 1 inch westerly from the corner formed by the intersection of the southerly side of Fulton Street and the westerly side of Vanderbilt Avenue;

RUNNING THENCE southerly at right angles to Fulton Street 60 feet 4 inches;

THENCE southerly parallel with Vanderbilt Avenue 11 feet 10 inches;

THENCE westerly at right angles to Vanderbilt Avenue 40 feet;

THENCE northerly parallel with Vanderbilt Avenue 25 feet;

THENCE northerly at right angles to Fulton Street 73 feet 5½ inches to the southwesterly side of Fulton Street;

THENCE easterly along the southerly side of Fulton Street 40 feet to the point or place of BEGINNING.

Description of Block 2009, Lot 44

BEGINNING at a point on the westerly side of Vanderbilt Avenue 137 feet 7 inches southerly from the corner formed by the intersection of the westerly side of Vanderbilt Avenue and the southerly side of Fulton Street;

RUNNING THENCE southerly along the westerly side of Vanderbilt Avenue 20 feet;

THENCE westerly at right angles to Vanderbilt Avenue 100 feet;

THENCE northerly parallel with Vanderbilt Avenue 20 feet;

THENCE easterly at right angles to Vanderbilt Avenue 100 feet to the westerly side of Vanderbilt Avenue to the point or place of BEGINNING.

EXHIBIT C

APPROVED PLANS

(attached behind)

EXHIBIT D

RESTRICTED FACADES

(attached behind)

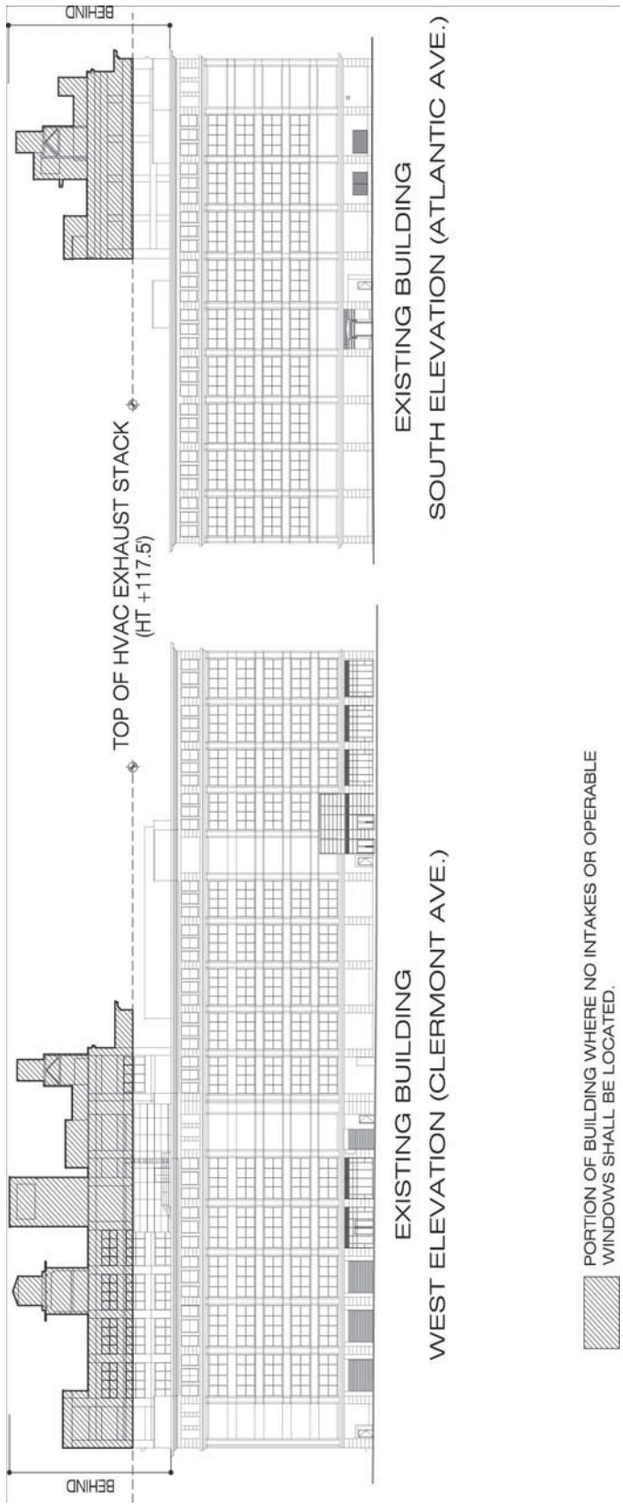

BEHIND
TOP OF HVAC EXHAUST STACK
(HT +117.5)
EXISTING BUILDING
WEST ELEVATION (CLERMONT AVE.)
EXISTING BUILDING
SOUTH ELEVATION (ATLANTIC AVE.)
BEHIND
PORTION OF BUILDING WHERE NO INTAKES OR OPERABLE
WINDOWS SHALL BE LOCATED.

EXHIBIT E

INITIAL CERTIFICIATION OF COMPLIANCE

[On Licensed Profession Engineer's / Architect's Letterhead]

_____ __, 20__

Hon. Amanda Burden
Chair
New York City Planning Commission
22 Reade Street
New York, New York 10007

Re: Initial Certification of Compliance
470 Vanderbilt Avenue, Brooklyn, New York

Dear Chair Burden:

Reference is made to that certain Declaration of General Large Scale Development, dated as of _____, 2009 (the "Declaration"), by Greenpoint Goldman SM LLC and Atara Vanderbilt, LLC. Capitalized terms used but not defined herein shall have the respective meanings set forth in the Declaration.

Pursuant to Section 3(c) of the Declaration, the undersigned, a [licensed professional engineer] [registered architect], does hereby certify that:

1. The Existing Building meets the attenuation specified in the table below by using an alternate means of ventilation (i.e., through-wall air conditioner sleeves or central air conditioning).

Table 1
Noise Attenuation Requirements (in dBA)

Building	Use	Façade	Minimum Required Building Attenuation
Existing Building	Commercial	South	30
	Commercial	West	20
	Commercial	East	30
	Commercial	North	25

2. The HVAC system serving the Existing Building burns natural gas exclusively. No air intakes or operable windows are located along the western and southern facades of the portion of the Existing Building shown on the diagrams attached as Exhibit "D" to the Declaration.

Sincerely,

[ENGINEER / ARCHITECT]

By:_ Name:
Title:

cc: Keith Beck
Steven Hurwitz
Jay A. Segal, Esq.

EXHIBIT F

FINAL CERTIFICIATION OF COMPLIANCE

[On Licensed Profession Engineer's / Architect's Letterhead]

_____ __, 20__

Hon. Amanda Burden
Chair
New York City Planning Commission
22 Reade Street
New York, New York 10007

Re: Final Certification of Compliance
470 Vanderbilt Avenue, Brooklyn, New York

Dear Chair Burden:

Reference is made to that certain Declaration of General Large Scale Development, dated as of _____, 2009 (the "Declaration"), by Greenpoint Goldman SM LLC and Atara Vanderbilt, LLC. Capitalized terms used but not defined herein shall have the respective meanings set forth in the Declaration.

Pursuant to Section 3(c) of the Declaration, the undersigned, a [licensed professional engineer] [registered architect], does hereby certify that:

1) The [New Building] [As-of-Right Building] includes both well-sealed double-glazed windows and an alternate means of ventilation (i.e., [through-wall air conditioner sleeves] [central air conditioning]) and provides noise attenuation that meets the values shown below. The Existing Building meets the attenuation specified below by using an alternate means of ventilation (i.e., [through-wall air conditioner sleeves] [central air conditioning]).

Table 1
Noise Attenuation Requirements (in dBA)

Building	Use	Façade	Minimum Required Building Attenuation
Existing Building	Commercial	South	30
	Commercial	West	20*
	Commercial	East	30
	Commercial	North	25
	Community Facility	South	35
	Community Facility	West	30
	Community Facility	East	35
	Community Facility	North	30
New Building or As-of- Right Building	Residential	West	25**
	Residential	East	35
	Residential	North	30
	Commercial	West	20
	Commercial	East	30
	Commercial	North	25

* To be increased to 25 dBA in the event the Existing Building is occupied by any Community Facility uses.

**To be increased to 30 dBA in the event the Existing Building is occupied by any Community Facility uses.

2) The HVAC system serving the Existing Building burns natural gas exclusively. The Existing Building's exhaust stack or stacks are located a minimum of [115][120] feet from the [New Building] [As-of-Right Building]. No air intakes or operable windows are located along the

western and southern facades of the portion of the Existing Building shown on the diagrams attached as Exhibit “D” to the Declaration.

Sincerely,

[ENGINEER / ARCHITECT]

By:_ Name:
Title:

cc: Keith Beck
Steven Hurwitz
Jay A. Segal, Esq.

EXHIBIT G

USE GROUP 3A CERTIFICIATION OF COMPLIANCE

[On Licensed Profession Engineer's / Architect's Letterhead]

_____ __, 20__

Hon. Amanda Burden
Chair
New York City Planning Commission
22 Reade Street
New York, New York 10007

Re: Use Group 3A Certification of Compliance
470 Vanderbilt Avenue, Brooklyn, New York

Dear Chair Burden:

Reference is made to that certain Declaration of General Large Scale Development, dated as of _____, 2009 (the "Declaration"), by Greenpoint Goldman SM LLC and Atara Vanderbilt, LLC. Capitalized terms used but not defined herein shall have the respective meanings set forth in the Declaration.

Pursuant to Section 3(c) of the Declaration, the undersigned, a [licensed professional engineer] [registered architect], does hereby certify that the Existing Building provides noise attenuation that meets the values shown below by using [an alternate means of ventilation (i.e., [through-wall air conditioner sleeves] [central air conditioning]) [well-sealed double-glazed windows].

Table 1
Noise Attenuation Requirements (in dBA)

Building	Use	Façade	Minimum Required Building Attenuation
Existing Building	Commercial	South	30
	Commercial	West	20*
	Commercial	East	30
	Commercial	North	25
	Community Facility	South	35
	Community Facility	West	30
	Community Facility	East	35
	Community Facility	North	30
New Building or As-of- Right Building	Residential	West	25**
	Residential	East	35
	Residential	North	30
	Commercial	West	20
	Commercial	East	30
	Commercial	North	25

* To be increased to 25 dBA in the event the Existing Building is occupied by any Community Facility uses.

**To be increased to 30 dBA in the event the Existing Building is occupied by any Community Facility uses.

Sincerely,

[ENGINEER / ARCHITECT]

By:_ Name:
Title:

cc: Keith Beck
Steven Hurwitz
Jay A. Segal, Esq.

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

TECHNICAL REVIEW DIVISION

Carl Weisbrod, Director
Department of City Planning

September 17, 2015

Ira Gluckman, R.A.
Senior Borough Commissioner
Department of Buildings
210 Joralemon Street - 8th Floor
Brooklyn, New York 11201

Re: Applic. Nos. C 090443 ZSK, C 090441 ZMK and N 090442 ZRK
470 Vanderbilt Avenue
Block 2009, Lots 1, 19, 20, 23, 26, 31-44
C6-3A District
General Large-Scale Residential Development
Borough of Brooklyn
Community District 2

Dear Commissioner Gluckman:

On November 4, 2009, the Department of Buildings was advised that the application (C 090443 ZSK) submitted by Atara Vanderbilt, LLC for the grant of a special permit pursuant to Section 74-743 (a) of the Zoning Resolution to modify the requirements of Section 23-145 (Residential buildings developed or enlarged pursuant to the Quality Housing Program), Section 23-852 (Inner court recess), and Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) to facilitate a mixed use development on property at the above referenced location, within a General Large-Scale Residential Development, was approved by the City Planning Commission on August 19, 2009 (Cal. No. 27), and adopted by the City Council on September 30, 2009 (Res. No. 2214), on which date said Resolution of Approval became effective.

THE SPECIAL PERMT (C 090443 ZSK) HAS BEEN APPROVED SOLELY PURSUANT TO SECTION 74-743 (a) OF THE ZONING RESOLUTION, AND IS SUBJECT TO VERIFICATION BY THE DEPARTMENT OF BUILDINGS FOR COMPLIANCE WITH ALL OTHER APPLICABLE PROVISIONS OF THE ZONING RESOLUTION.

Implementation of the proposal also requires the following related actions:

1. C 090441 ZMK – an application for an amendment to the Zoning Map by changing M1-1 District and R6/C2-3 Districts to a C6-3A District; and

James Miraglia, Director
Irene Sadko, P.E., Deputy Director / Chief Engineer
22 Reade Street - Room 3N
New York, NY 10007-1216
(212) 720-3226 / FAX (212) 720-3244
www.nyc.gov/planning

2. N 090442 ZRK – an application for an amendment to the Zoning Resolution to apply the Inclusionary Housing Program to R9A districts in Brooklyn Community District 2.

Applications C 090441 ZMK and N 090442 ZRK were approved by the City Planning Commission on August 19, 2009 (Cal. Nos. 25 and 26, respectively), and adopted by the City Council on September 30, 2009 (Res. Nos. 2212 and 2213, respectively) on which date said Resolutions of Approval became effective.

Presently, the Department of City Planning has received the following revised plans prepared by Aufgang Architects LLC:

Dwg. No.	Title	Last Date Revised
Z-1	Site Plan	07/16/ 2015
Z-2	Calculations	07/16/ 2015
Z-5	Lot Coverage Base Plane Calc's	12/06/ 2013

These revised plans reflect the following changes:

1. an increase in the total floor area permitted on the Zoning Lot from 912,235 square feet ('sf') to 912,244 sf.

2. an increase in the total residential floor area permitted in the New Building from 295,680 sf to 295,689 sf and increase in the total floor area permitted in the New Building from 328,038 sf to 328,047 sf.

3. a reduction in the total number of dwelling units in the New Building from 376 to 363.

4. a reduction in the number of affordable housing units to be provided in the New Building pursuant to the provisions of the Inclusionary Housing Program under ZR Section 23-90 et. seq. from 85 to 73. Note that the owner intends to provide fewer, larger affordable housing units while still providing the total amount of affordable floor area required under the provisions of the Inclusionary Housing Program.

5. a reduction in the number of off-street parking spaces accessory to residential uses in the New Building from 397 spaces on two (2) below-grade floors to 135 spaces on one (1) below-grade floor. The 135 spaces proposed are the minimum required to be provided in a C6-3A district pursuant to ZR Sections 25-23 and 25-25: 290 market- rate units x 40% = 116 spaces, plus 73 affordable units x 25% = 19 spaces.

6. the elimination of a second accessory garage exit/entrance on Vanderbilt Avenue. The exit/entrance and curb cut will be used instead to access an accessory off-street loading berth serving retail uses in the New Building.

7. flexibility to increase the amount of Use Group 6A and Use Group 6C retail service uses to be provided on the ground floor of the New Building from 32,358 sf to up to 32,900 sf; however, the total amount of floor area on the Zoning Lot utilized for Use Group 6A, Use Group 6C and Use Group 10 retail service uses would not exceed 113,604 sf, which is the maximum permitted under Section 1(a) of the Declaration.

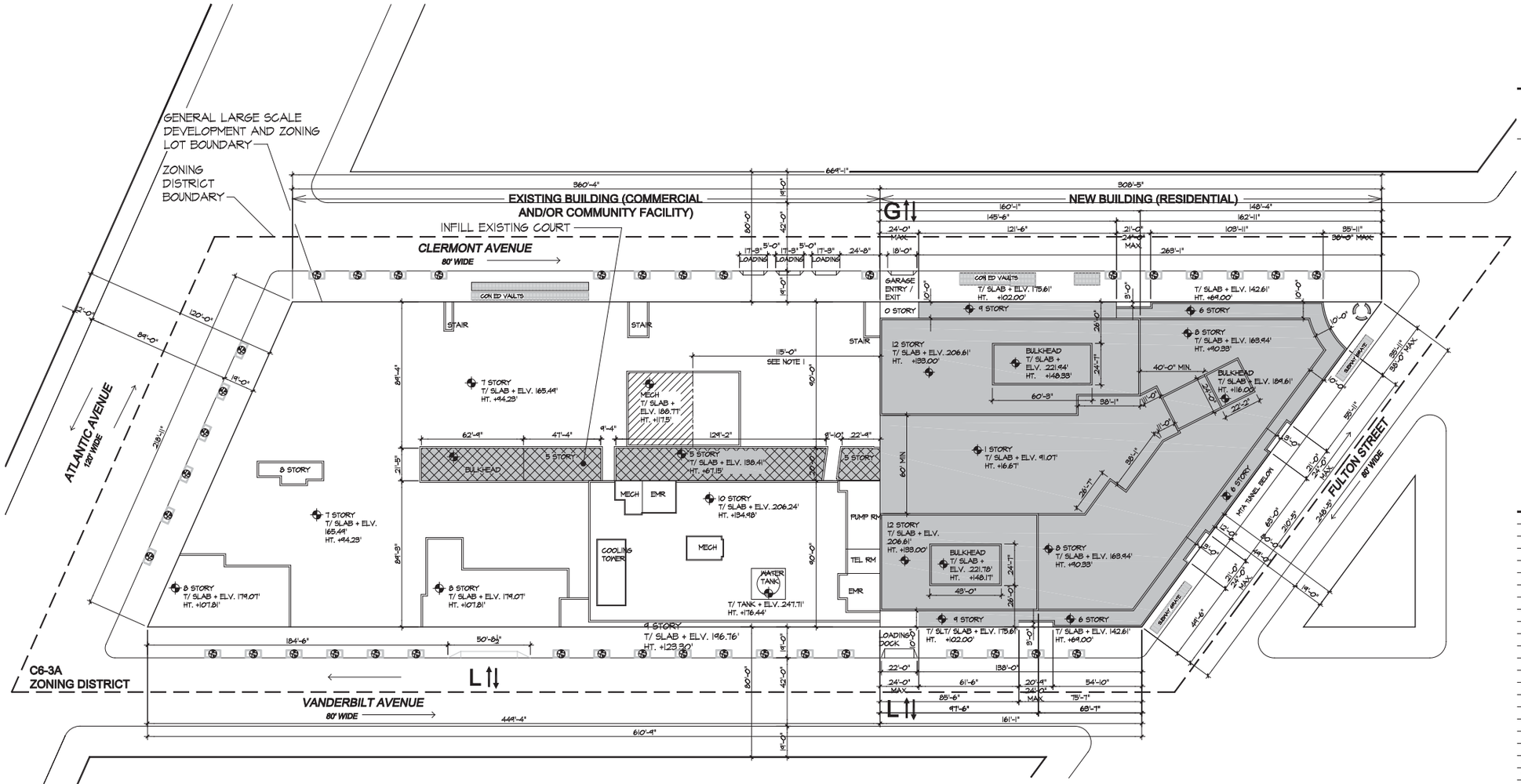
The Department of City Planning has reviewed these changes and has determined that these revised plans are in substantial compliance with the approval of the original special permit (C 090443 ZSK).

Enclosed for your information is a copy of the plans listed above.

Sincerely,

James Miraglia

cc. I. Sadko
K. Ramnarine
J. Harris
J. Merani
H. Marcus
M. Rachel
A. McCabe
A. Sommer
W. Von Engel
Applicant



LEGEND:

- EXISTING BUILDING
- COURT INFILL
- NEW BUILDING
- AREA FOR PLACEMENT OF HVAC STACK EXHAUSTS AT 7TH STORY ROOF OF EXISTING BUILDING
- L — LOADING BERTH
- G — GARAGE ENTRY/EXIT

NOTE:
EXISTING BUILDING HTS. MEASURED ABOVE BASE PLANE ELEV. 71.26
NEW BUILDING HTS. MEASURED ABOVE BASE PLANE ELEV. 73.61
ELEVS. ARE ABOVE BROOKLYN DATUM

NOTE 1:
115' DIMENSION TO BE INCREASED TO 120' IN THE EVENT THAT ANY COMMUNITY FACILITY IS INCLUDED IN THE EXISTING BUILDING (OPTION 11)

NO OPERABLE WINDOWS OR AIR INTAKES ARE PERMITTED ABOVE A HEIGHT OF 117.5' (ELEVATION OF 188.77') ALONG THE WEST AND SOUTH FACADES OF THE EXISTING BUILDING AND NO OPENINGS IN THE HVAC STACK ARE PERMITTED BELOW THAT HEIGHT.

SITE PLAN

SCALE : 1" = 30'-0"

NOISE ATTENUATION NOTE:

BASED ON EXISTING NOISE LEVELS, WINDOW WALL ATTENUATION WILL BE PROVIDED AS NOTED IN THE NOISE ATTENUATION REQUIREMENTS CHART. THE WINDOW WALL ATTENUATION WILL INCLUDE THE USE OF WELL SEALED DOUBLE GLAZED WINDOWS AND AN APPROPRIATE MEANS OF ALTERNATE VENTILATION TO PROVIDE THE ABOVE LISTED LEVEL OF WINDOW WALL ATTENUATION, THUS ACHIEVING AN INTERIOR NOISE LEVEL OF 45 dba OR LOWER.

NOISE ATTENUATION REQUIREMENTS CHART (IN dba)

BUILDING	USE	FACADE	MIN. REQUIRED BUILDING ATTENTUATION
EXISTING BUILDING	COMMERCIAL	SOUTH	30
	COMMERCIAL	WEST	20*
	COMMERCIAL	EAST	30
	COMMERCIAL	NORTH	25
	COMMUNITY FACILITY	SOUTH	35
	COMMUNITY FACILITY	WEST	30
	COMMUNITY FACILITY	EAST	35
	COMMUNITY FACILITY	NORTH	30
NEW BUILDING OR AS-OF-RIGHT BUILDING	RESIDENTIAL	WEST	25**
	RESIDENTIAL	EAST	35
	RESIDENTIAL	NORTH	30
	COMMERCIAL	WEST	20
	COMMERCIAL	EAST	30
	COMMERCIAL	NORTH	25

* TO BE INCREASED TO 25 DBA IF ANY COMMUNITY FACILITY USE IS INCLUDED IN THE EXISTING BUILDING (OPTION 11)

** TO BE INCREASED TO 30 DBA IF ANY COMMUNITY FACILITY USE IS INCLUDED IN THE EXISTING BUILDING (OPTION 11)

PROPOSED NEW DEVELOPMENT FOR:

810 FULTON STREET

810 FULTON STREET
BROOKLYN, NEW YORK

BLOCK: 2009 LOT: 18 - 20, 23, 26, 31 - 44

ARCHITECT:
AUFGANG ARCHITECTS LLC
49 NORTH AIRMONT RD.
SUFFERN, NY
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:
AZARA RESIDENTIAL, LLC
50 BROADWAY
NEW YORK, NY 10004

STRUCTURAL ENGINEER:
Goldstein Associates Consulting Engineers, P.C.
31 West 27th Street,
New York, NY 10001
Tel. 212.545.7575
Fax. 212.545.8222

MEP ENGINEER:
Ettinger Engineering Associates
Consulting Engineers
505 Eighth Avenue
New York, NY 10001
Tel. 212.244.2410
Fax. 212.244.1606

AUFGANG ARCHITECTS

DATE	SUBMISSIONS / REVISIONS
07-16-15	REVISED / RE-ISSUED TO CPC
05-26-15	RE-ISSUED TO CPC

SHEET TITLE:

SITE PLAN

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REGISTERED ARCHITECT ARIEL AUFGANG 032789 STATE OF NEW YORK

ISSUE DATE: 05-18-15 PROJECT NO: #1428
DRAWN BY: SV CHECKED BY: SV
SCALE: NTS SHEET NO: ORDER
DRAWING NO: Z-1
NYC DOB NUMBER: 320597083

ZONING CALCULATIONS

Applicable Section

Map 16c 1 Zoning Districts
M1-1, R6/C2-3 EXISTING
C6-3A PROPOSED
Inclusionary Housing Designated Area (IHDA)

2 Lot Area

C6-3A IHDA
127,984 SF

22-00
32-00 3 Uses Permitted

C6-3A IHDA: Use Groups 1-12

4 Uses Proposed

Option 1 Use Group 2 - Residential
C6-3A: Use Group 6 or 10 - Retail / Service
Use Group 6 - Office

Option 2 Use Group 2 - Residential
C6-3A: Use Group 6 or 10 - Retail / Service
Use Group 6 - Office
Use Group 3 - School / Daycare
Use Group 9 - trade school

23-011
35-011 5 FAR
New building to be developed pursuant to the Quality Housing Program

23-145
23-942
33-123
33-123
35-23
35-31 A. FAR Permitted
Basic FAR

	C6-3A IHDA
Commercial	6.0
Residential Base	*6.5
Residential Max	*8.5
Community Facility	7.5
Maximum	*8.5

*INCLUSIONARY HOUSING DESIGNATED AREA

B. Floor Area permitted

	C6-3A IHDA
Commercial	767,904 SF
Residential Base	831,896 SF
Residential Max	1,087,864 SF
Community Facility	959,880 SF
Maximum	1,087,864 SF

6 A. Floor Area Proposed by Use

Option 1

		C6-3A
Commercial	Existing Building	584,197 SF
	New Building	32,358 SF
	Total	616,555 SF
Residential	Existing Building	SF
	New Building	295,689 SF
	Total	295,689 SF
Combined	Existing Building	584,197 SF
	New Building	328,047 SF
	Total	912,244 SF

Option 2

		C6-3A
Commercial	Existing Building	524,197 SF
	New Building	32,358 SF
	Total	556,555 SF
Residential	Existing Building	SF
	New Building	295,689 SF
	Total	295,689 SF
Community Facility	Existing Building	60,000 SF
	New Building	SF
	Total	60,000 SF
Combined	Existing Building	584,197 SF
	New Building	328,047 SF
	Total	912,244 SF

B. Inclusionary Housing Required

Total proposed FA	912,244 SF
Permitted residential base FA	831,896 SF
FA above base	80,348 SF
80% of FA above base	80,348 SF
	0.80
Affordable housing required	64,278 SF

7 Dwelling Units Permitted

C6-3A (R9A equivalent)

23-22 A. Dwelling Unit Factor: 740 SF/unit

B. Residential FA provided 295,689 SF

C. 295,689 / 740 = 399 Units Permitted

8 Dwelling Units Provided
363
Complies

23-145 9 Lot Coverage (Residential)

Total residential lot coverage on zoning lot to comply.
Location of lot coverage does not comply.
Waiver requested under special permit ZR 74-74
See drawing Z-5.

23-47
23-53
33-28 10 Yard Regulations

No rear yard or rear yard equivalent required for zoning. Lot occupying an entire block.

23-85 11 Court Regulations

Proposed inner court recess does not comply. Waiver requested under SPecial Permit ZR 74-74. See drawing Z-5.

35-24 12 Height and Setback / Street Wall Location

A. All streets are wide
Min. base = 60'
Max. base = 102'
Max. building height = 145'
Min. setback above base = 10'

New building complies

B. Street wall location does not comply:
Waiver requested under Special Permit ZR 74-74

See Drawing Z-6 and Z-7

36-30
36-331 13 Off-Street Parking Regulations

Accessory parking Required.

25-23
25-25 A. Residential accessory parking required
1. C6-3A IHDA
290 Market Rate units x 40% = 116 Spaces
73 affordable units x 25% = 19 Spaces
Total 135 Spaces

B. Commercial Use:
None required for uses in PRC A, C, and B1 (retail and trade school)
Use group 6B office None Required

C. Community Facility Use:
None required for use group 3 (school)

Total Parking Required: 135 Accessory Spaces

D. Permitted accessory parking
(in addition to required parking)

36-12 Maximum for Quality Housing development
200 Cars

E. Proposed
135 Accessory

36-62 14 Required Off-Street Loading
New and converted commercial floor area

C6-3A IHDA

A. Retail / Service / Trade School

0-25,000 SF	0 berth
25,000 - 40,000 SF	1 berth
40,000 - 100,000 SF	1 berth
Each additional 100,000 SF	1 berth

Option 1

New retail floor area provided
113,604 SF requires 3 berths

Option 2

Provide up to 199,999 SF of Retail/Service/Trade Schl.
Requires 3 berths

B. Office Use

0-100,000 SF	0 berth
100,000 - 300,000 SF	1 berth
300,000 - 600,000 SF	1 berth

New office floor area provided
Option 1 - 529,695 SF requires 2 berths
Option 2 - 429,695 SF requires 2 berths

C. Community Facility Use:
Community Facility and School use None Required

Total berths required: (Option 1 or 2) 5
Total berths provided: 5

D. Loading provided (Option 1 or 2)
2 berths (office use)
3 berths (retail / service / trade school)

26-41 15 Street tree planting

Required
One Tree per 25' of the Zoning lot frontage
1,747.16' / 25 = 70 trees
To be plated on site and/or in alternative location as required.

PROPOSED NEW DEVELOPMENT FOR:
810 FULTON STREET
810 FULTON STREET
BROOKLYN, NEW YORK
BLOCK: 2009 LOT: 18 - 20, 23, 26, 31 - 44

ARCHITECT:
AUFGANG ARCHITECTS LLC
49 NORTH AIRMONT RD.
SUFFERN, NY
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:
ATARA RESIDENTIAL, LLC
50 BROADWAY
NEW YORK, NY 10004

STRUCTURAL ENGINEER:
Goldstein Associates Consulting Engineers, P.C.
31 West 27th Street.
New York, NY 10001
Tel. 212.545.7575
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MEP ENGINEER:
Ettinger Engineering Associates
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505 Eighth Avenue
New York, NY 10001
Tel. 212.244.2410
Fax. 212.244.1606

AUFGANG ARCHITECTS

DATE	SUBMISSIONS / REVISIONS
07-16-15	REVISED / RE-ISSUED TO CPC
05-26-15	RE-ISSUED TO CPC

SHEET TITLE:

CALCULATIONS

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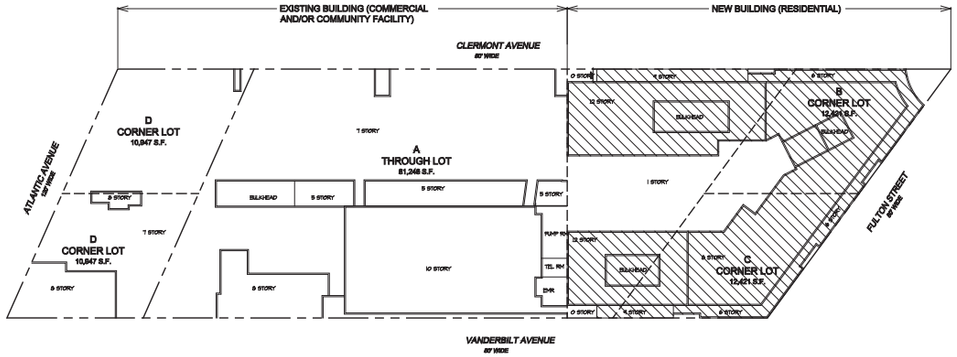
REGISTERED ARCHITECT ARIEL AUFGANG 022789 STATE OF NEW YORK

ISSUE DATE:	PROJECT NO:
05-18-15	#1428
DRAWN BY: SV	CHECKED BY: SV
SCALE: NTS	SHEET NO: ORDER

DRAWING NO: Z-2

NYC DOB NUMBER: 320597083



LOT COVERAGE

SCALE : 1" = 50'-0"

N

PROPOSED RESIDENTIAL COVERAGE - R9A EQUIVALENT ZONE

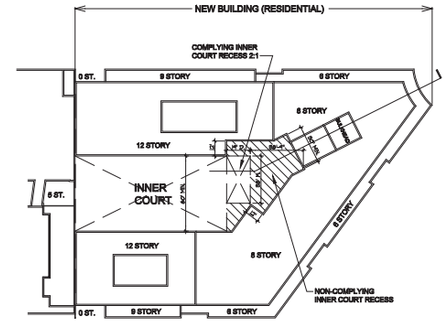
COVERAGE	LOT AREA	PERCENTAGE	PERMITTED LOT COVERAGE	PROVIDED LOT
THROUGH LOT A:	81,248 SF	70%	56,874 SF	14,564 SF
CORNER LOT B:	12,421 SF	80%	9,937 SF	9,632 SF
CORNER LOT C:	12,421 SF	80%	9,937 SF	10,931 SF
*				
CORNER LOT D:	10,947 SF	80%	8,758 SF	-
CORNER LOT E:	10,947 SF	80%	8,758 SF	-
TOTAL	127,984 SF		94,264 SF	35,127 SF

* DOES NOT COMPLY
LOT COVERAGE TO BE REDISTRIBUTED BY SPECIAL PERMIT ZR 74-74

NOTE:

COVERAGE BETWEEN AREAS A, B, AND C MAY VARY SLIGHTLY HOWEVER TOTAL AMOUNT NOT TO EXCEED 35,394 SF.

RESIDENTIAL LOT COVERAGE



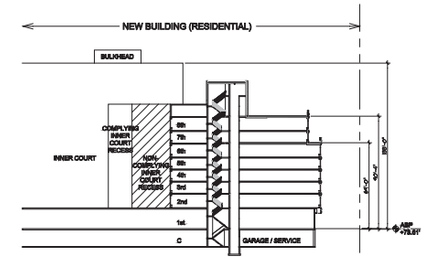
NOTE:

INNER COURT RECESS ZR 23-852 REQUIRED:
W = 2xD MIN.
PROVIDED DOES NOT COMPLY.

COURT RECESS

SCALE : 1" = 50'-0"

N



COURT RECESS - SECTION

SCALE : 1" = 50'-0"

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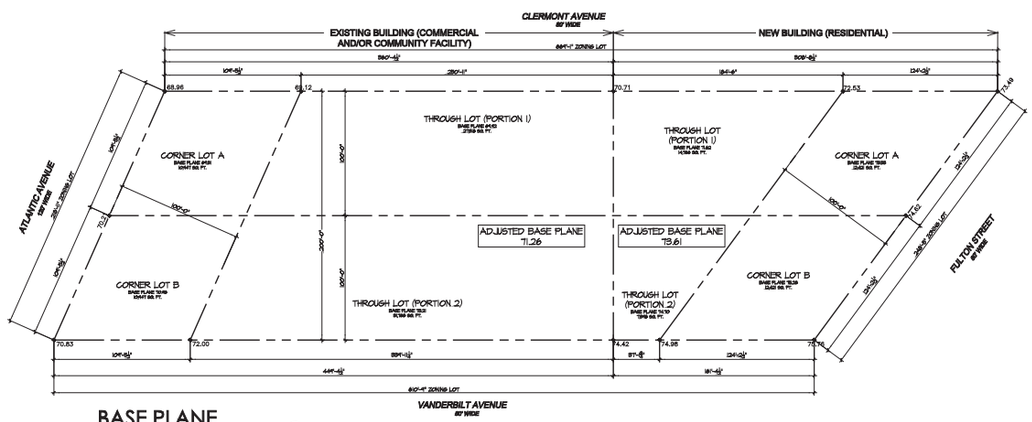

BASE PLANE

SCALE : 1" = 50'-0"

N

EXISTING BUILDING
BASE PLANE CALCULATIONS

1. STREET WALL LINE LEVEL

CORNER LOT A: $\frac{\frac{(70.21 + 68.96)}{2} + \frac{(68.96 + 69.12)}{2}}{2} = 69.31$

CORNER LOT B: $\frac{\frac{(72.00 + 70.83)}{2} + \frac{(70.83 + 70.21)}{2}}{2} = 70.97$

THROUGH LOT (PORTION 1) $\frac{(69.12 + 70.71)}{2} = 69.92$

THROUGH LOT (PORTION 2) $\frac{(72.00 + 74.42)}{2} = 73.21$

2. ADJUSTED BASE PLANE CALCULATION

	LOT AREA PERCENTAGE	LOT COVERAGE
CORNER LOT A:	10,946 SF. 13.52%	10,946 SF.
CORNER LOT B:	10,946 SF. 13.52%	10,946 SF.
THROUGH LOT (PORTION 1)	27,313 SF. 33.73%	27,313 SF.
THROUGH LOT (PORTION 2)	31,764 SF. 39.23%	31,764 SF.
CORNER/THROUGH LOTS		
CORNER LOT A:	69.31 X 13.52%	9.37
CORNER LOT B:	70.96 X 13.52%	9.59
THROUGH LOT (PORTION 1)	69.96 X 33.73%	23.58
THROUGH LOT (PORTION 2)	73.21 X 39.23%	28.72
ADJUSTED BASE PLANE	9.37 + 9.59 + 23.58 + 28.72 = 71.26	
ADJUSTED BASE PLANE	71.26	

NEW BUILDING
BASE PLANE CALCULATIONS

1. STREET WALL LINE LEVEL

CORNER LOT A: $\frac{\frac{(72.53 + 73.49)}{2} + \frac{(73.49 + 74.62)}{2}}{2} = 73.53$

CORNER LOT B: $\frac{\frac{(74.62 + 75.76)}{2} + \frac{(75.76 + 74.96)}{2}}{2} = 75.28$

THROUGH LOT (PORTION 1) $\frac{(70.71 + 72.53)}{2} = 71.62$

THROUGH LOT (PORTION 2) $\frac{(74.42 + 74.98)}{2} = 74.70$

2. ADJUSTED BASE PLANE CALCULATION

	LOT AREA PERCENTAGE	LOT COVERAGE
CORNER LOT A:	12,421 SF. 27.39%	9,695 SF.
CORNER LOT B:	12,421 SF. 31.01%	10,974 SF.
THROUGH LOT (PORTION 1)	14,770 SF. 29.90%	10,582 SF.
THROUGH LOT (PORTION 2)	7,401 SF. 11.69 %	4,137 SF.
CORNER/THROUGH LOTS		
CORNER LOT A:	73.53 X 27.39%	20.13
CORNER LOT B:	75.28 X 31.01%	23.34
THROUGH LOT (PORTION 1)	71.62 X 29.90%	21.41
THROUGH LOT (PORTION 2)	74.70 X 11.69%	8.73
ADJUSTED BASE PLANE	20.13 + 23.34 + 21.41 + 8.73 = 73.61	
ADJUSTED BASE PLANE	73.61	

PROPOSED NEW DEVELOPMENT FOR:

810 FULTON STREET

810 FULTON STREET
BROOKLYN, NEW YORK

BLOCK: 2009 LOT: 18 - 20, 23, 26, 31 - 44

ARCHITECT:
AUFGANG ARCHITECTS LLC
49 NORTH AIRMONT RD.
SUFFERN, NY
INFO@AUFGANG.COM 845.368.0004

DEVELOPER:
AZARA RESIDENTIAL, LLC
50 BROADWAY
NEW YORK, NY 10004

STRUCTURAL ENGINEER:
Goldstein Associates Consulting Engineers, P.C.
31 West 27th Street.
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Tel. 212.545.7575
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Ettinger Engineering Associates
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505 Eighth Avenue
New York, NY 10001
Tel. 212.244.2410
Fax. 212.244.1606

AUFGANG ARCHITECTS

DATE	SUBMISSIONS / REVISIONS
07-16-15	REVISED / RE-ISSUED TO CPC
05-26-15	RE-ISSUED TO CPC

SHEET TITLE:

LOT COVERAGE
BASE PLANE CALC'S

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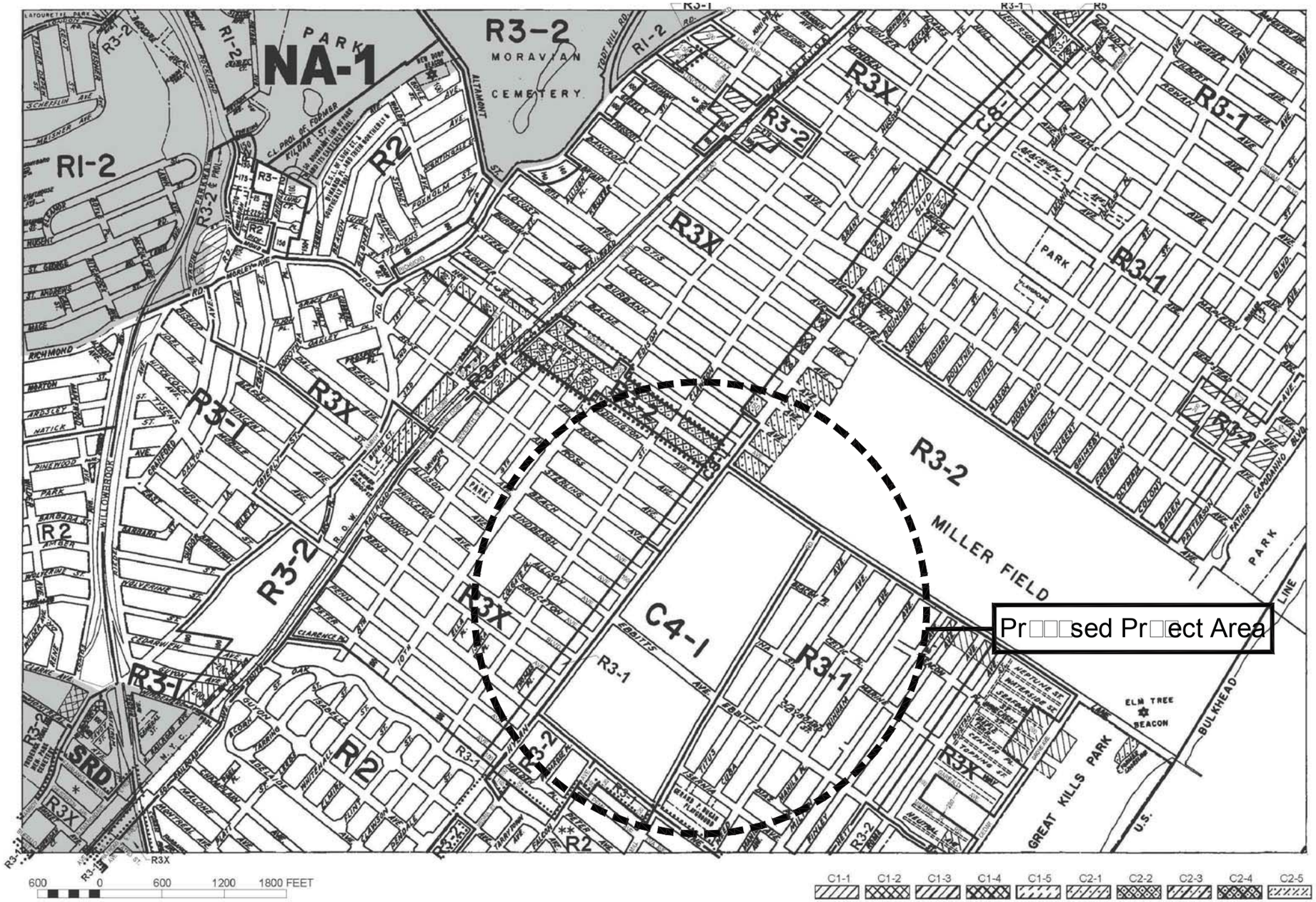
REGISTERED ARCHITECT ANIEL AUFGANG 022789 STATE OF NEW YORK

ISSUE DATE:	PROJECT NO:
05-18-15	#1428
DRAWN BY: SV	CHECKED BY: SV
SCALE: NTS	SHEET NO: ORDER

DRAWING NO: Z-5

NYC DOB NUMBER: 320597083



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

***12–21–2005 C 060062 ZMR
**11–16–2005 C 050180 ZMR
*11–16–2005 C 050145 ZMR
10–11–2005 C 050454 ZMR

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

26c	27a	27c
26d	**27b**	27d
33c	34a	

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ZONING MAP **27b**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

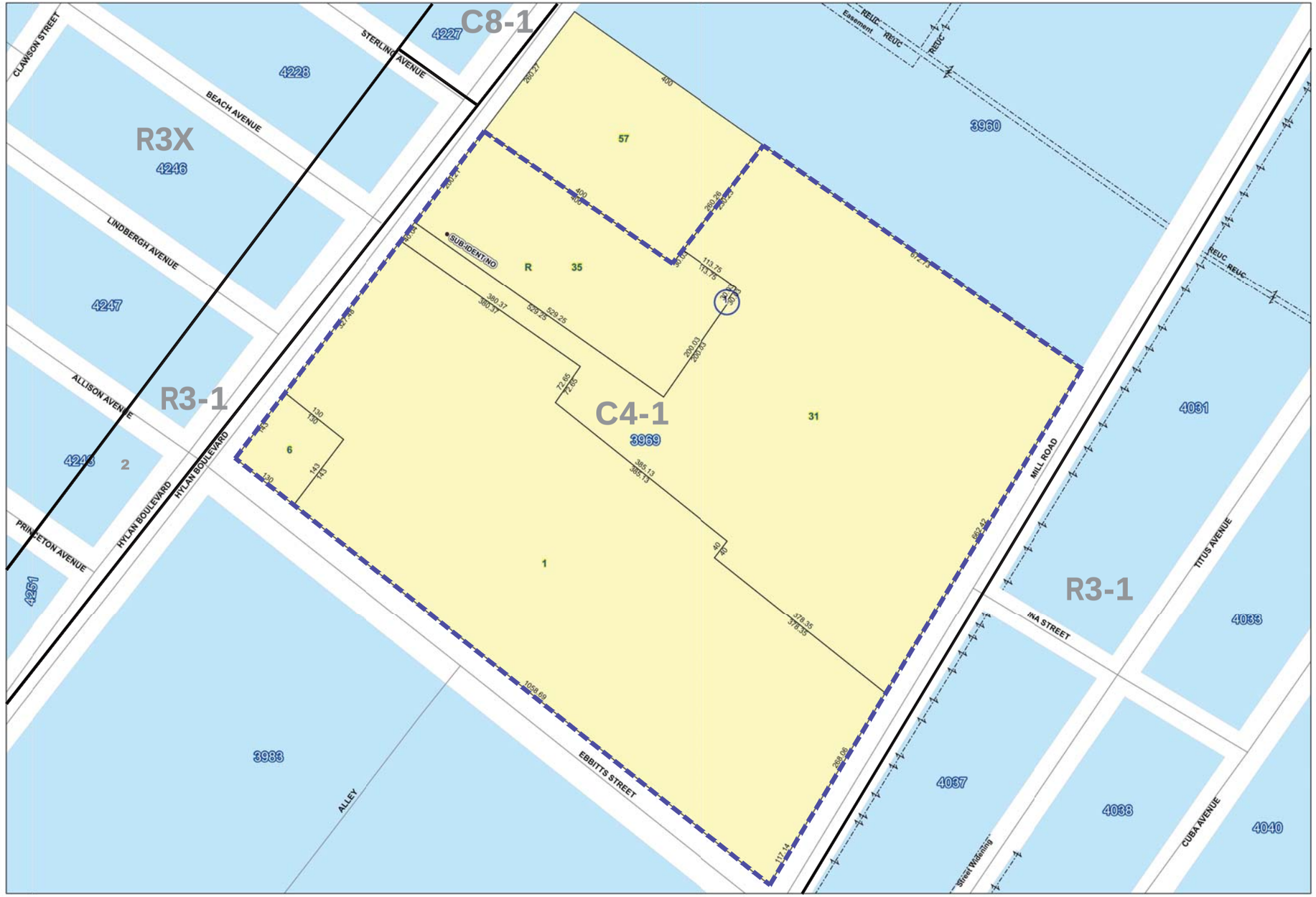
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

NYC Finance

NYC Digital Tax Map

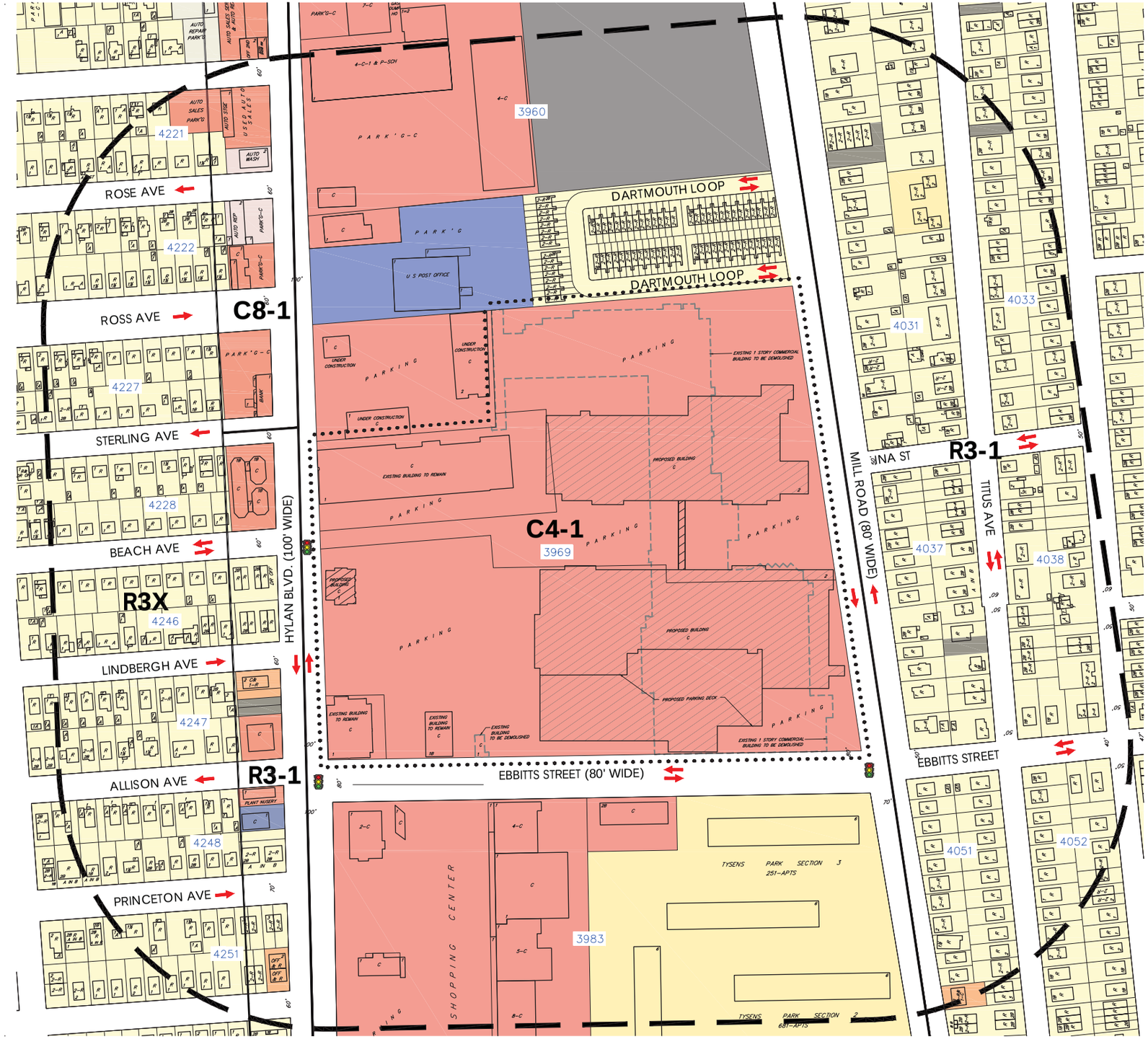
Effective Date : 09-04-2012 14:58:29
End Date : Current

Staten Island Block: 3969



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning District Line
- Project Area Boundary
- 2 Proposed Tax Lot Number
- C4-1 Existing Zoning District



LEGEND

- PROPOSED BUILDING FOOTPRINT
- EXISTING BUILDING FOOTPRINT TO REMAIN
- EXISTING BUILDING FOOTPRINT TO BE DEMOLISHED
- PROPOSED PROJECT AREA
- 600' RADIUS AROUND PROJECT AREA
- TAX LOT
- EXISTING ZONING DISTRICT BOUNDARY
- C4-1 EXISTING ZONING DISTRICT
- DIRECTION OF TRAFFIC
- 3969 TAX BLOCK NUMBER
- 3 NUMBER OF STORIES
- C COMMERCIAL
- R RESIDENTIAL
- P PUBLIC OR INSTITUTIONAL
- B BUILDING WITH BASEMENT
- ONE & TWO FAMILY RESIDENCE
- MULTI-FAMILY WALKUP RESIDENCE
- MULTI-FAMILY ELEVATOR RESIDENCE
- MIXED COMMERCIAL / RESIDENTIAL
- COMMERCIAL / OFFICE
- INDUSTRIAL / MANUFACTURING
- TRANSPORTATION / UTILITY
- PUBLIC FACILITIES / INSTITUTIONS
- OPEN SPACE
- PARKING
- VACANT LAND
- EXISTING TRAFFIC SIGNAL

N

GRAPHIC SCALE 0 25 50 100 200'

1 / Z1.0 AREA MAP

SCALE: 1" = 100'-0"

NO.	DATE	REVISION
3	2016-05-06	ULURP ADDENDUM #2
2	2016-01-18	ULURP ADDENDUM #1
1	2015-12-18	ULURP SUBMISSION

KEY PLAN

S9ARCHITECTURE
115 FIFTH AVENUE
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Owner:
KIMCO REALTY CORP.
3333 New Hyde Park Road, Suite 100
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Zoning Attorney:
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101 Park Avenue, 17th Floor
New York, NY 10178

Civil / Geotechnical:
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River Drive Center 1, 619 River Drive
Elmwood Park, NJ 07407

Environmental:
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440 Park Avenue South, 7th Floor
New York, NY

Traffic:
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Two Penn Plaza, Suite 2602
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Landscape:
MPFP LLC
120 Broadway, 20th Floor
New York, NY 10271

PROJECT TITLE:
HYLAN PLAZA

2600 HYLAN BOULEVARD
STATEN ISLAND, NY

PROJECT NO.: 54530.01

DOB NO.: XXXXX

DRAWING TITLE:
AREA MAP

SCALE: PAGE: 1 OF

Z1.0

DOB BSCAN STICKER

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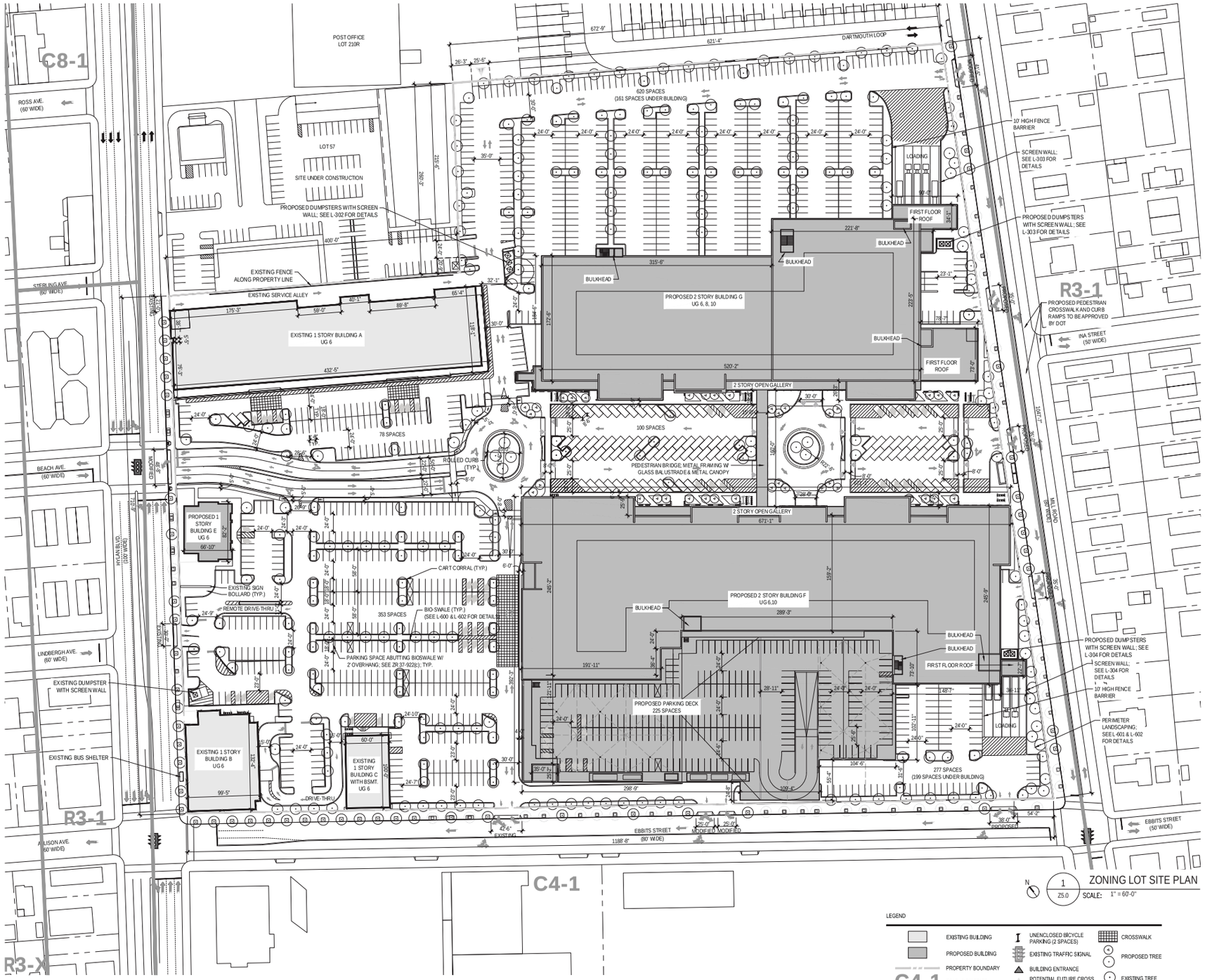

1 / Z5.0 ZONING LOT SITE PLAN
SCALE: 1" = 60'-0"

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- PROPERTY BOUNDARY
- C4-1 ZONING DISTRICT BOUNDARY LINE
- STOP SIGN
- UNENCLOSED BICYCLE PARKING (2 SPACES)
- EXISTING TRAFFIC SIGNAL
- BUILDING ENTRANCE
- POTENTIAL FUTURE CROSS ACCESS CONNECTION
- SPEED TABLE W/ RAISED SIDEWALK
- CROSSWALK
- PROPOSED TREE
- EXISTING TREE
- BIKE PARKING RA(

NO.	DATE	REVISION
5	2016-12-13	ULURP ADDENDUM #4
4	2016-09-07	ULURP ADDENDUM #3
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THE BOULEVARD AT HYLAN PLAZA

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ZONING LOT SITE PLAN

SCALE: PAGE: 4 OF

Z5.0

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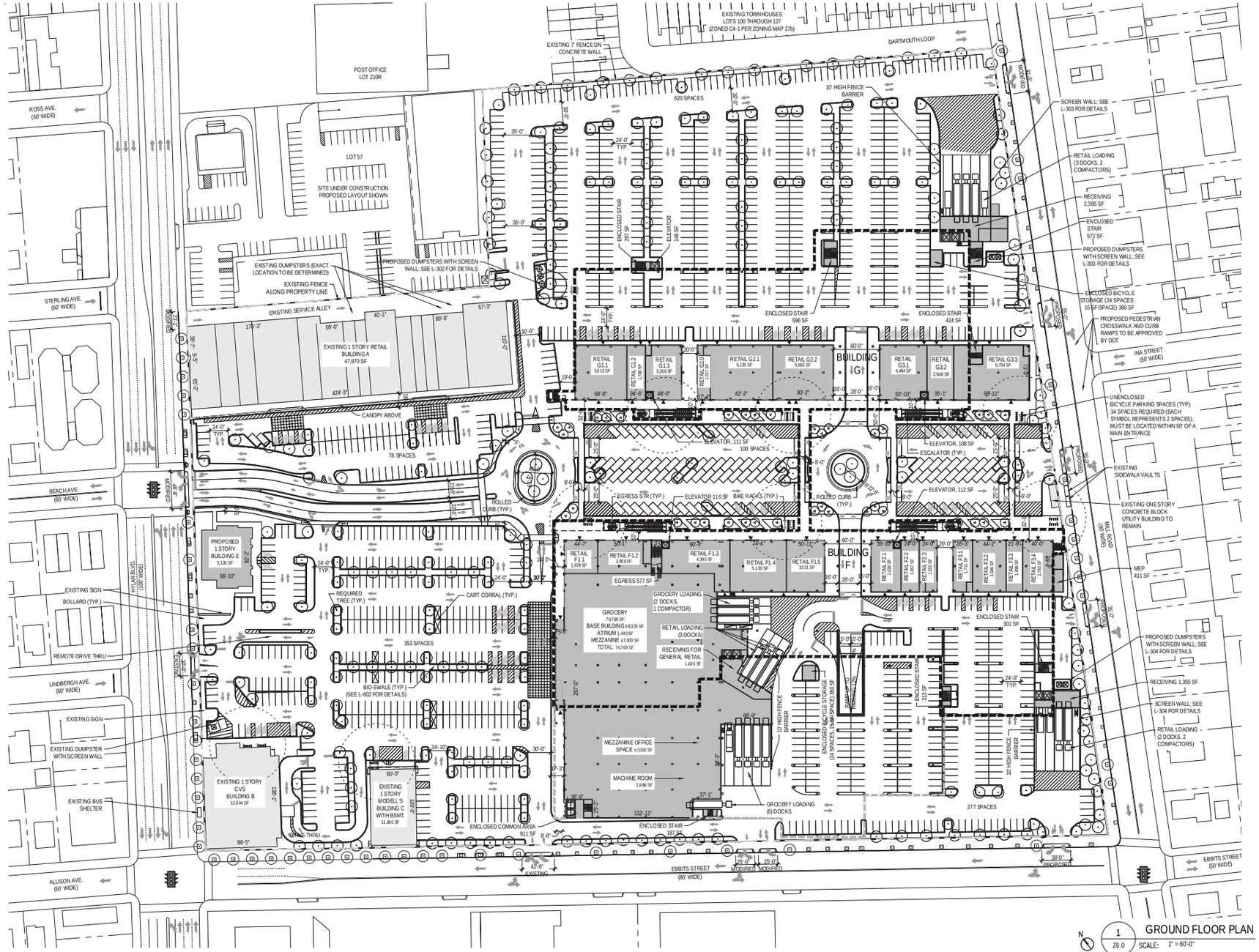

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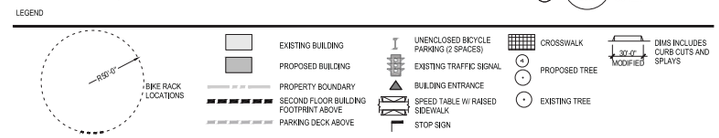
1 GROUND FLOOR PLAN
Z6.0 SCALE: 1" = 60'-0"

LEGEND



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GROUND FLOOR PLAN

SCALE: PAGE: 5 OF

Z6.0

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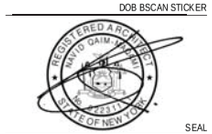

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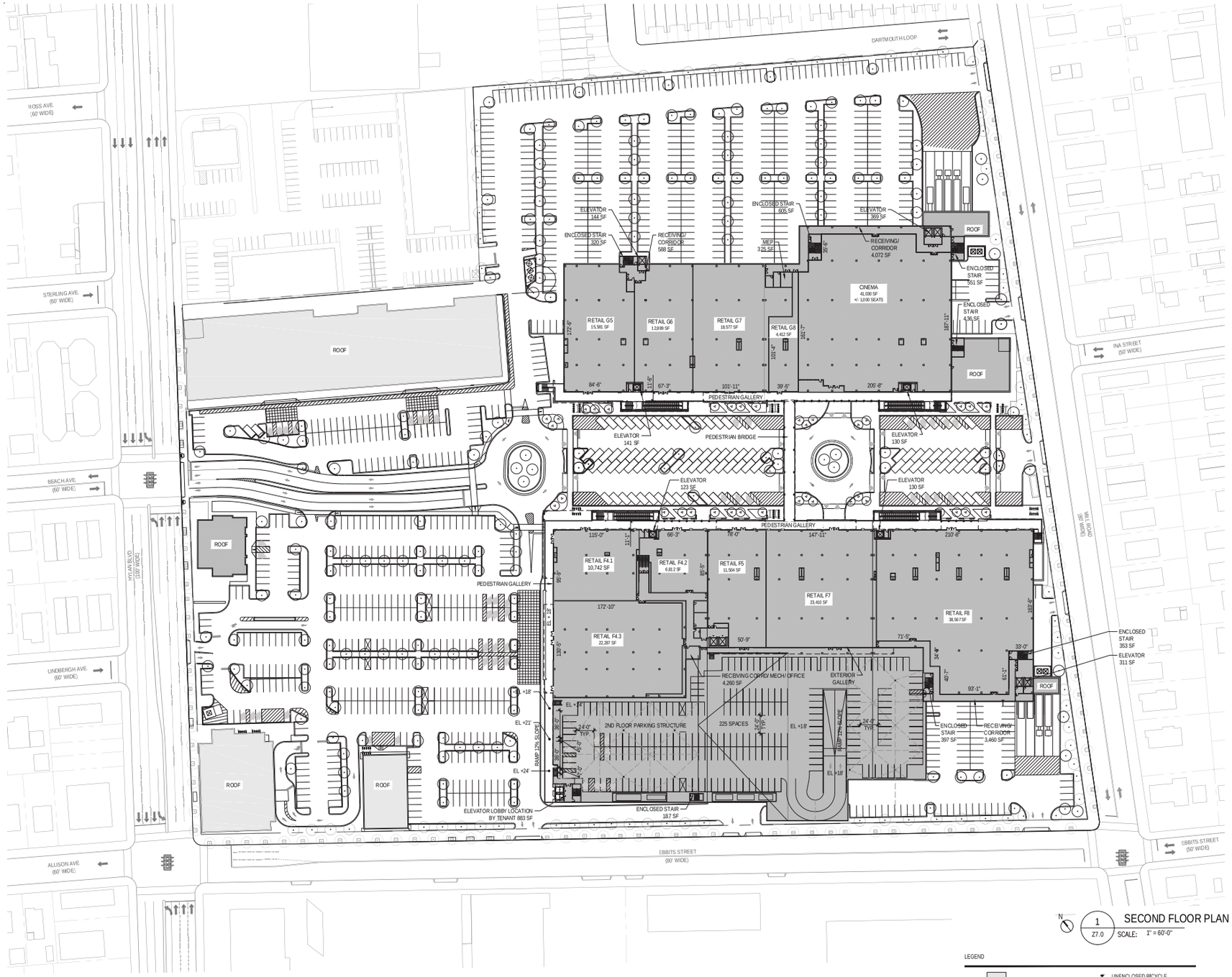

1 SECOND FLOOR PLAN
Z7.0 SCALE: 1" = 60'-0"

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- PROPERTY BOUNDARY
- UNENCLOSED BICYCLE PARKING (2 SPACES)
- EXISTING TRAFFIC SIGNAL
- BUILDING ENTRANCE

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SECOND FLOOR PLAN

SCALE: PAGE: 6 OF

Z7.0

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ZONING CALCULATIONS

Block/Lot:	3969 / 1, 6, 31, AND 35
Address:	2600 HYLAN BOULEVARD, STATEN ISLAND, NY
Lot Area:	1,033,946 SF ; 23.74 ACRES
Zoning Map No.:	27b
Zoning District:	C4-1
Community District:	2

Floor Area Schedule	
BUILDING	**AREA (SF)**
BUILDING A (EXISTING)	47,970
BUILDING B (EXISTING)	13,044
BUILDING C (EXISTING)	11,360
BUILDING E (PROPOSED)	5,135
BUILDING F (PROPOSED)	239,848
FIRST FLOOR	
F1.1 - F1.5	17,823
F2.1 - F2.3	5,850
F3.1 - F3.2	9,039
GROCERY	76,769
RECEIVING / COMMON	6,684
TOTAL	116,165
SECOND FLOOR	
F4.1 - F4.3	39,841
F5	11,504
F7	23,410
F8	38,567
RECEIVING / COMMON	10,361
TOTAL	123,683
BUILDING G (PROPOSED)	141,638
FIRST FLOOR	
G1.1 - G1.3	10,074
G2.0 - G2.2	13,005
G3.1 - G3.3	13,794
G4.1 - G4.2	0
RECEIVING / COMMON	4,543
TOTAL	41,416
SECOND FLOOR	
G5	15,581
G6	12,889
G7+G8	22,988
CINEMA	41,030
RECEIVING / COMMON	7,734
TOTAL	100,222
TOTAL GENERAL RETAIL USES	**341,280**
TOTAL CINEMA	**41,030**
TOTAL GROCERY	**76,769**
TOTAL FLOOR AREA	**459,079**

ZR	Item/Description	Required/Permitted	Existing	Proposed	Comments/Compliance
USE					
32-00	**USES**	UG 1-6, 8-10, 12	UG 6, 10	UG 6, 8, 10	Complies
BULK					
33-10	**FAR**				
	Commercial	1.0	0.345	0.45	Complies
33-10	**FLOOR AREA RATIO**				
	Total	Lot Area X 1.0 = X 1,033,946 X 1.0 = 1,033,946 SF	356,782 SF	459,079 SF	Complies
33-20	**YARDS**				
	Side	None Required; 8' minimum open area if provided		8 FT Minimum	Complies
	Rear	20' Except corner lots		20 FT Minimum	Complies
33-43	**MAXIMUM HEIGHT OF WALLS AND REQUIRED SET BACKS**				
		On a wide street, 15 feet initial setback with a maximum height of 30 feet or two stories whichever is less.	Complies	Complies	Complies
PARKING AND LOADING					
36-21	**PARKING**				
	Retail (UG 6 &10)	1 space per 150 SF: 341,280/150 = 2,275 spaces			Does not comply. * Parking reducion of 49.8% Authorization required to modify parking requirements of Section 36-21 pursuant to Section 36-23
	Food Store (UG 6)	1 space per 100 SF: 76,769/100 = 768 spaces			
	Movie Theater (UG 8)	1 space per 4 persons rated capacity: 1,000/4 = 250 spaces			
	Total	3,293 spaces required	1,414 spaces	1653 spaces *	
36-684	**SURFACING**	Open parking shall be surfaced with asphaltic or Portland cement concrete, or other hard surfaced dustless material			Complies
36-58	**PARKING LOT MANEUVERABILITY**				
		Minimum length - 18'	18' minimum	18' minimum	Complies
		Minimum width - 8'-6"	8'-6" minimum	8'-6" minimum	Complies
		Minimum aisle - 22'	22' minimum	22' minimum	Complies
36-62	**LOADING**				
	UG 6, 8 and 10	First 8,000 SF - None Next 17,000 SF - 1 Next 15,000 SF - 1 Next 20,000 SF - 1 Next 40,000 SF - 1 Each additional 150,000 SF - 1			Complies
	Total	7 Berths	7 Berths	20 Berths	
36-59	**CROSS ACCESS CONNECTION**	Required to provide vehicular passageways to adjacent lots. No connection is required per Section 36-596(a) at adjacent existing buildings located within 50' of the zoning lot			Complies; Connection shown where required
36-70	**BICYCLE PARKING**				
	Enclosed (UG 6 &10)	1 per 10,000 SF of floor area: 418,044 / 10,000 = 42 spaces			
	Enclosed (UG 8)	1 per 20,000 SF of floor area: 41,030/20,000 = 2 spaces			
	Total	44 spaces	0	48 spaces	Complies
	Unenclosed	1 per 10 auto spaces up to 200 spaces, thereafter 1 per 100 auto spaces: 200 spaces/10 = 20 spaces 1,079 open parking spaces - 200 = 879 spaces/100 = 9 spaces			
	Total	29 spaces	0	30 spaces	Complies

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PROJECT TITLE:

THE BOULEVARD AT HYLAN PLAZA

2600 HYLAN BOULEVARD
STATEN ISLAND, NY

PROJECT NO.: 54530.01

DOB NO.: XXXXX

DRAWING TITLE:

ZONING ANALYSIS

SCALE: PAGE: 2 OF

Z3.0

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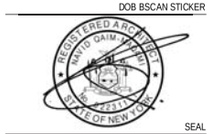

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ZONING CALCULATIONS

Block/Lot:	3969 / 1, 6, 31, AND 35
Address:	2600 HYLAN BOULEVARD, STATEN ISLAND, NY
Lot Area:	1,033,946 SF ; 23.74 ACRES
Zoning Map No.:	27b
Zoning District:	C4-1
Community District:	2

ZR	Item/Description	Required/Permitted	Existing	Proposed	Comments/Compliance
PARKING LOT LANDSCAPING					
37-921	**PERIMETER LANDSCAPING**	Open parking area shall be screened with a 7' minimum landscape buffer adjacent to street line	7'-0" minimum	7'-0" minimum	Complies
37-921(a)	**GRADING, DRAINAGE AND SOIL**	Open parking areas shall be graded to allow storm water to drain into perimeter landscape areas. Underdrains and storm water detention shall be required of the collected water.	Does not comply.	Complies.	Complies See details 2 and 3 on L-602
37-921(b)(1)	**PARKING LOT FRONTAGE**	Fist 2' of islands fronting open parking area shall be comprised of mulch and densely planted ground cover	Does not comply.	Complies.	Complies
37-921(b)(2)	**SIDEWALK FRONTAGE**	Remainder of perimeter landscape area shall be planted with shrubs at a distance of 24" on center	Does not comply.	Complies.	Complies
37-921(b)(3)	**TREES**	One 2" caliper tree shall be provided per 25 linear feet of open parking area street frontage 1,760/25 = 70 trees	0 Trees Does not comply.	73 Trees	Complies
33-03, 26-41	**STREET TREE PLANTING**	1 per 25' of street frontage 2,947/25 = 118 trees	48 Trees	98 Trees	Where infeasible to plant trees adjacent to the zoning lot, such trees shall be planted in an alternative location determined by the Department of Parks and Recreation within the Community District or one-half mile from the zoning lot or waived pursuant to DPR regulations.
37-21	**SPECIAL SCREENING REQUIREMENTS BETWEEN RESIDENTIAL AND NON-RESIDENTIAL USES**	Adjoining zoning lot containing only residential uses shall be screened with a planting strip 5 feet wide densely planted with shrubs at least 4' high at time of planting and of a variety expected to reach a height of 6 feet within 3 years	Does not comply.	Complies. Shrubs to be provided along northern property line adjacent to the residential uses.	Complies
37-922	**INTERIOR LANDSCAPING**	Open parking areas shall provide one 3" minimum caliper tree for every 8 parking spaces; Each tree shall be located in a planting island with a minumum area of 150 SF of pervious surface 1,079 open parking spaces/8 = 135 trees	11 Trees	135 Trees	Complies
37-922(a)	**DISTRIBUTION**				
		(1) Each end space in a row of five or more parking spaces shall fully abut a landscaped island or a perimeter landscaped area	Does not comply.	Complies.	Complies
		(2) No more than 15 parking spaces shall be permitted between planting islands	Does not comply.	Complies.	Complies
		(3) Open parking areas at least 150,000 SF in area shall contain a landscape island every other row that extends the length of the row	Does not comply.	Complies.	Complies

37-922(b)	**GRADING, DRAINAGE AND SOIL**				
		Open parking areas shall be graded to allow storm water to drain into perimeter landscape areas. Underdrains and storm water detention shall be required of the collected water.	Does not comply.	Complies.	Complies
		Planting islands shall be comprised of soil with a depth of at least 3' measured from the adjoining open parking area	Does not comply.	Complies.	Complies
37-922(c)	**PLANTINGS**	The first 2' of a planting island fronting the open parking area shall be comprised of mulch and densely planted groundcover	Does not comply.	Complies.	Complies.
37-93	**MAINTENANCE**	All landscape areas shall be maintained and contain a built-in irrigation system or supply hose-bibs within 100 feet of all planting islands.	Does not comply.	Complies.	Complies
37-94	**REFUSE**	Refuse shall be enclosed and screened within a building or accesiory structure			Complies

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ZONING ANALYSIS - LANDSCAPING

SCALE: PAGE: 3 OF

Z4.0

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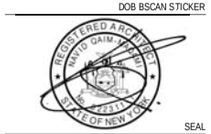

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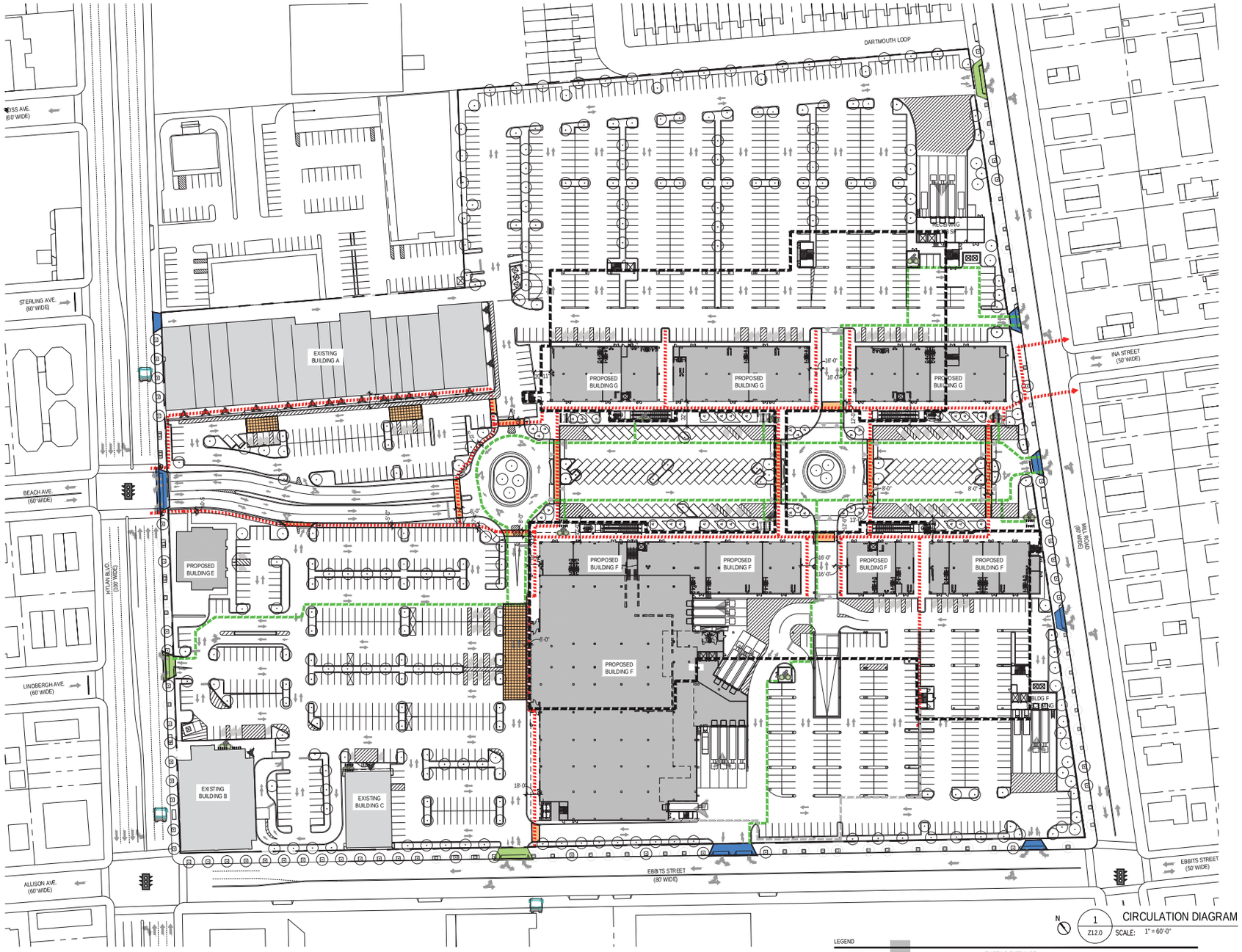

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N

1 / Z12.0 CIRCULATION DIAGRAM

SCALE: 1" = 60'-0"

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- PROPERTY BOUNDARY
- SECOND FLOOR BUILDING FOOTPRINT ABOVE
- PARKING DECK ABOVE
- EXISTING TRAFFIC SIGNAL
- EXISTING BUS STOP
- EXISTING ENTRANCE * ENTRANCE LOCATIONS ILLUSTRATIVE ONLY
- NEW ENTRANCE * ENTRANCE LOCATIONS ILLUSTRATIVE ONLY
- NEW LOADING DOCK
- UNENCLOSED BICYCLE PARKING
- ENCLOSED BICYCLE PARKING
- STOP SIGN
- EXISTING CURB CUT
- PROPOSED / MODIFIED CURB CUT
- PROPOSED CROSS WALK
- PEDESTRIAN PATH
- BICYCLE PATH
- TRAFFIC DIRECTION
- SPEED TABLE W/ RAISED SIDEWALK

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CIRCULATION DIAGRAM

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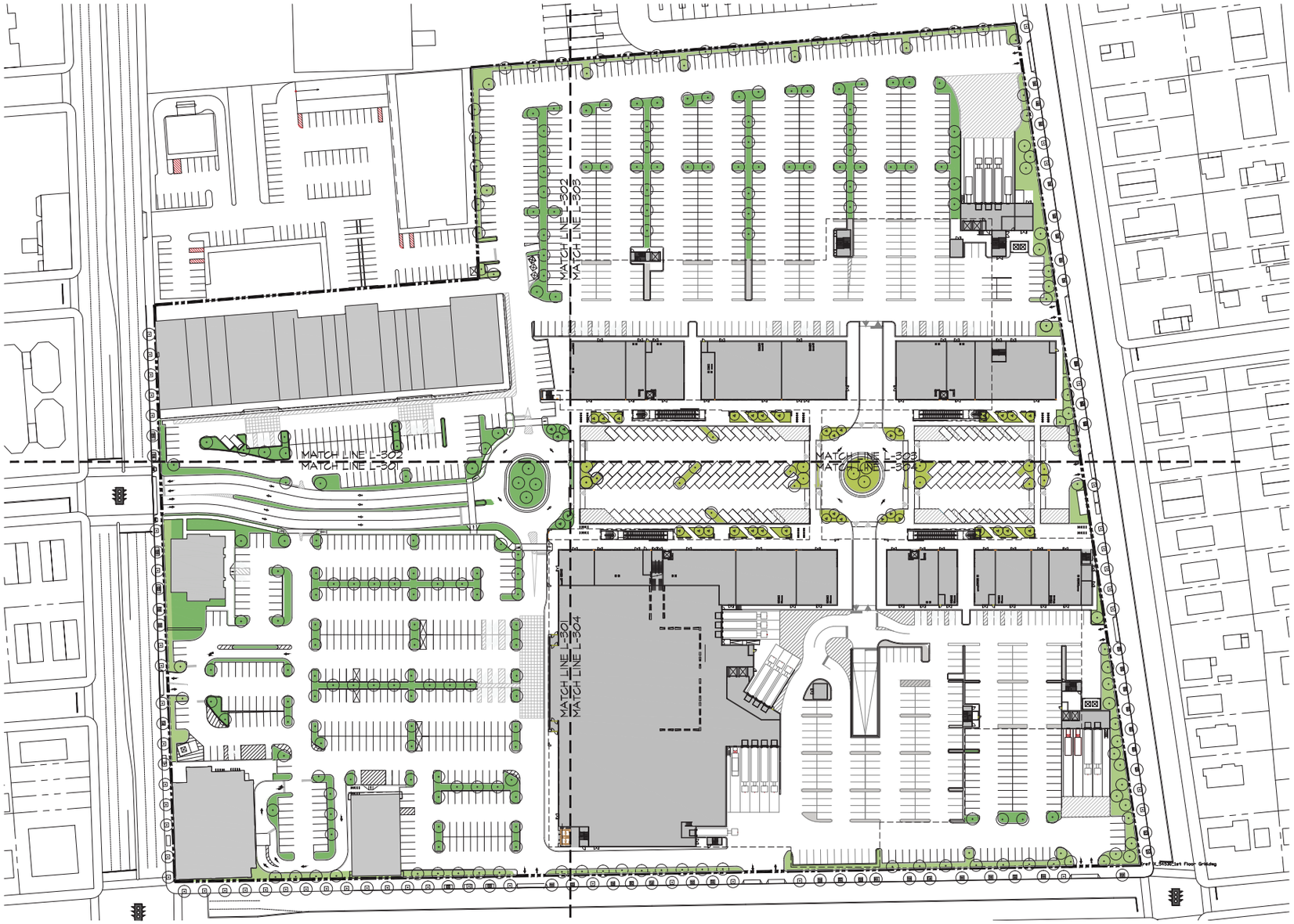

1 LANDSCAPE PLAN

SCALE: 1" = 60'-0"

LEGEND

- PROPERTY LINE
- MATCH LINE
- PROPOSED SHADE TREE - SEE ENLARGEMENTS
- PERIMETER BIOSWALE PLANTING SEE ENLARGEMENTS
- INTERIOR ISLAND BIOSWALE PLANTING SEE ENLARGEMENTS
- PEDESTRIAN/RETAIL COURYARD PLANTING SEE ENLARGEMENTS
- INTERIOR ISLAND RIVER WASHED STONE

NOTES:
1. ALL PLANTINGS SHALL BE IN ACCORDANCE WITH ZONING RESOLUTION 37-92

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LANDSCAPE PLAN

SCALE: PAGE: OF

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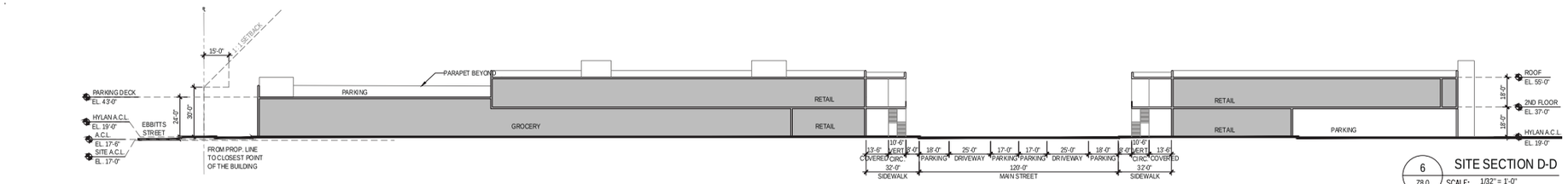

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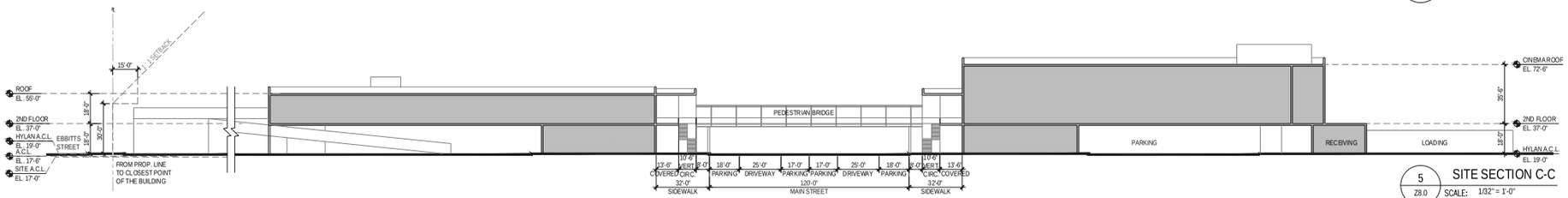

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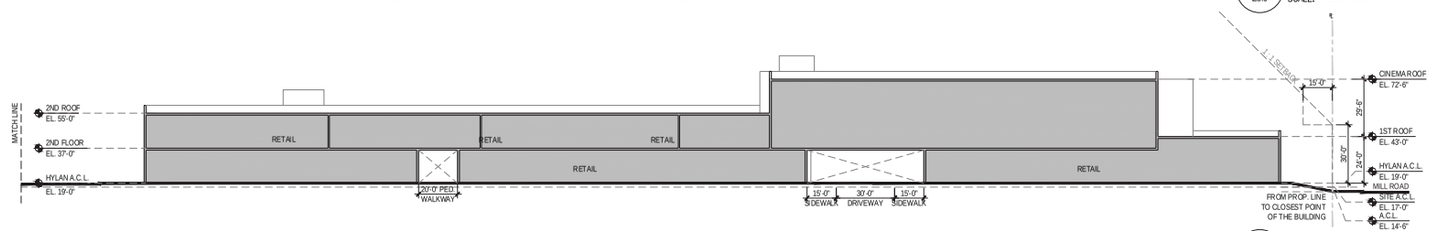

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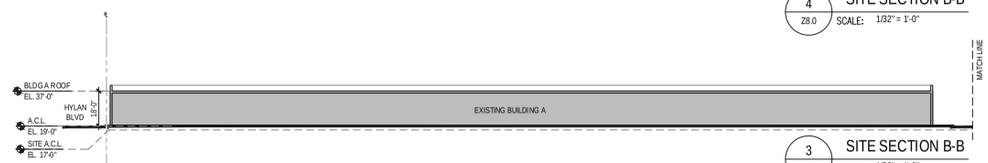

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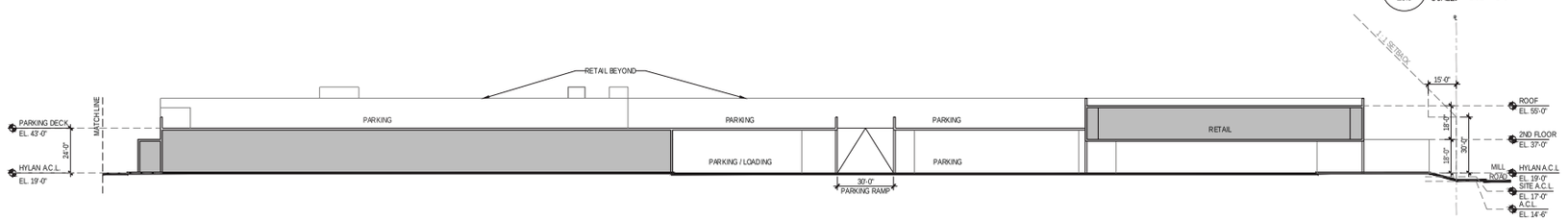

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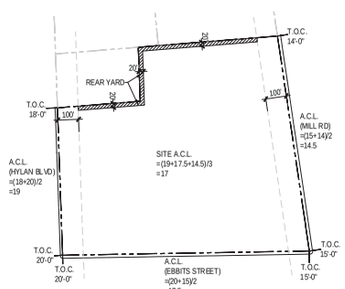
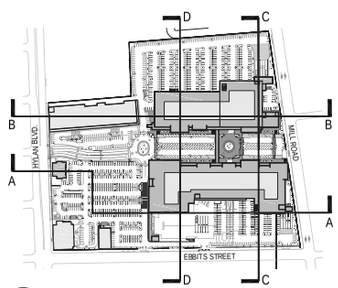


8 Z8.0 A.C.L. / REAR YARD DIAGRAM SCALE: 1" = 300'-0"



7 Z8.0 KEY PLAN SCALE: 1" = 300'-0"

1 Z8.0 SITE SECTION A-A SCALE: 1/32" = 1'-0"

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1	2015-12-18	UULRP SUBMISSION

KEY PLAN

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Traffic:
VHB
Two Penn Plaza, Suite 2602
New York, NY 10121

Landscape:
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120 Broadway, 20th Floor
New York, NY 10271

PROJECT TITLE:

THE BOULEVARD AT HYLAN PLAZA

2600 HYLAN BOULEVARD
STATEN ISLAND, NY

PROJECT NO.: 54530.01

DOB NO.: XXXXX

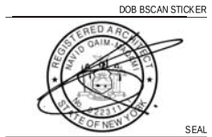
DRAWING TITLE:

SITE SECTIONS

SCALE: PAGE: 7 OF

Z8.0

DOB BSCAN STICKER



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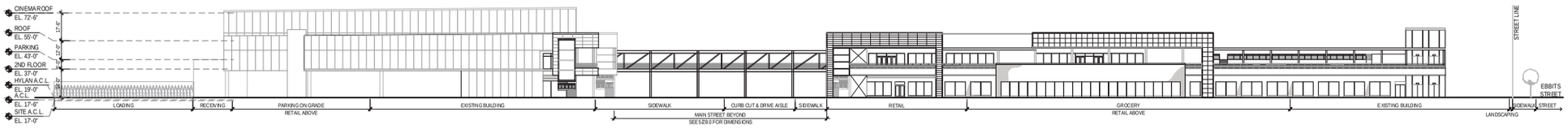

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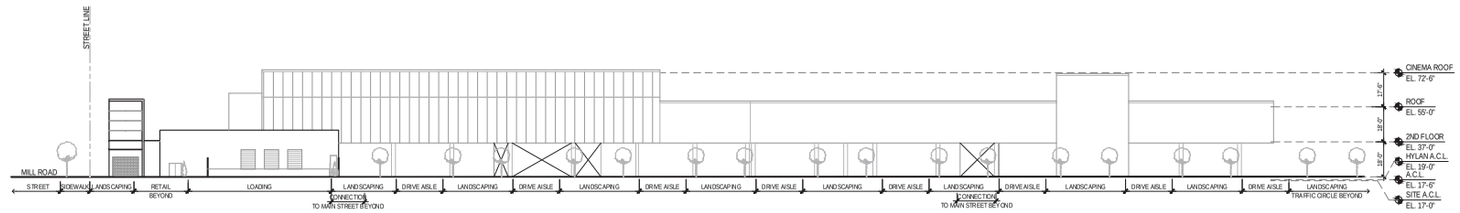

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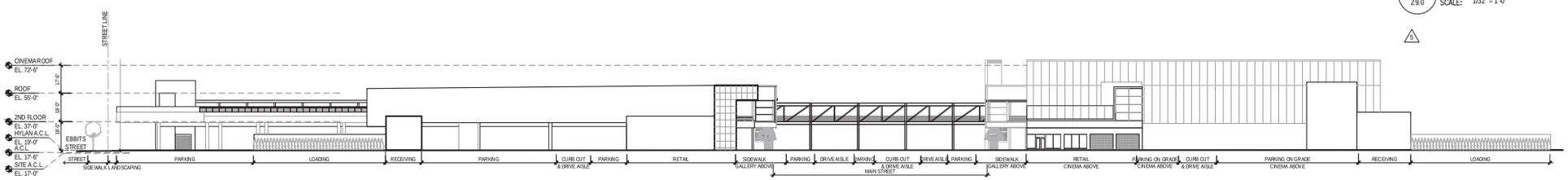

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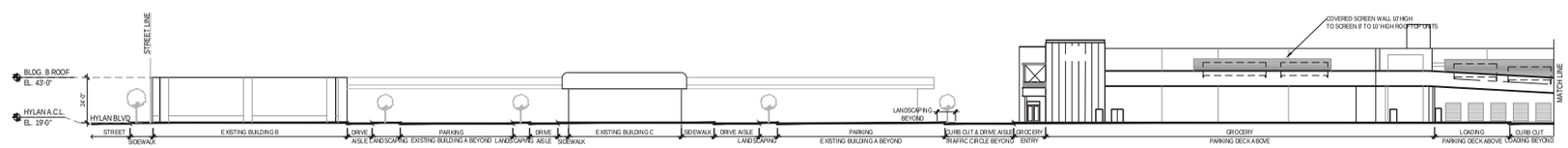

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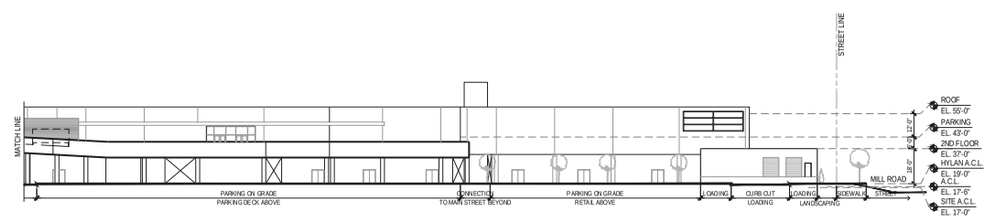

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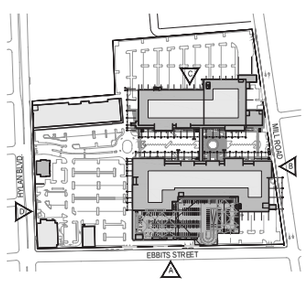

6 Z9.0 KEY PLAN
SCALE: 1" = 300'-0"

GENERAL NOTE: BUILDING SIGNAGE IS FOR ILLUSTRATIVE PURPOSE ONLY & ACTUAL SIGNAGE WILL COMPLY WITH PROVISIONS OF ZONING RESOLUTION

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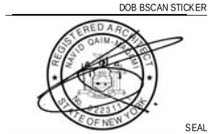
DRAWING TITLE:

SITE ELEVATIONS

SCALE: PAGE: 8 OF

Z9.0

DOB BSCAN STICKER



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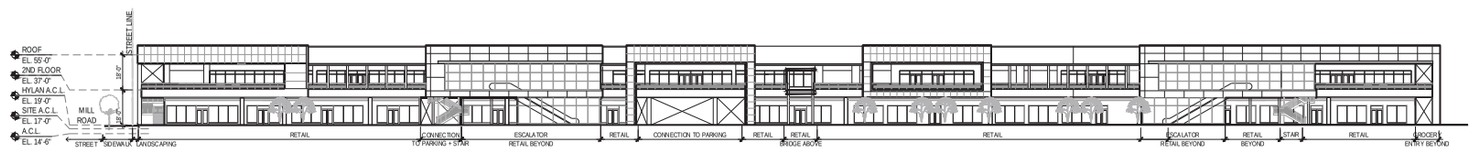

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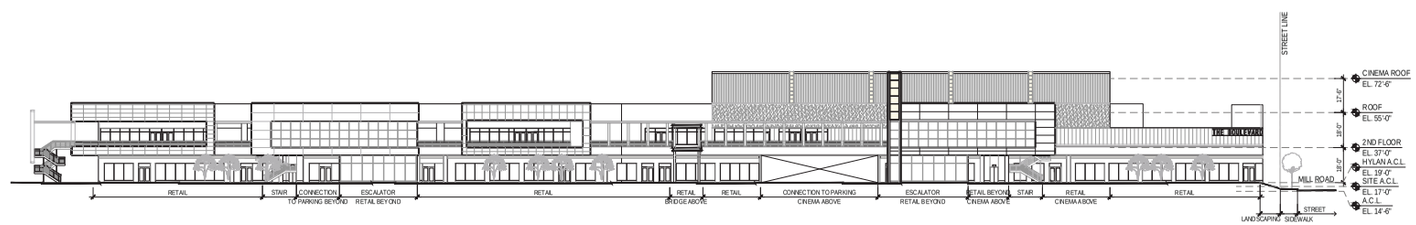

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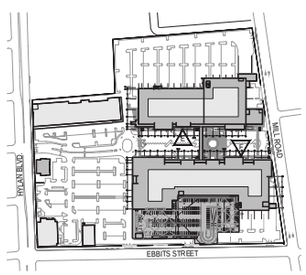

3 Z10.0 KEY PLAN
SCALE: 1" = 300'-0"

GENERAL NOTE: BUILDING SIGNAGE IS FOR ILLUSTRATIVE PURPOSE ONLY & ACTUAL SIGNAGE WILL COMPLY WITH PROVISIONS OF ZONING RESOLUTION

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DRAWING TITLE:

SITE ELEVATIONS

SCALE: PAGE: 9 OF

Z10.0

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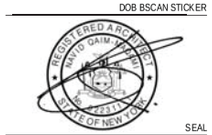

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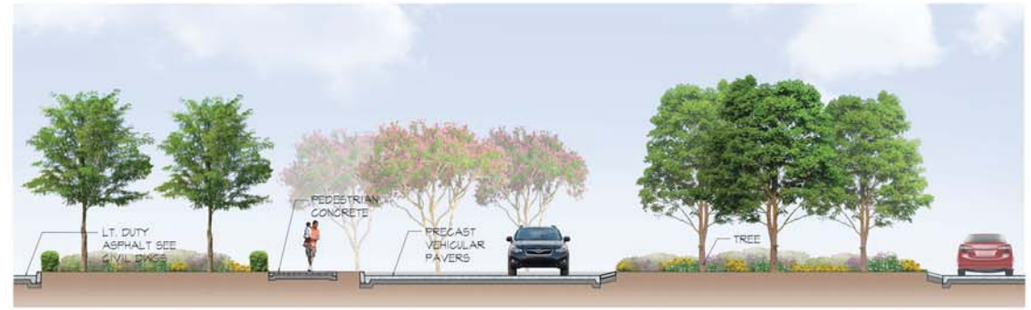
1 PUBLIC REALM ILLUSTRATIVE DIAGRAM

SCALE: 1" = 50'-0"



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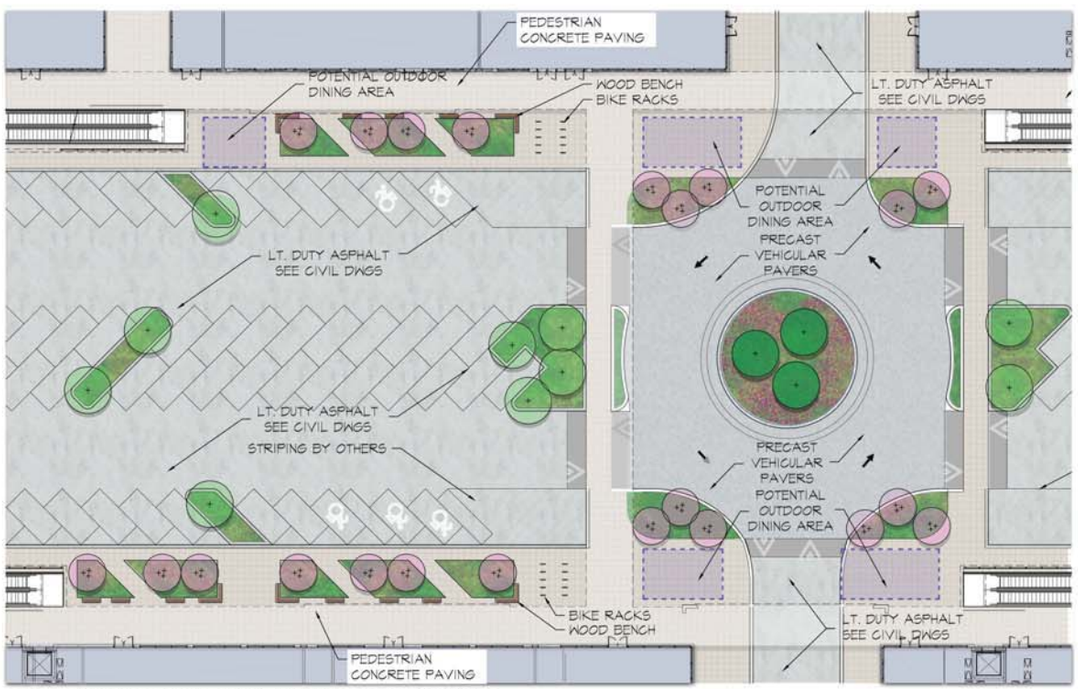

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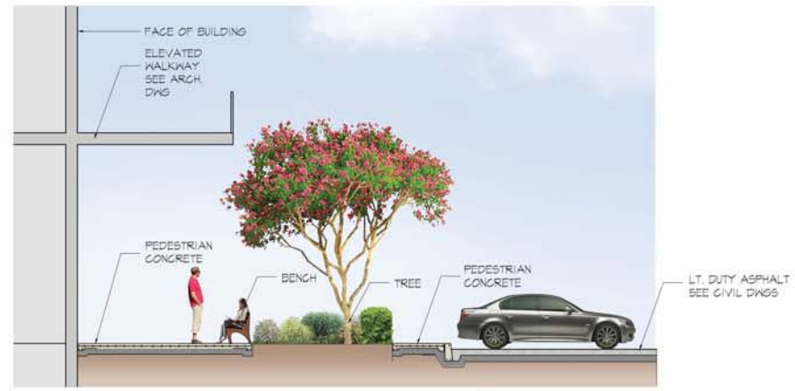

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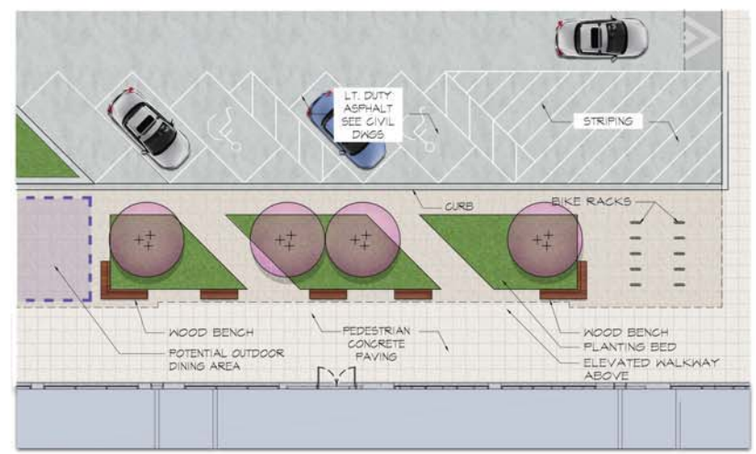

5 PUBLIC REALM ILLUSTRATIVE ENLARGEMENT

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Landscape:
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New York, NY 10271

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HYLAN PLAZA

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PUBLIC REALM ILLUSTRATIVE PLAN

SCALE: PAGE: OF

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1 View looking south at the main gateway into the mall; 12.14.2014

2 View looking north-east at CVS from Ebbits St. and Hylan Blvd.; 10.14.2015

3 View looking south east at the mall; 12.14.2014

4 View looking north east toward the mall; 10.14.2015

EXISTING CONDITIONS

KIMCO REALTY S9ARCHITECTURE

PROJECT NO. 54530.01.9
DATE: 05.06.2016
ULURP

HYLAN PLAZA

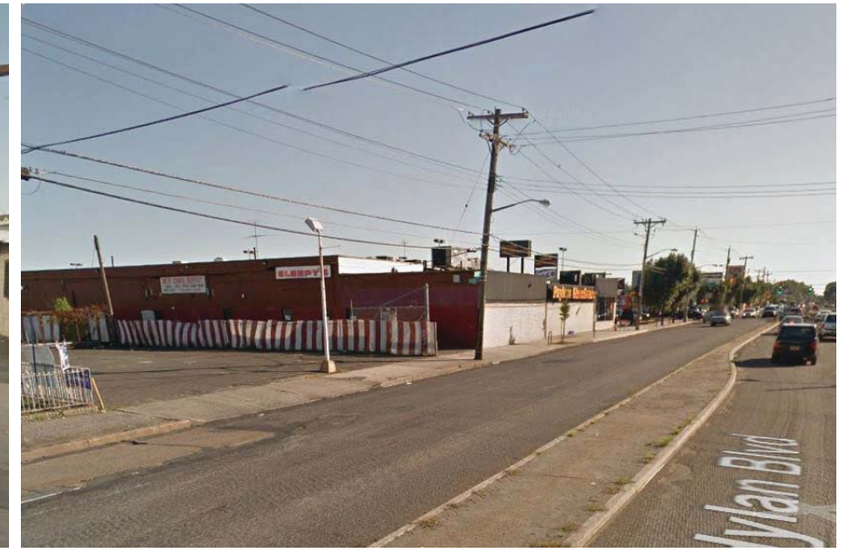
5 View looking north from Ebbits Street near Modell's; 12.14.2014

6 View looking north from Ebbits St. and Mill Rd.; 12.14.2014

7 View looking south-west from Mill Rd.; 12.14.2014

8 View looking north-west from Mill Rd.; 12.14.2014

9 View looking south-west from Mill Rd. near townhouses ; 12.14.2014



10 View looking south from Hylan Blvd.; 02.16.2016

11 View looking south-east from Hylan Blvd. entrance.; 09.01.2015

12 View looking north-west from mall; 05.06.2016

13 View looking south-west from Hylan Blvd.; 05.06.2016

14 View looking south-east from Ebbits Rd.; 05.06.2016

15 View looking south-west toward Modell's from mall; 05.06.2016

16 View looking north-west toward Hylan Blvd. entrance.; 05.06.2016

THE BOULEVARD AT HYLAN PLAZA

STATEN ISLAND, NY
ULURP SUBMISSION

DRAWING LIST

BLOCK 3969, LOTS 1, 6, 31, AND 35

Z0.0 COVER SHEET
Z1.0 AREA MAP
Z3.0 ZONING ANALYSIS
Z4.0 ZONING ANALYSIS - LANDSCAPING
Z5.0 ZONING LOT SITE PLAN
Z6.0 GROUND FLOOR PLAN
Z7.0 SECOND FLOOR PLAN
Z8.0 SITE SECTIONS
Z9.0 SITE ELEVATIONS
Z10.0 SITE ELEVATIONS
Z11.0 CROSS ACCESS SITE PLAN
Z12.0 CIRCULATION DIAGRAM
L-300 LANDSCAPE PLAN
L-301 LANDSCAPE ENLARGEMENT PLAN
L-302 LANDSCAPE ENLARGEMENT PLAN
L-303 LANDSCAPE ENLARGEMENT PLAN
L-304 LANDSCAPE ENLARGEMENT PLAN
L-305 PLANTING SCHEDULES
L-400 PUBLIC REALM ILLUSTRATION PLAN
L-600 TYPICAL ISLAND ENLARGEMENTS
L-601 PERIMETER PLANTING ENLARGEMENTS
L-602 PLANTING & BIOSWALE DETAILS
L-603 SITE AMENITY DETAILS

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COVER SHEET

SCALE: PAGE: 0 OF

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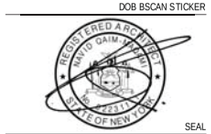

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The Boulevard at Hylan Plaza
2600 Hylan Boulevard, Staten Island
Authorization for Parking Layout
Attachment #11 – Discussion of Findings

36-023
Applicability of regulations in C4-1 Districts

In C4-1 Districts, for #zoning lots# having a #lot area# in excess of four acres, all #group parking facilities# that are #accessory# to #commercial developments# or #enlargements# shall be subject to authorization by the City Planning Commission to assure that the layout of such parking spaces is arranged and located in relation to the #use# or #uses# to which such spaces are #accessory#, so as to provide adequate ingress, egress and circulation with respect to abutting #streets# or #uses#.

The Applicant seeks an authorization from CPC to assure that the proposed parking layout is arranged and located in relation to the uses on the Project Area so as to provide adequate ingress, egress and circulation with respect to the abutting streets or uses. The Proposed Development seeks to demolish an existing "L"-shaped retail building located along the northern and eastern portions of the Development Site and replace it with two new two-story retail buildings fronting on a "Main Street" that travels in east and west directions through the Project Area. Additionally, the Applicant proposes to make other parking arrangement changes in the Project Area to provide better ingress, egress and circulation.

The Project Area is an irregular shaped lot, fronting on Hylan Boulevard to the west, Ebbitts Street to the south, Mill Road to the east, and bounded by an adjacent tax block with a mix of residential and commercial uses to the north. The Project Area has an area of 1,033,946 square feet, or 23.74 acres.

The Project Area currently has several curb cuts, providing entering and exiting vehicles with points of access to and egress from the site; however, the site's configuration allows for no direct access into the site from Mill Road or egress from the stores to Mill Road. All traffic must enter and exit from or onto Hylan Boulevard or Ebbitts Street. Three curb cuts are currently located on Hylan Boulevard—one service entrance at the edge of the Project Area near the lot line with the adjacent Lot 57, one between the new 5,135 square foot building and the CVS building, and the other the main entrance and exit to Hylan Plaza; two curb cuts are located on Ebbitts Street; and three curb cuts are along Mill Road—two of which primarily are for truck access and none of which provide direct access to the existing retail stores or cinema. Thus, the site currently has only four functional curb cuts for shoppers.

As a result of the Proposed Development, there will be twelve curb cuts in total for the Project Area. The Applicant is proposing these new curb cuts to make the Project Area more accessible to shoppers from all street frontages along the Project Area; particularly, the Mill Road frontage, which the current parking and building layout turns its back on by not providing any functional access to shoppers. Equal access to the Project Area from all street frontages will reduce traffic

backup and take the pressure off any one entrance as absorbing the majority of traffic into and out of the shopping center. Along Hylan Boulevard, the three existing curb cuts will remain (with the curb cut at the main entry at the Hylan Boulevard/Beach Street intersection being enlarged to a width of 48 feet, 8 inches). Along Ebbitts Street, one curb cut will remain, one curb cut near the southeast corner of the grocery store will be replaced with two adjacent 25-foot wide curb cuts and a new curb cut will be added near the corner of Ebbitts Street and Mill Road (38 feet wide). Further, along Mill Road, three new curb cuts will be added (including one providing access to Main Street) and one existing curb cut will be modified (41 feet, 5 inches wide). The curb cut accessing Main Street will be 35 feet wide, while the other two new curb cuts will each be 35 feet wide.

Additionally, the Proposed Development will provide a direct path through the Project Area along Main Street from the main entrance at the Hylan Boulevard/Beach Street intersection on the west, to Mill Road on the east. By adding this connection, Mill Road and the neighborhood to the east will now have easier access to the Project Area and the parking fields, as opposed to the current configuration that deters access from that neighborhood. The creation of Main Street and increased number of curb cuts to neighboring streets promotes the smooth flow of traffic in and out the Project Area and to the abutting street network.

The new parking arrangement and additional curb cuts increase shopper's ability to access the Project Area from each of the street frontages equally, which will reduce congestion during the majority of the retail operating hours. Furthermore, because the Applicant is seeking a certification for cross-access connections to certain adjacent lots, adequate connections for ingress and egress to abutting commercial and public uses (e.g. a Planet Fitness and a US Post Office) along the northwest boundary of the Project Area will be sited for future opening. In fact, the Applicant and the owner of 2582 Hylan Boulevard (Block 3969, Lot 57), which is located adjacent to the northwest corner of the Project Area, intend to execute a separate cross-access agreement to construct their respective portions of a cross access connection between the two sites in conjunction with the Proposed Development, thereby enabling vehicles easier access between the sites without having to enter the street network.

In addition to the new curb cuts, the Proposed Development will be rearranged to add two new large two-story retail buildings fronting on the north and south sides of Main Street, and new smaller buildings—intermixed with existing buildings to remain—near the frontages along Hylan Boulevard and Ebbitts Street. The focal point of the new arrangement will be Main Street and the new retail buildings that frame it. The smaller buildings along Hylan Boulevard and Ebbitts Street will also be adjacent to an updated and reconfigured parking field in the southwest portion of the Project Area. Larger retail uses, a cinema, and grocery store will be in the buildings along Main Street, while the smaller buildings will contain smaller commercial uses.

Main Street will contain angled parking spaces located on along the center of the through drive aisles, and adjacent to the retail buildings. Two roundabouts will be located at the center of Main Street and its western edge (where it meets the access road). The roundabout at the center of Main Street is circular and has a diameter of 45 feet. The roundabout between the connection of Main Street and the access road is a 45 feet by 61 feet, 6 inch oval, and is designed with its longest dimension perpendicular to Main Street and the access road in order to prevent excessive traffic speed through the Project Area. Additionally, traffic calming measures such as raised pedestrian

crosswalks with crossing signs and speed tables will be located at each entry to the roundabouts to control vehicular speed at these locations.

Parking fields will be rearranged behind the retail buildings fronting on Main Street, and there will also be a second level parking structure immediately adjacent to the grocery store and behind the building fronting on the south side of Main Street. The parking fields in the southwest portion of the Project Area (both north and south of Main Street) will also be reconfigured to reduce the travel distances for pedestrians from their cars to the various retail buildings. Additionally, the new pathways located between the ground-level pads fronting on Main Street will reduce pedestrian and vehicular travel distances through the Proposed Development to the parking areas.

New entrances and exits off of the main access road leading to Main Street will provide for easier access to the adjacent parking areas. Traffic will flow more smoothly through the parking field south of the access road from Hylan Boulevard because of a new traffic pattern from the access road to the existing 42 feet, 6-inch wide curb cut on Ebbitts Street (near the southwest corner of the proposed grocery store). Bicycle parking will be provided in various locations throughout the Project Area and in all cases within 50 feet of a building entrance.

Overall, the parking layout reconfiguration at the Project Area will comply with ZR 36-58 and ZR 37-90, inclusive, for landscaping and maneuverability. The Applicant is not seeking to waive those provisions. The addition of curb cuts and parking area reconfiguration to create Main Street will provide a better flow of vehicular and pedestrian traffic through the Project Area and equal access from all street frontages, and the rearrangement of the parking fields will allow for shorter distances for shoppers to travel from their vehicles to the retail uses in the Proposed Development.

******

The Boulevard at Hylan Plaza
2600 Hylan Boulevard, Staten Island
Authorization for Parking Reduction
Attachment #11 – Discussion of Findings

36-023
Applicability of regulations in C4-1 Districts

In C4-1 Districts, for #zoning lots# having a #lot area# in excess of four acres, all #group parking facilities# that are #accessory# to #commercial developments# or #enlargements# shall be subject to authorization by the City Planning Commission to assure that the layout of such parking spaces is arranged and located in relation to the #use# or #uses# to which such spaces are #accessory#, so as to provide adequate ingress, egress and circulation with respect to abutting #streets# or #uses#.

For such #zoning lots#, the Commission may also authorize a reduction of the parking requirement of Section 36-21 (General Provisions) by an amount not to exceed 50 percent, provided that the Commission finds that the applicant has demonstrated that the proposed parking is sufficient for the #use# proposed.

This authorization pursuant to ZR 36-023 seeks to permit a reduction of the parking requirements of ZR 36-21 by approximately 49.8 percent, reducing the number of required accessory parking spaces on the zoning lot from 3,293 to 1,653.

With regard to the sufficiency of the resulting 1,653 accessory parking spaces, it should be noted that the current parking lot is underutilized. To determine the existing and proposed utilization of parking spaces and traffic generation at Hylan Plaza, a comprehensive parking analysis was conducted by VHB Engineering (the "VHB Parking Analysis") in conjunction with the environmental review for this project. Using generally-accepted standards for traffic generation, the VHB Parking Analysis reviewed existing parking utilization and projected the demand for parking that will be generated by the redevelopment along with all the other existing uses to remain. Existing parking lot utilization and projections of future utilization were developed hour-by-hour for 24-hour periods during: 1) a typical weekday and 2) a typical weekend. From these 24-hour periods, the hour with the highest utilization was chosen as the "peak" hour.

The VHB Parking Analysis, using parking counts taken from the parking area, determined that on a typical weekday, the parking area is typically only 34.7% full, with 924 unused spaces, at the peak hour from 12 p.m. to 1 p.m. On a typical weekend, the analysis determined that the parking area is typically only 38% full at the peak hour of 1 p.m. to 2 p.m., with 877 unused parking spaces.

Subsequent to the proposed enlargement of Hylan Plaza and parking lot reconfiguration which will increase the accessory parking to 1,653 spaces, the VHB Parking Analysis indicates that, the parking area will continue to have unused spaces at the peak periods. For weekdays, the VHB Parking Analysis shows that the parking area will operate at 34.1% capacity at the peak usage hour

of 12 p.m. to 1 p.m., with 1,089 spaces unused. For weekends, the analysis shows that the parking area will operate at 37.6% capacity at the peak hour of 1 p.m. to 2 p.m., with 1,031 spaces available.

Therefore, based on the foregoing, the proposed parking provided at the Project Area will be sufficient for the uses proposed.

******

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

TECHNICAL REVIEW DIVISION

Amanda M. Burden, FAICP, Director
Department of City Planning

February 4, 2011

Marshall Kaminer, PE
Borough Commissioner
Department of Buildings
10 Richmond Terrace
Borough Hall – 2nd Floor
Staten Island, NY 10301

Re: Applic. No. M 000213(A) ZAR
Hylan Shopping Plaza
2600 Hylan Boulevard
Block 3969, Lots 1, 6, 31, 35
C4-1 District
Community District 2
Borough of Staten Island

Dear Commissioner Kaminer:

On October 16, 2001, the Department of Buildings was advised that an application (N 000213 ZAR) submitted by the Atlantic Hylan Corp. for an authorization by the City Planning Commission pursuant to Section 36-023 of the Zoning Resolution to allow in a C4-1 District on a zoning lot in excess of 4 acres:

a. a group parking facility which is accessory to an existing commercial development and proposed enlargement; and

b. a reduction of the parking requirement of Section 36-21 (General Provisions) by 46.35 percent from 2480 spaces to 1522 spaces;

to facilitate the enlargement of an existing commercial development at the above referenced property was approved by the City Planning Commission on October 10, 2001 (Cal. No. 46).

Presently, Kimco Realty Corp. submitted an application (M 000213(A) ZAR) requesting a modification of the previously approved authorization (N 000213 ZAR) involving changes to the approved plan and related zoning calculations to reflect:

a. a replacement building H and the removal of unbuilt previously approved portions of the commercial development; and

b. the reconfiguration and redesign of the accessory group parking facility.

Sotireos Voyages, R.A., Director
Irene Sadko, P.E., Deputy Director / Chief Engineer
22 Reade Street - Room 3N
New York, NY 10007-1216
(212) 720-3226 / FAX (212) 720-3244
www.nyc.gov/planning

On January 24, 2011, the City Planning Commission reviewed this request and determined that this modification constituted a minor modification consistent with the original approval.

Enclosed for your information are the following:

1. a copy of application M 000213(A) ZAR; and

2. the following approved drawings prepared by Rampulla Associates Architects, LLP:

Dwg. No.	Title	Last Date Revised
CPC-002.00	Proposed CPC Site Plan	January 3, 2011

Sincerely,

Sotireos Voyages, R.A.

cc. K. Ramnarine
B. Estroff
B. Fisher
J. Miraglia
W. O'Brien
J. Harris
J. Merani
N. Campo
T. Smalls
Applicant

ZONING DATA

BLOCK	3960
LOT NUMBERS	1, 6, 31, 38
MAP	27b
ZONE	C4-1

SPECIAL DISTRICTS

SOUTH RICHMOND	OUTSIDE
DESIGNATED OPEN SPACE	OUTSIDE
S.R.D. ARTERIAL	OUTSIDE
PARK STREET	OUTSIDE
NATURAL AREA	OUTSIDE
HILLSIDE PRESERVATION	OUTSIDE
WATERFRONT AREA	OUTSIDE
FLOOD ZONE	OUTSIDE
FRESHWATER WETLANDS	OUTSIDE

ZONING CALCULATION - FAR

LOT AREA	1,033,672.00 SF
AS PER SECTION ZR 33-122: FLOOR AREA RATIO PERMITTED-	1.0
PERMITTED FLOOR AREA	1,033,672.00 SF
PROPOSED FLOOR AREA	356,782.00 SF
BUILDING 'A' TOTAL	47,570.00 SF
BUILDING 'B' TOTAL	69,290.00 SF
BUILDING 'C' TOTAL	57,518.00 SF
BUILDING 'C3' TOTAL	1,133.00 SF
BUILDING 'D' TOTAL	2,711.00 SF
BUILDING 'E' TOTAL	152,751.00 SF
BUILDING 'F'&'G' TOTAL	6,005.00 SF
BUILDING 'H' TOTAL	13,044.00 SF
TOTAL GROSS FLOOR AREA	356,782.00 SF
ACTUAL F.A.R. (MAX 1.00)	0.345, therefore OK

BUILDING	PREVIOUSLY APPROVED	PROPOSED MODIFICATION	TOTAL PROPOSED
	N 000218 ZAR	M 000218(A) ZAR	
Building A-1	14,054 S.F.	0 S.F.	14,054 S.F.
Building A-2	25,141 S.F.	0 S.F.	25,141 S.F.
Building A-3	8,164 S.F.	0 S.F.	8,164 S.F.
Building B-1	44,153 S.F.	0 S.F.	44,153 S.F.
Building B-2	11,337 S.F.	0 S.F.	11,337 S.F.
Building C-1	46,218 S.F.	0 S.F.	46,218 S.F.
Building C-2	9,600 S.F.	0 S.F.	9,600 S.F.
Building C-3	1,133.00 S.F.	0 S.F.	1,133.00 S.F.
Building C	20,000 S.F.	-20,000 S.F.	0 S.F.
Building D	2,711 S.F.	0 S.F.	2,711 S.F.
Building E-1	141,834 S.F.	0 S.F.	141,834 S.F.
Building E-2	10,912 S.F.	0 S.F.	10,912 S.F.
Building E	5,300 S.F.	-5,300 S.F.	0 S.F.
Building F/G	6,005 S.F.	0 S.F.	6,005 S.F.
Building H	11,912 S.F.	-11,912 S.F.	13,044 S.F.
TOTAL	360,430 S.F.	348,138 S.F.	356,782 S.F.
PARKING REQUIRED	2,831 SPACES		2,454 SPACES
PARKING PROVIDED	1,522 SPACES		1,541 SPACES

SITE LEGEND

- [ ] LEGAL GRADE
- ( ) PROPOSED GRADE
- ( ) EXISTING GRADE
- E.B.C. EXISTING BOTTOM OF CURB
- E.T.C. EXISTING TOP OF CURB
- EXISTING PLANTING ISLAND
- PROPOSED PLANTING ISLAND
- EXISTING TREE
- PROPOSED TREE
- REPLACEMENT TREE (CPC)
- EXISTING SHRUBS
- PROPOSED CURB WALL (6" above highest grade level)
- EXISTING WIRE FENCE
- EXISTING GUARD RAIL

LANDSCAPING NOTE
-THERE SHALL BE A TOTAL OF 20 PROPOSED TREES PLANTED WITHIN PLANTING ISLANDS. (SEE SITE LEGEND FOR SYMBOL & SITE PLAN FOR LOCATION)

PARKING NOTE
-THE NUMBER OF PARKING SPACES SHALL BE INCREASED FROM 1522 TO 1541 UNDER THIS DEVELOPMENT PROPOSAL.

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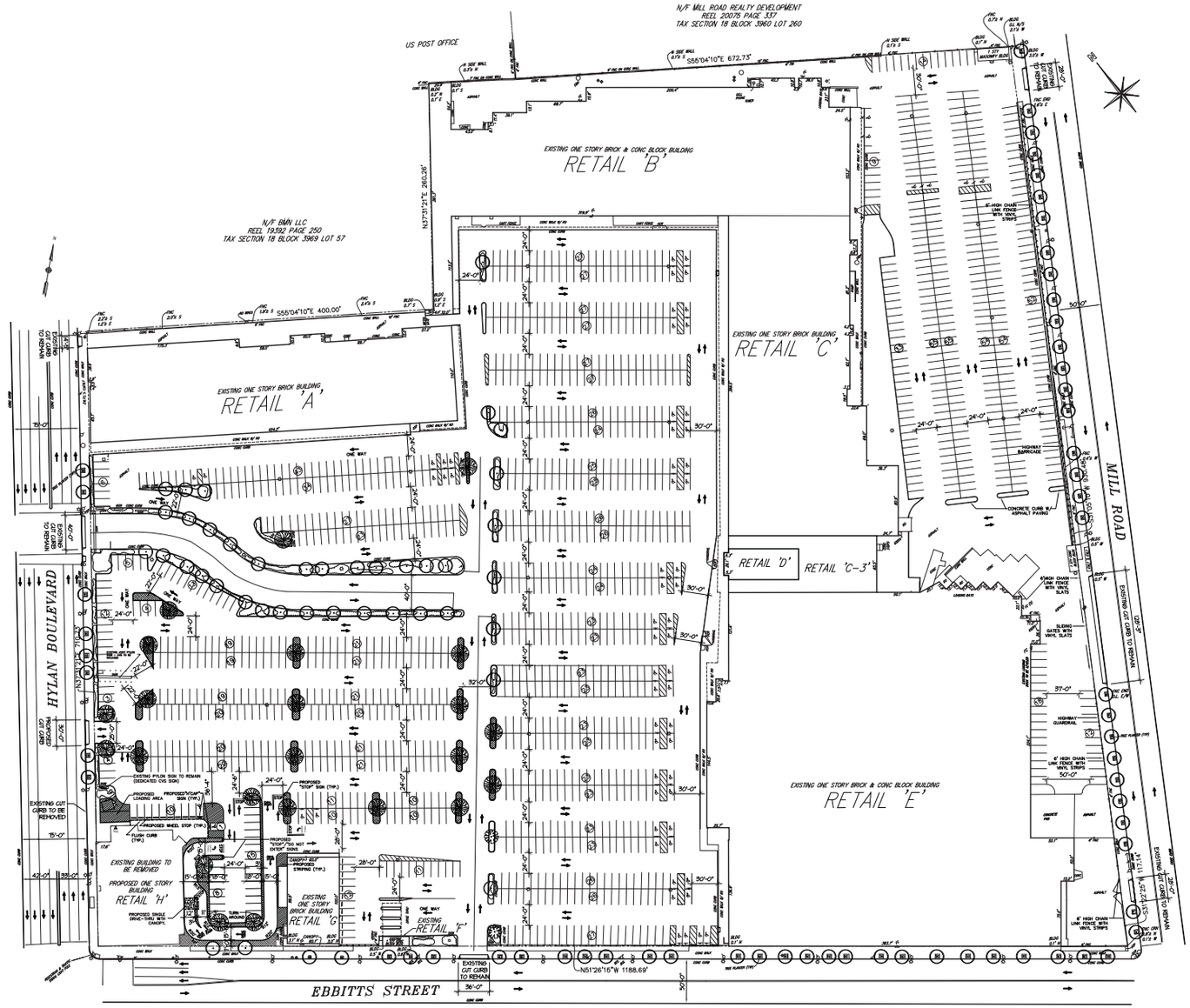


SITE PLAN

SCALE: 1" = 50.0'

No.	Revisions	Date
1	Revised bldg footprint park'g calc's. and f.a.r.	12.14.09
2	CPC clarification	01.27.10
3	CPC clarification	03.09.10
4	CPC clarification	04.07.10
5	CPC clarification	04.16.10
6	Removed Ebbitts Street curb cut,revised drive-thru	11.23.10
7	Increased Hylan Blvd curb cut, redesign drive-thru & parking spaces.	01.03.11

DOB Examiner stamp:

DOB Approval:

B-Scan job sticker:

The architect shall not have control or charge of and shall not be responsible for construction means, methods, deviations, techniques, sequences, or procedures, or for safety precautions and programs in connection with the work, for the acts or omissions of the contractor, subcontractors or any other persons performing any of the work, or for the failure of any of them to carry out the work in accordance with the contract documents. Always use dimensions as shown. Drawings are not to be scaled.

rampulla associates architects, l.l.p.
155 3rd street S.I., N.Y., 10306
·718 987-1310 · fax 718-987-1566
www.rampulla.net

project title :

HYLAN SHOPPNG PLAZA
STATEN ISLAND, NY

drawing title :

PROPOSED
CPC SITE PLAN

seal & signature

date:	06/10/09
project #:	08023
drawing by:	JH
chk by:	JO
dwg #:	CPC-002.00
file #:	2 of 2

PDF created with pdfFactory trial version www.pdffactory.com

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 160378 ZMR**	Project Name: **901 Manor Road Rezoning**
CEQR Number: 16DCP186R	Borough(s): Staten Island Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to **CalendarOffice@planning.nyc.gov** and include the following subject line**:** (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by an application submitted by Clara Fazzino pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 21b and 27a by establishing within an existing R3-1 District a C1-1 District bounded by a line 100 feet easterly of Manor Road, a line midway between Norwalk Avenue and Tillman Street, a line 190 feet easterly of Manor Road, and Tillman Street, Borough of Staten Island, Community District 2, as shown on a diagram (for illustrative purposes only) dated November 14, 2016.

Applicant(s):	**Applicant's Representative:**
Clara Fazzino 20 West Street, #34D New York, New York 10004	David J. Darcy David J. Darcy, AIA 900 South Avenue Staten Island, NY 10314

Recommendation submitted by:

Staten Island Community Board 2

Date of public hearing: December 6, 2016 **Location:** CB2, 460 Brielle Avenue, SINY 10314

Was a quorum present? **YES** ☒ **NO** ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: December 20, 2016 **Location:** CB2, 460 Brielle Avenue, SINY 10314

RECOMMENDATION

☒ Approve ☐ Approve With Modifications/Conditions

☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: 27 **# Against:** **# Abstaining:** **Total members appointed to the board:**

Name of CB/BB officer completing this form	*Title*	*Date*
Dana T. Magee	Chair	12/21/2016

NYC PLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

BOROUGH PRESIDENT RECOMMENDATION

Pursuant to the Uniform Land Use Review Procedure

Application #: C 160378 ZMR CEQR #: 16DCP186R	Project Name: 901 MANOR ROAD Borough(s): STATEN ISLAND Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by Clara Fazzino pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 21b and 27a by establishing within an existing R3-1 District a C1-1 District bounded by a line 100 feet easterly of Manor Road, a line midway between Norwalk Avenue and Tillman Street, a line 190 feet easterly of Manor Road, and Tillman Street, Borough of Staten Island, Community District 2, as shown on a diagram (for illustrative purposes only) dated November 14, 2016.

Recommendation:

- [x] Approve
- [ ] Approve With Modifications/Conditions
- [ ] Disapprove
- [ ] Disapprove With Modifications/Conditions

Explanation of Recommendation, Conditions or Modification:

Related Applications:

Contact:

Address questions about this recommendation to:

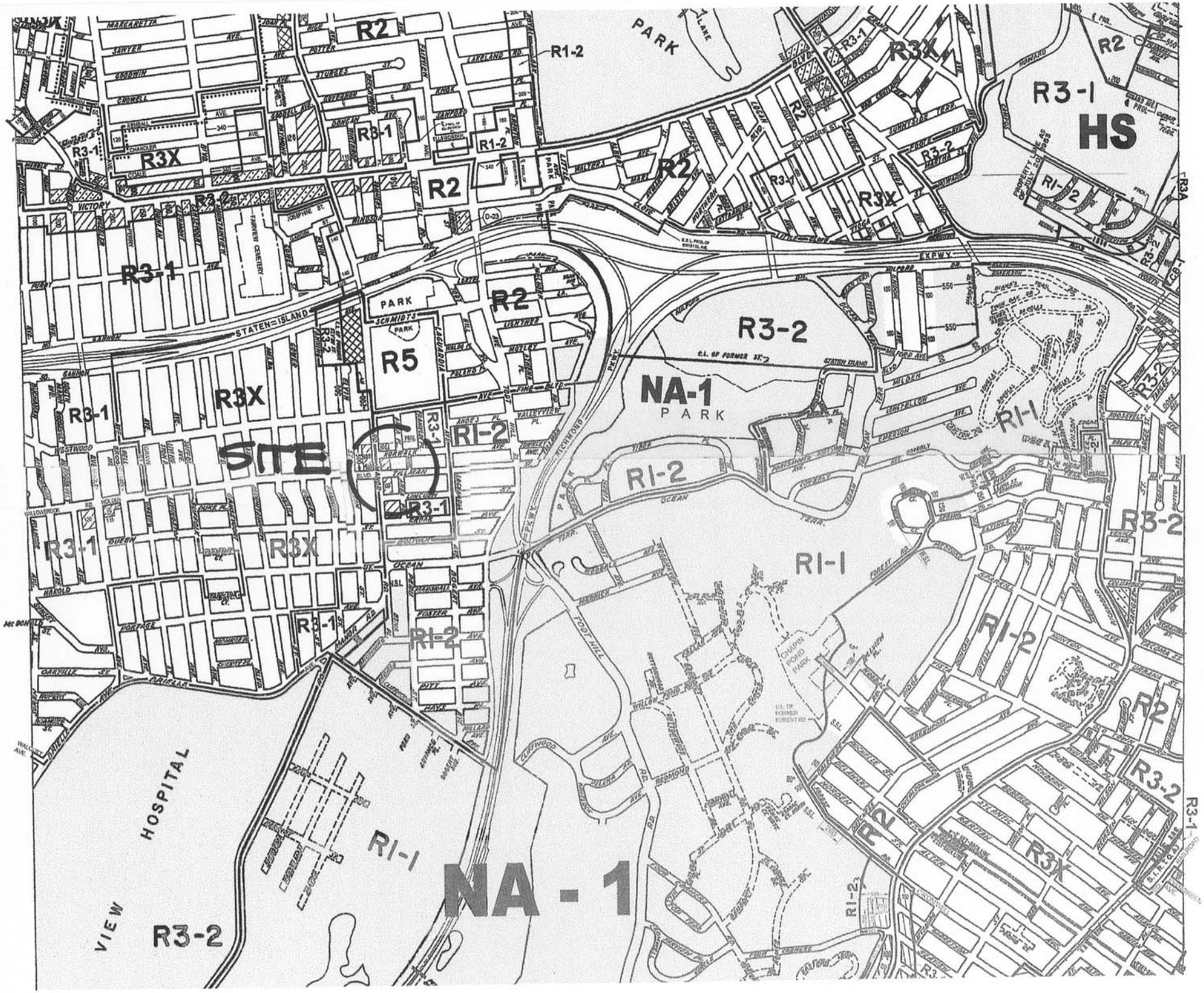
OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

Address: 10 Richmond Terrace, Staten Island, NY 10301 (Room G-12)
Phone: 718.816.2112
Fax: 718.816.2060

James S. Oddo

James S. Oddo
President of the Borough of Staten Island

01/12/17
DATE



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

(D) – RESTRICTIVE DECLARATION

(E) – CITY ENVIRONMENTAL QUALITY REVIEW DECLARATION

N

MAP KEY

20c	21a	21c
20d	**21b**	21d
26c	27a	27c

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ZONING MAP 21b

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

01-18-2011 C 110069 ZMR

N

MAP KEY

20d	21b	21d
26c	**27a**	27c
26d	27b	27d

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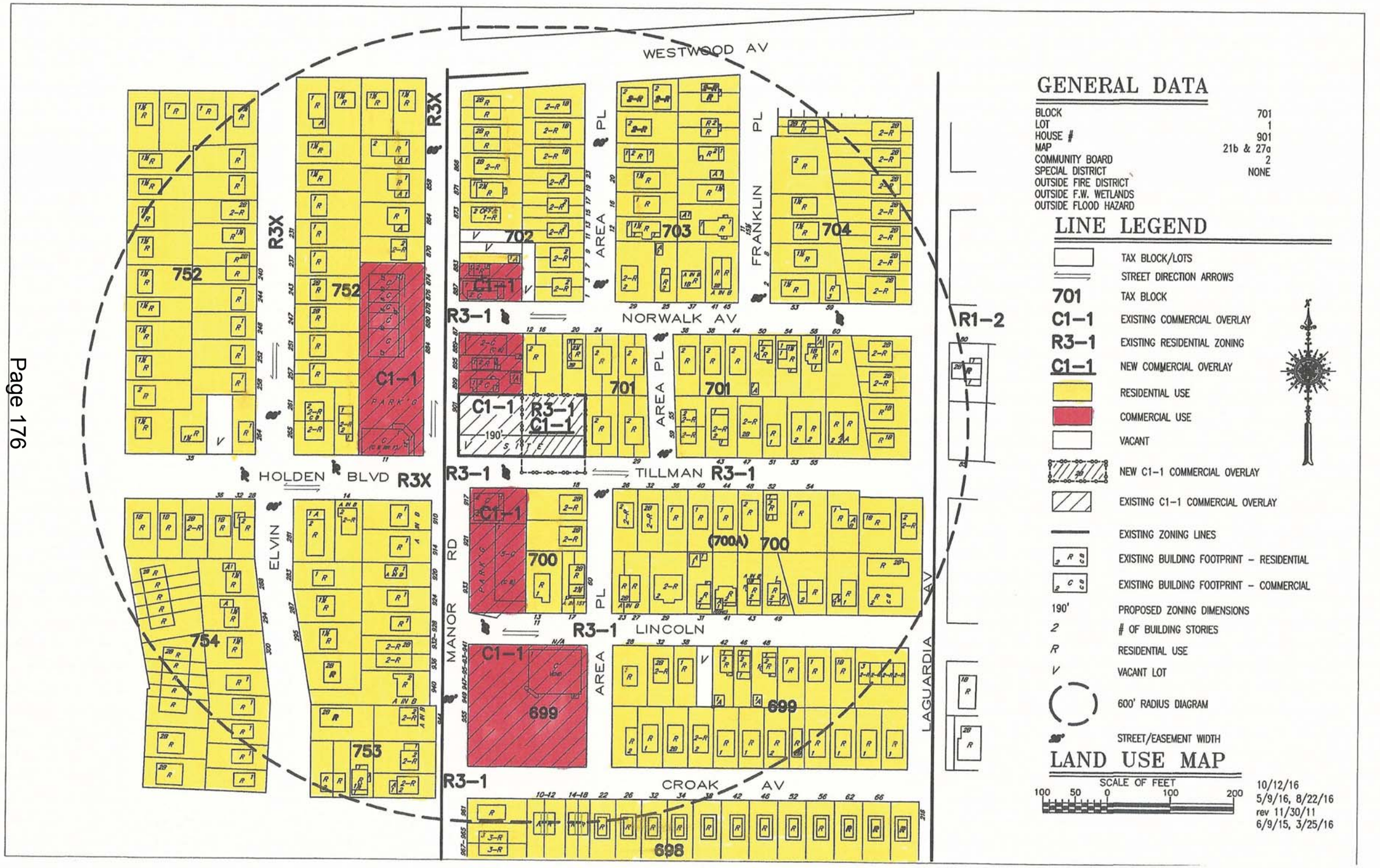
ZONING MAP 27a

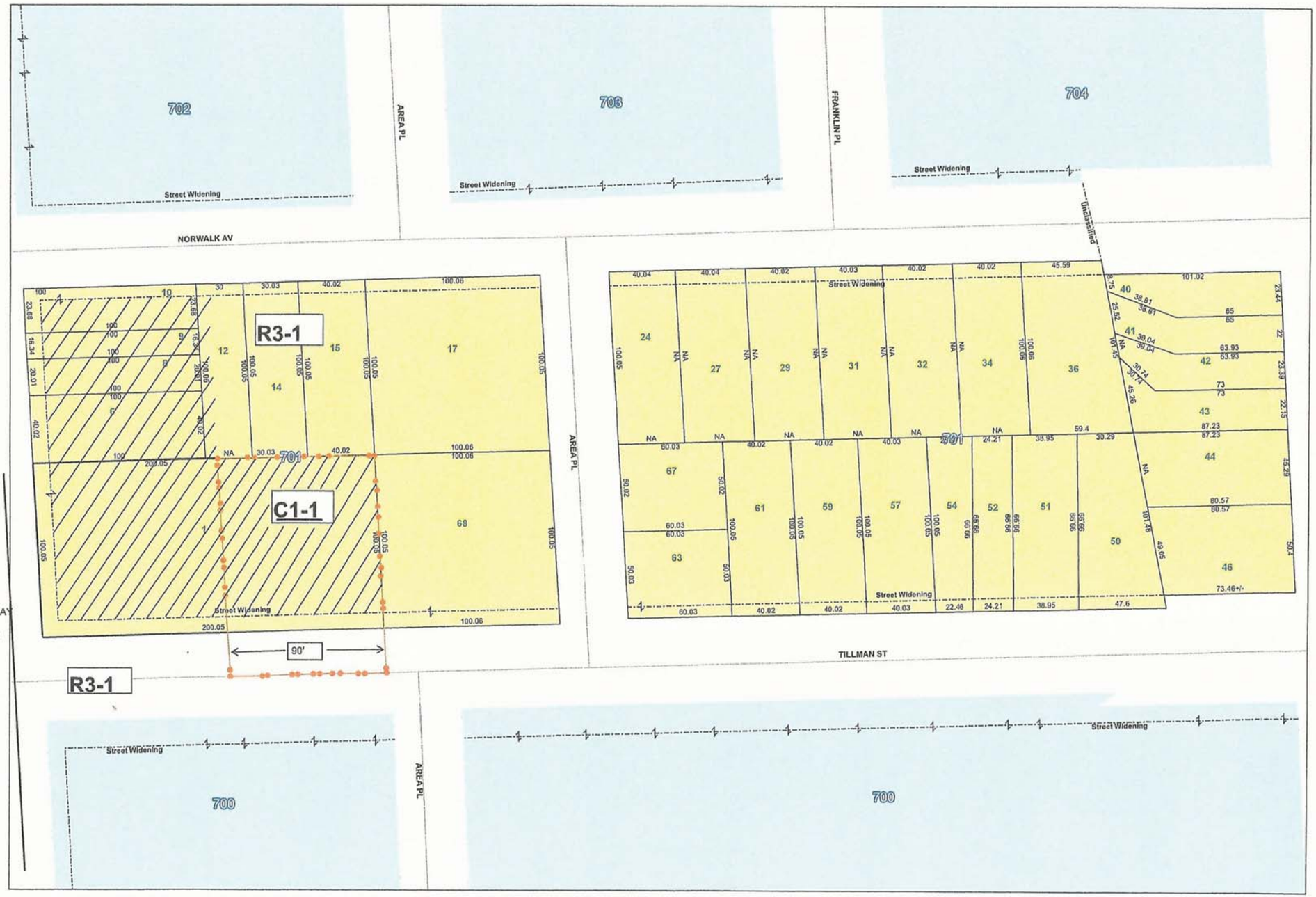

WESTWOOD AV
NORWALK AV
TILLMAN
LINCOLN
CROAK AV
HOLDEN BLVD
ELVIN
MANOR RD
AREA PL
FRANKLIN PL
LAGUARDIA AV
R3X
R3-1
R1-2
C1-1
752
753
754
701
702
703
704
700
(700A)
699
698
190'
GENERAL DATA
BLOCK 701
LOT 1
HOUSE # 901
MAP 21b & 27a
COMMUNITY BOARD 2
SPECIAL DISTRICT NONE
OUTSIDE FIRE DISTRICT
OUTSIDE F.W. WETLANDS
OUTSIDE FLOOD HAZARD
LINE LEGEND
TAX BLOCK/LOTS
STREET DIRECTION ARROWS
701 TAX BLOCK
C1-1 EXISTING COMMERCIAL OVERLAY
R3-1 EXISTING RESIDENTIAL ZONING
C1-1 NEW COMMERCIAL OVERLAY
RESIDENTIAL USE
COMMERCIAL USE
VACANT
NEW C1-1 COMMERCIAL OVERLAY
EXISTING C1-1 COMMERCIAL OVERLAY
EXISTING ZONING LINES
EXISTING BUILDING FOOTPRINT - RESIDENTIAL
EXISTING BUILDING FOOTPRINT - COMMERCIAL
190' PROPOSED ZONING DIMENSIONS
2 # OF BUILDING STORIES
R RESIDENTIAL USE
V VACANT LOT
600' RADIUS DIAGRAM
STREET/EASEMENT WIDTH
LAND USE MAP
SCALE OF FEET
100 50 0 100 200
10/12/16
5/9/16, 8/22/16
rev 11/30/11
6/9/15, 3/25/16

FINANCE
NEW YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

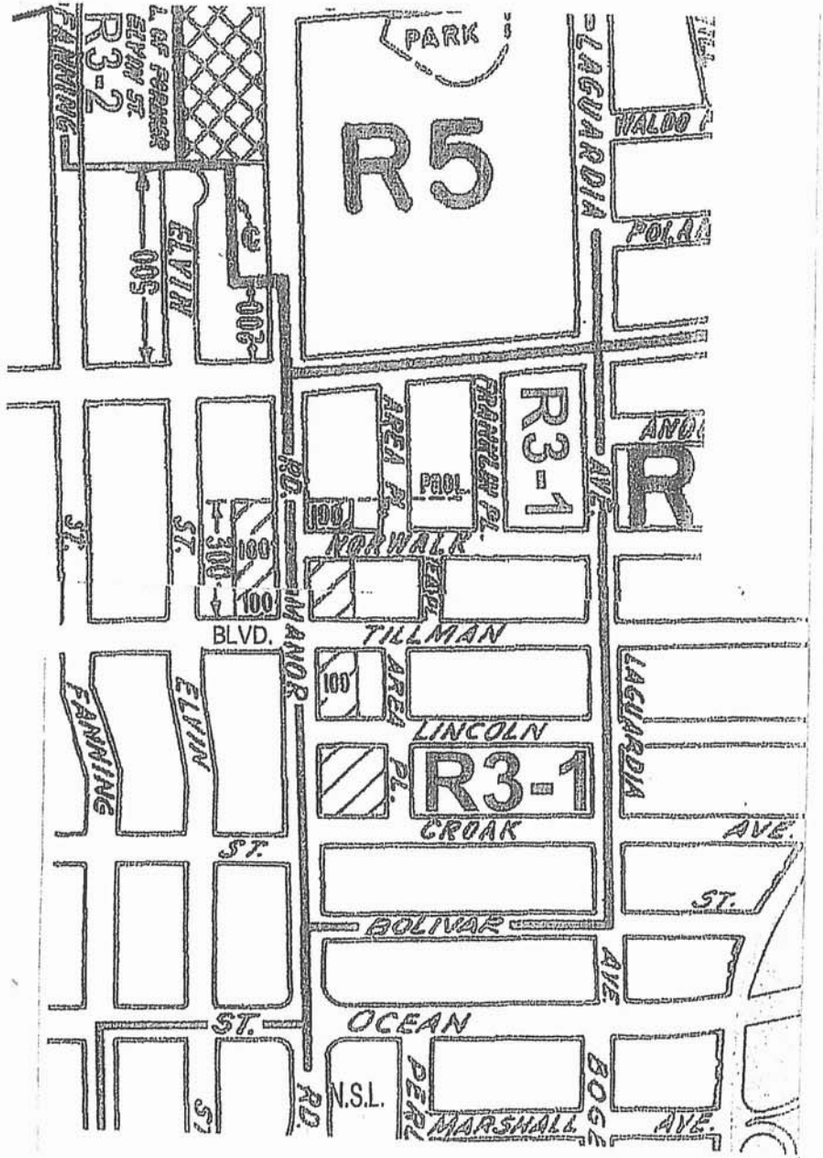
Effective Date : 12-04-2008 16:49:53
End Date : Current

Staten Island Block: 701



Zoning Change Map

Current Zoning Map (21b)

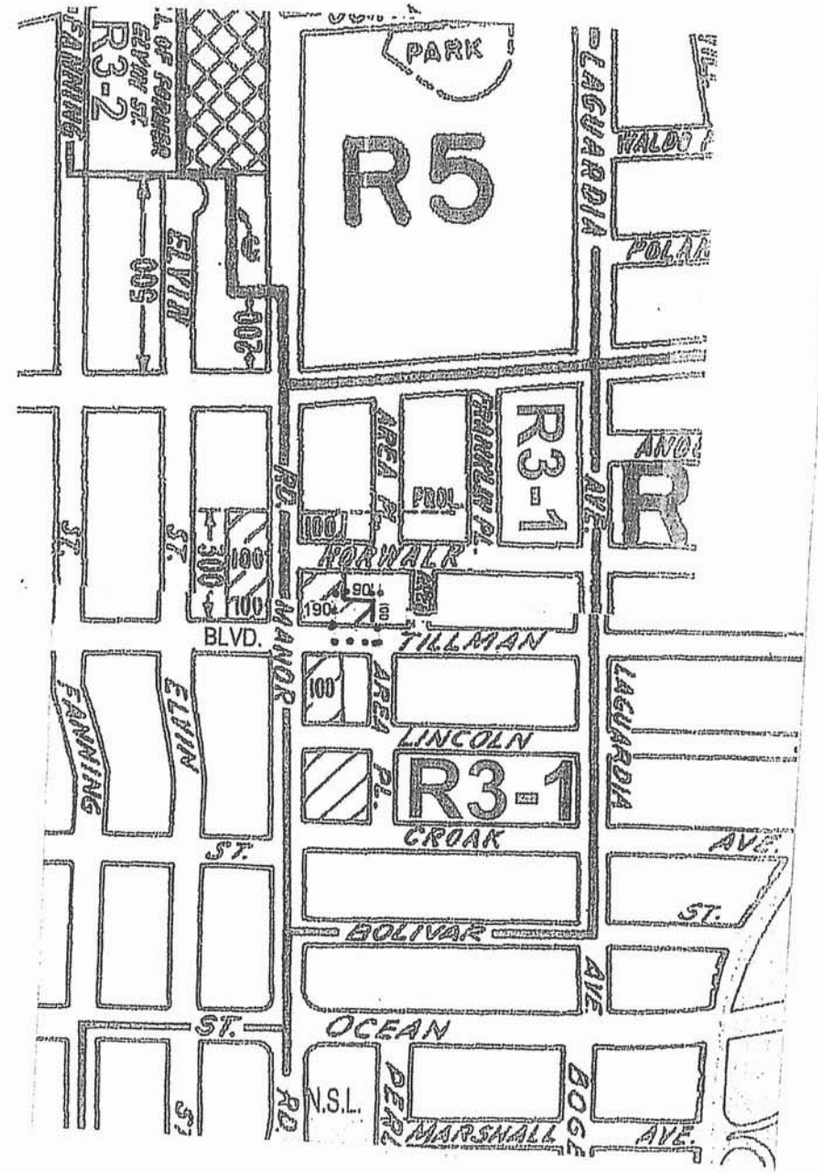


Current Zoning Map (27a)

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

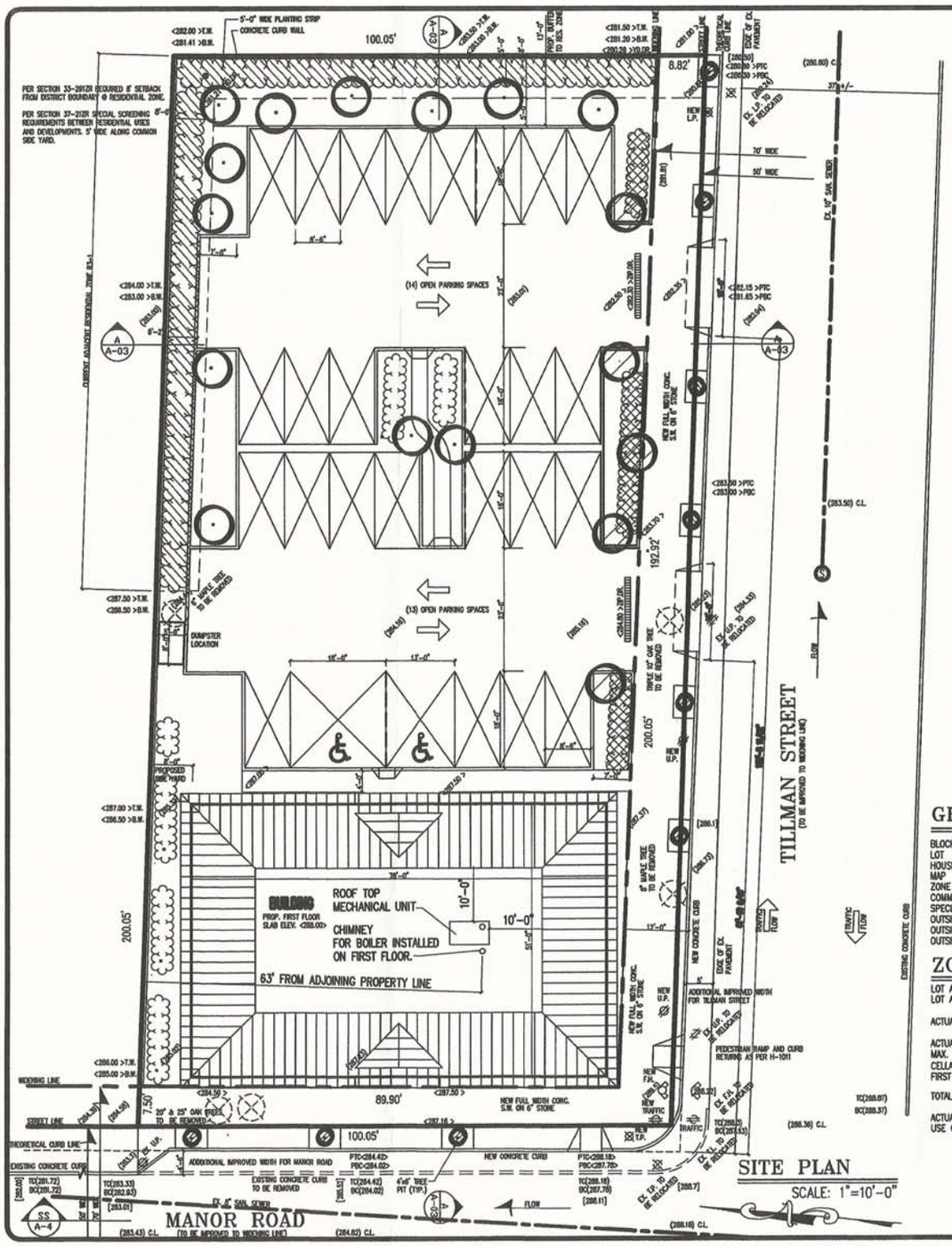
Proposed Zoning Map (21b)
Rezoning from R3-1 to R3-1 / C1-1



Proposed Zoning Map (27a)
Rezoning from R3-1 to R3-1/C1-1

Zoning Comparison Table

	Permitted/Required			
	Existing Zoning R3-1		Proposed Zoning R3-1 / C1-1	
	ZR Section #	R3-1 district	ZR Section #	R3-1 / C1-1 district
USE GROUPS	22-10	1, 2, 3 & 4	22-00 & 32-00	1, 2, 3, 4, & 6
Maximum FAR (Total)				
Residential	23-142	0.6 (attic allowance)	23-142	0.6
Community Facility	24-11	1	33-121	1
Commercial	n/a	n/a	33-121	1
Manufacturing	n/a	n/a	n/a	n/a
YARDS				
Front Yard	23-45(a)	15' / 10' corner		none required
Side Yard	23-46	13' total / min 5'	33-25	none or 8' for commercial
Rear Yard	23-47	30'	33-26	20'
Open Space	23-142	0.65		
Lot Coverage	23-142	0.35		
HEIGHT AND SETBACKS				
Maximum Height of Front Wall	23-631	26' L.D.G.M.A	33-431	30' or (2) stories whichever is less
Maximum Building Height	23-631	35'	33-431	30'
Sky Exposure Plane	n/a	n/a	33-431	1:1
Setbacks from Narrow Streets	n/a	n/a	33-431	20'
Setbacks from Wide Streets	n/a	n/a	33-431	15'
DENSITY	23-22	625		
PARKING AND LOADING				
Parking	25-22(b)	1.5 / dwelling unit	36-21	Gen. retail 1 per 150 sf
Loading	n/a	n/a	36-62	None required (c), first 8,000 sf - none



GENERAL DATA

BLOCK	701
LOT	1
HOUSE #	-
MAP	21b & 27a
ZONE	EXISTING R3-1/C1-1
COMMUNITY BOARD	1
SPECIAL DISTRICT	NONE
OUTSIDE FIRE DISTRICT	
OUTSIDE WETLANDS	
OUTSIDE FLOOD HAZARD	

ZONING DATA

LOT AREA	20,003.00 SF
LOT AREA W/O WIDENING AREA	17,446.13 SF
ACTUAL LOT COVERAGE	3978.00 SF
ACTUAL OPEN SPACE	16,025.00 SF
MAX. FLOOR AREA AT 1.0 F.A.R.	20,003.00 SF
CELLAR FLOOR AREA	N / A
FIRST FLOOR AREA	3978.00 SF
TOTAL FLOOR AREA @ 1.0 - COMM.	3978.00 SF
ACTUAL F.A.R. - COMMERCIAL	.20
USE GROUP	6

CODE DATA

	TOTAL
OCCUPANCY GROUP	-
CONSTRUCTION CLASS	1B
CELLAR FLOOR AREA	3978.00 SF
FLOOR AREA AT STREET	3978.00 SF
TOTAL FLOOR AREA	7956.00 SF

PARKING REG'S

GENERAL RETAIL PARKING = 1/150 SF, PR CAT B
3978 SF / 150 SF = (27) SPACES REQUIRED.
THEREFORE FOR COMMERCIAL PARKING –
(27) SPACES PROVIDED.

CELLAR SPACE O.K. FOR STORAGE – NO RETAIL PERMITTED.

LOADING BERTH NOT REQUIRED PER 36-62 ZR.

LEGEND

[ ]	LEGAL GRADE
< >	PROPOSED GRADE
( )	EXISTING GRADE

SCOPE OF WORK

PROPOSED COMMERCIAL DEVELOPMENT.

SYMBOLS LEGEND

- A / A-0 — SITE SECTION LETTER AND SHEET NO.
- SS / A-0 — STREETSCAPE SECTION LETTER AND SHEET NO.
- PER SECTION 37-921 (b) (3) ZR PERIMETER LANDSCAPING – TREES (1) 2" CALIPER TREE PER 25' OF OPEN PARKING AREA. TREES TO BE SELECTED FROM 37-0812R.
- NON-REQUIRED SITE TREES TO BE SELECTED FROM 37-0812R.
- REQUIRED STREET TREE
- PER SECTION 37-921 (b) (2) ZR PERIMETER LANDSCAPING – SIDEWALK FRONTAGE DENSELY PLANTED SHRUBS AT 24" O.C. AND 3' ABOVE THE ADJOINING PUBLIC SIDEWALK. SHRUBS TO BE SELECTED FROM SECTION 37-9532R.
- NON-REQUIRED LANDSCAPING SHRUBS TO BE SELECTED FROM SECTION 37-9532R.
- PER SECTION 37-212R SPECIAL SCREENING REQUIREMENTS BETWEEN RESIDENTIAL USES AND DEVELOPMENTS. 5' WIDE ALONG COMMON SIDE YARD.

REGISTERED ARCHITECT DAVID J. DARCY 023631 STATE OF NEW YORK

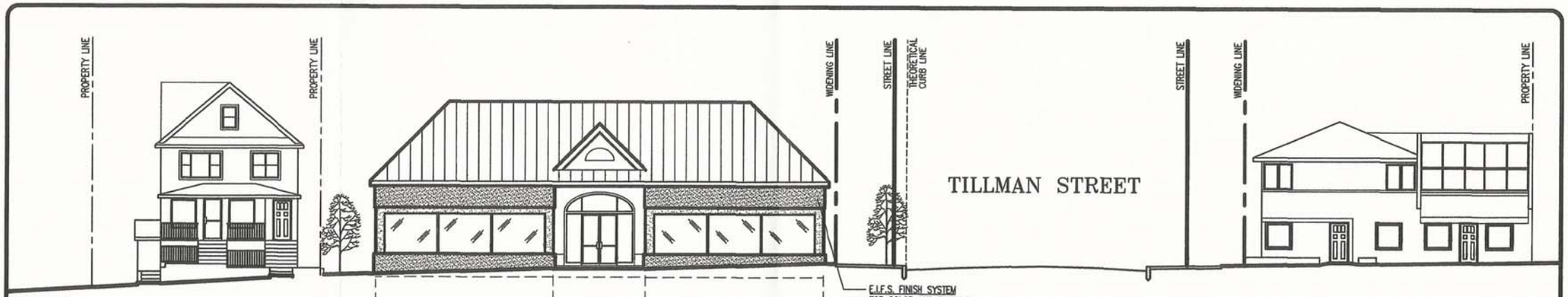
1	4/12/10	DD	REVISED TO DEVELOPMENT
2	6/16/10	DD	REVISIONS TO DEVELOPMENT
3	10/14/10	DD	MINOR REL. WIDENING
4	11/22/10	DD	TFD COMMENTS
5	1/10/10	DD	ADDITIONAL REVISIONS REQUESTED / DCP
6	1/21/10	DD	ADDITIONAL REVISIONS REQUESTED / DCP
7	10/28/10	DD	ADDITIONAL REVISIONS REQUESTED / DCP
8	11/22/10	DD	ADDITIONAL REVISIONS REQUESTED
9	12/14/10	DD	ADDITIONAL REVISIONS REQUESTED
9	4/8/11	DD	REVISED PARKING LOT
10	10/4/11	DD	ADDED MECHANICAL ROOF TOP UNIT

(718) 301-5475
(973) 301-2644
FAX (973) 301-0851
DAVID J. DARCY, R.A.
ARCHITECT
N. Y. REGISTRATION No. 023631
N. J. REGISTRATION No. 17070

MANOR ROAD DEVELOPMENT, 31 NY
FOR MR. FRZENO

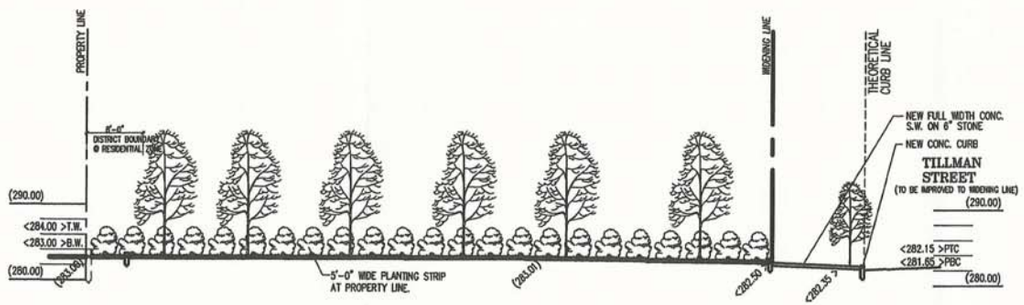
DRAWING TITLE
ARCHITECTURAL SITE PLAN

DRAWN BY D. DARCY	CHECKED BY	PROJECT NO. 09-407
DATE 4/28/09	SCALE/ PAPER SIZE 1" = 10'	SHEET 1 of 2
CAD DWG FILE 09-407-SITE.DWG		
DWG NO. A-003.00		



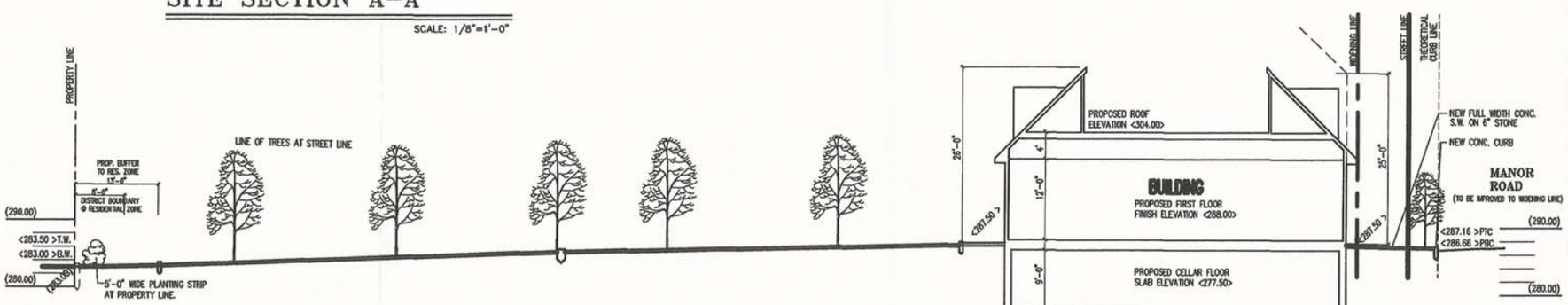
MANOR ROAD – STREETSCAPE

SCALE: 1/8"=1'-0"



SITE SECTION A–A

SCALE: 1/8"=1'-0"



SITE SECTION A–A

SCALE: 1/8"=1'-0"

REVISION	DATE	BY	DESCRIPTION
1	1/15/10	DJD	DCP REQUESTED ADDITIONAL INFORMATION
2	10/30/11	DJD	REQUESTED ADDITIONAL INFORMATION

(718) 351-5475
(201) 391-2844
FAX (201) 391-5851
DAVID J. DANCY, R.A.
ARCHITECT

MANOR ROAD DEVELOPMENT, SI NY
FOR MR. FAZZINO

ARCHITECTURAL SECTION AND MANOR ROAD STREETSCAPE ELEVATION

DRAWN BY D. DANCY	CHECKED BY	PROJECT NO. 08-407
DATE 4/28/09	DRAWING BID SET	SHEET 2 of 2
CAD DWG FILE [illegible]		

DWG NO. A-004.00

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 170156 PPR**	Project Name: **Teleport Site A**
CEQR Number: 16DME013R	Borough(s): Staten Island Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property, located in the Staten Island Industrial Park , generally bounded by Teleport Drive on the east and South Avenue on the west (Block 2165, Lot 120) which includes the disposition of an easement on Block 2165 over portions of Lots 140, 160, 170, and 200, pursuant to zoning.

Applicant(s):	**Applicant's Representative:**
NYC Department of Administrative Services (DCAS) Municipal Building, 20th Floor One Centre Street New York, New York 10007	Hardy Adasko, Sr. Vice President NYC Economic Development Corporation 110 William Street New York, New York 10038 212-312-3703

Recommendation submitted by:

Staten Island Community Board 2

Date of public hearing: December 6, 2016 **Location:** CB2, 460 Brielle Avenue, SINY 10314

Was a quorum present? **YES** ☒ **NO** ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: December 20, 2016 **Location:** CB2, 460 Brielle Avenue, SINY 10314

RECOMMENDATION

☒ Approve ☐ Approve With Modifications/Conditions

☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: 27 **# Against:** **# Abstaining:** **Total members appointed to the board:**

Name of CB/BB officer completing this form	*Title*	*Date*
Dana T. Magee	Chair	12/21/2016

NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

BOROUGH PRESIDENT RECOMMENDATION

Pursuant to the Uniform Land Use Review Procedure

Application #: C 170156 PPR CEQR #: 16DME013R	Project Name: TELEPORT / SITE 1 Borough(s): STATEN ISLAND Community District Number(s): 2

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF the application submitted by the New York City Department of Citywide Administrative Services (DCAS) and the New York City Economic Development Committee (NYCEDC), for a site known as Teleport Site A:

DCAS and NYCEDC seek disposition approval pursuant to Section 384(b)(4) of the New York City Charter, including any and all easements and other conveyances necessary for the development of an approximately 8.5-acre vacant lot at Block 2165, Lot 120, with approval through ULURP under New York City Charter Section 197(c). Once disposition is approved, DCAS intends to dispose of the property to the New York City Land Development Corporation (NYCLDC), who will then dispose of the property to NYCEDC. It is anticipated that NYEDC will then dispose of the property to Corporate Commons Three, LLC.

Corporate Commons Three, LLC has expressed interest to buy the property and develop a 240,000gsf building with approximately 173,000gsf of commercial office space, a 2,000sf bank, a 5,000sf restaurant and 60,000gsf of medical office uses and therapy pools. The Proposed Project would require 800 parking spaces under zoning, and the future property owner is proposing 885 spaces to be provided within an open parking lot and a new parking structure.

Recommendation:

- [x] Approve
- [ ] Approve With Modifications/Conditions
- [ ] Disapprove
- [ ] Disapprove With Modifications/Conditions

Explanation of Recommendation, Conditions or Modification:

Related Applications:

Contact:

Address questions about this recommendation to:

OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

Address: 10 Richmond Terrace, Staten Island, NY 10301 (Room G-12)
Phone: 718.816.2112
Fax: 718.816.2060

James S. Oddo

James S. Oddo
President of the Borough of Staten Island

01/12/2017

DATE

OFFICE OF THE BOROUGH PRESIDENT
10 RICHMOND TERRACE
STATEN ISLAND, NY 10301

JAMES S. ODDO
BOROUGH PRESIDENT
718.816.2200
WWW.STATENISLANDUSA.COM

CERTIFICATION

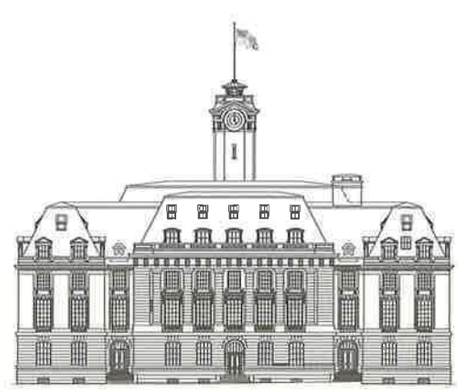
I, the undersigned, do hereby certify:

1. That I am the duly acting Director of the Borough Board of the Borough of Staten Island; and

2. That the foregoing constitutes a Resolution of the Board, as duly adopted at a meeting of the Members of the Staten Island Borough Board, held on the 4th day of January, 2017.

IN WITNESS WHEREOF, I have hereunto subscribed by name, this 4th day of January, 2017.

Marie Carmody-LaFrancesca
Director,
Borough Board of the Borough of Staten Island



OFFICE OF THE BOROUGH PRESIDENT
10 RICHMOND TERRACE
STATEN ISLAND, NY 10301

JAMES S. ODDO
BOROUGH PRESIDENT
718.816.2200
WWW.STATENISLANDUSA.COM

Staten Island Borough Board Resolution

WHEREAS, the City of New York ("City") is the owner of certain real property (the "Property") located within the Borough of Staten Island, Community District #2 identified as Teleport Site A (Block 2165, Lot 120) on the NYC Department of Finance Tax Map for the Borough of Staten Island, portions;

WHEREAS, The New York City Department of Citywide Administrative Services (DCAS) (the "Applicant") and New York City Economic Development Corporation ("NYCEDC") (the "Co-Applicant") propose two land use actions necessary to facilitate development of an undeveloped 8.5 acre City-owned site (Block 2165, Lot 120) within the Teleport Office Park in the Bloomfield neighborhood of the Borough of Staten Island, Community District 2 in the City of New York, including:

- Disposition of non-residential City-owned property pursuant to New York City Charter Section 384(b)(4), including any and all easements and other conveyances necessary for the site's development (Block 2165, Lots 140, 160, 170, 190 and 200)and,
- Certification from the Chair of the City Planning Commission of Cross Access Connections pursuant to Zoning Resolution (ZR) Section 36- 592.

WHEREAS, Once disposition is approved, DCAS intends to dispose of the property to the NYC Land Development Corporation (NYCLDC) who will then dispose of the property to NYCEDC. It is anticipated the NYCEDC will then dispose of the property to Corporate Commons Three, LLC.

WHEREAS, New York City Land Development Corporation ("NYCLDC") is a local development corporation organized pursuant to Section 1411 of the New York State Not For Profit Corporation Law, having an office at 110 William Street, New York, New York 10038;

WHEREAS, Pursuant to its Amended and Restated Contract, dated June 30, 2012, as amended from time to time, the City has retained New York City Economic Development Corporation ("NYCEDC") to perform certain economic development services; and NYCEDC, acting on behalf of the City, will enter into an agreement with Corporate Commons Three, LLC, a developer;

WHEREAS, Corporate Commons Three, LLC (or an affiliate thereof) has expressed interest to purchase the Property and develop it to include a 240,000 gross square foot (gsf) building with approximately 173,000 gsf of commercial office space, 2000 square foot bank, 5000 square foot restaurant, and 60,000 gsf of medical office uses with therapy pools. The proposed project would include 873 parking spots, including both at-grade parking and within a parking garage. The proposed development is permitted as-of-right in the existing M1-1 zoning district.

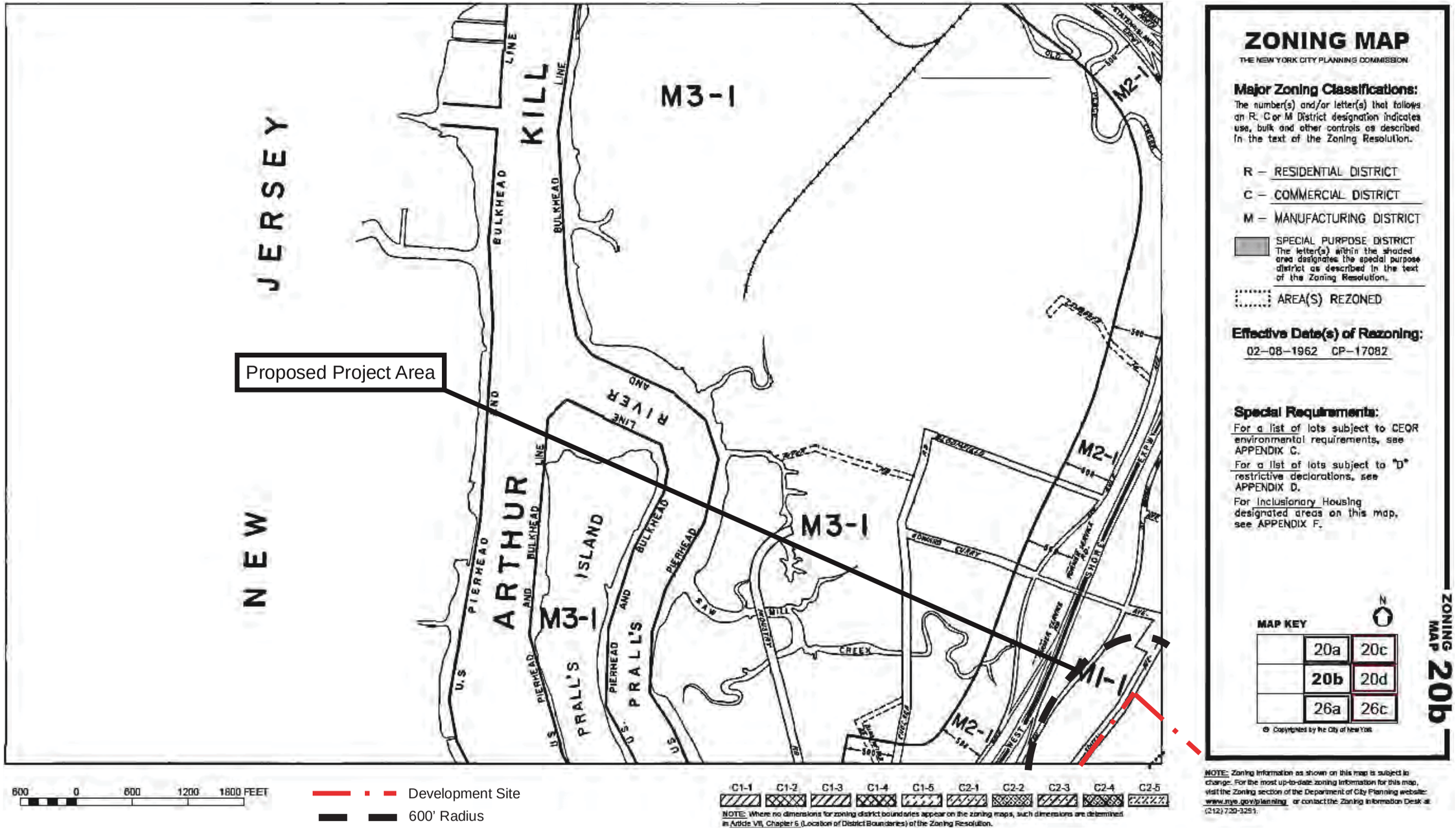
WHEREAS, The proposed action also includes a request for Certification from the Chair of the City Planning Commission for Cross Access Connections pursuant to Zoning Resolution (ZR) Section 36- 592 to certify that the provision of cross-access connections have been met. The proposed cross access connection at the southern boundary of the site at its connection with Teleport Drive would be approximately 32 feet wide and would accommodate two-way traffic into the property. The proposed cross access connection at the northern boundary of the site at its connection with Lot 140 would be approximately 22 feet wide and would accommodate two-way traffic between the project site and the existing structures known as Corporate Commons One and Two to the north.

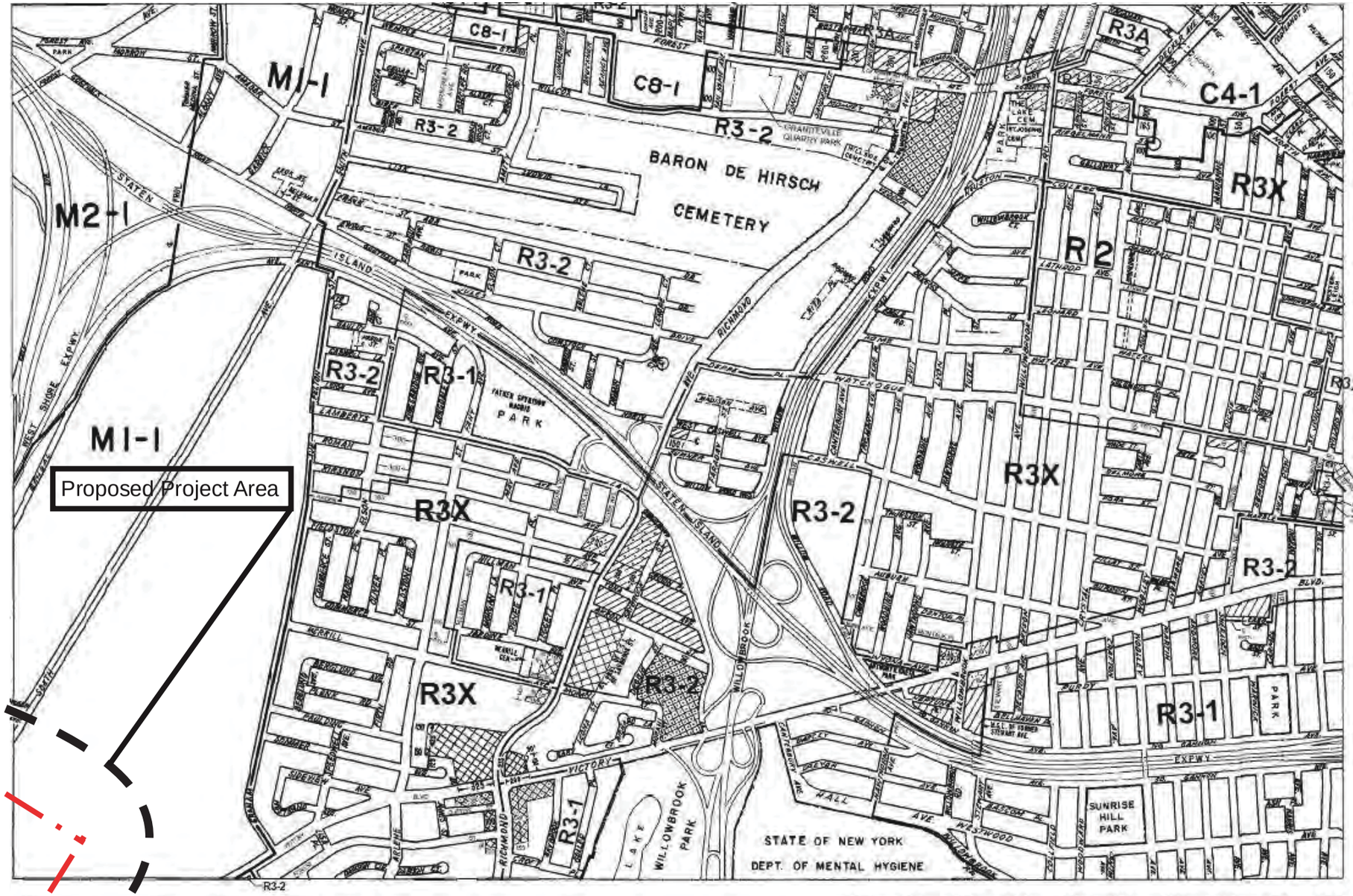
WHEREAS, EDC has notified Community Board 2 regarding the proposed conveyance of the Property, and said Community Board 2 has recommended approval of the conveyance;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the New York City Uniform Land Use Review Procedure and Section 384(b)(4) of the New York City Charter , the Borough Board of the Borough of Staten Island, hereby approves the disposition of the aforementioned real property (Block 2165, Lot 120) and all interests therein and supports ULURP Application Numbers 170156PPR and N170157ZCR representing required land use actions necessary to facilitate the development of the undeveloped 8.5 acre City-owned site within the Teleport Office Park in the Bloomfield neighborhood of the Borough of Staten Island, Community District 2 in the City of New York.

Approved: January 04, 2017

JAMES S. ODDO
President, Borough of Staten Island
Chairman, Borough Board of the Borough of Staten Island


ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R — RESIDENTIAL DISTRICT
C — COMMERCIAL DISTRICT
M — MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
02-08-1962 CP-17082
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
MAP KEY
20a
20c
20b
20d
26a
26c
© Copyrighted by the City of New York
ZONING MAP 20b
NEW JERSEY
KILL
ARTHUR
ISLAND
PRALL'S
M3-1
M2-1
M1-1
Proposed Project Area
600 0 600 1200 1800 FEET
Development Site
600' Radius
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.



600 0 600 1200 1800 FEET

Development Site

600' Radius

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

12-17-2014 C 110122 ZMR

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

20a	20c	21a
20b	**20d**	21b
26a	26c	27a

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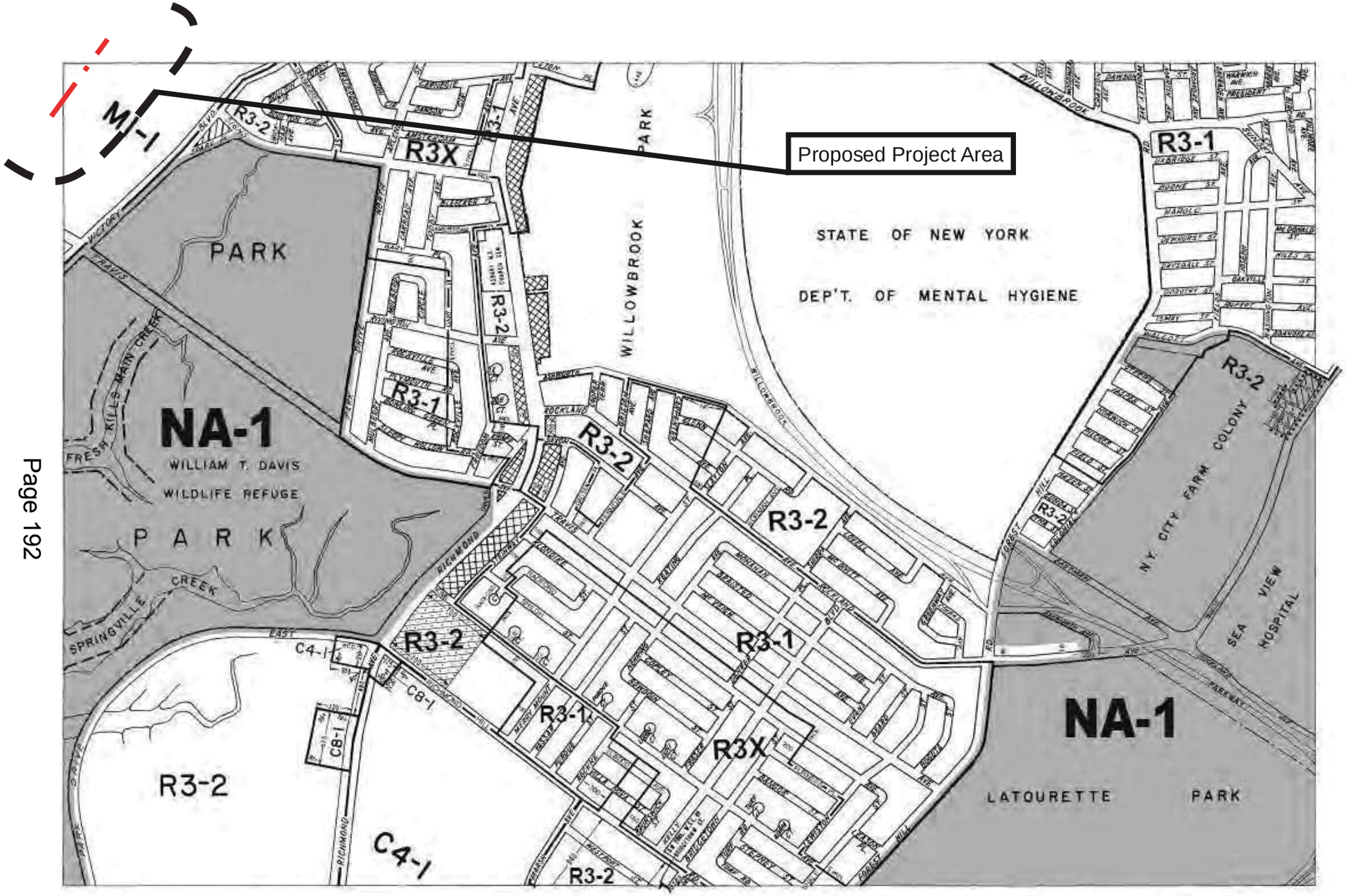
ZONING MAP **20d**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

01-19-2016 C 150422 ZMR

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

20b	20d	21b
26a	**26c**	27a
26b	26d	27b

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ZONING MAP **26c**

600 0 600 1200 1800 FEET

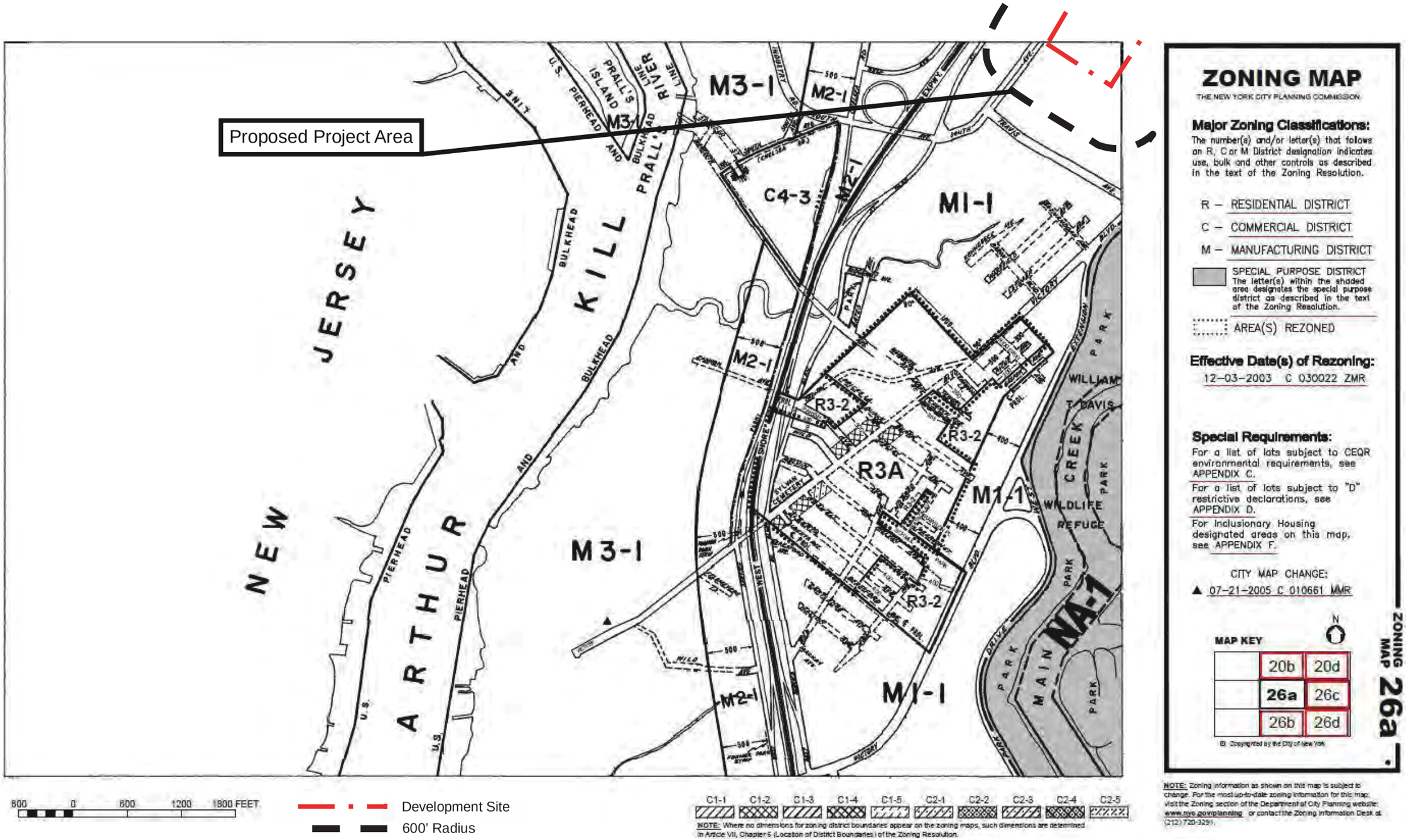
Development Site

600' Radius

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

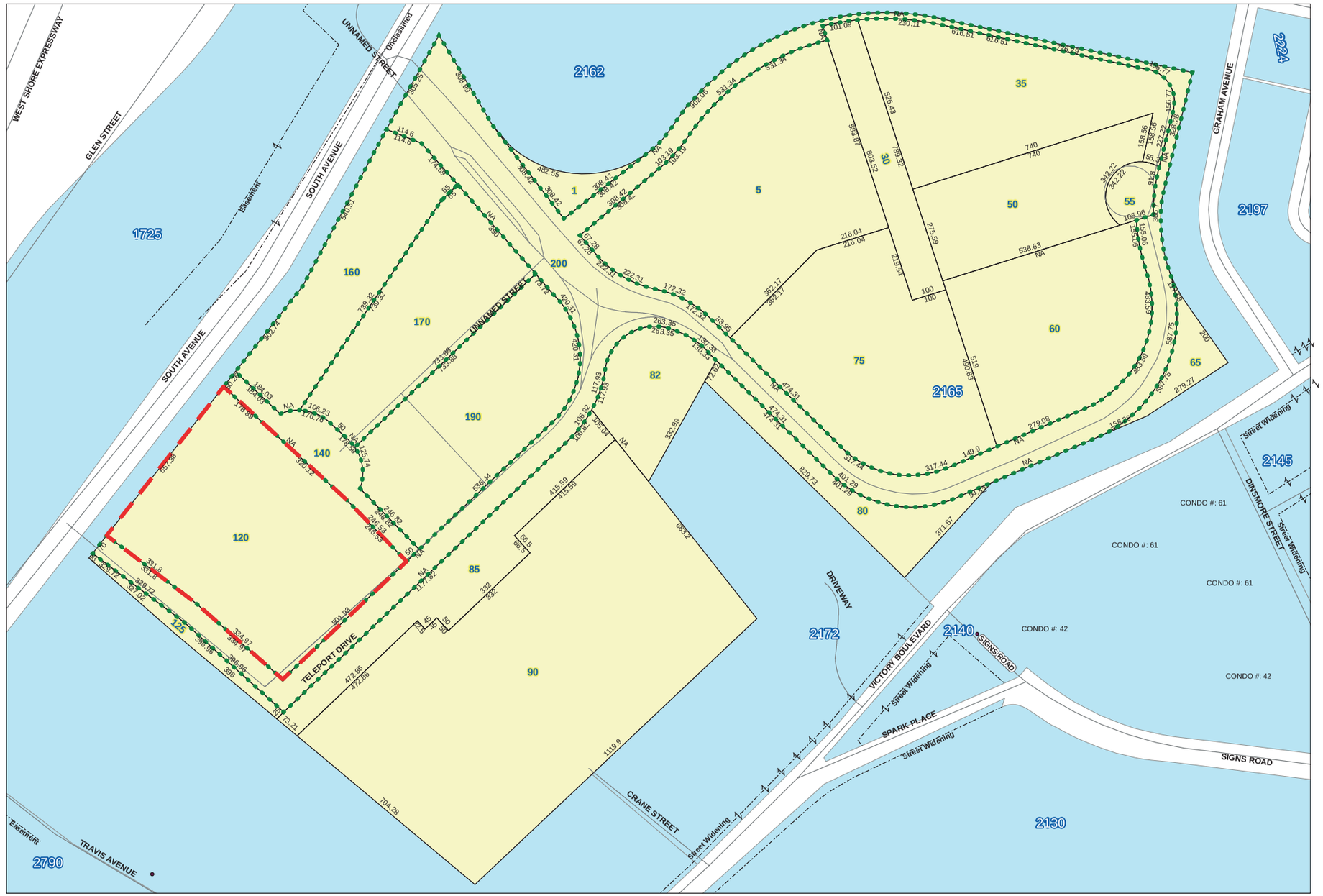

Proposed Project Area
ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R – RESIDENTIAL DISTRICT
C – COMMERCIAL DISTRICT
M – MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
12–03–2003 C 030022 ZMR
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
CITY MAP CHANGE:
▲ 07–21–2005 C 010661 MMR
MAP KEY
20b
20d
26a
26c
26b
26d
© Copyrighted by the City of New York
ZONING MAP 26a
M3-1
M2-1
C4-3
M1-1
R3-2
R3A
M1-1
M3-1
M2-1
M1-1
NA-1
NEW JERSEY
ARTHUR KILL
PRALL'S ISLAND
PIERHEAD AND BULKHEAD LINE
U.S.
WILLIAM T. DAVIS WILDLIFE REFUGE
CREEK
PARK
MAIN
WEST SHORE
VICTORY
HYLAN CEMETERY
800 0 600 1200 1800 FEET
Development Site
600' Radius
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

NYC Finance

NYC Digital Tax Map

Effective Date : 07-08-2016 15:06:01
End Date : Current

Staten Island Block: 2165



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

Development Site

Area of Potential Future Easement

Feet
0 25 50 100 150 200

Area Map: Teleport Site A

Teleport Site A, Staten Island
Block: 2165 Lot: 120
BBL: 5021650120

- Project Site
- 600 Foot Radius
- Area of Potential Future Easement

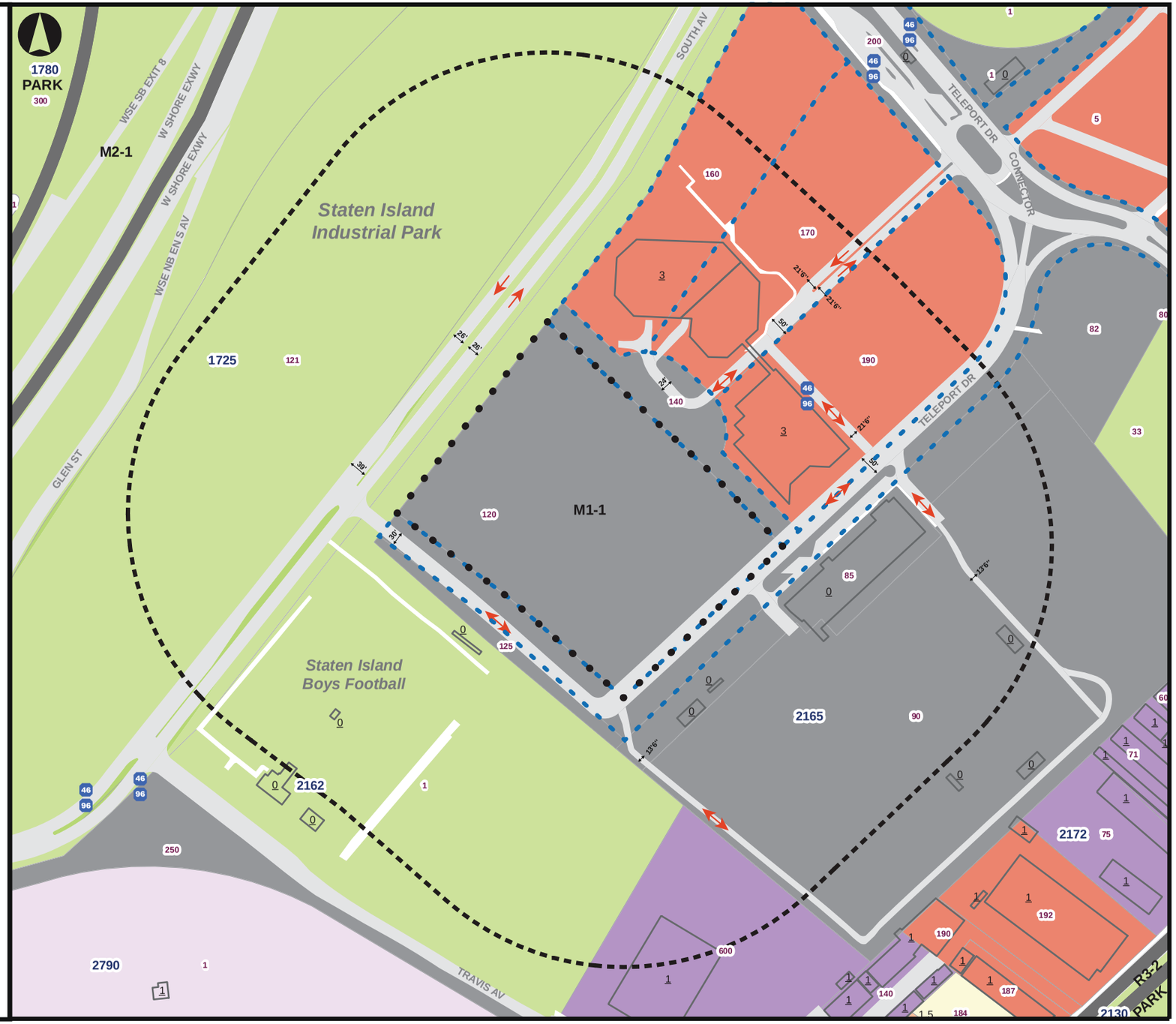
ZONING

- Zoning District
- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5
- MTA Bus Stop
- Building Footprint
- Number of Floors
- Block
- Lot
- Street Directions
- Street Widths

LAND USE

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residnetial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- Other or No Data

0 100 200 300 400 500 600 Feet



Project Site Boundaries

Teleport Site A EAS

Figure A-2
Aerial Photograph

FIRE OPERATIONS FEATURES TABLE [1]

FEATURE	DIMENSION	FIRE CODE	NOTES
FAAR	**30 FT MIN.**	PER MEETING, 11/1/16	1
FIRE APPARATUS ACCESS ROAD	CURB-TO-CURB		
USABLE ROADWAY	**30 FT MIN.**	PER MEETING, 11/1/16	1
PARKING LOT LANES	ZONING RESOLUTION [2,3]	**503.5**	2,3
PARKING LOT SPACES	ZONING RESOLUTION [2,3]	**503.2.5**	2,3,4
FRONTAGE SPACE	**30 FT X 30 FT**		
MAIN FRONT ENTRANCES (MFE)	ADJOINING MAIN FRONT ENTRANCES	**504.1.1**	1
SECONDARY ENTRANCES	N/A	**504.1.1**	1
OBSTRUCTIONS	NONE	**504.1.4**	
HYDRANT	**100FT MAX.**		
MAIN FRONT ENTRANCE (MFE)	100 FT MAX. TO STAND PIPE		

COMMERCIAL FACILITY PARKING LOT TABLE [2]

ANGLE (DEGREE)	MIN. DIMENSIONS [3] DPTH (A)	WIDTH (B)	AISLE (C)	END/TURN (D)	BUMPER OVERHANG
0	8'-6"	20'-0"	23'-3"	NA	NA
90	18'-0"	8'-6"	22'-0"	22'-0"	0'-0"
90	16'-0"	8'-6"	22'-0"	22'-0"	2'-0"
END PLANT. ISLANDS	FULL	8'-0"			2'-0"

NOTES:
1. FIRE OPERATIONS FEATURES AS REQUESTED BY FDNY.

2. ALL PARKING LOT REQUIREMENTS ARE DRAWN FROM THE *DESIGN REGULATIONS FOR COMMERCIAL & COMMUNITY PARKING LOTS TEXT AMENDMENT*, ADOPTED BY THE NEW YORK CITY COUNCIL 11/2/07.

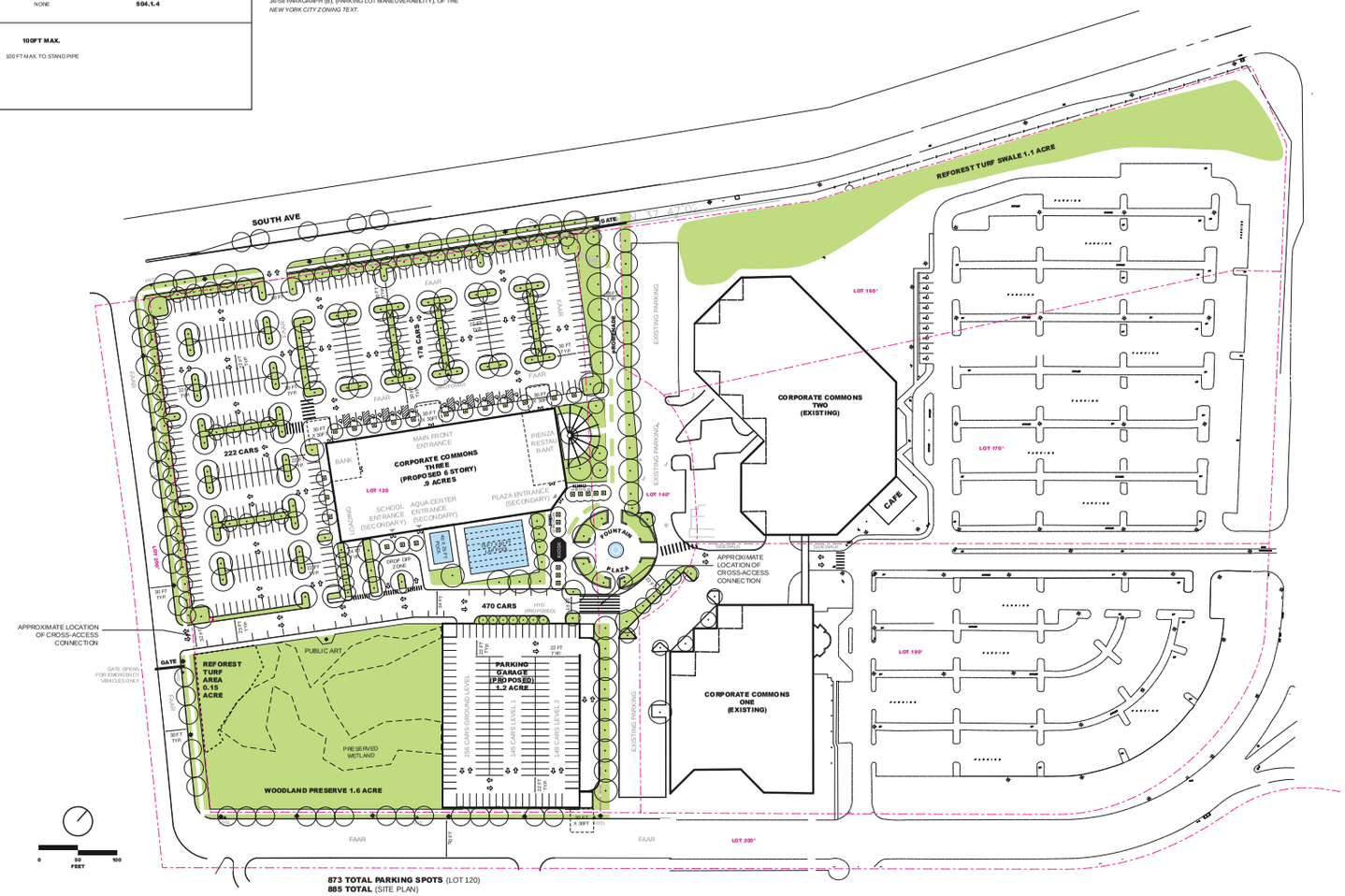
3. PARKING SPACE & AISLE DIMENSIONS ARE DRAWN FROM SECTION 36-58 PARAGRAPH (B), (PARKING LOT MANEUVERABILITY), OF THE *NEW YORK CITY ZONING TEXT*.

4. DIMENSIONS FOR HANDICAP PARKING SPACES AND ACCESS AISLES ARE DRAWN FROM THE *BUILDING CODE OF NEW YORK STATE* SECTION 1106, IN WHICH THE COMBINED PARKING SPACE WIDTH & ADJACENT ACCESS AISLE (16 FT) IS GREATER THAN REQUIREMENTS IN OTHER APPLICABLE CODES.

ZONING & TAX LOTS

THE BOUNDARIES OF THE ZONING LOT COMPRISE AT LEAST THE ENTIRE TELEPORT CAMPUS. FOR THE PURPOSES OF THIS SITE PLAN, IT IS ASSUMED THAT BLOCK 2165, LOT 120 (WHERE THE PROPOSED PROJECT IS LOCATED) AND LOTS 140, 160, 170, 190, AND 200 ARE LOCATED WITHIN THE SAME ZONING LOT, SINCE ALL OF THESE LOTS HAVE BEEN IN CONTINUOUS CITY OWNERSHIP SINCE AT LEAST DECEMBER 15, 1961 (AS PER (B) DEFINITION OF #ZONING LOT# IN SECTION 12-10 OF THE ZONING RESOLUTION).

* LOT 140, 160, 170, 190 & 200 SCALED FROM NYC FINANCE, NYC DIGITAL TAX MAP.



873 TOTAL PARKING SPOTS (LOT 120)
885 TOTAL (SITE PLAN)

NO.	DATE	DESCRIPTION	APPR'D.
10	11/14/16	ADDITIONAL TAX LOTS, ZONING LOT TEXT ADDED	
9	11/11/16	INDICATE CROSS ACCESS CONNECTIONS, ADJ. PARKING TALLY	
8	11/07/16	INDICATE SIDEWALK CONNECTING CC1&2	
7	11/07/16	MOVE ALL BICYCLE PARKING ONTO TAX LOT	

REVISIONS

NO.	DATE	DESCRIPTION	APPR'D.
6	11/07/16	ADD TAX LOT 140 FROM NYC FINANCE DIGITAL TAX MAP	
5	11/05/16	ADJUST PARKING & EMBEDDED TO FITO SPOTS ON TAX LOT	
4	11/05/16	INCREASE ROAD OFF TELEPORT DR. TO 30FT, ADD FROP GATE	
3	11/05/16	FROM BUDGET DR PARKING GARAGE ON TELEPORT DR.	
2	11/05/16	30 FT RIVER, 30 X 30 FT FRONTAGE ON BANK & PIENZA, HYDRANT	
1	10/31/16	SECOND LEVEL ON PARKING DECK, INCREASE PARKING TO 885	

REVISIONS

SCALE: **AS SHOWN**
DRAWN BY: PDM
CHECKED BY: DCW

Being Here Landscape Architecture & Environmental Design, PLLC
Cathedral Station, P.O. Box 80
New York, NY 10025
www.beingheredesign.com

NICOTRA GROUP LLC
CORPORATE COMMONS III

SITE A
TELEPORT, STATEN ISLAND, NY
BLOCK 2165, LOT 120

CONCEPTUAL SITE PLAN

DATE: October 11, 2016
DRAWING NO.
LC 101
SHEET 1 OF 1

NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 170153 HAK**	Project Name: **210-214 HEGEMAN AVENUE**
CEQR Number: 17HPD026K	Borough(s): Brooklyn Community District Number(s): 16

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

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

1) pursuant to Article 160 of the General Municipal Law of New York State for:

   a) the designation of properties located at 210-214 Hegeman Avenue (Block 3639, Lots 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 be selected by HPD;

to facilitate the construction of approximately 70 units of affordable and supportive housing, Borough of Brooklyn, Community District 16.

Applicant(s):	**Applicant's Representative:**
NYC Department of Housing Preservation and Development 100 Gold Street New York, NY 10038	Daniel Hernandez NYC Department of Housing Preservation and Development 100 Gold Street New York, New York 10038

Recommendation submitted by:
Brooklyn Community Board 16

Date of public hearing: December 20, 2016 **Location:** 444 Thomas S. Boyland Street, Brooklyn, NY 11212

Was a quorum present? YES ☒ NO ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: December 20, 2016 **Location:** 444 Thomas S. Boyland Street, Brooklyn, NY 11212

RECOMMENDATION

☒ Approve ☐ Approve With Modifications/Conditions
☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: 24 **# Against:** 1 **# Abstaining:** **Total members appointed to the board:** **47**

Name of CB/BB officer completing this form	*Title*	*Date*
Genese Morgan	Chairperson	12/23/2016

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 170154 ZSK**	Project Name: **210-210 Hegeman Avenue**
CEQR Number: 17HPD026K	Borough(s): Brooklyn Community District Number(s): 16

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

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 Section 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 and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connection with a proposed eight-story building on property located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37), in an R6 District, Borough of Brooklyn, Community District 16.

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.

Applicant(s):	**Applicant's Representative:**
NYC Department of Housing Preservation and Development 100 Gold Street New York, New York 10038	Daniel Hernandez NYC Department of Housing Preservation and Development 100 Gold Street New York, New York 10038

Recommendation submitted by:
Brooklyn Community Board 16

Date of public hearing: December 20, 2016 **Location:** 444 Thomas S. Boyland Street, Brooklyn, NY 11212

Was a quorum present? **YES** ☒ **NO** ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: December 20, 2016 **Location:** 444 Thomas S. Boylnd Street, Brooklyn, New York 11212

RECOMMENDATION

☒ Approve ☐ Approve With Modifications/Conditions
☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: 24 **# Against:** 1 **# Abstaining:** **Total members appointed to the board:** **47**

Name of CB/BB officer completing this form	*Title*	*Date*
Genese Morgan	Chairperson	12/23/2016

Brooklyn Borough President Recommendation
CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
calendaroffice@planning.nyc.gov

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION

210-214 HEGEMAN AVENUE – 170154 ZSK AND 170153 HAK

In the matter of the applications submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Article 160 of the General Municipal Law of New York State for the designation of properties located at 210-214 Hegeman Avenue, in the Brownsville neighborhood of Brooklyn Community District 16 (CD 16) as an Urban Development Action Area and Project (UDAAP) for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to be selected by HPD. Such actions would facilitate the construction of an eight-story, 42,000 square-foot building containing approximately 70 units of affordable and supportive housing. Additional application submitted by HPD pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to ZR Section 74-903 to modify the requirements of ZR Section 24-11, Maximum Floor Area and Percentage of Lot Coverage, to apply to a non-profit institution with sleeping accommodations in connection with the proposed building.

BROOKLYN COMMUNITY DISTRICT NO. 16 BOROUGH OF BROOKLYN

RECOMMENDATION

☒ APPROVE
☐ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

SEE ATTACHED

Eric L Adams
BROOKLYN BOROUGH PRESIDENT

January 23, 2017
DATE

RECOMMENDATION FOR: 210-214 HEGEMAN AVENUE – 170154 ZSK AND 170153 HAK

The New York City Department of Housing Preservation and Development (HPD), pursuant to Article 160 of the General Municipal Law of New York State, seeks the designation of properties located at 210-214 Hegeman Avenue, in the Brownsville neighborhood of Brooklyn Community District 16 (CD 16), as an Urban Development Action Area and Project (UDAAP) for such area, and, pursuant to Section 197-c of the New York City Charter, the disposition of such properties to CAMBA Housing Ventures, Inc. (CAMBA), the developer selected by HPD. Such actions would facilitate the construction of an eight-story, 42,000 square-foot building containing approximately 70 units of affordable and supportive housing. An additional application submitted by HPD, pursuant to Sections 197-c and 201 of the New York City Charter, seeks the grant of a special permit pursuant to the New York City Zoning Resolution (ZR) Section 74-903 to modify the requirements of ZR Section 24-11, Maximum Floor Area and Percentage of Lot Coverage, to apply to a non-profit institution with sleeping accommodations in connection with the proposed building.

On January 9, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on this text amendment. There were no speakers on this item.

In response to Borough President Adams' inquiry to clarify details with regard to the affordable housing, the applicant stated that for low-income lottery units the maximum qualifying income is $31,008, with rents at $736 per unit, including a utility allowance. For the supportive housing units, the AMI is typically around 30 percent; however, because these units are specifically set aside for formerly homeless with a disability, the determination will be made on an individual basis through a New York City Department of Homeless Services (DHS) referral program. CAMBA anticipates receiving a rental subsidy, so the rents for such units will reflect the current fair market rents at that time.

Deputy Brooklyn Borough President Diana Reyna noted the increased population of homeless children, with the highest percentages attending schools in Brownsville, and the need for family-sized supportive housing units. The representative stated that CAMBA shares these concerns and that family-sized units are included in developments where the size of the project allows, and when it is financially feasible. The representative noted that CAMBA is currently also working on a project at New York City Housing Authority's (NYCHA) Van Dyke Houses that will consist of 100 family-sized units. However, for this project specifically, based on the size of the parcel and the financial constraints, with per unit subsidy, in order to maximize the use of City property, only studio units are being proposed.

In response to Borough President Adams' inquiry to clarify the types of social services that would be offered and whether these services would be made available to all members of the community, the representative stated that for safety purposes, as well as per contract, services will only be offered to tenants of the building. The social services will focus around maintaining housing stability and preventative health care. There will be case managers on-site, as well as opportunity to access the full range of services provided by CAMBA off-site, such as job search, legal services, workforce training, etc.

In response to Borough President Adams' concerns regarding qualifying incomes for the proposed low-income units not being affordable to the senior population, the representative stated that CAMBA's developments accommodate tenants of all ages. However, this particular project does not have the financing to provide the deeply affordable rents to accommodate seniors. The HPD representative stated that the Supportive Housing Loan Program is being contemplated for this development, which allows for up to 60 percent of Area Median Income (AMI). This project has a very tight budget but it might be possible to add a couple of units at deeper affordability levels to

accommodate the senior population. The HPD representative stated that the agency also supports the provision of units for seniors and has created a new program, the Senior Affordable Rentable Apartments (SARA) program, under Mayor Bill de Blasio's Housing New York: A Five-Borough, Ten-Year Plan, to develop 100 percent senior housing, currently seeking sites in Brooklyn.

Deputy Borough President Reyna noted that the church next to the project site has access to air rights that could potentially be used to relieve the size constraints of this project. The representative stated that CAMBA reached out to the church at the beginning stages of this development but there was no interest. However, even if the interest was there, the zoning might still place constraints on overall height of the building, potentially adding just one other setback story.

In response to Borough President Adams' inquiry to clarify the marketing strategies for tenant selection process, the representative stated that in the past CAMBA has used a third party marketing agent for the lottery and marketing. The agent provides informational sessions on the NYC Housing Connect process and the lottery process application. Additionally, information and applications will be delivered to local elected officials and community groups.

Borough President Adams is aware of the community's concerns regarding the safety in this neighborhood and it was noted that the proposed enhanced lighting would help to alleviate such concerns, though the intended lighting requires more clarity. In response, the representative stated that in addition to a full-time security presence, the applicant will be providing six building-mounted lights, between the windows of the first floor, over the landscaped setback. This will provide a well-illuminated area in front of the building and, at the same time, not create an objectionable condition for the ground floor residents.

In response to Borough President Adams' policy of promoting the use of renewable and sustainable energy resources and promoting practices to retain stormwater runoff, the applicant's representative stated this project will be certified under the Enterprise Green Communities Program, a sustainability program for affordable housing developments, endorsed by HPD. The project will also include enhanced insulation, energy-efficient lighting and mechanical equipment, low-flow plumbing fixtures, non-toxic materials, and use of recycled materials. The development will have a cool roof that will also include water retention measures, and an on-site bioswale will be included as part of the five-foot landscaped setback. Additionally, infrastructure will be provided to accommodate solar power, ensuring the building will be solar ready when finances become available in the future toward such installation. While the developer is a strong proponent of Passive House design, given the constrained economics of this project, such design standards are not financially feasible.

In response to Borough President Adams' policy of maximizing job opportunities for Brooklynites and procure supplies locally through the inclusion of Local Business Enterprises (LBE) and Minority- and Women-Owned Business Enterprises (MWBE), the representative stated that CAMBA works closely with the contractor to provide reporting on local hiring efforts. In the past, the contractor has met with local groups to ensure that people know how to become qualified for a construction job. Additionally, in past projects, CAMBA has employed more than 60 local community members.

Subsequent to the hearing CAMBA provided a letter dated January 20, 2017 clarifying some of the questions addressed during the hearing. In reference to providing family-sized supportive housing units, the applicant noted that while the financing and size limitations of this particular site restrict the development to studio units, CAMBA has recently worked to develop such units in three other developments within Brownsville and Wingate. In reference to LBE and MWBE participation, the applicant shared a successful track record of utilizing such enterprises in their past developments, and stated that such efforts will be tracked on a quarterly basis. In reference to Passive House

design and other sustainable measures, the applicant noted that while the limited budget for this development does not allow Passive House design standards, the development has a number of sustainable features that closely resemble such standards. Additionally, the applicant will continue to research the feasibility of furthering their green infrastructure efforts. The project currently includes a stormwater series retention system, utilizing both roof and tank in order to manage stormwater. Lastly, in reference to the potential air rights transfer from the adjacent church site, the applicant stated that such transfer was addressed at the beginning stages of the development and determined to be less effective than the proposed rezoning in providing a greater amount of affordable housing area.

Subsequent to the hearing, Borough President Adams' staff contacted the New York City Department of Transportation (DOT) regarding the adequacy of street lighting in the area surrounding the proposed development. The street lighting team was notified to conduct a lighting survey of the block outside the project site, which generally takes a few months. The street lighting team will proceed with the evaluation according to its assigned correspondence number, DOT-323366-K1F4.

Consideration

Brooklyn Community Board 16 (CB 16) approved this application without conditions.

CAMBA is proposing a Use Group 3 community facility building with sleeping accommodations (permanent housing) that would be targeted to a population of formerly homeless and low-income individuals. Approximately 60 percent of the building's units will be reserved for individuals exiting a DHS shelter with a special need, and approximately 40 percent of the building's units will be reserved for individuals earning below 60 percent of the AMI.

For 40 years, CAMBA has operated as a non-profit organization that has helped New Yorkers build and sustain vibrant neighborhoods with services that lay the groundwork for economic stability, educational fulfilment, a healthy lifestyle, and strong families. CAMBA's 20/20 Vision lays out tangible solutions that support diverse communities where New Yorkers — regardless of their ZIP codes — have the resources and supports they need to reach their full potential.

The project site consists of 7,600 square-feet of unimproved City-owned lots located on the south side of Hegeman Avenue, between Watkins Street and Mother Gaston Boulevard. The blocks surrounding the project site are predominantly residential, with a mix of two- to three-story attached and semi-attached homes, and large mid- and high-rise multifamily apartment buildings.

In order to facilitate the proposed development, the granting of the requested zoning bulk special permit would allow the community facility floor area ratio (FAR) of up to 4.8 to be applied to a non-profit institution with sleeping accommodations. The building façade requires an initial setback distance of 20 feet due to R6 zoning, pursuant to ZR Section 24-522, and Hegeman Avenue having a street right-of-way width of 70 feet, which is defined as a narrow street. Compliance with the 20-foot setback requirement would result in a loss of six dwelling units on the seventh and eighth floors, thereby affecting the project's financing. Therefore, a mayoral zoning override is required for the proposed building to address its non-compliance with respect to waiving the otherwise required setback distance of 20 feet, resulting in a reduction of this initial setback distance. Borough President Adams finds the proposed bulk to be generally consistent with Plaza Residences, as well as the rezoning requested to facilitate Ebenezer Plaza.

The residents of the proposed building would receive on-site social services provided by trained staff. Security would be available on-site 24 hours a day, seven days a week. In addition to housing social services, building amenities would include a computer room, a laundry facility, and

storage space. Open space amenities would include a rear yard with a sunken outdoor patio that is directly accessible to common areas, delimited by a garden at ground level.

The project site is accessible by public transit, including the elevated L 14 Street Canarsie Local line at the New Lots Avenue station, and is served by multiple bus routes, including along Hegeman Avenue. No accessory off-street parking spaces are to be provided pursuant to an as-of-right waiver according to ZR Section 25-33. There would be four bicycle parking spaces in the cellar.

Borough President Adams generally supports the development of underutilized City-owned vacant land to produce permanent affordable housing for the community. The proposed land use actions would facilitate an eight-story building with approximately 70 units of affordable and supportive housing for homeless and low-income individuals. The proposed project reflects Mayor de Blasio's Housing New York: A Five-Borough, Ten-Year Plan, through the development of affordable and supportive housing for the city's most vulnerable residents.

As indicated in the Environmental Assessment Statement (EAS) for these land use actions, an average daily census of single adults in the DHS shelter system was 13,060 in June 2016. This represents an increase of 9.5 percent compared to the average daily census in June 2015. In light of this trend, DHS projects an increase in the single adult shelter census through Fiscal Year 2017 (FY17). In order to transition such population from shelter into permanent housing as successfully as possible, DHS recognizes that the receiving permanent housing providers must provide services to the formerly homeless that would assist single adults exiting the shelter system in order for formerly homeless individuals to remaining stably housed in the community.

Borough President Adams believes that there is a need for supportive housing options for individuals who are circumstantially homeless, including persons with disabilities. The best solution for individuals needing shelter, who also require supportive services to maintain independent living, is through permanent housing where such an apartment is pursuant to the execution of a lease. Supportive housing is a cost-effective way of addressing the diverse needs of the homeless, while also integrating residents into the life of the neighborhood. Borough President Adams believes that there is a need to move away from homeless shelters and transitional housing as the solution to homelessness. New York State Governor Andrew Cuomo and the New York State Legislature should execute the memorandum of understanding needed to release $2 billion in funding to advance the creation of more than 100,000 units of affordable and supportive housing over the next five years throughout New York State.

Borough President Adams supports the public policy of integrating supportive housing units into a community by interspersing such units in the same building with housing units for low-income families, with a blend of 40 percent of occupants being families earning up to 60 percent AMI.

Considering this section of Brooklyn has a great share of homeless shelters and transitional housing, Borough President Adams believes that steps need to be taken by all levels of government to reduce the reliance on such housing options by creating permanent, supportive housing units. The City needs to replace the costly and cumbersome shelter system with a new, more cost-effective model that prioritizes conversion of temporary housing into permanent housing. Producing permanent housing is less expensive and provides a more stable housing stock to serve the homeless population. As more permanent units come online, steps should be taken to reduce the capacity of area shelters and transitional housing accommodations in this community.

This proposal is generally consistent with recent City policy changes that have evolved to blend such supportive housing developments with 40 percent of the apartments designated for low-income households. Tenants are assigned to such apartments through the City's affordable

housing lottery, inclusive of a 50 percent local preference, for occupants earning up to 60 percent AMI. As a service provider, CAMBA has demonstrated its ability to capably operate such permanent housing accommodations.

Borough President Adams supports Mayor de Blasio's goal to achieve 200,000 affordable housing units over the next decade. Brooklyn is one of the fastest growing communities in the New York metropolitan area and the ongoing Brooklyn renaissance has ushered in extraordinary changes that were virtually unimaginable even a decade ago. Unfortunately, Brooklyn's success has led to the displacement of long-time residents who can no longer afford to live in their own neighborhoods. Borough President Adams is committed to addressing the borough's affordable housing crisis through creation and preservation of much-needed affordable housing units for very low- to middle-income Brooklynites.

Borough President Adams believes that the low-income studio apartments would be suitable to house seniors; however, rents indexed near 60 percent of AMI would preclude the vast majority of seniors from qualifying. Should initiatives such as Income Average advance at the federal government, there would be an opportunity to provide a portion of the units within the proposed building at rents that would allow for more seniors to qualify. CAMBA and HPD should seek funding opportunities that would enable some units to be rented to permit very low-income seniors to be lottery eligible.

In areas where new developments can be realized on City-owned sites, Borough President Adams supports the disposition of such sites being developed for affordable housing to remain as permanently affordable housing units as a means to minimize the loss of affordable housing units. Where HPD has designated for-profit companies to develop affordable housing, the duration of such affordable housing is often driven by financial considerations. Standard regulatory agreements used by government agencies might consist of 30 or 50 years. As tenants move out after the expiration of such regulatory agreement, those units would no longer be an affordable housing resource. The duration issue would be largely mitigated because the intended disposition to CAMBA, a non-profit affordable housing development entity whose core mission is to be an affordable housing provider as well as a strong advocate for affordable housing, provides a soft guarantee that all units would remain affordable for the lifetime that CAMBA remains in operation.

The development is generally consistent with Borough President Adams' policy regarding sustainable design by having a cool roof that will also include water retention measures and commitment to the provision of infrastructure that would make the building solar ready, should subsequent finances enable the installation of solar panels. Borough President Adams encourages CAMBA to coordinate with the Mayor's Office of Sustainability, New York State Energy Research and Development Authority (NYSERDA), and/or New York Power Authority (NYPA) at each project site. Such modifications would increase energy efficiency and reduce the development's carbon footprint.

Borough President Adams believes that there are additional opportunities by incorporating permeable pavers in the outdoor patio and garden area, which would help to advance DEP green-water/stormwater strategies. He encourages CAMBA to reach out to the New York City Department of Environmental Protection (DEP) with its offer toward achieving such a green-water/stormwater strategy. Such efforts would deflect stormwater from entering the 26th Ward Water Pollution Control Plant during wet weather. According to the New York City Green Infrastructure 2014 Annual Report, such green infrastructure has a critical role in addressing water quality challenges while providing numerous environmental, economic, and social co-benefits.

Though Borough President Adams supports the proposed land use actions, he seeks clarification from HPD regarding promoting LBE and MWBE contracting participation. He also seeks reporting

from HPD, within CD 16, regarding its unit type distribution as provided, currently in production and in the pipeline, catering to permanently housing the homeless population as compared to its affordable housing initiatives. Additionally, he seeks public safety enhancements.

Jobs

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that will create more employment opportunities. According to averaged data from 2008 to 2012, double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, with more than half of our community districts experiencing poverty rates of 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis. Additionally, promoting Brooklyn-based businesses and including those that qualify as LBE and MWBE is central to Borough President Adams' economic development agenda. This site provides opportunities for CAMBA to retain a Brooklyn-based contractor and subcontractor, especially those who are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation).

As with HPD's expressed intent to work toward increasing opportunities for MWBEs to participate in the development process and connecting local residents to career training for when it subsidizes new development in the East New York Neighborhood Plan area, Borough President Adams believes that HPD should seek the same for this development. This should be achieved through a land disposition agreement or similarly legal binding mechanism, for CAMBA, as the project developer, to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code, and LBE and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation). HPD should coordinate the monitoring of such participation with an appropriate monitoring agency.

Documenting Affordable Housing Development in CD 16

Borough President Adams applauds CAMBA and HPD on their efforts to provide low-income and supportive housing and recognizes that there are site funding and size limitations associated with creating larger family-sized units within the proposed development.

While supportive housing for the special needs population is an effective, and much-needed, mechanism in addressing the needs of placing the homeless into permanent housing, there is a sense that the production of supportive housing developments has largely focused on accommodating single-person households. In addition, even where such supportive developments contain a blend of low-income and supportive housing units, quite often they consist entirely of studio apartments, as is the case with 210-214 Hegeman Avenue. While there is a need for affordably-priced single-person accommodations, given the extent of rent-burdened households, there is a compelling need for affordable apartments with multiple bedrooms. Given the expanding homeless population, which comprises households with children, it is important to recognize that targeting and overwhelming a certain area with single-unit supportive housing is not effective for the community as a whole.

Borough President Adams understands that not every solution can be addressed in a single development, though he believes that housing affordability solutions should be comprehensive. In order to assure adequate provision of affordable housing in the Ocean Hill and Brownsville sections of CD 16, he believes it is appropriate for HPD to document its affordable housing efforts, listing completed projects, those in production, and those in the pipeline. The listing should note to what extent (number of housing units) such development caters to permanently housing the homeless population as compared to its other affordable housing initiatives, including units targeted for seniors, as well as the bedroom distribution for such apartments. This data would confirm whether

adjustments should be made moving forward as HPD seeks the disposition of City-owned property pursuant to its Brownsville 100 Days to Progress initiative's Brownsville Neighborhood Planning Progress Report, from November 2016, toward developing its remaining portfolio of yet to be redeveloped City-owned lots.

Borough President Adams calls on HPD to compile data regarding projects within CD 16 since 2005, completed, in production, and still in the pipeline, in order to determine the extent to which such projects are resources to permanently house the homeless population, in terms of total units provided by bedroom distribution. This should be inclusive of supportive housing for the special needs population, as well as other forms of affordable housing, such as housing units targeted for seniors. This should be done prior to initiating disposition of City-owned property as part of HPD's Brownsville 100 Days to Progress initiative's Brownsville Neighborhood Planning Progress Report, from November 2016. Such analysis should be provided to CB 16 and its affected local elected officials.

Public Safety Enhancements

Borough President Adams applauds CAMBA's commitment to incorporate lighting fixtures along its Hegeman Avenue façade to supplement the lighting from the street fixtures under the jurisdiction of DOT. Given the concerns expressed regarding public safety, he seeks improvements that would achieve a safer pedestrian environment. The pending analysis by DOT with regard to the suitability of its street light fixtures is one additional means to complement the efforts being undertaken by CAMBA.

Borough President Adams' calls on DOT to complete its analysis regarding its street lighting fixture and report its findings to CB 16 and local elected officials.

Recommendation

Be it resolved that the Brooklyn borough president, pursuant to sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.

Be It Further Resolved:

1. That the New York City Department of Housing Preservation and Development (HPD):
    a. Require CAMBA to retain Brooklyn-based contractors and subcontractors, especially those who are designated Local Business Enterprises (LBE) consistent with section 6-108.1 of the City's Administrative Code, and Minority- and Women-Owned Business Enterprises (MWBE), as a means to meet or exceed standards per Local Law 1 (no fewer than 20 percent participation), as well as to coordinate the monitoring of such participation with an appropriate monitoring agency, and

    b. Provide data regarding projects within CD 16 since 2003, completed, in production, and still in the pipeline, in order to determine the extent to which such projects are resources to permanently house the homeless population, in terms of total units provided by bedroom distribution. This should be inclusive of supportive housing for the special needs population, as well as other forms of affordable housing, such as housing units targeted for seniors. This should be done prior to initiating disposition of City-owned property as part of HPD's Brownsville 100 Days to Progress initiative's Brownsville Neighborhood Planning Progress Report, from November 2016. Such analysis should be provided to CB 16 and its affected local elected officials

2. That the New York City Department of Transportation (DOT) completes the street lighting evaluation according to correspondence number DOT-323366-K1F4 and reports any findings to Brooklyn Community Board 16 (CB 16) and the affected local elected officials

CAMBA
Housing Ventures

January 20, 2017

Brooklyn Borough President
Hon. Eric L. Adams
Borough Hall
209 Joralemon Street
Brooklyn, NY 11201

Re: Sustainable, Affordable and Supportive Housing at 210-214 Hegeman Avenue; Jan 9th, 2017 Hearing Follow-Up Questions

Hon. Eric L Adams:

CAMBA Housing Ventures is the non-profit sponsor of the proposed sustainable, affordable and supportive housing at 210-214 Hegeman Avenue, Brooklyn. Below are responses to questions posed by your office at the January 9th hearing at Brooklyn Borough Hall. Thank you for your hard work on behalf of Brooklyn and the opportunity to discuss the project.

1. Units for homeless families (particularly with respect to the population of homeless children in Brownsville schools)

As discussed at the hearing, 210-214 Hegeman will provide affordable and supportive housing, coupled with on-site services, to 70 New Yorkers in need, including 42 homeless individuals. This project will help to alleviate the overburdened NYC shelter system, where the current shelter census includes over 13,000 single adults (Jan 17, 2017). 210-214 Hegeman will also provide much needed sustainable and affordable housing to 28 low-income New Yorkers through an HPD lottery, including a 50% preference for Community Board 16 residents. CAMBA Housing Ventures (CHV)/CAMBA will work with local Brownsville organizations, Community Board 16, and elected officials to complete outreach during the marketing and lease up phase. CAMBA's on-site services will assist tenants to stay stably housed and achieve their goals. CHV will also look to house residents and take referrals from shelters located in close proximity to the project site, working closely with the local community board, Councilmember Barron, and the NYC Dept. of Homeless Services.

While this particular project focuses on providing housing to formerly homeless individuals and single adults, CHV/CAMBA has also recently worked to develop sustainable, affordable and supportive housing for formerly homeless families in three large, new Brooklyn developments. CHV/CAMBA's Van Dyke project is located within Brownsville/CB16 at 603 Mother Gaston Boulevard. Van Dyke includes 30 units for formerly homeless families and is entering the marketing and lease up phase in

1720 Church Avenue Brooklyn, New York 11226 Tel 718.287.2600 Fax 718.287.0857 www.camba.org

winter/spring 2017. CHV/CAMBA's CAMBA Gardens Phase I/II affordable and supportive housing development in Wingate, Brooklyn, also includes 38 total units for homeless families. CAMBA Garden's Phase II is currently in the marketing/lease up phase. There is a significant need for affordable housing for all New Yorkers, including individuals and families, and CHV/CAMBA will continue to explore development opportunities for homeless families in the greater New York City and Brownsville.

2. Efforts on tracking the number of women in construction jobs & LBEs.

CHV/CAMBA has an excellent track record of exceeding goals and works closely with the selected general contractor to track jobs and businesses. CHV/CAMBA will utilize best efforts to track the number of women in construction jobs and track the utilization of Locally-Based Enterprises. Please see attached summary of CHV's three most recent projects, including detailed information on M/WBE utilization and local jobs and local vendors. As an example, on CHV's recently completed CAMBA Gardens Phase II development, the project awarded $7,296,629 to M/WBE contractors and employed 159 Brooklyn residents, including 54 local community board residents. At CAMBA Gardens Phase I, the project awarded over $9MM to MWBE contractors and awarded over $19MM in contracts to Brooklyn based contractors and subcontractors. Both CAMBA Gardens Phase I and II exceeded the NY State goals for MWBE utilization. This information is tracked quarterly on CHV projects.

3. Additional info on passive house cost differentials.

CHV/CAMBA is committed to sustainable development and sustainability can be achieved in a number of ways. Participating in Enterprise Green Communities, 210-214 Hegeman will include many sustainable features, including efficient boilers and HVCAC equipment, increased insulation, energy efficient windows, energy start appliances, water saving fixtures, and efficient lighting. Hegeman will also include healthy indoor air quality, utilize recycled content materials and will be designed to be solar ready. The project incorporates 3" insulation on the north and south walls to increase energy efficiency, and is nearly 50 percent greater than the standard 2-1/8" insulation. Recognizing the important role of building design and construction practices in creating a more sustainable city, CHV will continue to explore opportunities to include additional green elements found in passive house design as funding allows. While there are no concrete cost differential numbers available, Dattner Architects has worked with a contractor to estimate a range of 5%-10% cost increment. For smaller buildings similar to Hegeman, the increment may be on the high end since there are not economies of scale.

4. Reaching out to the neighboring church regarding the current status of the project.

CAMBA
Housing Ventures

CHV/CAMBA previously discussed the project with the neighboring church during its preliminary planning stages. CHV/CAMBA determined that a potential transfer of development rights would not result in more affordable housing than the proposed development. The proposed special permit is the best mechanism to achieve maximum affordable housing development at this small, underutilized site. CHV/CAMBA will reach out to the neighboring church again during the public review process.

5. Research funding opportunities with DEP for water management measures.

CHV will research the NYC Dept. of Environmental Protection (DEP) funding opportunities for the design and construction of green infrastructure and evaluate feasibility and costs with the project architect, landscape architect and mechanical engineer. The project's design currently includes a storm water series detention system, utilizing two forms of detention - both roof and a tank together as one system in order restrict storm water to DEP's allowable flow standards. The project contains controlled flow roof drains on both the upper and setback roofs that restrict flow and detain water for a short period of time. The leaders then run down the building collecting with the area drains at grade from outside the building at the cellar ceiling. The area drain for the cellar outdoor space runs below the cellar slab to a pit where it's then pumped up to the cellar ceiling and combines with the other storm water drains, depositing to a storm water detention tank located in the front set back of the building. Here, the storm water is further restricted and held to DEP's allowable release rate which can finally be discharged to the city sewer.

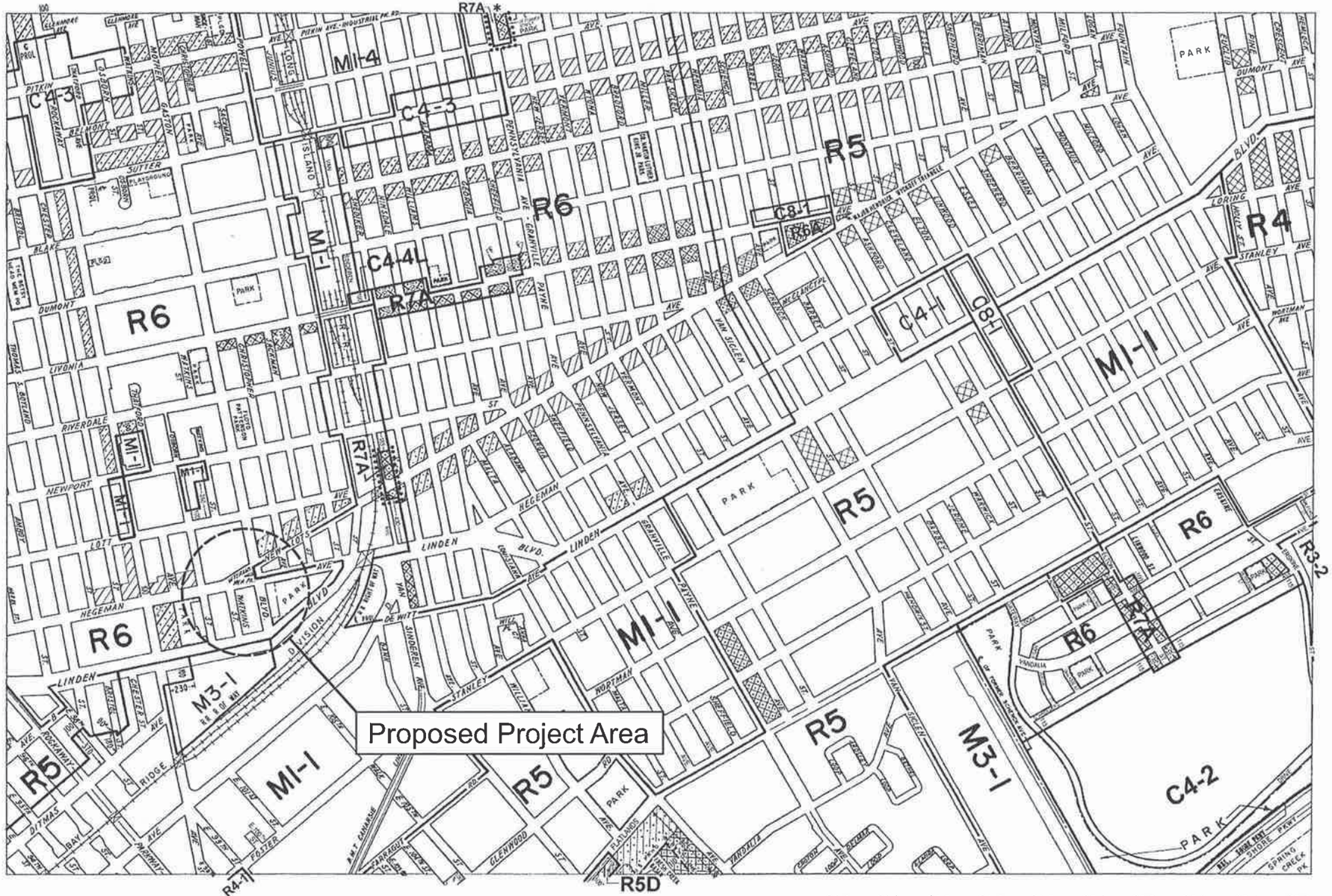
Sincerely,

David A. Rowe, Executive Vice President, CAMBA Housing Ventures

Cc: Diana Reyna, Deputy Borough President, Office of the Brooklyn Borough President
Richard Bearak, Director of Land Use, Office of the Brooklyn Borough President
Olga Chernomorets, Land Use Coordinator, Office of the Brooklyn Borough President
Jessica Katz, Assistant Commissioner, NYC HPD
Lin Zeng, Director of Brooklyn Planning, NYC HPD
Sara Tempel, Project Manager, NYC HPD
Joanne M. Oplustil, President/CEO, CAMBA/CAMBA Housing Ventures
Sharon R. Browne, Executive Vice President, CAMBA/CAMBA Housing Ventures
Michael Berne, Vice President, CAMBA Housing Ventures

1720 Church Avenue Brooklyn, New York 11226 Tel 718.287.2600 Fax 718.287.0857 www.camba.org

210-214 Hegeman Avenue, Brooklyn



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

*04-20-2016 C 160035 ZMK
01-19-2016 C 160002 ZMK

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

N

MAP KEY

17a	17c	18a
17b	**17d**	18b
23a	23c	24a

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ZONING MAP **17d**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

Effective Date : 12-05-2008 19:21:48
End Date : Current

Brooklyn Block: 3639

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site

Land Use/Area Map

210-214 Hegeman Avenue, Brooklyn
Block 3639, Lots 35 & 37

Project Information

- 600' Radius
- Development Site
- Zoning Districts

Existing Commercial Overlays

- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

North

0 200 400 600 Feet

Prepared by Urban Cartographics October 2016

UDAAP PROJECT SUMMARY

BLOCKS	LOTS	ADDRESSES
3639	35	210 Hegeman Avenue
3639	37	214 Hegeman Avenue

1. LAND USE: Community Facility
2. PROPOSED FACILITIES: Community Facility
3. PROPOSED CODES/ORDINANCES: None
4. PROPOSED TIME SCHEDULE: Approximately 24 months from closing to completion of construction.

SITE DATA

Block: 3639

Lots: 35, 37

Street Address: 210-214 Hegeman Avenue

Existing Zoning: R6 District

Community District: 16, Brooklyn

Zoning Section Map No. 17d

Zoning Lot Area: 7,600 SF

Interior Lot 35: 3,800 SF

Interior Lot 37: 3,800 SF

74-903 Special Permit by the City Planning Commission (CPC)

CPC may permit the allowable floor area ratio of Section 24-11 to apply to...non-profit institutions with sleeping accommodations...provided the following findings are made:

a. that the distribution of the bulk of the total development will not unduly obstruct the access of light and air to adjoining properties and public streets and will result in satisfactory site planning and satisfactory urban design relationships of buildings to adjacent streets and surrounding developments.
b. that the proposed development will not require any significant additions to the supporting services of neighborhood...
c. that the streets providing access to such use will be adequate to handle the traffic generated thereby...

ZR Section	Title	Permitted/Required	Existing to Remain	Proposed	Total	Compliance/Notes
22-13	USES	UG 1,2,3,4	N/A	USE GROUP 3 Community Facility: Non-Profit Institutions with Sleeping Accommodations		Complies
24-111	FAR	R6 (Special Permit)				
		COMMUNITY FACILITY	N/A	4.76 FAR	4.76 FAR	Does not comply: Requires Special Permit pursuant to ZR74-903
		R6 MAX FAR PERMITTED = 2.43				
24-11	FLOOR AREA					
		COMMUNITY FACILITY 7,600 SF x 2.43 = 18,468 SF				
		R6 MAX FA PERMITTED = 18,468 SF	N/A	36,160 SF *(see floor area calculations below)*	36,160 SF *(see floor area calculations below)*	Does not comply: Requires Special Permit pursuant to ZR 74-903
24-11	LOT COVERAGE					
		Interior Lot Coverage: MAX PERMITTED = 65% (4,940 SF)	N/A	61.9% (4,708 SF)	61.9% (4,708 SF)	Complies
24-34, 24-35b, 24-36	YARD REGULATIONS					
		FRONT: Not required		5 ft.	5 ft.	Complies
		SIDE: Not required, but if provided must be at least 8 ft. wide		None	None	Complies
		REAR: Minimum 30 ft.		30 ft.	30 ft.	Complies
	HEIGHT AND SETBACK REGULATIONS					
24-522	MAX HEIGHT OF FRONT WALL	60 ft. Maximum Height of Front Wall within Initial Setback Distance		60 ft. (6 stories)	60 ft. (6 stories)	Complies
	MAX BUILDING HEIGHT	Sky Exposure Plane 2.7 to 1		79'-4" ft. (8 stories)	79'-4" ft. (8 stories)	Complies
24-522	SET BACKS	Narrow :20'		15'	15'	Does Not Comply: Reduction of the Minimum Initial Setback Distance reduced per Mayoral Override.
		Wide:15'		N/A	N/A	
25-31	ACCESSORY OFF-STREET PARKING	Non-profit institutions with sleeping accommodations = 1 space per 20 beds	N/A	- 4 spaces required - 0 spaces provided as per waiver requirements (ZR 25-33)	0 spaces	ZR 25-33 -Waiver of Requirements for spaces below Minimum Number for R6 requirements of 25-31 do not apply if # is below 25. Since # of spaces required is <25, no parking is required.
25-811	BICYCLE PARKING	COMMUNITY FACILITY Required Bicycle Parking Spaces = 1 space per 10,000 SF	N/A	4	4	Complies
26-41	STREET TREE PLANTING	Required One Tree per 25 ft of street frontage of the zoning lot *Street Tree Calculation: 80 ft frontage / 25 ft per tree = 3 Street Trees required*	N/A	2	2	Complies, Owner will pay into Parks Department Tree Fund for the additional street tree required. In accordance with NYC Parks Tree Planting Standards, we must maintain a minimum distance of 30 ft from bus stop, and 20 ft from utility poles.

Floor Area Calculations:

Gross Floor Area	Proposed	
Cellar	4,708	SF
1st floor	4,708	SF
2nd floor	4,708	SF
3rd floor	4,708	SF
4th floor	4,708	SF
5th floor	4,708	SF
6th floor	4,708	SF
7th floor (setback)	3,911	SF
8th floor (setback)	3,911	SF
Mech PH + bulkheads & storage	1,221	SF
Gross Floor Area	41,999	SF
Zoning Floor Area		
Less Cellar	(4,708)	
less mech. deductions	(361)	
less Mech. PH + stair bulkhead	(770)	
Total deductions from GFA	(5,839)	
Zoning Floor Area	36,160	SF

Unit Count:

	Proposed
1st floor	7
2nd floor	10
3rd floor	10
4th floor	10
5th floor	10
6th floor	10
7th floor	7
8th floor	7
Total	71 DUs

Hegeman Avenue

210-214 Hegeman Avenue
Brooklyn, NY 11212
BLOCK 3639
LOT 35 & 37

CAMBA Housing Ventures
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Brooklyn, NY 11225

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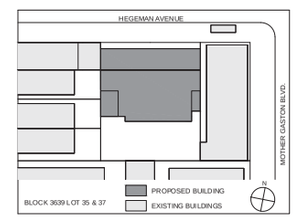

Key Plan

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ZONING ANALYSIS

BLOCK 3639, LOT 35,37

Date 11/21/2016

Scale AS NOTED

Project No. 1608 Seal

Z-001

NOTES:

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1. View of the Site facing southeast from Hegeman Avenue.

2. View of Hegeman Avenue facing east (Site at right).

3. View of the sidewalk along the south side of Hegeman Avenue facing east (Site at right).

4. View of the side of Hegeman Avenue facing northwest from the Site.

5. View of the side of Hegeman Avenue facing north from the Site.

6. View of the side of Hegeman Avenue facing northeast from the Site.

7. View of the Site facing south from Hegeman Avenue.

8. View of the Site facing southwest from Hegeman Avenue.

9. View of the sidewalk along the south side of Hegeman Avenue facing west (Site at left).

10. View of Hegeman Avenue facing west (Site at left).

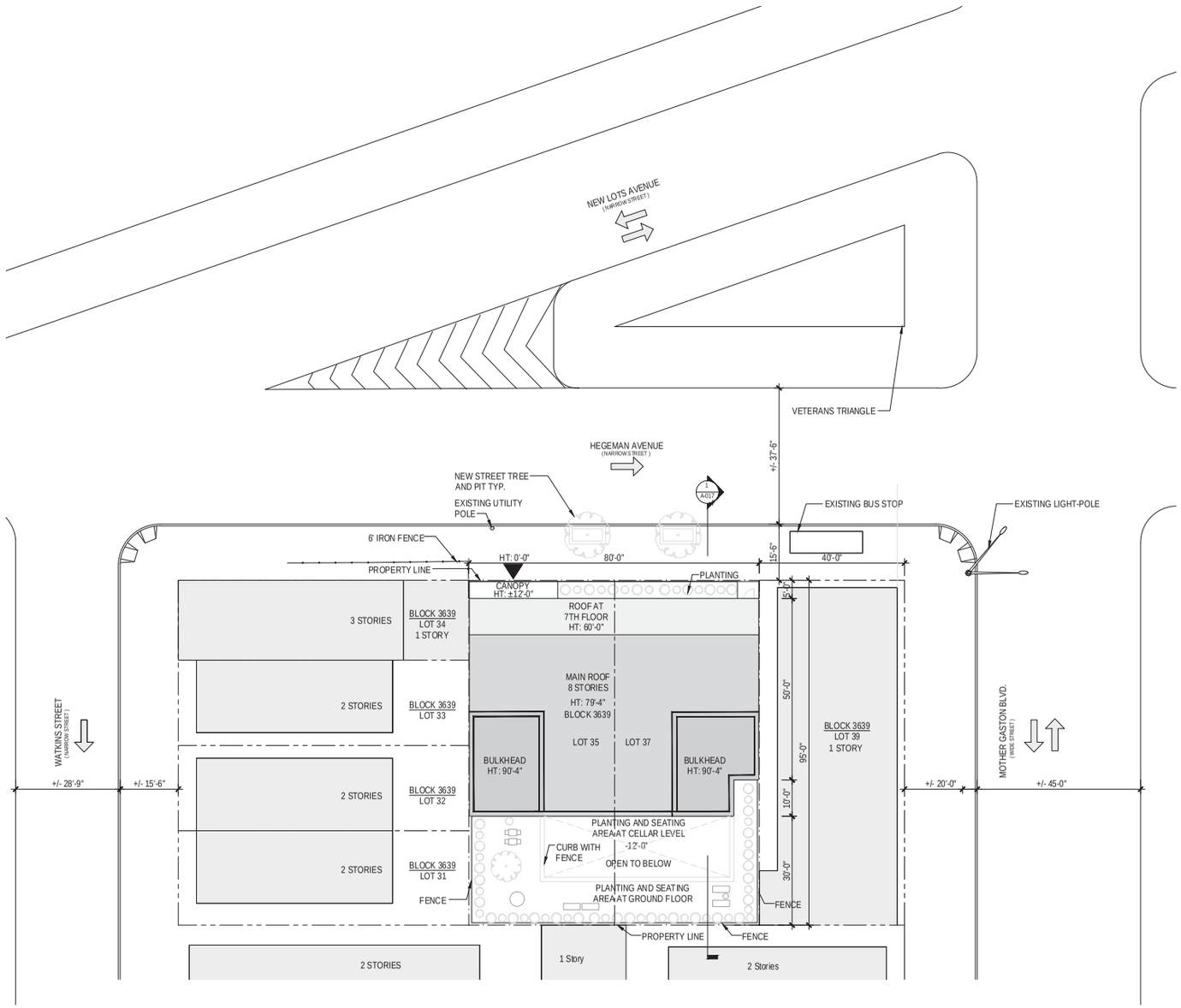
11. View of Veterans Triangle facing east from the intersection of Hegeman Avenue and New Lots Avenue.

12. View of New Lots Avenue facing southwest from Mother Gaston Boulevard.

13. View of Mother Gaston Boulevard facing south from New Lots Avenue.

14. View of the intersection of Mother Gaston Boulevard and New Lots Avenue facing northwest.

15. View of the Site facing southeast from New Lots Avenue.



Hegeman Avenue

210-214 Hegeman Avenue
Brooklyn, NY 11212
BLOCK 3639
LOT 35 & 37

CAMBA Housing Ventures
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Brooklyn, NY 11225

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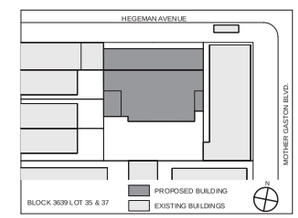

Key Plan

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SITE PLAN

BLOCK 3639, LOT 35,37

Date	11/21/2016
Scale	AS NOTED
Project No.	1608

Seal

A-010

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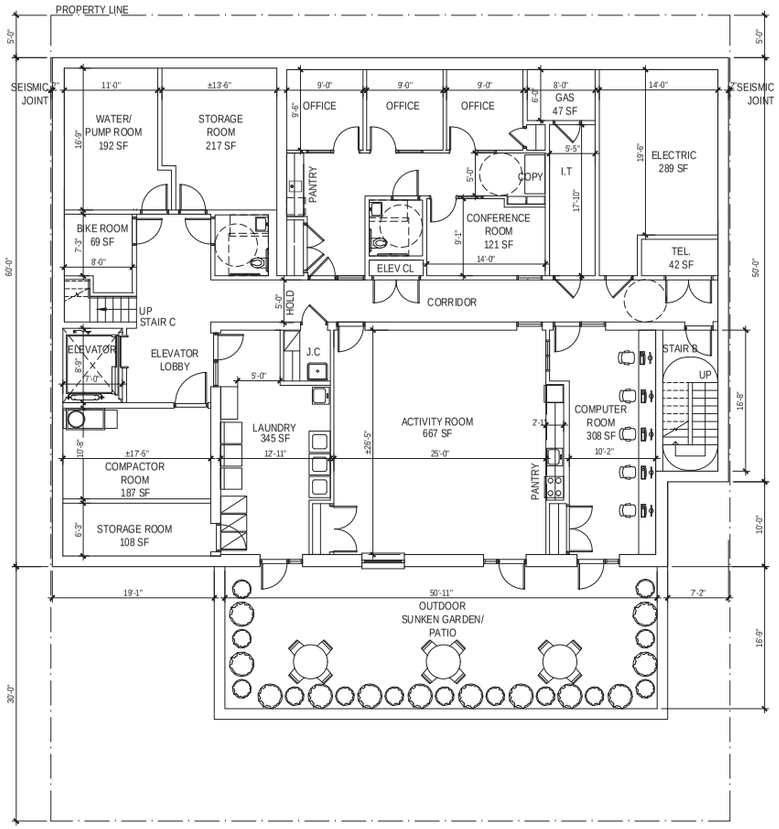
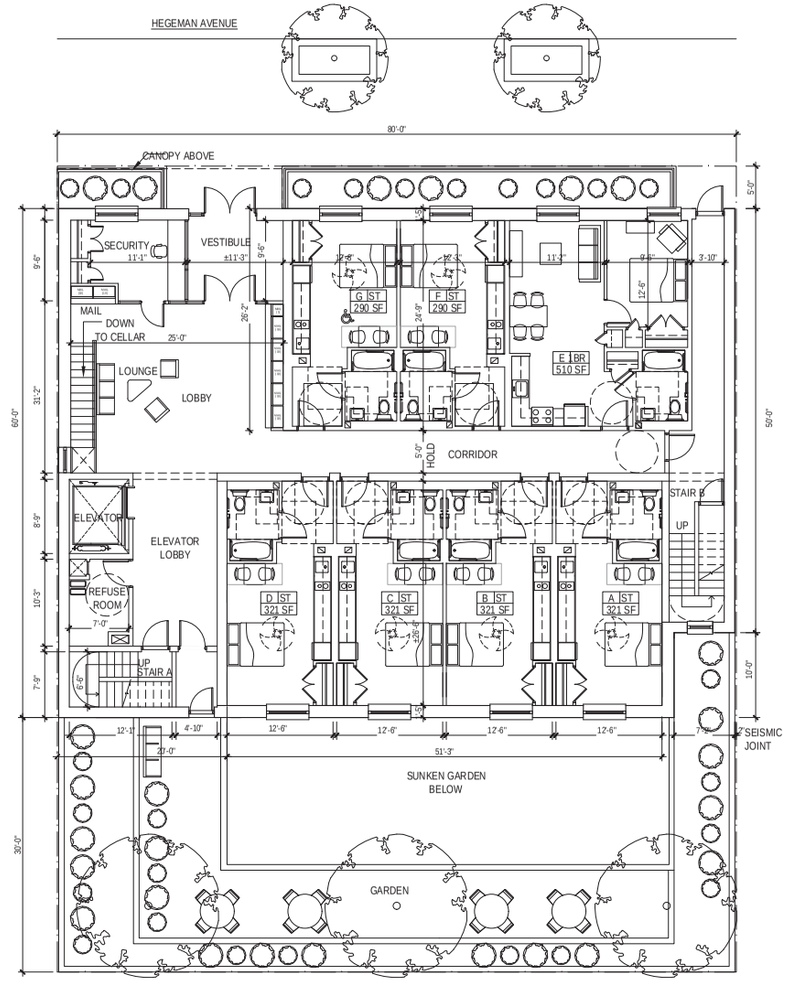


Cellar Floor Plan

Scale: 1/8" = 1'-0"



Ground Floor Plan

Scale: 1/8" = 1'-0"

Hegeman Avenue

210-214 Hegeman Avenue
Brooklyn, NY 11212
BLOCK 3639
LOT 35 & 37

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Brooklyn, NY 11225

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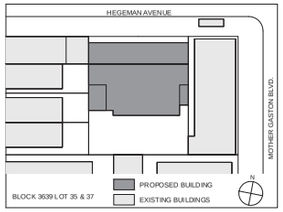

Key Plan

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CELLAR & GROUND FLOOR PLANS

BLOCK 3639, LOT 35,37

Date	11/21/2016
Scale	AS NOTED
Project No.	1608

Seal

A-013

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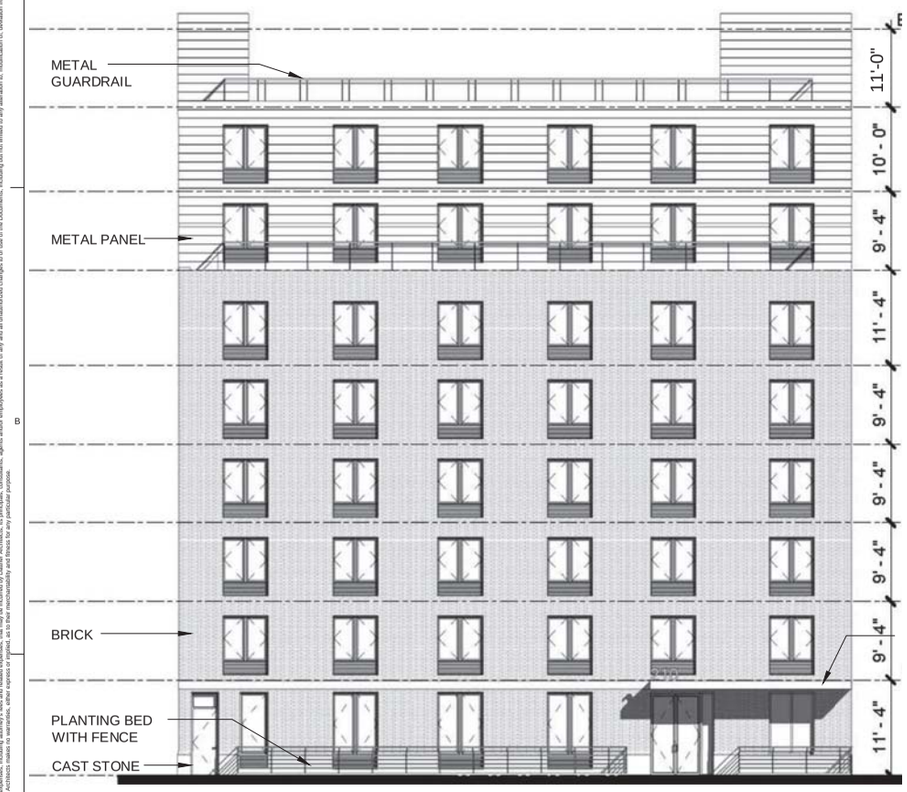
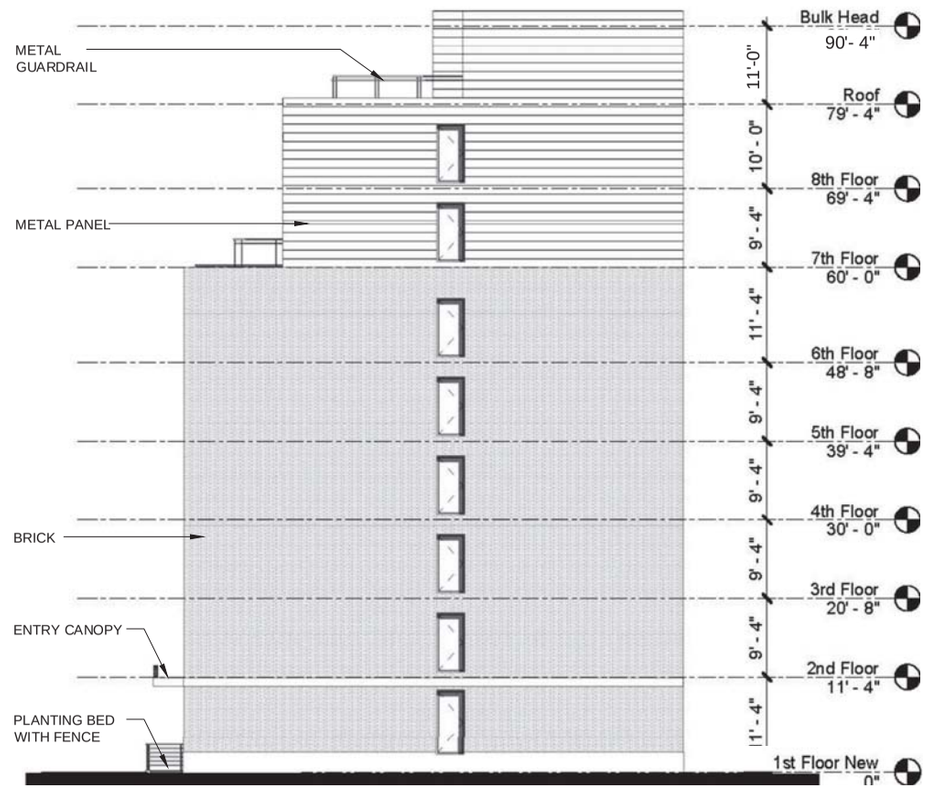


Elevation-North

Scale: 1/8" = 1'-0"



Elevation-West

Scale: 1/8" = 1'-0"

Hegeman Avenue

210-214 Hegeman Avenue
Brooklyn, NY 11212
BLOCK 3639
LOT 35 & 37

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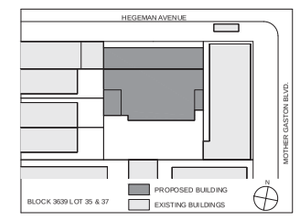

Key Plan

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BUILDING ELEVATIONS

BLOCK 3639, LOT 35,37

Date	11/21/2016
Scale	AS NOTED
Project No.	1608

Seal

A-018

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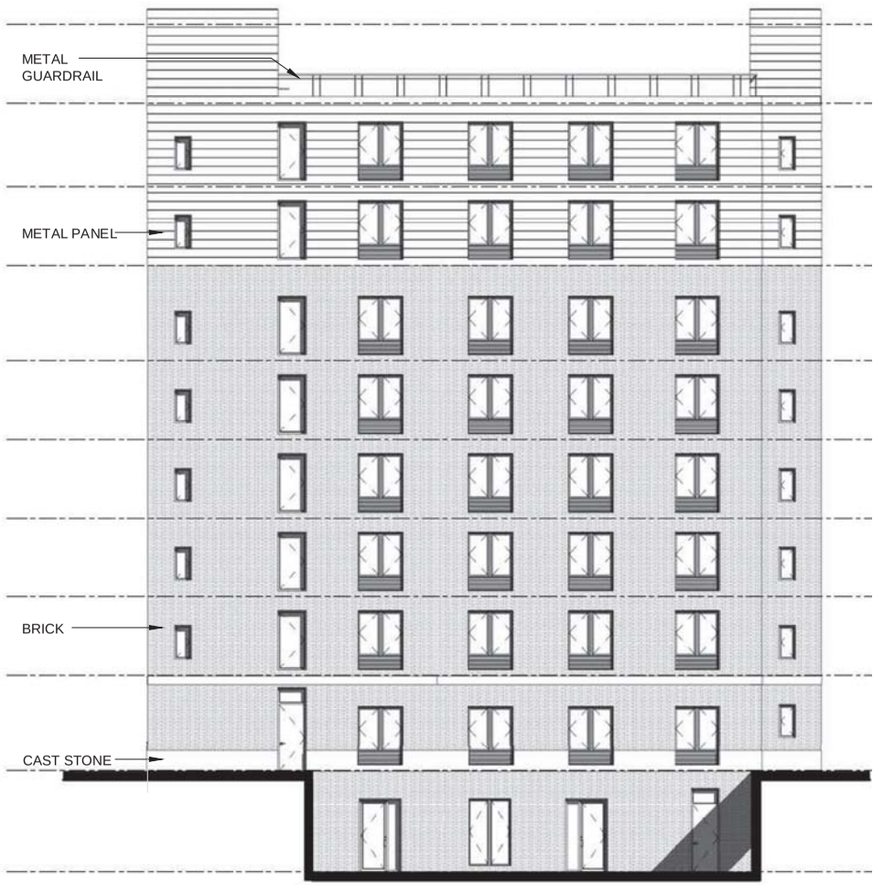
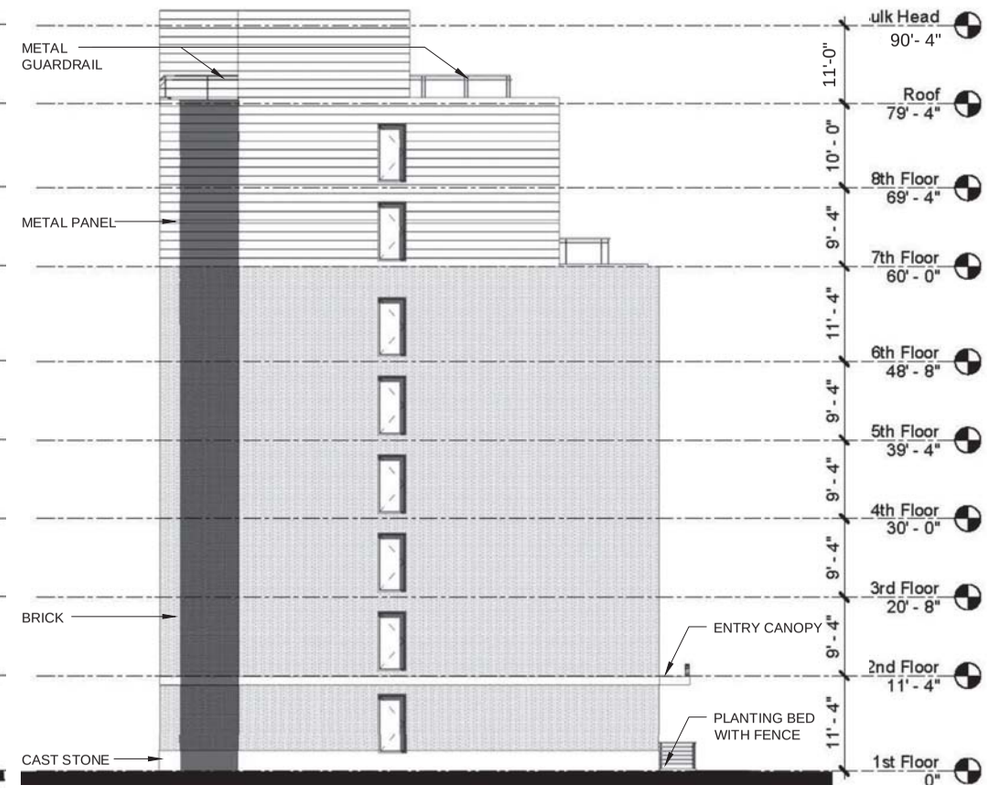
For Illustrative Purposes Only



Elevation-South
Scale: 1/8" = 1'-0"



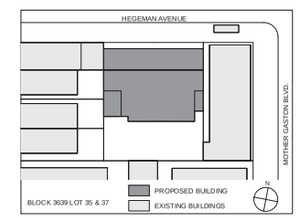
Elevation-East
Scale: 1/8" = 1'-0"

Hegeman Avenue

210-214 Hegeman Avenue
Brooklyn, NY 11212
BLOCK 3639
LOT 35 & 37

CAMBA Housing Ventures
19 Winthrop Street
Brooklyn, NY 11225

DattnerArchitects
1385 Broadway 15th Floor
New York NY 10018
tel 2122472660
info@dattner.com



Key Plan

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BUILDING ELEVATIONS

BLOCK 3639, LOT 35,37

Date 11/21/2016
Scale AS NOTED

Project No. 1608 Seal

A-019

NOTES:

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Special Permit Pursuant to Section 74-903
210-214 Hegeman Avenue
Statement of Findings

74-903 Certain community facility uses in R3 to R9 Districts and certain Commercial Districts

The City Planning Commission may permit the #community facility floor area ratio# and the #community facility bulk# provisions to apply to a #development#, #extension# or #enlargement#, or change of #use# containing #long-term care facilities# or philanthropic or non-profit institutions with sleeping accommodations, as set forth in paragraph (a), provided that the findings in paragraph (b) of this Section are met.

***

(b) In order to grant such a special permit for #community facility floor area ratio# or #community facility bulk#, as applicable, the Commission shall find that:

(1) the distribution of #bulk# on the #zoning lot# will not unduly obstruct the access of light and air to adjoining properties or public #streets#, and will result in satisfactory site planning and satisfactory urban design relationships of #buildings# to adjacent #streets# and the surrounding area;

The project is located on Block 3639, Lots 35 and 37, a mid-block site (the "Project Area"), on the south side of Hegeman Avenue between Watkins Street and Mother Gaston Boulevard within Brooklyn Community District 16. Hegeman Avenue and New Lots Avenue, both 70-foot wide streets, are divided immediately north of the Project Area by the Veteran's Triangle park. The proposed eight-story and cellar building is set back 5 feet from the street line and has a street wall height of 60 feet. It rises to a total height of 79'-4" after a 15-foot setback from the street line.

The distribution of bulk of the proposed development will not unduly obstruct the access of light and air to adjoining properties or public streets. Shadow studies conducted to determine the effect of the proposed building on adjacent properties demonstrated that the effect will be minimal. As stated in the Environmental Assessment Statement ("EAS"), the project will not have any significant impact due to shadows on sunlight-sensitive resources in the area, including Veteran's Triangle to the north of the Project Area. The proposed building will not penetrate the sky exposure plane, and the majority of surrounding residences are located to the south of the Project Area where they will not be affected by the proposed building. To the north, the aggregate width of Hegeman Avenue and New Lots Avenue at the Project site frontage is over 100 feet allowing for ample light and air to surrounding properties.

Furthermore, the form and location of the proposed building is designed with sensitivity to the scale of the surrounding area, resulting in satisfactory site planning and urban design relationships. The proposed building has a scale that is in context with the six-story Plaza Residences apartment buildings that are located to the north. In terms of design, the proposed 5-foot front yard increases open space and improves circulation at the front of the building. It also allows for landscaping, providing green space for the enjoyment of building residents and local pedestrians. In addition, the building has a 30-foot rear yard with a landscaped patio and garden area providing open space for outdoor passive recreation. The 30-foot rear yard, 5-foot yard and setback above the streetwall all minimizes potential effects on adjacent and proximate properties. These design features reinforce the urban design and relate to neighborhood character of the area. The area is characterized by the presence of yards in the surrounding properties, which serve to ensure access to ample light and air. The adjacent two- and three-story residential buildings on the block to the west at 635-647 Watkins Street (Block 3639, Lots 30-34) and to the south at 892 Mother Gaston Boulevard (Block 3639, Lot 42), are each improved with rear yards and the majority of these buildings have a side yard. The façade of the building is also designed to relate to the surrounding area. The proposed building is clad in decorative brick with the portion above the setback clad in light-colored metal panels. The building design incorporates sustainable features under the Enterprise Green Communities criteria that conserve energy, reduce environmental impacts, and promote the health of residents.

(2) that the proposed facility will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; and

The project is a 71-unit affordable and supportive housing development with on-site social services. Approximately 60 percent of the units (42) will be reserved for individuals exiting a Department of Homeless Services shelter with a special need and approximately 40 percent (28) of the units will be reserved for individuals earning below 60 percent of AMI. The development will offer residents on-site social services and case management provided by trained social service staff. In addition, the development will have a 24/7 security presence provided by trained security staff.

A non-profit social services organization will provide on-site case management at the development, which will be available to all tenants. The case management services will focus on connecting people with opportunities to enhance their quality of life. These services may include, but will not be limited to: financial literacy training, nutrition workshops, benefits advocacy, linkages to job training programs, resume workshops, computer skills trainings, and mental health groups. Access to primary medical care for clients will be a priority for program staff. On-site service staff will facilitate access to care for clients who do not have existing connections to primary care, as well as provide support so that they remain connected to care. All necessary support services will be provided on site. The on-site case managers and program director will utilize an extensive network of linkages throughout Brownsville and Brooklyn for service referrals.

Moreover, as noted in the EAS, proposed development will not have any direct or indirect effects on community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations. The 71 affordable and supportive units in the proposed development, targeted to low-income and formerly homeless individuals, will not result in the increased demand for any of the surrounding facilities. As such, the proposed development will not require any addition to the supportive services in the community. The proposed development will be a valuable addition to the community by providing affordable and supportive housing to a vulnerable population.

(3) the #streets# providing access to such #use# will be adequate to handle the traffic generated thereby or provision has been made to handle such traffic.

As stated in the EAS, the proposed project will not have any significant impact on the streets providing access to the project. The streets providing access to the proposed development are adequate to handle the minimal traffic generated by the proposed development. The proposed Project Area is located on Hegeman Avenue, a 70-foot wide street with two travel lanes and eastbound one-directional traffic between 65-foot wide Watkins Street and 85-foot wide Mother Gaston Boulevard. New Lots Avenue is a 70-foot wide street with two travel lanes and two-directional traffic. There are multiple public transit options near the Project Area including MTA subway service at the New Lots Avenue L station and bus service on the B35, B15, B60, and B8 lines.

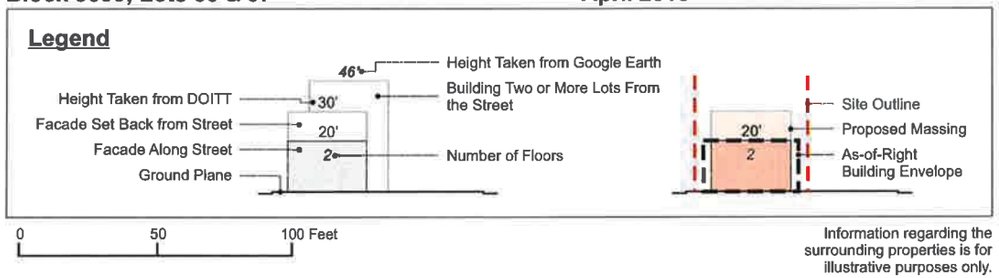
The EAS further indicates that neither transit nor pedestrian thresholds are exceeded. The proposed development will result in fewer than 50 peak-hour vehicle trips. Residents and staff of the proposed development are anticipated to use public transit options. The project will provide on-site services -exclusively to its tenants, and thus will not be a destination for non-tenant access to services. In addition, the proposed development will result in fewer 200 peak-hour subway and/or bus transit riders, and fewer than 200 peak hour pedestrian trips. Given the proximity of public transit and the nature of the project, the surrounding streets providing access to the proposed development will be adequate to handle the minimal traffic generated.

The Commission may request a report from appropriate governmental agencies with respect to #community facility uses# requesting a special permit under this Section.

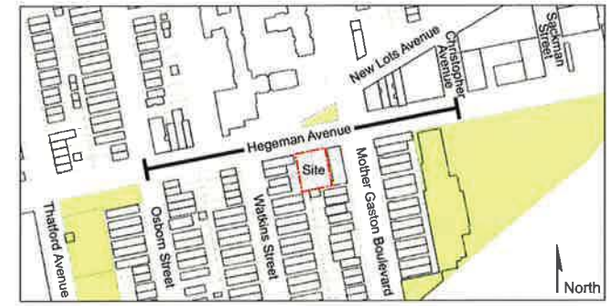
The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

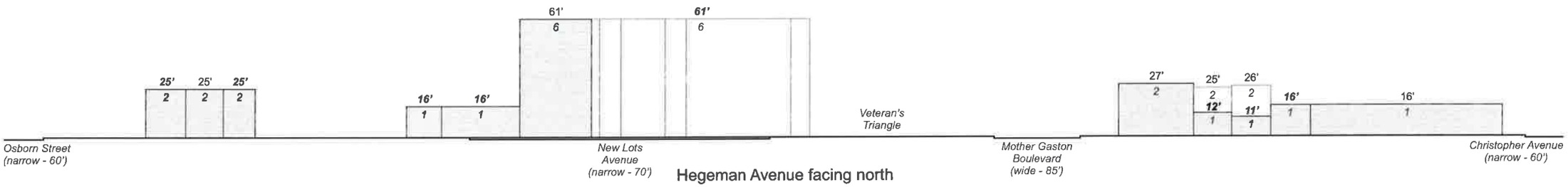
Block 3639, Lots 35 & 37

April 2016

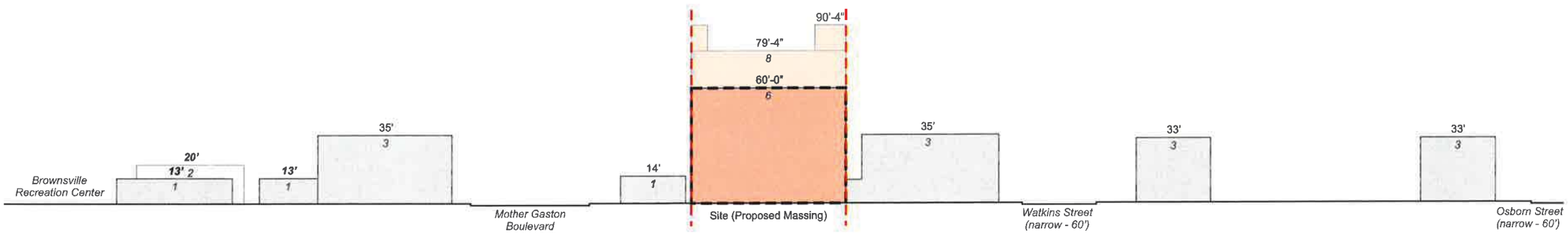


Information regarding the surrounding properties is for illustrative purposes only.





Hegeman Avenue facing north



Hegeman Avenue facing south

Office of the Deputy Mayor
For Housing and Economic Development

MEMORANDUM

TO: Vicki Been
Commissioner, HPD

FROM: Alicia K. Glen

DATE: November 17, 2016

RE: Zoning Override for Affordable and Supportive Housing
210-214-Hegeman Avenue, Brooklyn

Based on the information contained in your November 14, 2016 memo, I support your request to proceed with the project at the named site despite non-compliance with the Zoning Resolution.

This approval is limited only to the noncompliance defined in your memo and is based solely on the information contained therein.

cc: Rick Chandler, DOB
Purnima Kapur, DCP
Steven Stein Cushman, Law Department
Susan Choi-Hausman, Law Department
Paul Rodriguez, Mayor's Office

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

STEVEN STEIN CUSHMAN
Executive Assistant Corporation Counsel
for Commercial Law

Phone: (212) 356-2100
E-mail: scushman@law.nyc.gov

MEMORANDUM

TO: **ALICIA GLEN**
Deputy Mayor for Housing and Economic Development

SSC

FROM: **STEVEN STEIN CUSHMAN**

RE: **Zoning Override for Affordable and Supportive Housing**
210-214 Hegeman Avenue, Brooklyn

DATE: **November 15, 2016**

We have reviewed the November 14, 2016 memorandum from the New York City Department of Housing Preservation and Development concerning the need for an override of a provision of the Zoning Resolution, in order to facilitate the construction of an eight-story seventy-one unit affordable housing project for homeless and low-income individuals on vacant, City-owned land in Brownsville, Brooklyn.

Site	Zoning Resolution
Block 3639, Lots 35 &37	§24-522
Brooklyn	

New York courts have long recognized that governments are not subject to zoning restrictions in the same manner as private persons. Nehrbas v. Incorporated Village of Lloyd's Harbor, 2 NY 2d 190 (1958). In the most recent formulation of this rule, the Court of Appeals adopted a balancing test in determining whether a government was required to comply with zoning, comparing the public interest served by the proposed use with the purposes served by the zoning provision in question. Matter of County of Monroe, 72 NY2d 338 (1988).

The November 14, 2016 memorandum explains the public benefits of the project and discusses the specific zoning restrictions impacted by the project. You may authorize the project notwithstanding the provisions of the Zoning Resolution if you determine that the public purpose to be served justifies this in the circumstances described in the memorandum. On the basis of the information provided in the memorandum, such approval would be appropriate and consistent with applicable law.

Department of
Housing Preservation
& Development
nyc.gov/hpd

VICKI BEEN
Commissioner

Office of the Commissioner
100 Gold Street
New York, N.Y. 10038

Memorandum

DATE: November 14, 2016

TO: Alicia Glen, Deputy Mayor

FROM: Vicki Been, Commissioner VB

CC: Susan Choi-Hausman, NYC Law Department
Steven Stein Cushman, NYC Law Department
Anita Laremont, NYC Department of City Planning

RE: Mayoral Zoning Override Request to facilitate affordable and supportive housing located at 210-214 Hegeman Avenue (Block 3639/Lots 35 and 37)
Borough of Brooklyn

ATTACHED: Technical Drawings, Negative Declaration

The Project

The Department of Housing Preservation and Development ("HPD") hereby requests an override of Zoning Resolution ("ZR") § 24-522 in order to facilitate the development of an eight-story, 71-unit affordable housing project for homeless and low-income individuals under HPD's Supportive Housing Loan Program ("Proposed Project" or "Project").

The project site, which comprises two City-owned vacant lots that total approximately 7,600 square feet, is located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37) ("Project Site"). The Project Site is located within an R6 zoning district in the Brownsville neighborhood of Brooklyn's Community District 16. The Project Site would be improved with approximately 71 housing units that would advance Mayor De Blasio's *Housing New York: A Five-Borough, Ten-Year Plan* by creating new affordable housing and supportive housing for the City's most vulnerable residents. The proposed eight-story building on Hegeman Avenue, will have a 15 foot front setback from the street line at the seventh and eighth stories before rising to a total height of 79'-4". The 15-foot setback will result in non-compliance with ZR § 24-522 on the seventh and eighth floors because of the 20-foot setback requirement under the Zoning Resolution.

Under the Proposed Project, 60 percent, or 42 units, will be reserved for individuals exiting the New York City Department of Homeless Services ("DHS") shelter with a special need. Approximately 40 percent, or 28 units, will be reserved for individuals earning below 60 percent of the average median income. There will be one, one-bedroom unit for a live-in superintendent. Additionally, the Project will include on-site social services and 24/7 on-site security in the lobby of the building.

To encourage a more active street front, the proposed building will set back five feet from the street line to allow landscaping. The rear yard will include an outdoor patio and a garden area for passive recreational use. The building's cellar floor will also contain an activity room, bike storage, laundry facilities, offices, storage space and a computer room for the residents. The building will comply with and meet HPD design guidelines and will

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incorporate sustainable elements under the Enterprise Green Communities criteria to conserve energy, reduce environmental impacts and promote the health of the residents.

Upon the occurrence of the finance closing, the Project Site will be conveyed to a developer selected by HPD. To enable this Project HPD is seeking (1) Urban Development Action Area Project approval and designation, (2) disposition approval of City-owned land; and (3) approval of a special permit pursuant to ZR § 74-903 (Special Permit to certain community facility uses in R3 to R9 Districts) through the City's Uniform Land Use Review Procedure. Upon the occurrence of the foregoing, HPD has issued a Negative Declaration for the environmental determination for the Proposed Project.

In addition, to facilitate the development of the Proposed Project, HPD is seeking the following override request:

Waiver of ZR § 24-522 (Front Setbacks in Districts Where Front Yards Are Not Required)

In an R6 zoning district, ZR § 24-522 requires an initial setback distance of 15 feet on a wide street and 20 feet on a narrow street. Buildings on narrow streets are generally subject to a greater initial setback distance than buildings on wide streets to protect the availability of light and air to property on the opposite side of the street.

The Project Site is located on the south side of Hegeman Avenue between Watkins Street to the west and Mother Gaston Boulevard to the east. The Site is located at the convergence of Hegeman Avenue and New Lots venue, which are divided immediately north of the Project Site by Veteran's Triangle, a mapped park (see attached site plan). Pursuant to ZR § 12-10, Hegeman Avenue and New Lots Avenue are both defined as narrow streets at 70-feet wide (as opposed to wide streets that are defined as 75-feet wide or greater). While a little more than fifty percent of the Project Site's frontage (40.19 feet) is located on a wide street - because of the combination of Hegeman Avenue and New Lots Avenue (see attached site plan), ZR § 24-52 requires that the Proposed Project provide an initial setback distance of 20 feet, since part of the Project Site's frontage (39.81 feet) is located on Hegeman Avenue alone, which is a narrow street.

HPD requests an override of ZR § 24-522 to waive the 20-foot initial setback distance requirement on the seventh and eighth floors. As shown in the attached Floor Plan and Building Section figure, the Proposed Project would include a 15-foot setback, which is less than the required 20-foot setback that is required for a narrow street. Due to the Project Site's location at the convergence of Hegeman Avenue and New Lots Avenue and the presence of the mapped park, the proposed 15-foot setback at the seventh and eighth floors would have a negligible effect on the light and air to the properties on the opposite side of the street that the setback provisions are intended to protect. As shown in the attached site plan, the aggregate width of Hegeman Avenue and New Lots Avenue is far greater than 75 feet on the entirety of the Project Site's frontage, providing ample light and air to the surrounding properties.

The proposed building's dimensions and scope will be similar to the six-story Plaza Residences apartment buildings that are located across the street to the north of the Proposed Project. In terms of design, the proposed 5-foot front yard increases open space and improves circulation at the front of the building. The rear yard and setbacks minimize potential effects on adjacent and proximate properties. These design features reinforce the urban design and neighborhood character of the area. The area is characterized by the presence of yards in the surrounding properties, which serve to ensure access to ample light and air.

Moreover, compliance with the 20-foot setback requirement would result in the loss of six essential units on the seventh and eighth floors (three on each floor). The loss of these six units would have an impact on the overall financial feasibility of the Proposed Project. For instance, the Proposed Project would lose the benefit of spreading fixed soft costs and construction costs over the six additional units, which is critical to economies of scale in moderately-sized affordable housing developments. The loss of these units would also reduce the amount of capital subsidies this project would receive and consequently raise the cost per unit, which would be detrimental to the development of a supportive and affordable housing project of this size.

NYC
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Conclusion

The requested zoning override will facilitate the development of 71 new sustainable, affordable and supportive housing units. The Proposed Project is directly in line with Mayor De Blasio's *Housing New York: A Five-Borough, Ten-Year Plan,* which calls for an expansion of affordable housing and supportive housing for the City's most vulnerable residents. It is clearly in the public's interest to grant the override for the Proposed Project as designed, to help address the citywide need for affordable housing. Therefore, HPD recommends that a zoning override be issued waiving ZR § 24-522, as described in this memorandum.

NYC
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Dattner Architects

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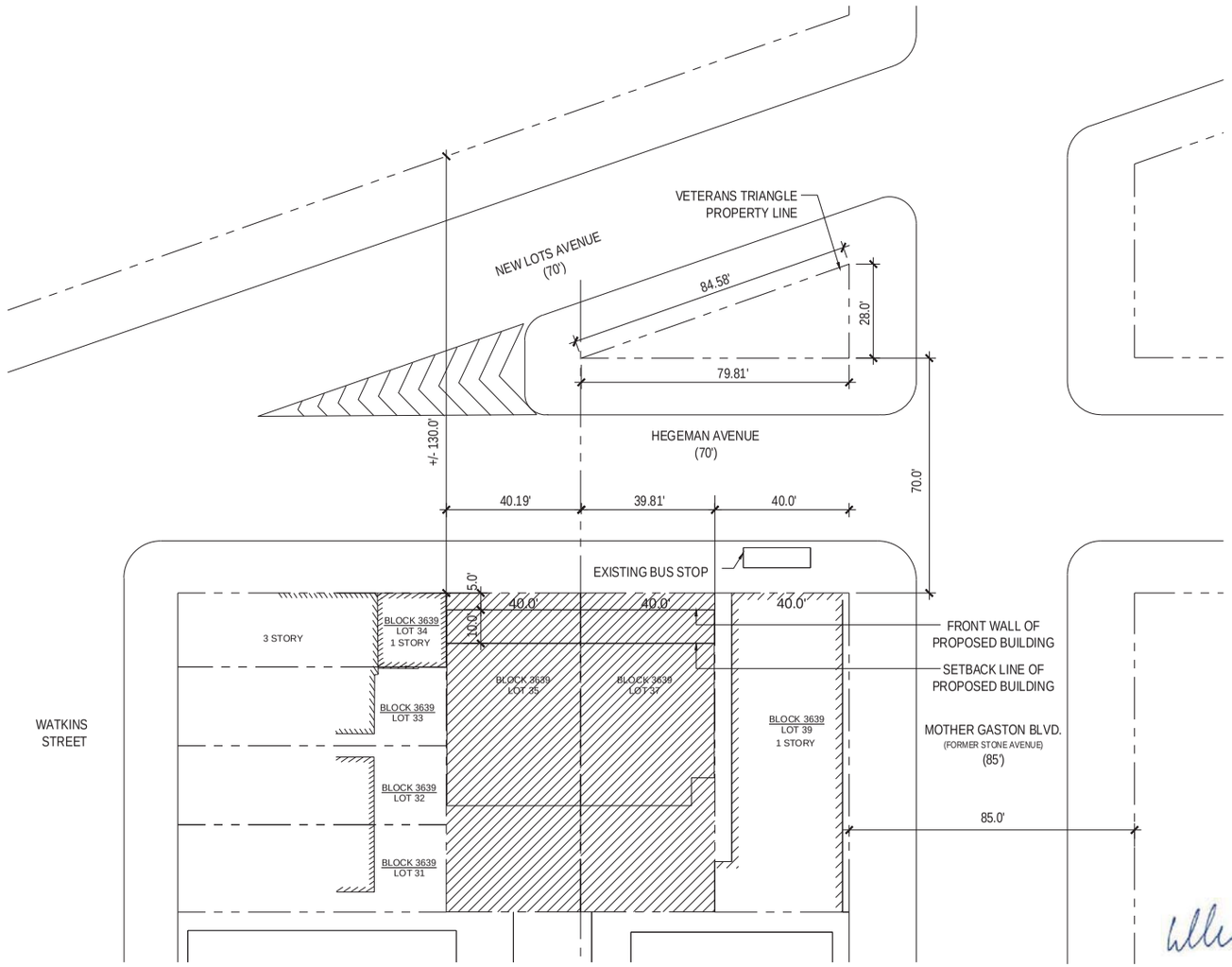
New York, NY 10018
www.dattner.com

tel 212 247 2660
fax 212 245 7132



CAMBA Housing Ventures

210-214 Hegeman Avenue, Brooklyn, NY 11212

ZONING DIAGRAM

N

A-001
May 16, 2016

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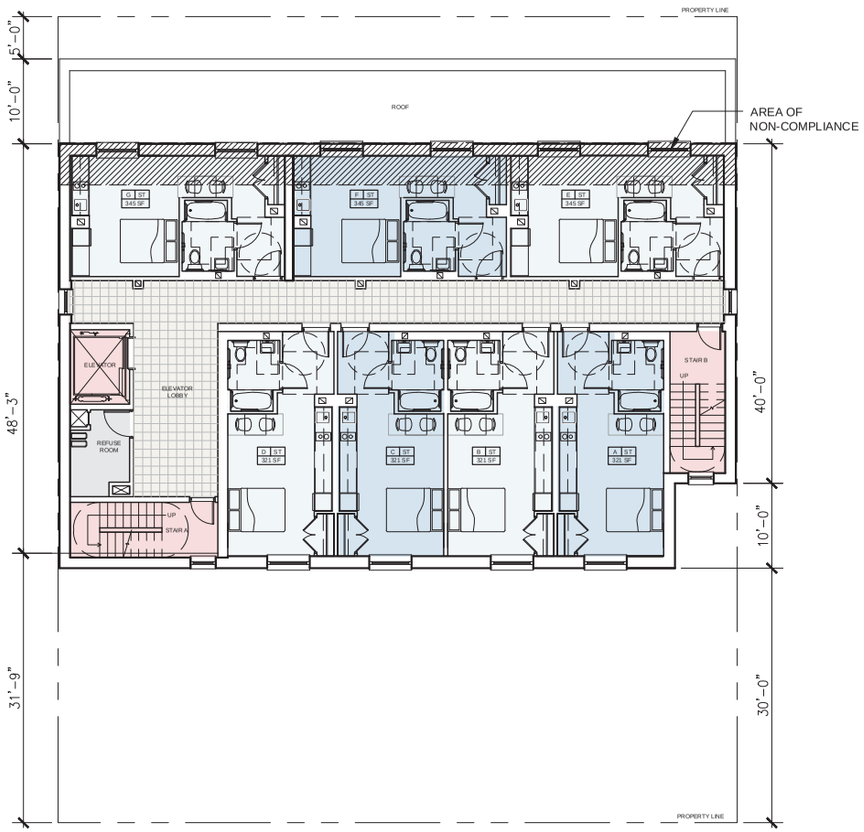
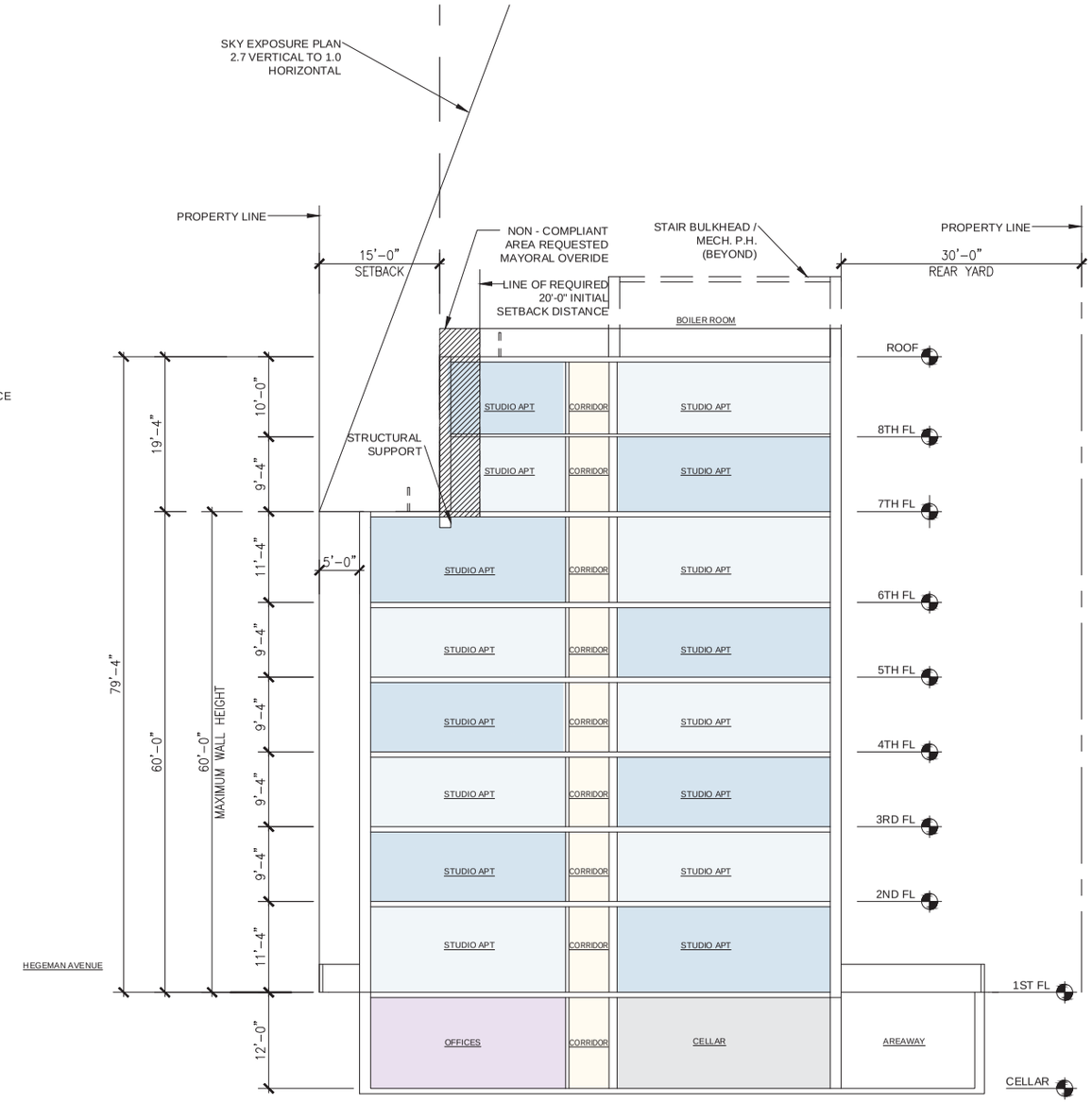
fax 212 245 7132



Legend

- Residential
- Common
- Management/ Social Services
- Utility
- Circulation
- Core
- Area of Non-Compliance

7th-8th Floor Plan



Section

210-214 Hegeman Avenue, Brooklyn, NY 11212

FLOOR PLAN AND BUILDING SECTION

CAMBA Housing Ventures

N

A-001
June 14, 2016

Tax Map: 1435 Prospect Place (Friends of Crown Heights 29 Child Care Center) - Brooklyn Block 1361 Lot 66

FINANCE NEW • YORK
MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

Effective Date : 12-04-2008 15:56:30
End Date : Current

Brooklyn Block: 1361

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Proposed Project Site Block 1361 Lot 66

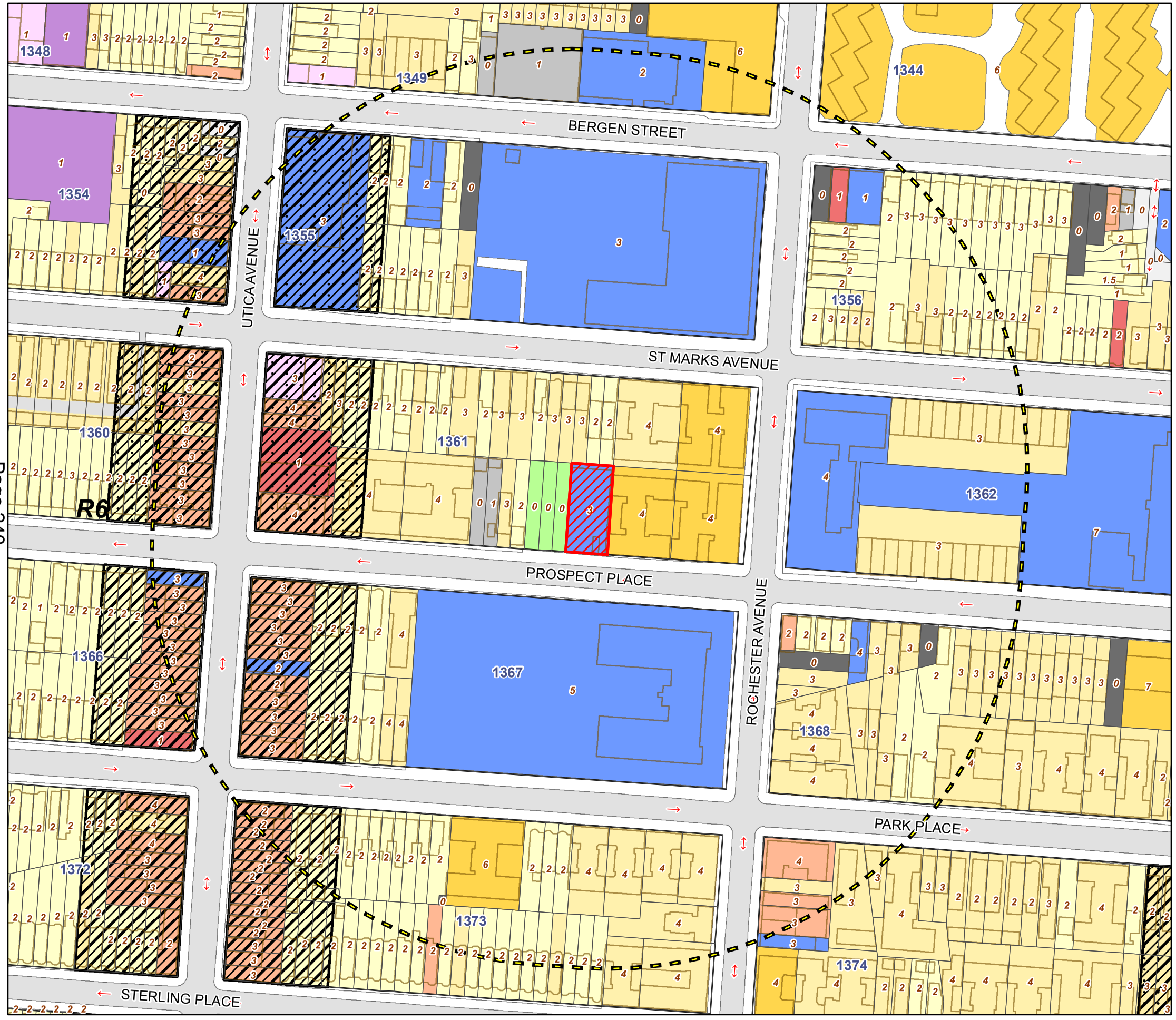
ACS Acquisition ULURP

February 17, 2015

Friends of Crown Heights 29 Child Care Center

Area Map

Brooklyn Block 1361 Lot 66



Proposed Project: Block 1361 Lot 66

Study Area: 600 Foot Radius

Zoning Districts and Overlays

R6 Zoning Districts

C2-3 Overlay

C1-3 Overlay

Land Use

- One and Two Family Buildings
- MultiFamily Walkup Buildings
- MultiFamily Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities and Institutions
- Open Space
- Parking Facilities
- Vacant Land
- Other/No Data

Tax Lots

Building Outlines

1769 Tax Blocks

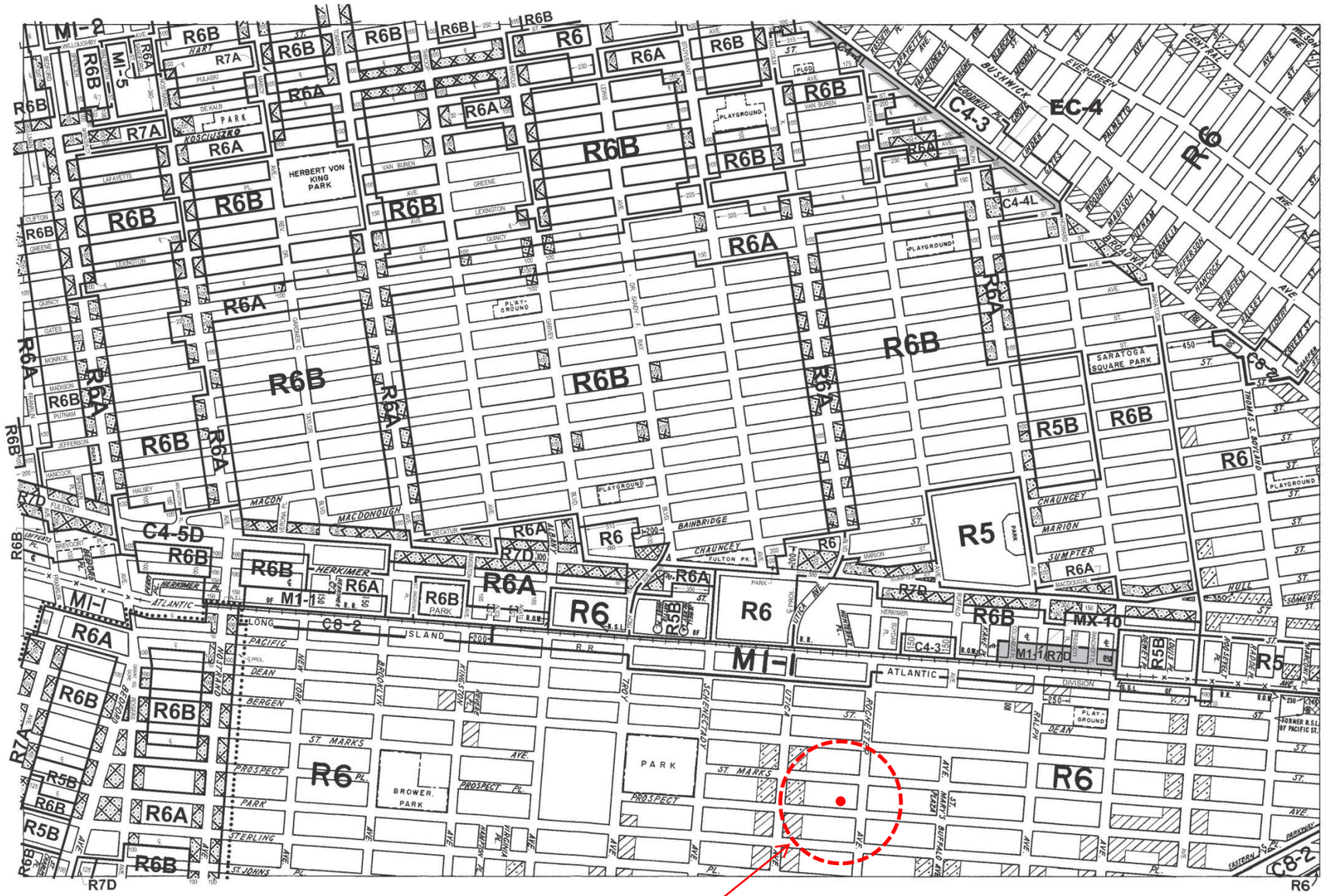
2 Number of Floors

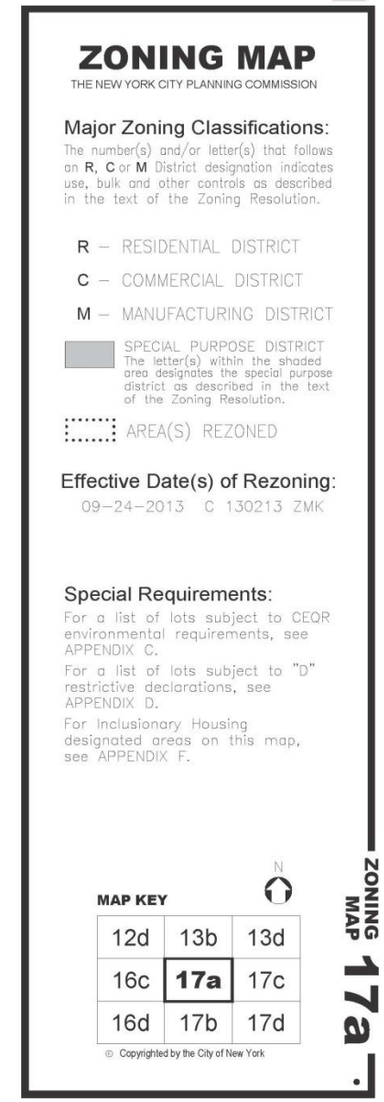
N

0 100 200 300 400 Feet

Map prepared by NYC DCAS Planning on 2015-07-17. Lot boundaries and Land Use based on PLUTO 14v2. Streets from LION version 15A. Zoning from April 2015 DCP Zoning Features.

Friends of Crown Heights 29 Child Care Center
1435 Prospect Place, Brooklyn—Block 1361 Lot 66
Official Zoning Map

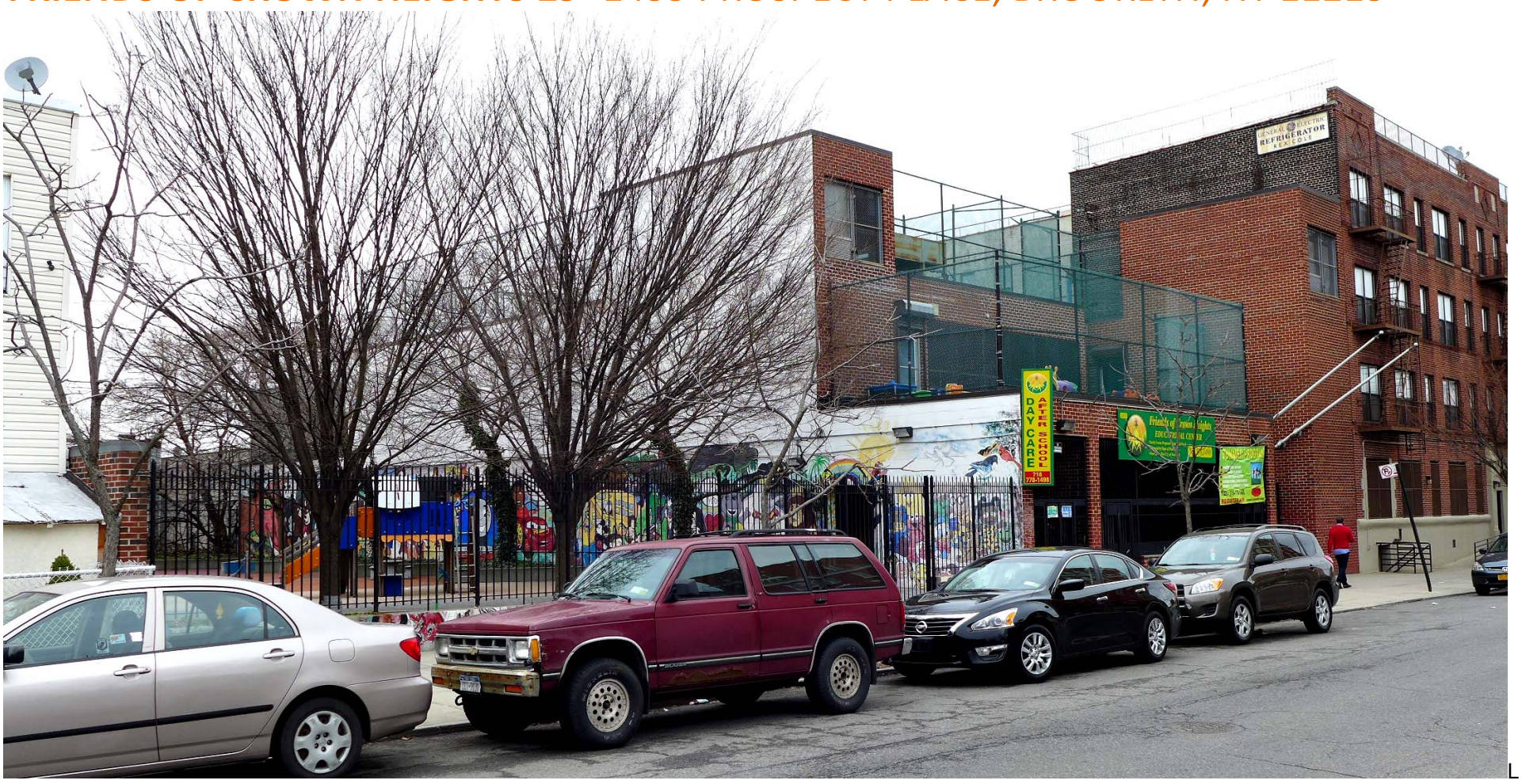




NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

ACS and DCAS Acquisition ULURP

FRIENDS OF CROWN HEIGHTS 29- 1435 PROSPECT PLACE, BROOKLYN, NY 11213



TYPICAL CORRIDOR v

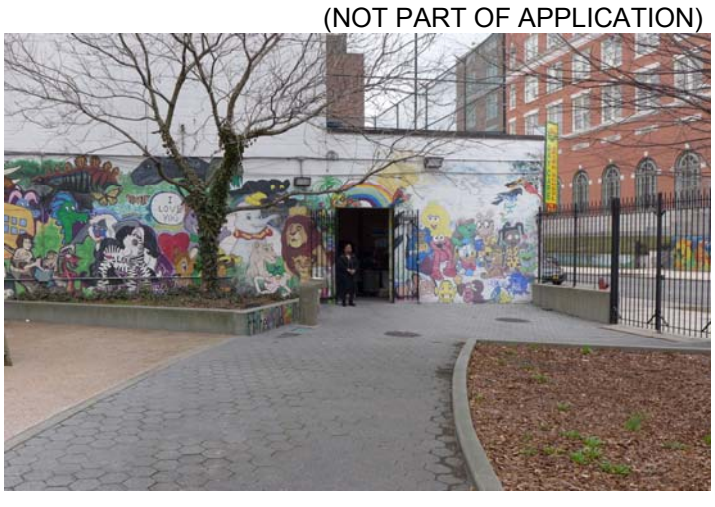
LOOKING NORTH EAST AT BUILDING AND ADJACENT PLAYGROUND ^

TYPICAL STAIRWAY v

TOP MOST MAIN ROOF TOP PLAY AREA ^

AERIAL OF SECOND FLOOR NORTHERN ROOF TOP PLAY AREA ^

ADJACENT PLAYGROUND v
(NOT PART OF APPLICATION)



FRIENDS OF CROWN HEIGHTS 29- 1435 PROSPECT PLACE, BROOKLYN, NY 11213

TYPICAL CLASSROOM ^

TYPICAL OFFICE v

TYPICAL CLASSROOMS HALLWAY v

COMMERCIAL KITCHEN ^

SECOND FLOOR SOUTHERN ROOF TOP PLAY AREA ^

FRIENDS OF CROWN HEIGHTS 29- 1435 PROSPECT PLACE, BROOKLYN, NY 11213

FRONT ENTRANCE v MAIN ELEVATIONS OFF PROSPECT PLACE ^ ENTRANCE VESTIBULE v MULTIPURPOSE ROOM vv

CITY PLANNING COMMISSION
July 27, 1994/Calendar No. 26 C 910538 PQK

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to S ction 197-c of the New York City Charter for acquisition of property located at 1435 Prospect Place (Block 1361, Lots 66 and 67) Community District 8, Borough of Brooklyn for continued use as a day care center.

This application (C 910538 PQK) was filed on May 30, 1991 by the Human Resources Administration (HRA) and the Department of Gen ral Services (DGS) for continued use of property located at 1435 Prospect Place (Block 1361, Lots 66 and 67), Community District 8, Borough of Brooklyn, as a day care center.

BACKGROUND

The Human Resources Administration (HRA) proposes to continu to occupy 18,393 square feet of space in a privately owned building located at 1435 Prospect Place (Block 1361, Lots 66 and 67), as a day care center. The space is currently occupied by the True Light H rald A/K/A George C. Conliffe Day Care Center. The day care center has operated at this location continuously since 1972, under a 20 year lease which expired on April 11, 1992 and subsequently under a license agreement which expired on April 10, 1994. The center is currently operating on month-to-month basis as a holdov r tenant. HRA intends to acquire the site either by a lease for a term of up to twenty years, or by purchase or condemnation.

The site is located in the Crown Heights section of Brooklyn.

It is zoned R6, and is d v loped with a two-story building with a c llar and a rooftop play area which is in use. The day car center occupies the entire building.

The site abuts four-story multiple dwellings to the east, a two-story single family dwelling to the rear, and three city-own d vacant lots to the west. The surrounding area is predominately developed with two-story attached dwellings. P.S. 335 and J.H.S. 210 are located on the blocks north and south of the site respectively. St. Mary's Hospital is located one block east of the site. The 77th Police Precinct is located one block northwest of the site.

The True Light Herald (George C. Conliffe) Day Care Center operates Monday through Friday, from 8:00 A.M. to 6:00 P.M., and provides a variety of social, nutritional, educational and cultural programs for children. Children are provided with lunch and two snacks. Most parents walk their children to the facility from the surrounding community. The site is located close to public transportation, including the B 45 bus which runs on St. Johns Place, three blocks south of the site, the B 46 bus which runs on Utica Avenue, one block west of the site, and the B 15 and the B 65 buses, which run on St. Marks Avenue, one block north of the site. The IRT No. 3 and 4 trains stop at the Utica Avenue station, five blocks south of the site.

ENVIRONMENTAL REVIEW

This application (C 910538 PQK) was reviewed pursuant to the

New York State Environm ntal Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the Human Resources Administration.

This application was determined to be a Type II action, which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 910538 PQK) was certified as complete by the Department of City Planning on February 28, 1994 and was duly r ferred to Community Board 8 and the Brooklyn Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 8 held a public hearing on this application on April 14, 1994, and on that day, by a vote of 25 to 0 with 3 abstentions, adopted a resolution recommending approval of the application subject to the condition "that all renovations and repairs be included in the re-negotiations and that the landlord be held accountable."

Borough President Recommendation

This application (C 910538 PQK) was considered by the Brooklyn

Borough Pr sid nt, who issued a r commendation disapproving this application on June 8, 1994, subject to the following conditions:

> That the recommendations included in the reports released by the Brooklyn Borough President and the Mayor's office for Families and Children be implemented expeditiously;
>
> That inspections be performed by the Fire Department and Department of Buildings on any facility which was part of the Agency for Child Development Fire Prevention Upgrade Program;
>
> That prior to the execution of a new lease, HRA and the City Administration arrange for the installation of a new gas stove;
>
> That HRA conduct annual inspections of the center to ascertain whether building deficiencies exist;
>
> That the City Planning Commission include, as a condition of its approval, a requirement that the period of approval be limited to ten years if the City does not acquire fee title to this property during that period;
>
> That HRA instruct DGS to execute a lease for this facility for a term not to exceed ten years, and that it include provisions for sanctions or penalties to ensure that the landlord's performance of the terms and conditions for the lease as well as a provision for the city to terminate the lease; and,
>
> That procedures now in place to arrange for the replacement of necessary equipment and appliances be streamlined.

That HRA and the Department of City Planning conduct a comprehensive analysis of day care needs throughout the City in relation to the location of existing facilities and the eligible population in need of day care services. Such analysis shall be based on the Guidelines for the Siting of City Facilities pursuant to Section 203 of the New York Charter.

City Planning Commission Public Hearing

On June 1, 1994 (Calendar No. 7), the City Planning Commission scheduled June 15, 1994, for a public hearing on this application. The hearing was duly held on June 15, 1994 (Calendar No. 21). A r presentative of Human Resources Administration spoke in favor of this application. There were no other speakers and the hearing was closed.

Consideration

The City Planning Commission believes that the application of the Human Resources Administration (HRA) and the Department of General Services (DGS) for the acquisition of property located at 1435 Prospect Place (Block 1361, Lots 66 and 67), for continued use as day care center is appropriate.

Direct-lease day care centers have been established in neighborhoods where demographic characteristics, such as income and social eligibility, demonstrate a need for such services.

The Human Resources Administration (HRA) has utilized the space continuously since 1972, serving the community by providing

needed day care services for children, including educational, r creational and nutritional programs. The proposed use is permitted in an R6 district. It is well located within the community it serves and most parents walk their children to th facility. It is also close to public transportation including, the B 45 bus which runs on St. Johns Place three blocks south of the site, the B 46 bus, which runs on Utica Avenue, one block west of the site, and the B 15 and the B 65 buses, which run on St. Marks Avenue, one block north of the site. The IRT No. 3 and 4 trains stop at the Utica Avenue station, five blocks south of the site.

The Commission shares the Borough President's concerns regarding the continued maintenance and physical condition of the building. HRA has assured the Commission that the building will be repaired and properly maintained. In response to the Commission's concerns, HRA has submitted a summary of the "Scope Report" for this facility, which describes the work required to upgrade the building. Under its Lease Renewal Upgrade Program, HRA requires that the landlord prepare plans for the renovation of the facility to comply with the requirements of the scope, including roof repairs and replacement of kitchen equipment. The plan for repairs shall be submitted to the Agency for Child Development (ACD) for approval, as specified in ACD's Policy and Procedures Protocol.

The Commission further notes that Section 1602 of the City Charter provides that the business terms of the proposed lease,

including any conditions governing maintenance and r pair, will be th subject of a second public hearing.

RESOLUTION

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 910538 PQK) of the Human Resources Administration and the Department of General Services (DGS) for acquisition of property located at 1435 Prospect Place (Block 1361, Lots 66 and 67) Community District 8, Borough of Brooklyn for continued us as day care center is approved for a period of up to twenty years, or without time limitation if the site is acquired in fee.

The above resolution, duly adopted by the City Planning Commission on July 27, 1994 (Calendar No. 26), is filed with the Office of the Speaker, City Council, and the Borough President of Brooklyn in accordance with the requirements of Section 197-d of the New York City Charter.

JOSEPH B. ROSE, Chairman,
EUGENIE L. BIRCH, A.I.C.P., IRWIN G. CANTOR, P.E., ANTHONY I. GIACOBBE, Esq., MAXINE GRIFFITH, JAMES C. JAO, R.A., RONALD SHIFFMAN, A.I.C.P., ANALISA TORRES, Esq., JACOB B. WARD, Esq., Commissioners.

AMANDA M. BURDEN, A.I.C.P., BRENDA LEVIN, EDWARD T. ROGOWSKY Commissioners voted "NO".

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Read Street, New York, NY 10007
FAX # (212) 720 - 3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board when applicable.

orig. F. Parnes
c: Brooklyn office
R. Edwards
P. Sperling

APPLICATION # C 910538 PQK

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Human Resources Administration and the Department of General Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at 1435 Prospect Place (Block 1361, Lots 66 and 67), Borough of Brooklyn, Community District 8, for continued use as a day care center. (True Light Herald A/K/A George C. Conliffe Day Care Center)

COMMUNITY BOARD NO. 8

BOROUGH Brooklyn **BOROUGH BOARD** N/A

DATE OF PUBLIC HEARING April 14, 1994

WAS QUORUM PRESENT? X **YES** **NO**

(A public hearing shall require a quorum for 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN

DATE April 14, 1994

LOCATION Brooklyn Children's Museum
145 Brooklyn Avenue, Bklyn

RECOMMENDATION

_____ **APPROVE** __X__ **APPROVE WITH MODIFICATIONS/CONDITIONS**

_____ **DISAPPROVE** _____ **DISAPPROVE WITH MODIFICATIONS/CONDITIONS**

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

Application approved with conditions that all renovations and repairs be included in the re-nogotiations and that the landlord be held accountable.

94 MAY -9 PM 12:46
DEPT OF CITY PLANNING

VOTING

IN FAVOR 25 **AGAINST** 0 **ABSTAINING** 3 **TOTAL MEMBERS APPOINTED TO BOARD** 43

Robert Matthews for — Chairperson — April 14, 1994

COMMUNITY/BOROUGH BOARD OFFICER **TITLE** **DATE**

Brooklyn Borough President Recommendation

Barnes
Brooks
Edwards

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX# (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicants representative as indicated on the Notice of Certification.

APPLICATION # 910538 PQK

DESCRIPTION

GEORGE C. CONLIFFE DAY CARE CENTER

COMMUNITY DISTRICT NO. 8 **BOROUGH OF BROOKLYN**

RECOMMENDATION

- ☐ APPROVE
- ☐ APPROVE WITH MODIFICATIONS/CONDITIONS
- ☐ DISAPPROVE
- ☒ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION — MODIFICATIONS/CONDITIONS

CITY PLANNING COMMISSION
94 JUN -9 AM 8:49
DEPT. OF CITY PLANNING

- ☒ RECOMMENDATION ATTACHED
- ☐ RECOMMENDATION TO FOLLOW

Howard Golden
BOROUGH PRESIDENT

06/08/94
DATE

GEORGE C. CONLIFFE DAY CARE CENTER

(910538 PQK)

RECOMMENDATION REPORT BY THE
PRESIDENT OF THE BOROUGH OF BROOKLYN

Background

The Human Resources Administration (HRA) requests approval for the acquisition of a privately owned building located at 1435 Prospect Place (Block 1361, Lots 66-67) for the continued use as a day care center in the Crown Heights section of Community District 8. HRA has used the building continuously since 1972 in accordance with a 20 year lease that expired on April 11, 1992.

The site is within an R6 zoning district and the surrounding community is comprised of residential uses.

The George C. Conliffe Day Care Center provides a variety of recreational, educational and cultural activities to approximately 110 preschool and 45 school age children. Breakfast, lunch and two snacks are served daily.

Borough President's Public Hearing

On May 3, 1994, the Borough President held a public hearing on this application. There were three speakers: one representative each from the Agency for Child Development (ACD), the Division of Real Property (DRP) and the service provider. All of the speakers spoke in favor of the application.

The Borough President asked several questions concerning fire safety and building violations previously issued at this and other direct lease day centers within the borough. In response, the ACD representative stated that all of the issued violations have been addressed and corrected by the agency. The representative further described a process by which ACD has obtained approvals from the Fire Department for its completed repairs at the affected day care centers. He further described procedures administered by the Department of Buildings which allow ACD to certify its own completed repairs to remedy the issued violations as compliant to building code regulations. However, the ACD representative further stated that although the building violations at the affected day care centers have been corrected, the corresponding certification documents as issued by the Department of Buildings needed to confirm these repairs have yet to be completed and issued.

The Borough President expressed his dissatisfaction regarding this repair approval process and stated that ACD should not be allowed to self-certify the appropriateness of the building repairs implemented to correct violations issued from the Department of Buildings.

The ACD repres ntative further stated that all of the new leases and the current scope of repairs for this and all dir ct leas day care cent rs

require the elimination of all building violations. He assured the Borough President that the agency's consultants who developed the scopes of repairs for the affected day care centers, have also certified that all of the affected buildings were inspected for any additional building violations.

In response to questions from the Borough President about the status of lease negotiations for this and other direct lease day care centers, a DRP representative stated that approximately 6 of the 150 new leases throughout the City have been executed for lease terms that vary between 5 and 20 years. She further spoke of the lengthy negotiation process and the difficulties DRP has experienced with landlords in executing new leases. She stated that some landlords have problems with the rent amounts and others have problems with new lease provisions designed to make landlords more responsible for building and safety deficiencies.

In response to questions asked by the Borough President concerning the center's gas stove and rooftop toilet, the ACD representative stated that a new gas line for the stove had been installed. He spoke of its required fire safety ansul system, which is subject to approval from the Department of Buildings and the Fire Department. He stated that upon final certification from the Fire Department which is projected to be received within the next thirty days, the gas stove will be installed. The representative further stated that the center's faulty rooftop toilet is the subject of review by a ACD project manager and that it will be addressed.

The Borough President then asked the representative from the day care program's sponsor about these items. The sponsor's representative complained that the program has been awaiting the installation of the ACD promised stove for approximately two years and further stated that the program had expected its installation by this current date. He further complained about ACD's promise to extend the building's dumbwaiter an additional floor and described the need for this improvement for personn l safety reasons. The representative then expressed his concern for the recently completed painting of the building's interior which, he believes, would be ruined when the dumbwaiter work is performed. He further expressed concern about the vulnerability of the center to vandals when work commences for the required removal of the building entrance's roll-down security gate.

In response, the ACD representative stated that it would be inappropriate for the city to extend the building's dumbwaiter without permission from the landlord and added that this work would be accomplished, instead, by the landlord, when the new lease is executed. The ACD representative further stated that this entrance's glass panels will be taken into consideration in the design and installation of the center's new security doors.

The Borough President further questioned the ACD representative about rent payments made to landlords despite unusable outdoor recreation spaces and about the number of new leases executed. In r sponse to these questions, the ACD representative stated that he was unaware of the status of rent payments for this and other direct lease day care c nters.

A DRP representative then stated that approximately 6 of the 150 new leases throughout the City have been executed for lease terms that vary from 5 to 20 years. She further spoke of the lengthy negotiation process and the difficulties DRP has experienced with landlords in executing new leases. She stated that some landlords have problems with the rent amounts and others have problems with new lease provisions designed to make landlords more responsible for building and safety deficiencies detected at day care centers.

Consideration

In May and June, 1991, the Brooklyn Borough President and the Mayor's Office for Children and Families released reports critical of the system of direct leasing of day care centers. Both of these reports offered a series of similar recommendations to improve the present system.

On April 14, 1994, Community Board 8 voted to recommend approval of this application with conditions which stipulate that all renovations and repairs be included in the negotiations for the new lease and that the landlord be held accountable for their implementation.

On March 24, 1994, a representative of the Borough President's staff visited the facility and met with the director of the program.

During this site visit, the representative learned that this facility has had roof leaks for years. However, it was also learned that the landlord recently repaired the roof and, to date, the building has been leak free. The day care program is able to use the building's three roofs for recreation. A grade level vacant lot immediately adjacent to the facility is designated for inclusion in the Lots for Tots program.

The Borough President's representative viewed the facility's kitchen which contained, with the exception of the stove, all new kitchen appliances. The representative also witnessed the painting of the building's interior on this visit.

The Borough President believes that the continued use of this site as a day care center is appropriate. However, the Borough President is concerned that serious deficiencies exist at this facility. He is also concerned that after the public release of two reports regarding the direct lease system and after three years of public hearings, serious problems continue to exist in the inter-agency system responsible for negotiating and enforcing leases. These conditions compromise the day care system's ability to provide a safe and secure environment for children.

The Borough President is also concerned that should this application for the acquisition of property for use as a day care center be approved by the City Planning Commission (CPC), it may permit HRA to renew future leases of this property without further public review. In the past, similar lease renewals were submitted by HRA to the CPC as ULURP applications for the lease of private property by the City. Such applications required public review in accordance with Section 197-c of the City Charter should HRA desire to renew the lease. In the past three

Manhattan Community Board Five

Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109
New York, NY 10123-2199
212.465.0907 f-212.465.1628

Wally Rubin, District Manager

January 13, 2017

Hon. Carl Weisbrod
Chair of the City Planning Commission
22 Reade Street
New York, NY 10007

Re: Application # N 170091 ZAM - Proposal from 625 5th Avenue, St. Patrick's Cathedral, application to request authorization pursuant to Zoning Resolution Section 13-442 (limited increase in parking spaces for existing buildings without parking) to allow one accessory parking space in an enclosed structure adjacent to the Cardinal's Residence at the northwest corner of East 50th Street and Madison Avenue.

Dear Chair Weisbrod:

At the regularly scheduled monthly Community Board Five meeting on Thursday, January 12th, 2017, the following resolution passed with a vote of 31 in favor; 1 opposed; 1 abstaining:

WHEREAS, The Trustees of St. Patrick's Cathedral ("Applicant") has submitted an application to allow one accessory parking space in an enclosed structure adjacent to the Cardinal's residence at the northwest corner of East 50th Street and Madison Ave; and

WHEREAS, The St. Patrick's Cathedral Complex occupies the entire block bounded by Fifth Avenue, East 51st Street, Madison Avenue, and 50th Street; and

WHEREAS, The project site is located in the Special Midtown District and the Special Fifth Avenue Subdistrict in Community District Five in Manhattan; and

WHEREAS, The applicant proposes to construct a single space parking facility with secure vehicle entry to provide an enhanced level of security for the Cardinal as he enters and exits his car; and

WHEREAS, The proposed parking facility will be located immediately west of the Cardinal's residence on the north side of East 50th Street approximately 83 feet west of Madison Avenue; and

WHEREAS, The north side of East 50th Street is currently metered for short-term commercial parking with no restrictions on Sunday; and

WHEREAS, The size of the proposed parking facility is 22 feet 11 inches by 21 feet 7 inches (approximately 494 square feet); and

WHEREAS, The gates servicing the parking facility will swing inward and visible and audible signs will alert pedestrians when the car is entering and exiting; and

WHEREAS, The parking facility is for the exclusive use of the Cardinal who expects to make an average of two incoming, and two outgoing trips per day; and

WHEREAS, A foot traffic study was completed by the applicant in September of 2016 and the findings found the majority of pedestrians utilizing the south side of East 50th Street; and

WHEREAS, The applicant has received approval from the Landmarks Preservation Committee; and

WHEREAS, The size of the project was determined to be the most efficient as possible to ensure functionality while reducing the overall size of the structure; and

WHEREAS, The applicant assured the committee that the same company responsible for the current and previous restoration work on St. Patrick's will perform this work as well; and

WHEREAS, The NYPD counterterrorism unit has issued guidance that this security measure is reasonable and necessary; and

WHEREAS, There was no public opposition expressed to the committee regarding this application; and

WHEREAS, The impact of the parking structure to street, curb and pedestrians was found to be minimal; therefore be it

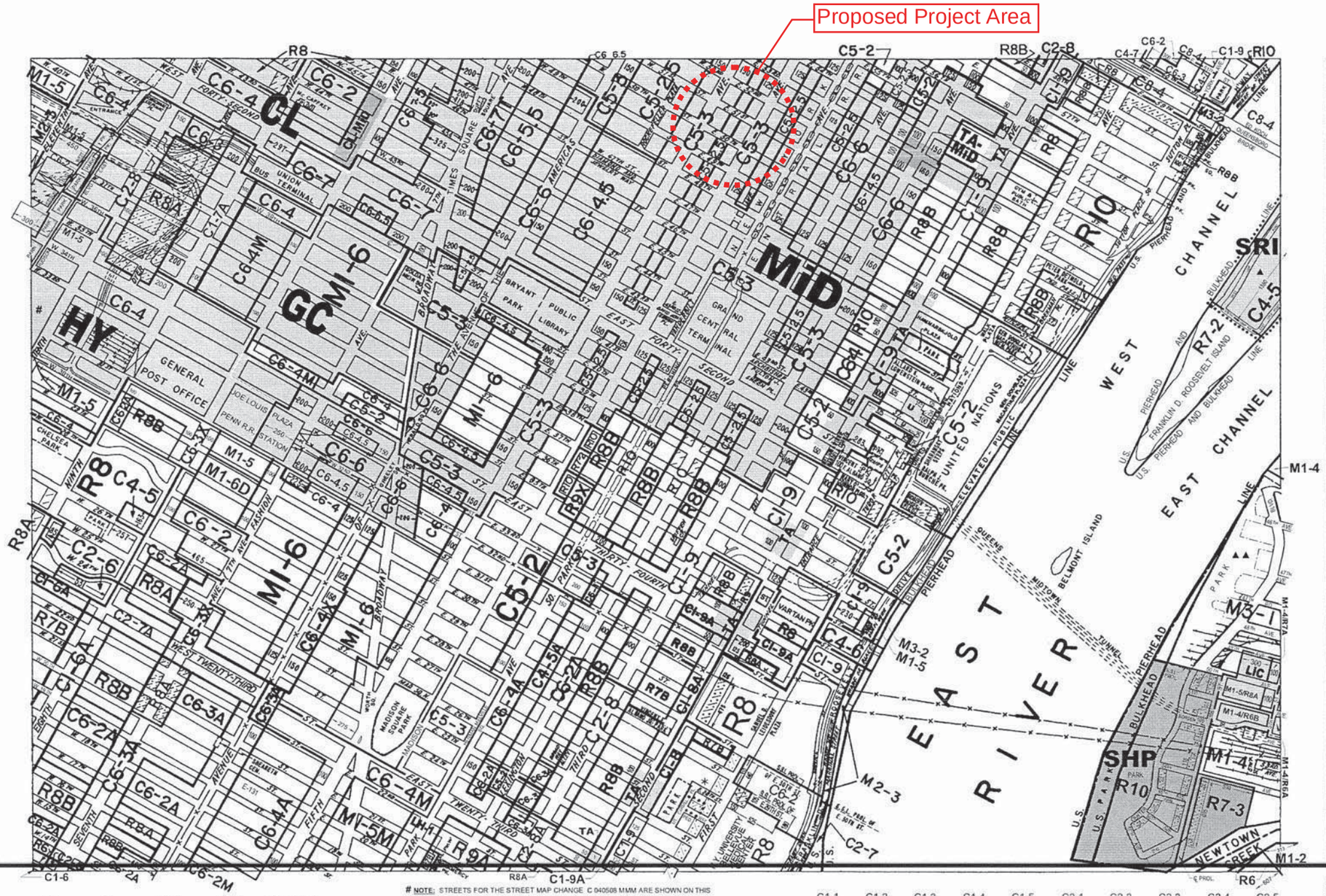
RESOLVED, Community Board Five **recommends approval** of The Trustees of St. Patrick's Cathedral application to allow one accessory parking space in an enclosed structure adjacent to the Cardinal's residence at the northwest corner of East 50th Street and Madison Ave.

Thank you for the opportunity to comment on this matter.

Sincerely,

Vikki Barbero
Chair

Eric Stern
Chair, Land Use, Housing and Zoning Committee



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

*10-30-2013 C 130235 ZMM
05-08-2013 C 130076 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGE(S):

▲▲ 04-11-2014 C 110253 MMQ
▲ 10-12-2013 C 130007 MMM

MAP KEY

8a	8c	9a
8b	**8d**	9b
12a	12c	13a

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ZONING MAP **8d**

600 0 600 1200 1800 FEET

NOTE: STREETS FOR THE STREET MAP CHANGE C 040508 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

NYC Finance

NYC Digital Tax Map

Effective Date : 02-04-2013 16:21:58
End Date : Current

Manhattan Block: 1286

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Project Area

Feet
0 5 10 20 30 40

LEGEND: PRIMARY LAND USE

- One & Two Family Residence
- Multi-Family Residence (Walkup)
- Multi-Family Residence (Elevator)
- Mixed Residential & Commercial
- Commercial Use
- Industrial / Manufacturing
- Transportation / Utility
- Public Facilities and Institutions
- Open Space & Recreation
- Parking
- Vacant Land

600' RADIUS

DOES NOT INCLUDE ANY SUBWAY ENTRIES

ZONING DISTRICT BOUNDARIES AS NOTED

PROJECT AREA

ST. PATRICK'S CATHEDRAL
BOROUGH: MANHATTAN
BLOCK:1286 LOT: 1
ZONING: C5-3, C5-2.5
SPECIAL PURPOSE DISTRICT:
SPECIAL MIDTOWN DISTRICT
ZONING MAP: 8d
HISTORICAL ZONING MAPS: 8d

St. Patrick's Cathedral Secure Entry
625 Fifth Avenue
New York, NY 10022

Murphy Burnham & Buttrick
Architects
48 West 37th Street, 14th Floor
New York, New York 10018
Telephone 212.768.7676
Fax 212.840.9871
www.mbbarch.com

Owner Representative
Zubatkin Owner Representation
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New York, NY 10019
T 212.271.4724
F 212.271.4707

Structural Engineer
Silman
32 Old Slip, 10th Floor
New York, NY 10005
T 212.620.7970
F 212.620.8157

Mechanical Engineer
Landmark Facilities Group
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Norwalk, CT 06855
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F 203.866.8019

Civil Engineer
Langan
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F 212.479.5444

Code Consultant
William Dailey Building and Zoning Consultants
125 West 43rd Street, 2nd Floor
New York, NY 10036
T 212.586.2114
F 212.586.2305

Restoration Consultant
Building Conservation Associates
44 East 32nd Street, 12th Floor
New York, NY 10016
T 212.777.1300
F 212.777.1606

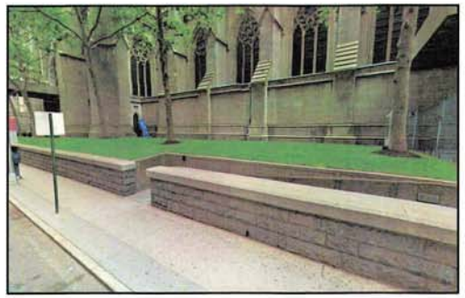
Landscape Architect
Robin Key Landscape Architecture
333 Hudson Street, Suite 1001
New York, NY 10013
T 212.229.2534
F 212.229.2491

Scale
NTS

Date
16 November 2016 Department of City Planning

REGISTERED ARCHITECT
JEFFREY ARNOLD MURPHY
No. 020988-1
STATE OF NEW YORK

Z-005
Land Use Map



8 LOOKING SOUTH FROM 51ST ST. NEAR FIFTH AVE.-
EXG. RETAINING WALL RETURN AT TRANSEPT ENT.

7 LOOKING WEST ON 50TH ST.
EXG. RETAINING WALL RETURN AT TRANSEPT ENT.

6 LOOKING SOUTHWEST ON 51ST ST.-
EXG. RETAINING WALL AT PARISH HOUSE

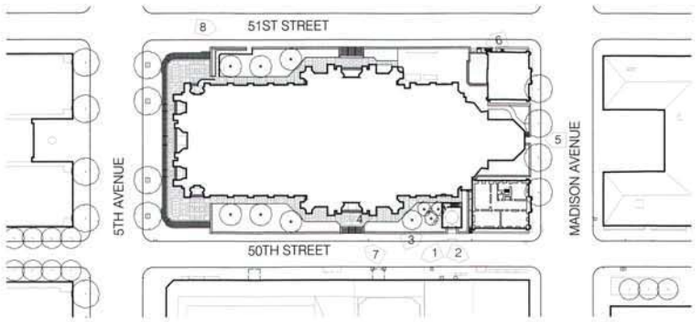
5 LOOKING WEST FROM MADISON AVE.-
EXISTING GATED ENTRY

4 LOOKING EAST - TERRACE FROM TOP OF TRANSEPT STEPS
(RENDERED PERSPECTIVE, UNDER CONSTRUCTION)

3 LOOKING EAST - TERRACE ON 50TH ST.

2 S. SIDE OF 50TH ST., LOOKING TOWARDS MADISON AVE.

1 S. SIDE OF 50TH ST., LOOKING TOWARDS FIFTH AVE.



KEY MAP
SCALE NTS

St. Patrick's Cathedral Secure Entry
625 Fifth Avenue
New York, NY 10022

Murphy Burnham & Buttrick
Architects
48 West 37th Street, 14th Floor
New York, New York 10018
Telephone 212.768.7676
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F 212.229.2491

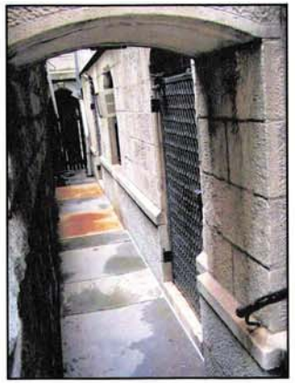
Scale
NTS

Date **Issue**
16 November 2016 Department of City Planning

Z-007

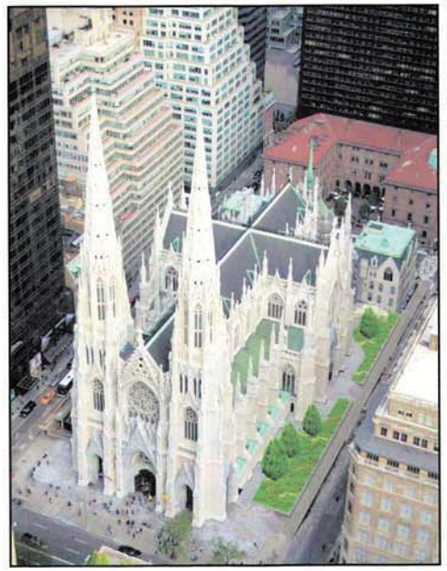
Project Area Photos and Key Map

6 AREAWAY FROM SIDEWALK

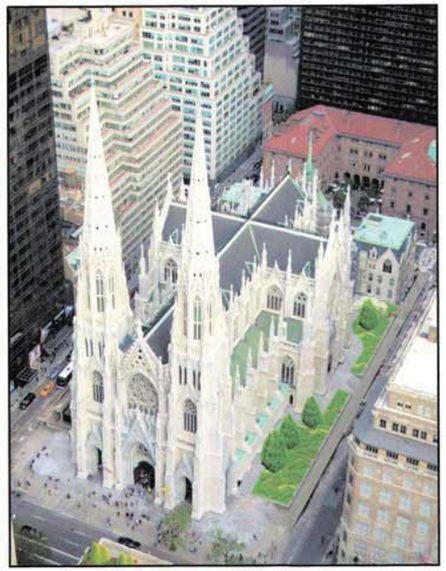


5b EXISTING AREAWAY

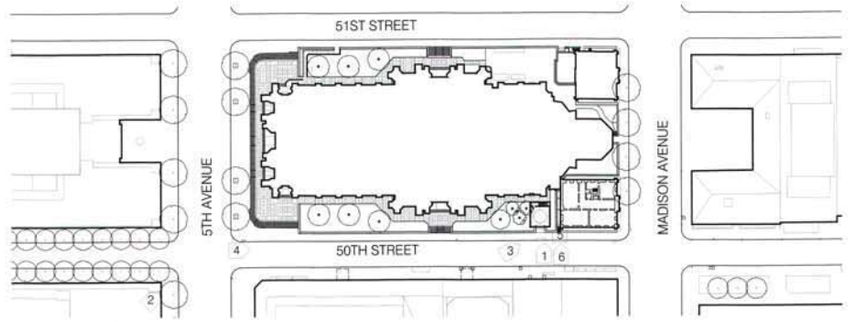
5a PROPOSED AREAWAY



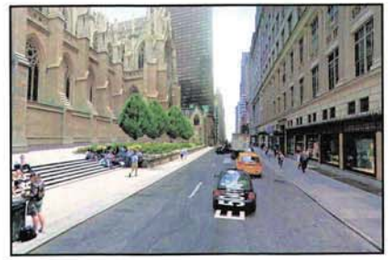
2b EXISTING OVERHEAD STREETSCAPE
(RENDERED, UNDER CONSTRUCTION)



2a PROPOSED OVERHEAD STREETSCAPE



KEY MAP
SCALE NTS



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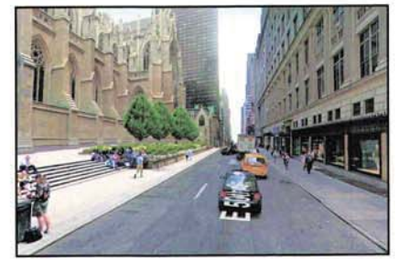
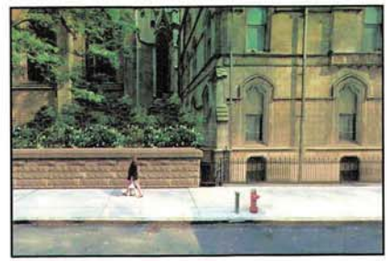
(RENDERED, UNDER CONSTRUCTION)



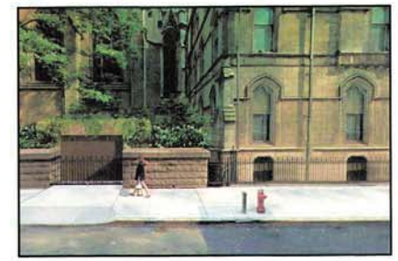
4a PROPOSED STREETSCAPE

3b EXISTING STREETSCAPE
(RENDERED, UNDER CONSTRUCTION)

3a PROPOSED STREETSCAPE



1b EXISTING STREETSCAPE
(RENDERED, UNDER CONSTRUCTION)



1a PROPOSED STREETSCAPE

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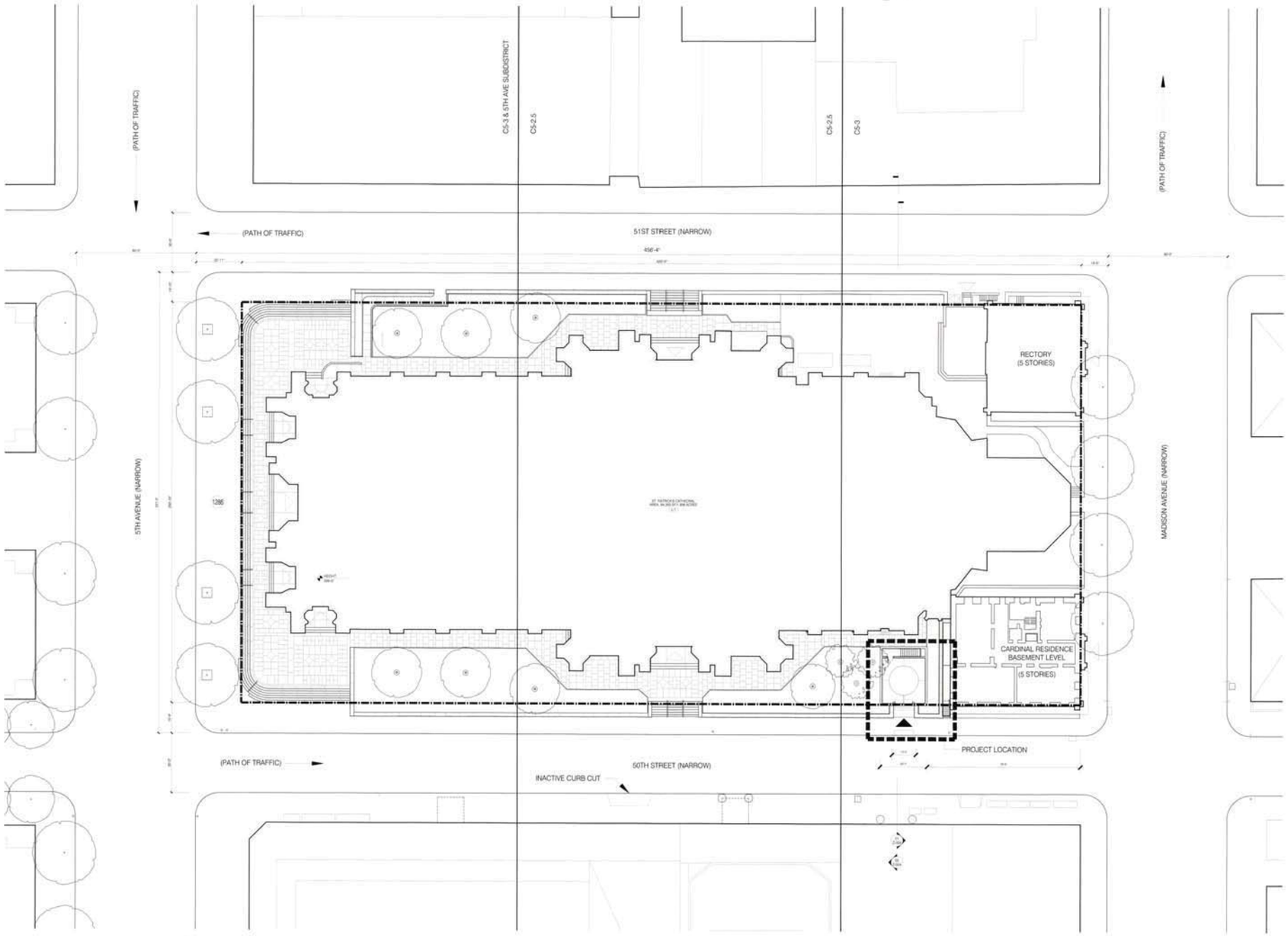
Scale
NTS

Date **Issue**
16 November 2016 Department of City Planning

Z-008

Project Area Photos
and Key Map



01 ZONING SITE PLAN

LEGEND

GENERAL NOTES:

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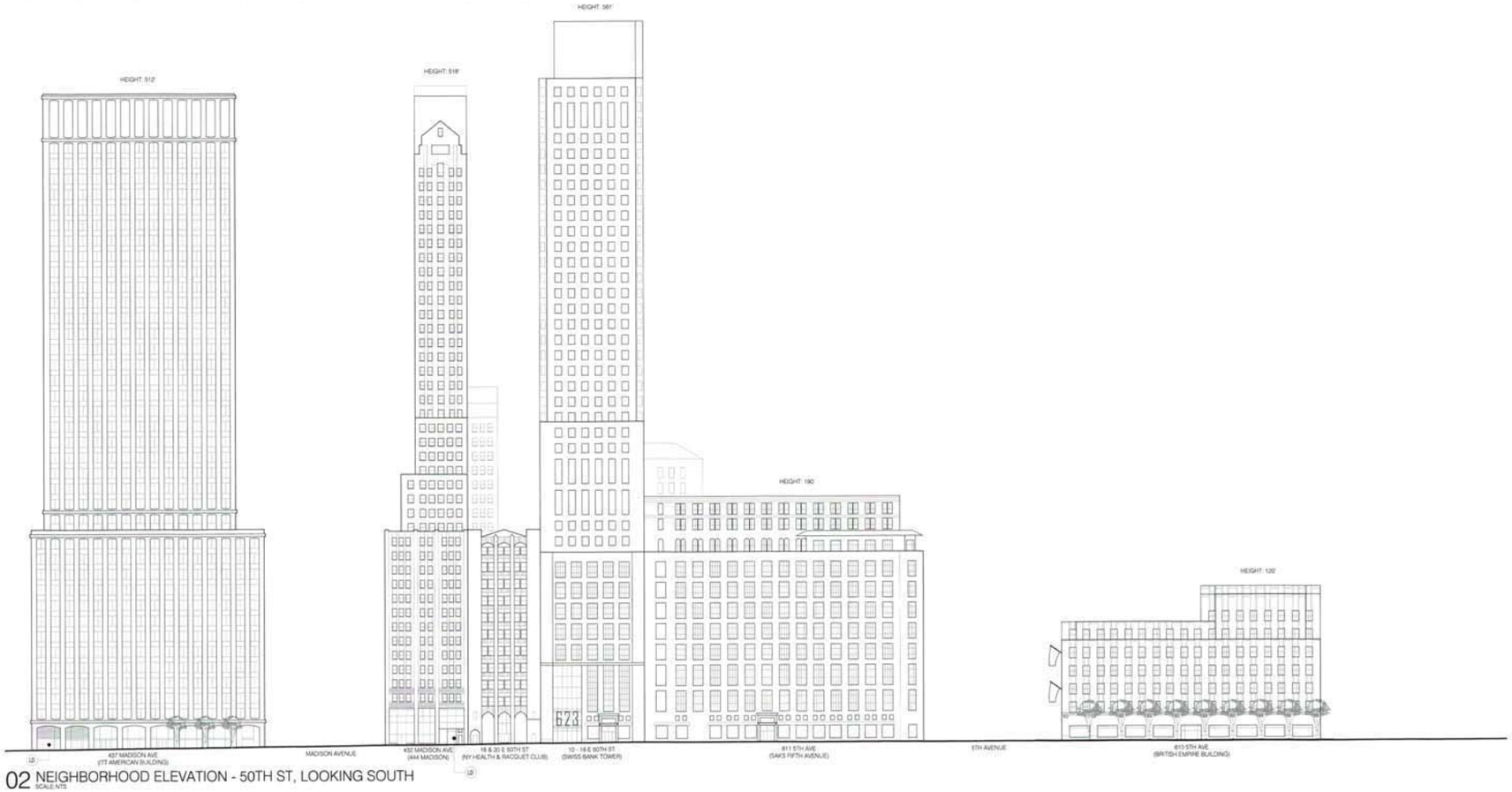
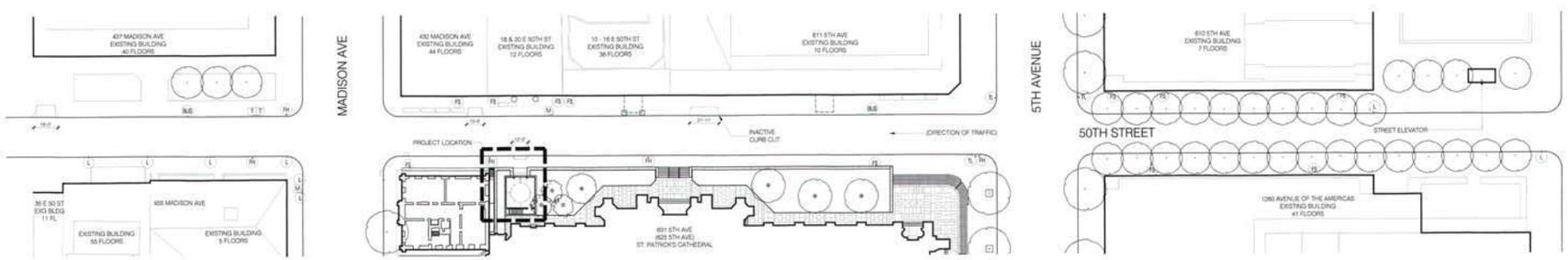
Z-001
Zoning Site Plan



02 NEIGHBORHOOD ELEVATION - 50TH ST, LOOKING SOUTH
SCALE NTS



01 SITE PLAN - 50TH STREET
SCALE NTS

LEGEND

L	STREET LAMP	TL	TRAFFIC LIGHT POST
BUS	MTA BUS STOP: M50	P	PARKING METER
FH	FDNY FIRE HYDRANT	T	TELEPHONE BOOTH
FS	BUILDING/SIDEWALK MOUNTED FDNY STANDPIPE	M	U.S. MAIL BOX
G	GARAGE	LD	LOADING DOCK
	MOVABLE PLANTER		

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Date **Issue**
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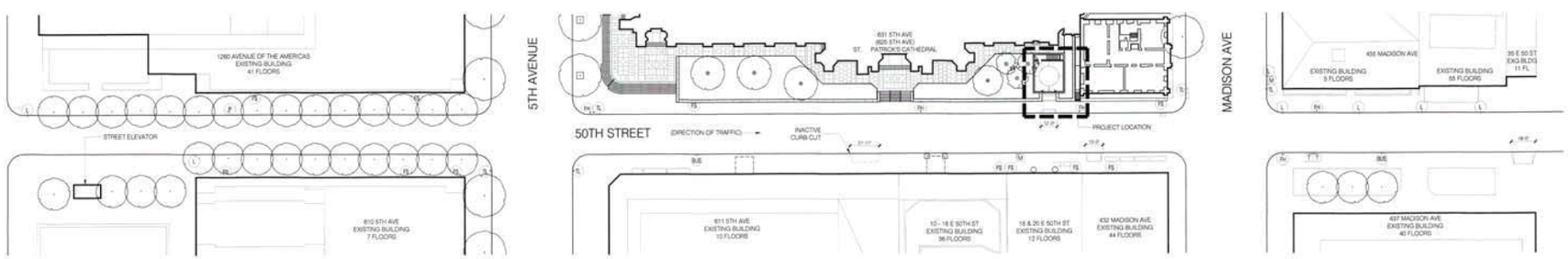
Z-002

Neighborhood Character/ Streetscape Looking South

02 NEIGHBORHOOD ELEVATION - 50TH ST, LOOKING NORTH
SCALE NTS



01 SITE PLAN - 50TH STREET
SCALE NTS

LEGEND

L	STREET LAMP	TL	TRAFFIC LIGHT POST
BUS	MTA BUS STOP M50	P	PARKING METER
FH	FDNY FIRE HYDRANT	T	TELEPHONE BOOTH
FS	BUILDING/SIDEWALK MOUNTED FDNY STANDPIPE	M	U.S. MAIL BOX
G	GARAGE	LD	LOADING DOCK
	MOVABLE PLANTER		

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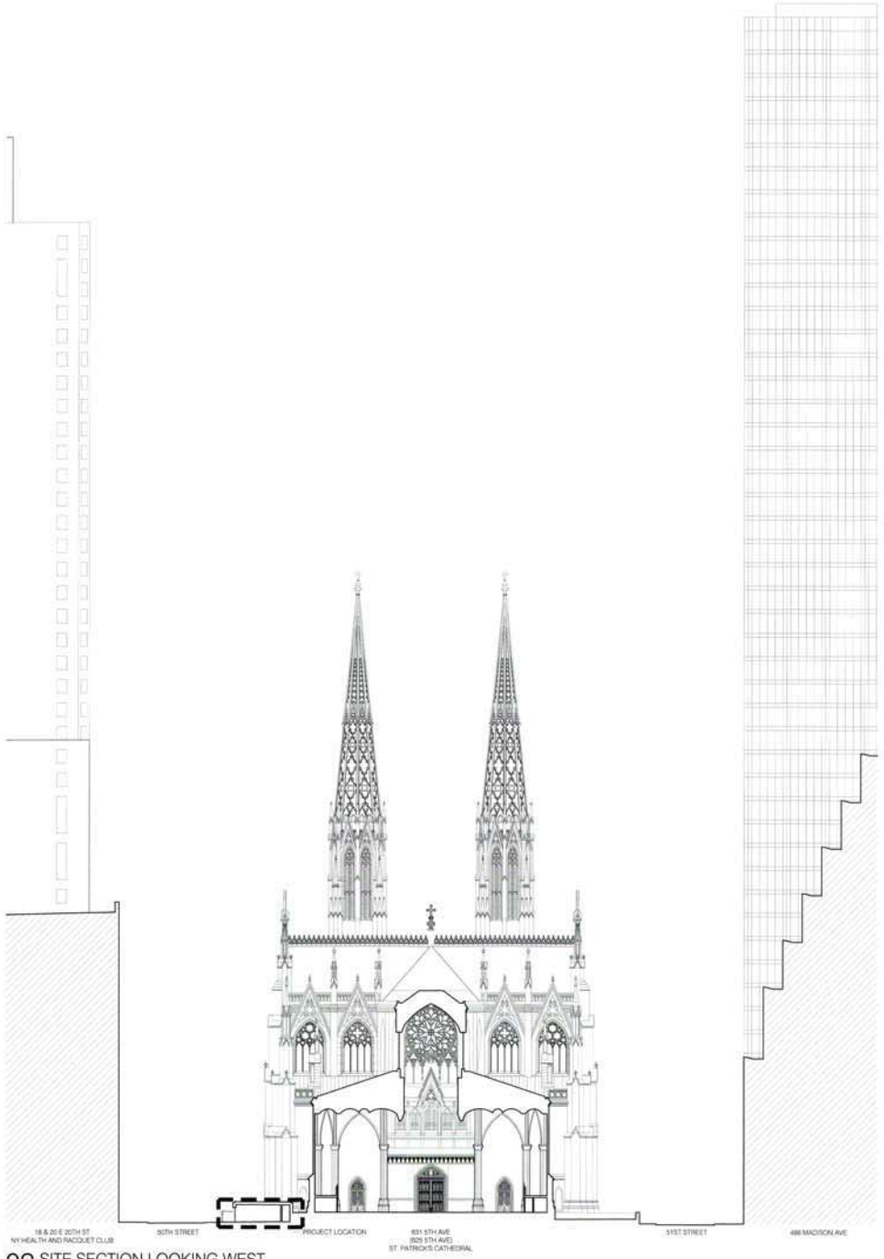
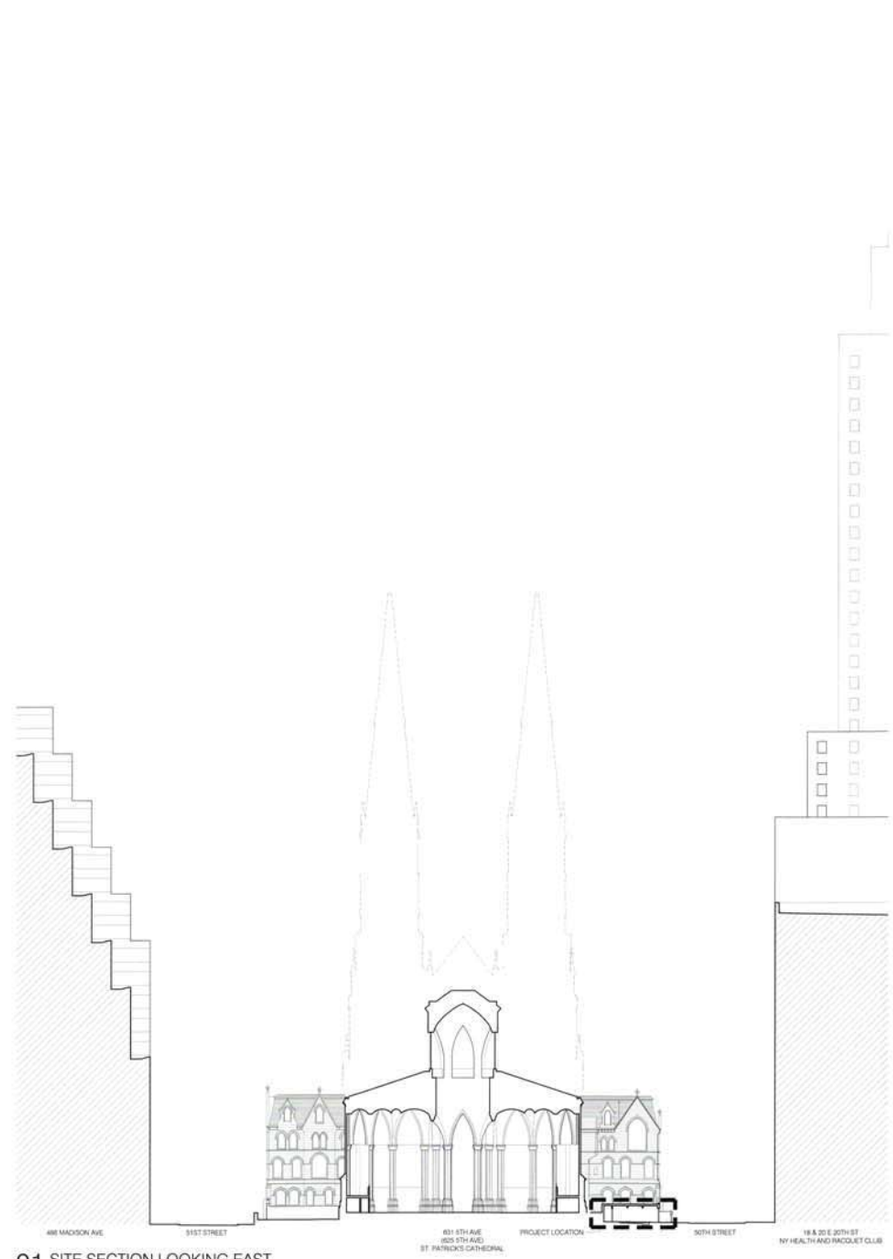
Date **Issue**
16 November 2016 Department of City Planning

Z-003

Neighborhood Character/ Streetscape Looking North



02 SITE SECTION LOOKING WEST
SCALE: 1/32" = 1'



01 SITE SECTION LOOKING EAST
SCALE: 1/32" = 1'

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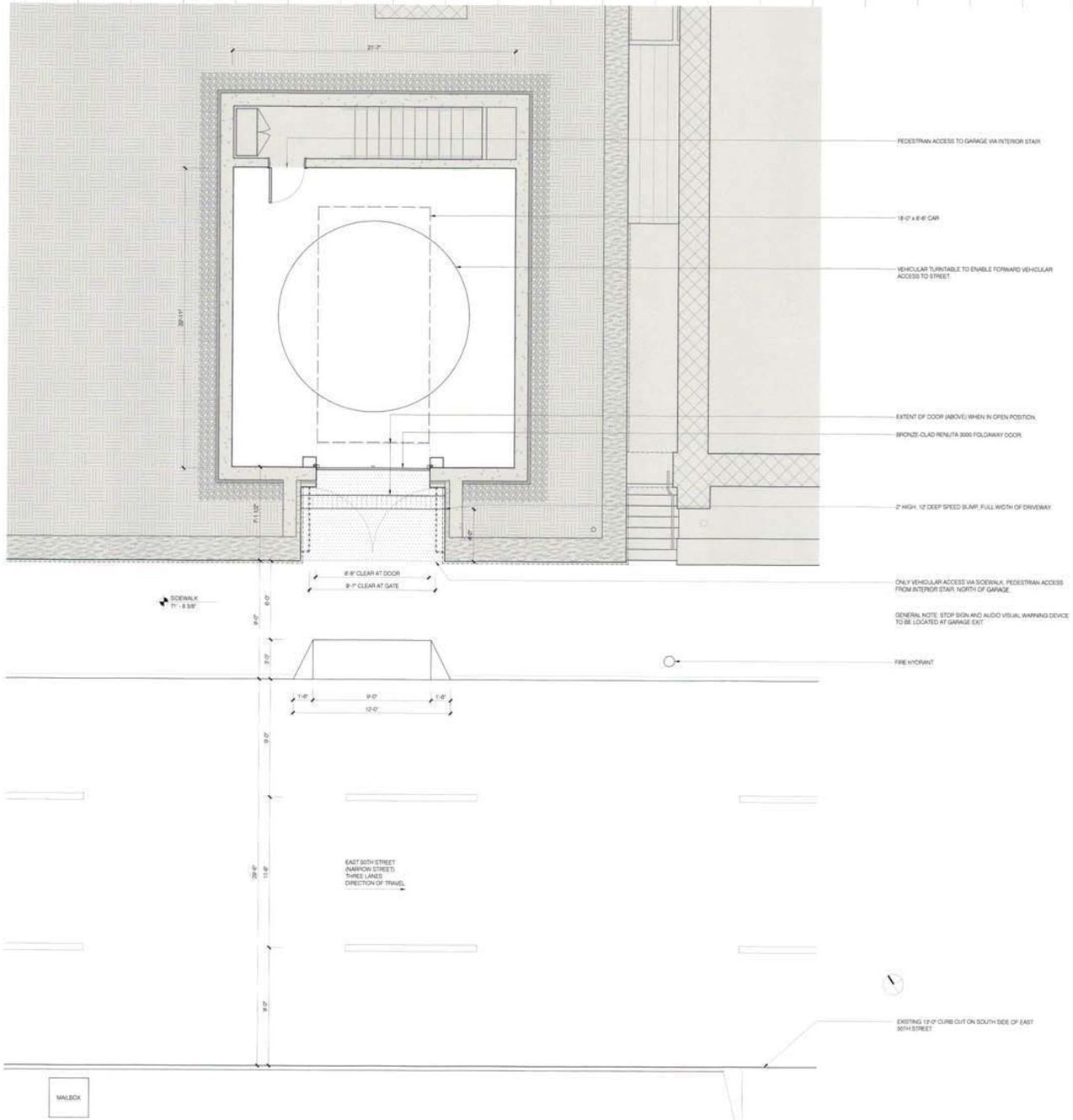
Scale
NTS

Date	Issue
16 November 2016	Department of City Planning

Z-004
Neighborhood Character/ Streetscape Sections



LEGEND

- PARKING ZONE
- ACCESS ZONE
- AREA NOT SUBJECT TO AUTHORIZATION

SELF-PARK FACILITIES - ACCESSORY PARKING GARAGE

LEVEL	GARAGE AND ACCESS AREA (S.F.)			
	ACCESS ZONE	PARKING ZONE		TOTAL
		SURFACE AREA	STACKER LEVELS	
GROUND FLOOR	75	494	0	
TOTAL	75	494	0	569
	PARKING ZONE TOTAL = 494 + 0 = 494			

GARAGE CAPACITY		
ZR SECTION	PERMITTED / REQUIRED	PROPOSED
13-27	MAX. NO. OF SPACES PERMITTED : SURFACE AREA = 494 SQ. FT. / 350 = 1.58	1
	MIN. NO. OF SPACES PERMITTED : SURFACE AREA AT NON-ELEVATED PARKING SPACES = 494 SQ. FT. / 350 = 1.41	

RESERVOIR SPACES		
ZR SECTION	PERMITTED / REQUIRED	PROPOSED
13-23	0-25 SPACES = 0	0

BICYCLE SPACES		
ZR SECTION	PERMITTED / REQUIRED	PROPOSED
36-711	REQUIRED FOR GARAGE = 1/10 SPACES = 0.1	0

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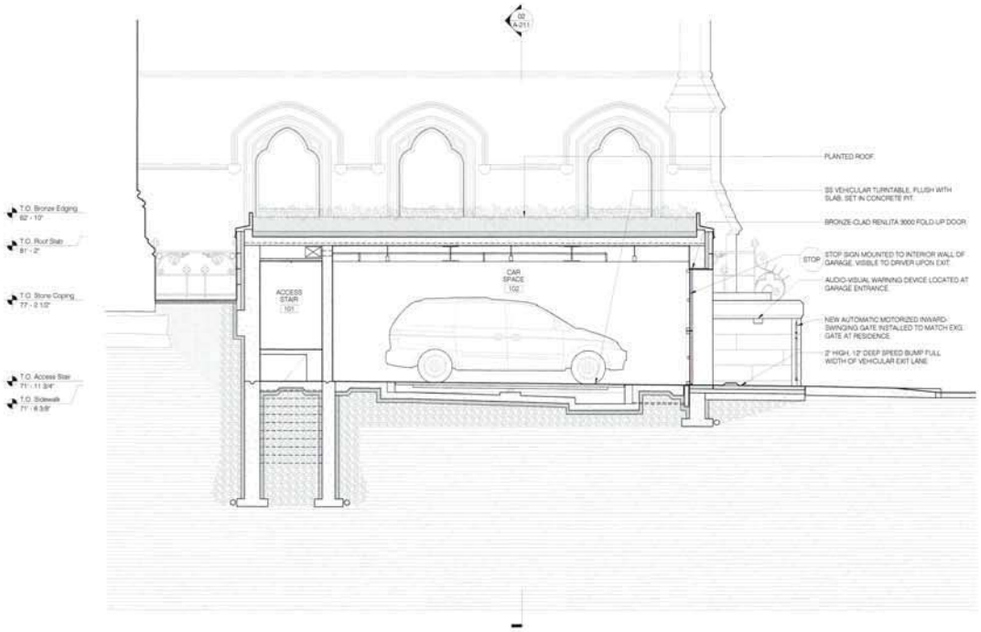
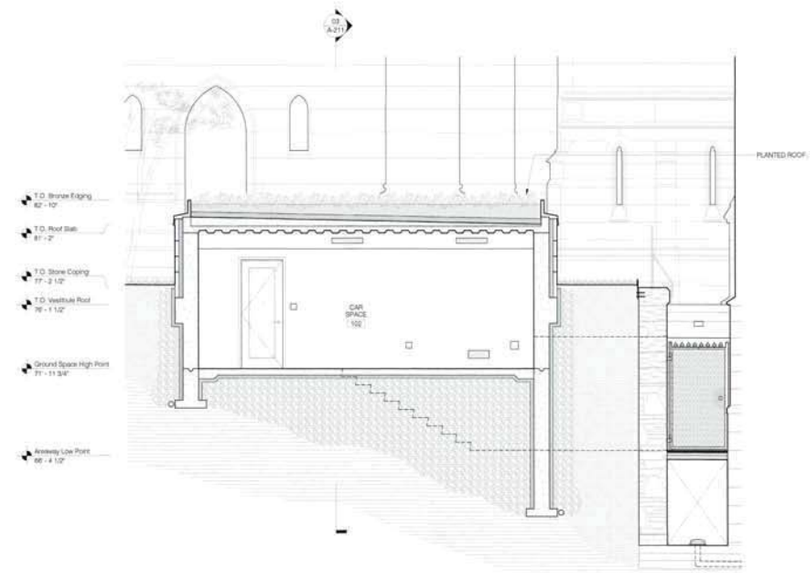
Scale
1/4" = 1'-0"

Date **Issue**
16 November 2016 Department of City Planning

A-101
Garage Plan



03 Section through Secure Entry
SCALE: 1/4" = 1'-0"



02 Section through Secure Entry
SCALE: 1/4" = 1'-0"

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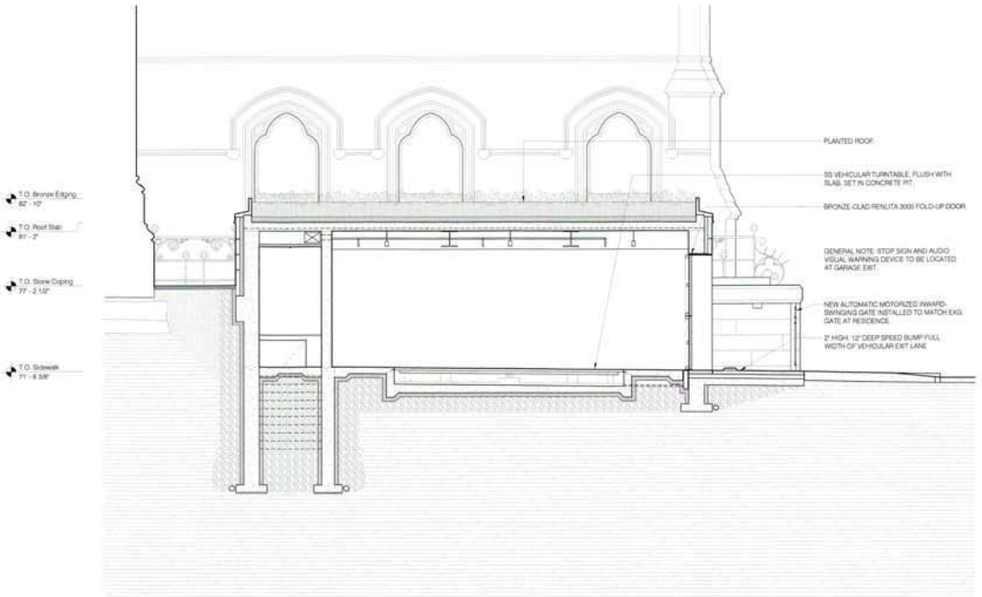
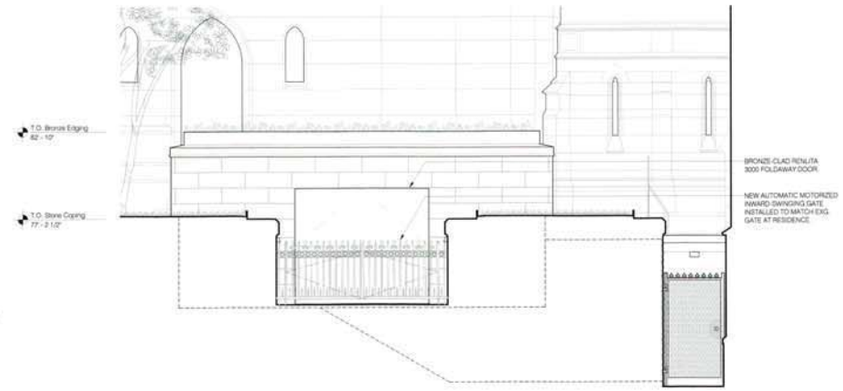
Scale
1/4" = 1'-0"

Date	Issue
08 September 2016	Department of City Planning

A-211
Building Sections



02 Section through Secure Entry
SCALE: 1/4" = 1'-0"



01 South Elevation
SCALE: 1/4" = 1'-0"

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Scale
1/4" = 1'-0"

Date	Issue
16 November 2016	Department of City Planning

A-201
Section and
Exterior Elevation

Attachment 11a. Applicant's Discussion of Conditions

625 Fifth Avenue
New York, New York

Authorization Pursuant to ZR Section 13-442

December 6, 2016

13-442
Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, allow an off-street parking facility in the #Manhattan Core# with a maximum capacity of 15 spaces in an existing #building developed# without the provision of parking, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions:

As a condition for approval, the parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES), except that such parking facility need not comply with the provisions of Section 13-221 (Enclosure and screening requirements).

The proposed single space parking facility complies with the applicable provisions of ZR Section 13-20 as follows:

13-20
SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES

All #accessory# off-street parking facilities, automobile rental establishments, and #public parking lots developed#, #enlarged# or #extended# in the #Manhattan Core# after May 8, 2013, shall comply with the applicable provisions of this Section, inclusive.

13-21
Public Use and Off-Site Parking

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

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

Not applicable. The proposed single space parking facility will be used exclusively by the Cardinal whose residence and office is in the adjoining building on the Zoning Lot.

13-22
Applicability of Enclosure and Screening Requirements

(a) Screening

In addition to the screening provisions of paragraph (a)(1) of Section 13-221 (Enclosure and screening requirements), the ground floor use provisions of the following Sections shall apply:

(1) Sections 32-431 (Ground floor use in C1-8A, C1-9A, C2-7A, C2-8A, C4-6A and C4-7A Districts) and 32-432 (Ground floor use in Community Board 7, Borough of Manhattan);

(2) Section 32-435 (Ground floor use in High Density Commercial Districts);

(3) Sections 81-42 (Retail Continuity along Designated Streets) and 81-531 (Special retail frontage requirements) in the Special Midtown District;

(4) Section 82-21 (Restrictions on Street Level Uses) in the Special Lincoln Square District;

(5) Section 91-12 (Uses on Designated Retail Streets) and the applicable Sections of 91-41 (Regulations for Designated Retail Streets), inclusive, in the Special Lower Manhattan District;

(6) Section 95-08 (Special Use Regulations), inclusive, in the Special Transit Land Use District;

(7) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the Special Clinton District;

(8) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the Special West Chelsea District;

(9) Section 99-03 (Special Use Regulations), inclusive, in the Special Madison Avenue Preservation District; and

(10) Sections 109-11 (Special Use Regulations), inclusive, and 109-21 (Use Regulations), inclusive in the Special Little Italy District; and

(11) Section 132-20 (SPECIAL USE REGULATIONS), inclusive, in the Special Enhanced Commercial District.

Not applicable. East 50th Street is not a designated retail street pursuant to Section 81-42.

(b) Transparency

The transparency provisions of paragraph (a)(2) of Section 13-221 shall not apply to portions of ground floor level street walls that are subject to the following Sections:

(1) Section 32-435 (Ground floor use in High Density Commercial Districts);

(2) Section 81-42 (Retail Continuity along Designated Streets) in the Special Midtown District;

(3) Section 82-23 (Street Wall Transparency) in the Special Lincoln Square District;

(4) Section 91-412 (Access and glazing of required retail space) in the Special Lower Manhattan District;

(5) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the Special Clinton District;

(6) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the Special West Chelsea District; and

(7) Section 132-30 (SPECIAL TRANSPARENCY REGULATIONS), inclusive, in the Special Enhanced Commercial District.

Not applicable. East 50th Street is not a designated retail street pursuant to Section 81-42.

13-221
Enclosure and screening requirements

(a) #Accessory# off-street parking facilities

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of parking spaces #accessory# to a hospital, as listed in Use Group 4, and as provided in Section 13-45 (Special Permits for Additional Parking Spaces). In addition, such parking facilities shall comply with the following provisions:

(1) Screening

Any portion of an #accessory# off-street parking facility that is located above #curb level# shall comply with the applicable parking wrap and screening provisions set forth in Section 37-35.

(2) Transparency

Portions of ground floor #commercial# and #community facility uses# screening the parking facility in accordance with the provisions of paragraph (a) of Section 37-35 shall be glazed with transparent materials in accordance with Section 37-34.

However, for #buildings# where the #base flood elevation# is higher than the level of the adjoining sidewalk, all such transparency requirements shall be measured from the level of the #flood-resistant construction elevation#, as defined in Section 64-11, instead of from the level of the adjoining sidewalk.

For #zoning lots# with multiple #street wall# frontages, the transparency provisions of this paragraph, (a)(2), need not apply to #street walls# that are located entirely beyond 100 feet of any portion of the #accessory# parking facility, as measured in plan view, perpendicular to such parking facility.

(b) Automobile rental establishments

All off-street parking within an automobile rental establishment shall be located within a #completely enclosed building# and shall comply with the screening provisions of paragraph (a) of this Section. #Accessory# office space and customer waiting areas associated with such establishments shall constitute #commercial floor area# for the purposes of such screening requirement.

(c) #Public parking lots# and certain permitted #accessory# parking lots

#Public parking lots# and open parking spaces #accessory# to a hospital shall provide screening in accordance with the provisions of 37-921 (Perimeter landscaping).

Not applicable per Section 13-442(a).

13-23
Floor Area

The definition of floor area in Section 12-10 shall be modified as follows for purposes of this Chapter:

(a) Attended parking facilities with parking lift systems

For portions of an attended parking facility with parking lift systems, individual lifted trays upon which a vehicle is stored which, in operation, rise to a height in excess of 23 feet, as measured above curb level, shall be considered floor area in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

(b) Automated parking facilities

Floor space used for off-street parking spaces in an accessory automated parking facility up to a height of 40 feet above curb level shall be exempt from the definition of floor area upon certification of the Chairperson of the City Planning Commission, pursuant to the provisions of Section 13-432 (Floor area exemption for automated parking facilities).

For portions of an automated parking facility, each tray upon which a vehicle is stored at a height in excess of 40 feet in parking facilities certified pursuant to Section 13-432, or 23 feet in all other automated parking facilities, shall be considered floor area in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

The provisions of this section only pertain to automated parking facilities and attended parking facilities with parking lift systems and are therefore not applicable.

13-24
Curb Cut Restrictions

In addition to the provisions of this Section, inclusive, additional restrictions on curb cuts in the Manhattan Core are found in the following Special Purpose Districts:

> ***(a) the Special Midtown District, as set forth in Sections 81-44 (Curb Cut Restrictions) and 81-624 (Curb cut restrictions and loading berth requirements);***
>
> ***(b) the Special Lincoln Square District, as set forth in paragraph (b) of Section 82-50 (OFF-STREET PARKING AND OFFSTREET LOADING REGULATIONS);***
>
> ***(c) the Special Battery Park City District, as set forth in Sections 84-144 (Location of curb cuts) and 84-343 (Curb cuts);***
>
> ***(d) the Special Lower Manhattan District, as set forth in Section 91-52 (Curb Cut Regulations);***
>
> ***(e) the Special Park Improvement District, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);***
>
> ***(f) the Special Transit Land Use District, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);***
>
> ***(g) the Special Clinton District, as set forth in paragraph (f) of Section 96-21 (Special Regulations for 42nd Street Perimeter Area);***
>
> ***(h) the Special Madison Avenue Preservation District, as set forth in Section 99-06 (Off-Street Parking Regulations); and***
>
> ***(i) the Special Little Italy District, as set forth in Section 109-352 (Curb cut regulations).***

The proposed 12-foot-wide curb cut is located approximately 83 feet west of Madison Avenue and complies with the width and locational restrictions of Section 81-44 (Curb Cut Restrictions) of the Special Midtown District.

13-241
Location of curb cuts

For #accessory# off-street parking facilities, automobile rental establishments and #public parking lots#, curb cuts are required for entry and exit to such parking facilities. Such curb cuts:

(a) shall not be permitted within 50 feet of the intersection of any two street lines, except where the Commissioner of Buildings certifies that such location:

> ***(1) is not hazardous to traffic safety;***
> ***(2) is not likely to create traffic congestion; and***
> ***(3) will not unduly inhibit surface traffic or pedestrian flow.***

Complies. The curb cut is located approximately 83 feet west of the intersection of West 50th Street and Madison Avenue.

(b) shall not be located within two and one-half feet of any #side lot line# of the #zoning lot#, or prolongation thereof;

Not applicable. The zoning lot includes the entire block and does not have a side lot line.

(c) for accessory off-street parking facilities and automobile rental establishments, shall not be located on a wide street, except where authorized pursuant to Section 13-441 (Curb cuts); and

Not applicable. West 50th Street is a narrow street.

(d) for public parking lots, shall not be permitted on the following wide streets, except where authorized pursuant to Section 13-441:

(1) 14th Street, from Fourth Avenue to Seventh Avenue;'

(2) Avenue of the Americas, from 23rd Street to 32nd Street;

(3) Canal Street, from the Bowery to West Broadway;

(4) Church Street, from Park Place to Worth Street;

(5) Delancey Street, from Clinton Street to the west side of Orchard Street;

(6) Fifth Avenue;

(7) Seventh Avenue, from 23rd Street to 32nd Street; and

(8) Worth Street, from Centre Street to Church Street.

Not applicable.

13-242
Maximum width of curb cuts

(a) #Accessory# off-street parking facilities

For curb cuts accessing off-street parking spaces #accessory# to #residences# in the #Manhattan Core#, the provisions of Sections 25-631 (Location of curb cuts in certain districts) and 36-532 (Location and width of curb cuts accessing residential parking spaces in certain districts) shall apply, as applicable.

In addition, the maximum width of a curb cut shall be 22 feet for curb cuts accessing off-street parking spaces #accessory# to #residences# in R9 or R10 Districts, Cl and C2 Districts mapped within R9 and R10 Districts, and in all other #Commercial Districts# where, as set forth in the tables in Section 34-112 or 35-23, as applicable, the equivalent #Residential District# is R9 or R10. This maximum curb cut width of 22 feet shall also apply to curb cuts accessing off-street parking spaces #accessory# to #commercial# or #community facility uses#, and to curb cuts accessing off-street parking facilities with parking spaces #accessory# to a mix of #uses#.

The proposed curb cut is 12 feet wide and complies.

(b) Automobile rental establishments

For curb cuts accessing automobile rental establishments, the maximum width of a curb cut shall be 22 feet.

Not applicable.

c) #Public parking lots#

For curb cuts accessing #public parking lots#, the curb cut provisions of paragraph (c) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply.

Not applicable.

***

13-25
Reservoir Spaces

For the purpose of determining required reservoir spaces, fractions equal to or greater than one-half resulting from the calculations in this Section shall be considered to be one reservoir space. In no event shall the dimensions of any reservoir space be less than 18 feet long and 8 feet, 6 inches wide.

(a) Attended parking facilities

For attended accessory off-street parking facilities or public parking lots with more than 25 off-street parking spaces, off-street reservoir space at the vehicular entrance shall be provided to accommodate:

(1) five percent of the total number of parking spaces provided in parking facilities with more than 25 parking spaces and up to 50 parking spaces;

(2) ten percent of the total number of parking spaces provided in parking facilities with more than 50 parking spaces and up to 100 parking spaces;

(3) ten parking spaces in parking facilities with more than 100 off-street parking spaces and up to 200 parking spaces; and

(4) five percent of the total number of parking spaces provided in parking facilities with more than 200 offstreet parking spaces. However such number of reservoir spaces need not exceed 50.

No reservoir space is required for accessory off-street parking facilities with less than 25 parking spaces and the proposed parking facility will contain one parking space.

(b) Automated parking facilities

For automated parking facilities, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

Each individual parking location where a driver is permitted to leave a vehicle for transfer to a mechanized automobile storage and retrieval unit shall constitute one reservoir space. Additional reservoir spaces may be located where drivers queue to access such locations for vehicle transfer. In addition, the number of reservoir spaces required pursuant to this Section may be reduced where the Commissioner of Buildings determines that the operational characteristics of such automated parking facility warrant such a reduction.

Not applicable.

(c) Automobile rental establishments

For automobile rental establishments, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

Not applicable.

(d) Self-parking facilities

For self-parking accessory off-street parking facilities and public parking lots where entering vehicles are required to stop before a mechanically-operated barrier before entering such parking facility, such barrier shall be placed a minimum of 20 feet beyond the street line.

Not applicable.

13-26
Pedestrian Safety and Access

For all #accessory# off-street parking facilities, the following safety features shall be provided at all vehicular exit points:

(a) a stop sign which shall be clearly visible to drivers. Such signage shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration (FHWA) for a conventional single lane road; and

(b) a speed bump, which shall be located within the exit lane of the parking facility. Such speed bump shall:

(1) span the width of the vehicular travel lane;

(2) have a minimum height of two inches, as measured from the adjoining grade of the exit lane, and a maximum depth of twelve inches; and

(3) shall be located a minimum of four feet beyond the #street line# as measured perpendicular to the #street line#.

As indicated on Drawing A-101, a stop sign, a speed bump and an audio-visual warning device will be provided in accordance with this requirement.

13-27
Minimum and Maximum Size of Parking Facilities

For all #accessory# off-street parking facilities and automobile rental establishments, the minimum and maximum size requirements for the #parking zone# for such parking facilities shall be set forth in this Section. The #access zone# of such parking facilities shall not have a minimum or maximum gross surface area.

For the purpose of calculating surface area in attended parking facilities with parking lift systems, the lifted tray upon which a vehicle is stored shall constitute surface area.

(a) Attended parking facilities

(1) For attended parking facilities without parking lift systems, the minimum gross surface area, in square feet, of the parking zone shall be 180 times the number of off-street parking spaces provided, and the maximum gross surface area, in square feet, of the parking zone shall not exceed 200 times the number of off-street parking spaces provided.

(2) For attended parking facilities with parking lift systems, the minimum and Maximum surface area of the portion of the parking zone allocated to non-elevated parking spaces shall be calculated at the rate set forth in paragraph (a)(1) of this Section; and the surface area, in square feet, of the portion of the parking zone allocated to elevated parking spaces shall be 153 times the number of elevated spaces able to be provided on lifted trays.

Not applicable.

(b) Automated parking facilities
No minimum or maximum surface area requirement shall be required in off-street parking facilities that the Commissioner of Buildings determines to be automated parking facilities.

Not applicable.

(c) Automobile rental establishments
The maximum gross surface area, in square feet, of the parking zone of an automobile rental establishment, shall be established at the rate set forth in paragraph (a) of this Section.

Not applicable.

(d) Self-park facilities

The gross surface area, in square feet, of the #parking zone# of a self-parking #accessory# off-street parking facility shall be a minimum of 300 times the number of off street parking spaces provided, and a maximum of 350 times the number of off-street parking spaces provided. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings.

Such minimum and maximum #parking zone# requirements of this Section may be modified by the Chairperson of the City Planning Commission pursuant to the certification set forth in Section 13-431 (Reduction of minimum facility size).

The interior of the proposed parking facility (the "parking zone") is approximately 494 square feet, which is greater than the minimum requirement of 300 square feet per parking space but less than the minimum required for two parking spaces (i.e., 600 square feet). Although the area of the parking zone exceeds the standard 350 square foot maximum area, the layout of the parking area is designed to provide adequate maneuverability for the vehicle as well as the ability to access the vehicle from all sides.

Attachment 11b. Applicant's Discussion of Findings

625 Fifth Avenue
New York, New York

Authorization Pursuant to ZR Section 13-442

December 6, 2016

13-442
Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, allow an off-street parking facility in the #Manhattan Core# with a maximum capacity of 15 spaces in an existing #building developed# without the provision of parking, provided that … the findings of paragraph (b) of this Section are met.

(b) Findings:

The Commission shall find that:

(1) the location of the vehicular entrances and exits to the parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;

In order to determine whether the operation of the proposed parking facility could potentially result in any undue conflict between the flow of pedestrians and a vehicle entering or exiting the garage, Philip Habib & Associates ("PHA") prepared a transportation assessment. A copy of the PHA report is provided as Exhibit 2. Pedestrian counts were conducted on Tuesday, September 1, 2015 on the north side of East 50th Street at the location of the proposed parking entry during the weekday peak periods. The total number of pedestrians (combined eastbound and westbound recorded at the location of the proposed parking facility) was 482 during the AM peak period, 399 during the midday peak period and 517 during the PM peak period. The average of these peak hour volumes is 466 pedestrians per hour, which is significantly lower than pedestrian volumes measured on other nearby crosstown streets. For example, according to the East Midtown Rezoning Environmental Impact Statement (CEQR No. 13DCP011M), the south side of nearby East 47th Street, also between Fifth Avenue and Madison Avenue, averaged 1,170 pedestrians per peak hour, which is more than twice the volume observed during the PHA survey of East 50th Street. Considering the relatively light pedestrian flows, the natural platooning characteristics of pedestrian movement and the small number of vehicle trips projected (total of four trips per day), the proposed single space parking facility is projected to have a negligible impact on pedestrian flow.

As indicated on Drawing A-101, a stop sign, a speed bump and an audio-visual warning device will be provided in accordance with ZR Section 13-26 to increase safety for pedestrians. The operation of the single space parking facility has been designed to minimize any potential conflict between pedestrians and a vehicle entering or exiting the garage. The gates at the opening in the terrace wall open inwards (away from the sidewalk) using a remote control with a manual override. The gates can be opened from 20 feet away and take 17 seconds to be in the fully open position; the garage door will be programmed to open and close simultaneously with the gates. The garage door folds vertically and opens in 25 seconds, enabling a vehicle to completely enter the parking facility in under one minute which will minimize the potential of an entering or exiting vehicle blocking the sidewalk.

With respect to the proposed curb cut's proximity to public facilities and access points to mass transit facilities, the closest public facility to the proposed parking space is St. Patrick's Cathedral itself. The main public entrance to the cathedral is located on the east side of Fifth Avenue between East 50th and East 51st Streets, and there are two side entrances located midblock along both East 50th and East 51st Streets. The entrance closest to the proposed parking space is approximately 140 feet west of where the proposed curb cut would end. Therefore, the proposed curb cut and parking space will not create any direct obstacles that will prevent public access to St. Patrick's Cathedral.

Transit facilities within a 1,000-foot radius of the project site include the Fifth Avenue/53rd Street station for the E and M subway lines, the 51st Street station for the E, M, and 6 subway lines and seven New York City Transit local bus lines. Of these transportation resources, the closest to the project site is the M50 bus stop located on the southeastern corner of the intersection of Fifth Avenue and East 50th Street. The M50 is a crosstown bus that runs eastward along 50th Street from Pier 83 (Twelfth Avenue and West 43rd Street) to the intersection of First Avenue and East 48th Street and then returns westward along 49th Street. There are no special designations, lane restrictions or turning movement restrictions associated with the bus stop. As the bus stop is located on the south side of the street approximately 95 feet from the west end of the block, the proposed curb cut and parking space will not interfere with the bus stop. Furthermore, since the proposed parking space is expected to add approximately four vehicle

trips per day (less than one per hour), interference with bus operations on East 50th Street is highly unlikely.

(2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

East 50th Street between Fifth Avenue and Madison Avenue is a one-way eastbound crosstown street. The roadway is 29.5 feet wide with three lanes. The northernmost lane is generally designated for curbside commercial parking with a posted time limit, which is currently not available due to construction on St. Patrick's Cathedral. Parking or standing is prohibited anytime along the southern side of the street to facilitate the movement of the M50 bus and on the northern side of the street between the Cardinal's Residence and Madison Avenue. Aside from the commercial parking zone on the north side of the street, there are no special lane designations for buses or bicycles, no lane restrictions and no turning movement restrictions on East 50th Street between Fifth Avenue and Madison Avenue.

The proposed curb cut is located approximately 83 feet west of Madison Avenue and is a sufficient distance removed from the intersection to avoid adversely affecting the functioning of the intersection. The only active curb cut existing on the block is on the south side of the street directly across from the "No Parking/No Standing Anytime" zone posted along the northern curb adjacent to the Cardinal's Residence. This curb cut is the smallest of the curb cuts on the four surveyed blocks, measuring 13 feet at its widest and only 10 feet at its transition with the sidewalk, and is rarely used since the service entrance for the 432 Madison Avenue building is relatively narrow and is not designed to accommodate trucks. The existing and the proposed curb cuts are separated by a distance of approximately 21 feet and, since traffic on East 50th Street travels eastbound, there would be minimal potential for conflicting movements between entering/exiting vehicles. Finally, the proposed curb cut complies with the requirements of ZR Sections 13-241 and 13-242 and is as-of-right.

(3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and

As explained above, an average of four vehicle trips a day (two entering and two exiting) are projected to utilize the proposed curb cut and the average peak hour volume on the northern sidewalk is 466 pedestrian per hour, which is significantly lower than pedestrian volumes

measured on other crosstown streets in the area. Considering the relatively low volume of pedestrians and the natural platooning characteristics of pedestrian movement, the transportation assessment concluded that this very low number of trips in and out of the garage would not be significant enough to interfere with pedestrian circulation on the adjacent sidewalk nor unduly inhibit the flow of vehicular traffic. In addition, the "head-in/head-out" operation will further minimize any potential vehicle pedestrian conflict. Finally, the curb cut is located approximately 83 feet west of Madison Avenue which is a sufficient distance from the intersection to avoid interference with vehicles queuing at the intersection.

(4) such parking facility will not be inconsistent with the character of the existing streetscape.

The sidewalk along the northern side of East 50th Street is nine feet wide between Fifth and Madison Avenues except at its westernmost end, where the stairs leading to the main entrance to St. Patrick's Cathedral are set back and the sidewalk width is increased to 14.5 feet. The Cardinal's Residence at Madison Avenue is also set back several feet, although a wrought iron fence separates the yard area from the adjacent sidewalk. As described in the Description of Proposal, the retaining wall of the terrace is a notable streetscape feature along the north side of the street, although its visual impact is diminished in that it is interrupted by several points of access to the complex. The introduction of the secure vehicle entry will require the removal of an 11-foot section of the existing retaining wall, which has the effect of reducing the length of the retaining wall from 273 feet (65% of the block frontage) to 262 feet (62% of the block frontage). This minimal reduction in the length of the retaining wall will not affect the character of the streetscape. Two wrought iron gates that match the existing gate at the service entrance to the adjacent Cardinal's Residence are proposed to be installed at the entry. In addition, the structure has been sensitively designed to blend harmoniously with the Cathedral complex. The proposed materials include granite cladding that matches the retaining wall and bronze-clad doors and entry gate that match the materials, details and finish of existing elements. The plantings proposed for the green roof will appear as a continuation of the elevated greenscape, thereby minimizing the visual impact of the structure from adjacent sidewalks and roadway. These design elements were carefully reviewed by the NYC Landmarks Preservation Commission and approved as part of the Certificate of Appropriateness that was issued on December 15, 2015.

Although there are no existing curb cuts along the north side of East 50th Street between Fifth Avenue and Madison Avenue, there are two curb cuts on the south side of the street. There is a 13-foot-wide curb cut, which is across from the Cardinal's Residence, that provides access to the loading berth at 432 Madison Avenue. The other curb cut, which is inactive, is midblock on the south side of the street adjacent to the entrance to the Swiss Bank Tower and appears to have previously provided access to a driveway serving the Saks Fifth Avenue store.

As documented in the PHA Report, there are a total of nine existing curb cuts along 50th Street between Sixth Avenue and Park Avenue. All but one of the curb cuts provide active access to loading berths, service entrances or parking facilities; as explained above, the mid-block curb cut on the south side of West 50 Street between Fifth Avenue and Madison Avenue had previously served the Saks Fifth Avenue store and is inactive. The proposed curb cut will have significantly less activity than that experienced at a typical commercial loading berth,[1] and the proposed "head-in/head-out" operation will mitigate any potential impact of a vehicle entering or exiting the proposed parking facility.

[1] For instance, applying the assessment method specified in the "2014 CEQR Technical Manual," the commercial building at 432 Madison Avenue, which has its loading berth on the south side of the street across from the Cardinal's Residence, would generate approximately 28 truck trips during the weekday peak hours (compared to the four daily vehicle trips projected for the proposed parking facility).

13-441
Curb cuts

The City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts located on a #wide street#, provided the Commission finds that a curb cut at such a location:

(a) is not hazardous to traffic safety;

(b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;

(c) will not adversely affect pedestrian movement;

(d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# or public transit facilities; and

(e) will not be inconsistent with the character of the existing streetscape.

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

(5/8/13)

13-442
Limited increase in parking spaces for existing buildings without parking

The City Planning Commission may, by authorization, allow an off-street parking facility in the #Manhattan Core# with a maximum capacity of 15 spaces in an existing #building developed# without the provision of parking, provided that the conditions of paragraph (a) and the findings of paragraph (b) of this Section are met.

(a) Conditions

As a condition for approval, the parking facility shall comply with the applicable provisions of Section 13-20 (SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES), except that such parking facility need not comply with the provisions of Section 13-221 (Enclosure and screening requirements).

(b) Findings

The Commission shall find that:

(1) the location of the vehicular entrances and exits to the parking facility will not unduly interrupt the flow of pedestrian traffic associated with #uses# or public facilities, including access points to mass transit facilities in close proximity thereto, or result in any undue conflict between pedestrian and vehicular movements, due to the entering and leaving movement of vehicles;

(2) the location of the vehicular entrances and exits to such parking facility will not interfere with the efficient functioning of #streets#, including any lanes designated for specific types of users or vehicles, due to the entering and leaving movement of vehicles;

(3) such #use# will not create or contribute to serious traffic congestion and will not unduly inhibit surface traffic and pedestrian flow; and

(4) such parking facility will not be inconsistent with the character of the existing streetscape.

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

(5/8/13)

13-443
Reduction in the number of required existing parking spaces

For off-street parking facilities built prior to May 8, 2013, the City Planning Commission may authorize a reduction in the number of required #accessory# off-street parking spaces where the Commission finds that such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable.

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

the total number of parking spaces permitted within the #public parking garage# or #public parking lot#;

(2) In C5, C6, C8, M1, M2 and M3 Districts, vehicles stored by automobile rental establishments and #car sharing vehicles# shall be permitted, provided such vehicles do not exceed, in total, 40 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#. In addition, commercial vehicle parking for motor vehicles not exceeding a length of 20 feet shall be permitted, provided that the total amount of parking spaces occupied by commercial vehicles, including any #car sharing vehicles# and automobile rental establishment vehicles, shall not exceed, in total, 50 percent of the total number of parking spaces permitted within the #public parking garage# or #public parking lot#.

(5/8/13)

13-20
SPECIAL RULES FOR MANHATTAN CORE PARKING FACILITIES

All #accessory# off-street parking facilities, automobile rental establishments, and #public parking lots developed#, #enlarged# or #extended# in the #Manhattan Core# after May 8, 2013, shall comply with the applicable provisions of this Section, inclusive.

(5/8/13)

13-21
Public Use and Off-Site Parking

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

No #accessory# off-street parking spaces shall be located on a #zoning lot# other than the same #zoning lot# as the #use# to which they are #accessory#.

(3/22/16)

13-22
Applicability of Enclosure and Screening Requirements

(a) Screening

In addition to the screening provisions of paragraph (a)(1) of Section 13-221 (Enclosure and screening requirements), the ground floor #use# provisions of the following Sections shall apply:

(1) Sections 32-431 (Ground floor use in C1-8A, C1-9A, C2-7A, C2-8A, C4-6A and C4-7A Districts) and 32-432 (Ground floor use in Community Board 7, Borough of Manhattan);

(2) Section 32-435 (Ground floor use in High Density Commercial Districts);

(3) Sections 81-42 (Retail Continuity along Designated Streets) and 81-531 (Special retail frontage requirements) in the #Special Midtown District#;

(4) Section 82-21 (Restrictions on Street Level Uses) in the #Special Lincoln Square District#;

(5) Section 91-12 (Uses on Designated Retail Streets) and the applicable Sections of 91-41 (Regulations for Designated Retail Streets), inclusive, in the #Special Lower Manhattan District#;

(6) Section 95-08 (Special Use Regulations), inclusive, in the #Special Transit Land Use District#;

(7) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the #Special Clinton District#;

(8) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the #Special West Chelsea District#;

(9) Section 99-03 (Special Use Regulations), inclusive, in the #Special Madison Avenue Preservation District#;

(10) Sections 109-11 (Special Use Regulations), inclusive, and 109-21 (Use Regulations), inclusive in the #Special Little Italy District#; and

(11) Section 132-20 (SPECIAL USE REGULATIONS), inclusive, in

the #Special Enhanced Commercial District#.

(b) Transparency

The transparency provisions of paragraph (a)(2) of Section 13-221 shall not apply to portions of ground floor level #street walls# that are subject to the following Sections:

(1) Section 32-435 (Ground floor use in High Density Commercial Districts);

(2) Section 81-42 (Retail Continuity along Designated Streets) in the #Special Midtown District#;

(3) Section 82-23 (Street Wall Transparency) in the #Special Lincoln Square District#;

(4) Section 91-412 (Access and glazing of required retail space) in the #Special Lower Manhattan District#;

(5) Section 96-21 (Special Regulations for 42nd Street Perimeter Area), paragraph (c), in the #Special Clinton District#;

(6) Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) in the #Special West Chelsea District#; and

(7) Section 132-30 (SPECIAL TRANSPARENCY REGULATIONS), inclusive, in the #Special Enhanced Commercial District#.

(3/22/16)

13-221
Enclosure and screening requirements

(a) #Accessory# off-street parking facilities

All #accessory# off-street parking spaces shall be located within a #completely enclosed building#, with the exception of parking spaces #accessory# to a hospital, as listed in Use Group 4, and as provided in Section 13-45 (Special Permits for Additional Parking Spaces). In addition, such parking facilities shall comply with the following provisions:

(1) Screening

Any portion of an #accessory# off-street parking facility that is located above #curb level# shall comply with the applicable parking wrap and screening provisions set forth in Section 37-35.

(2) Transparency

Portions of ground floor #commercial# and #community facility uses# screening the parking facility in accordance with the provisions of paragraph (a) of Section 37-35 shall be glazed with transparent materials in accordance with Section 37-34.

However, for #buildings# where the #base flood elevation# is higher than the level of the adjoining sidewalk, all such transparency requirements shall be measured from the level of the #flood-resistant construction elevation#, as defined in Section 64-11, instead of from the level of the adjoining sidewalk.

For #zoning lots# with multiple #street wall# frontages, the transparency provisions of this paragraph, (a)(2), need not apply to #street walls# that are located entirely beyond 100 feet of any portion of the #accessory# parking facility, as measured in plan view, perpendicular to such parking facility.

(b) Automobile rental establishments

All off-street parking within an automobile rental establishment shall be located within a #completely enclosed building# and shall comply with the screening provisions of paragraph (a) of this Section. #Accessory# office space and customer waiting areas associated with such establishments shall constitute #commercial floor area# for the purposes of such screening requirement.

(c) #Public parking lots# and certain permitted #accessory# parking lots

#Public parking lots# and open parking spaces #accessory# to a hospital shall provide screening in accordance with the provisions of 37-921 (Perimeter landscaping).

(5/8/13)

13-23
Floor Area

The definition of #floor area# in Section 12-10 shall be modified for purposes of this Chapter, as follows:

(a) Attended parking facilities with parking lift systems

For portions of an attended parking facility with parking lift systems, individual lifted trays upon which a vehicle is stored which, in operation, rise to a height in excess of 23 feet, as measured above #curb level#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

(b) #Automated parking facilities#

Floor space used for off-street parking spaces in an #accessory automated parking facility# up to a height of 40 feet above #curb level# shall be exempt from the definition of #floor area# upon certification of the Chairperson of the City Planning Commission, pursuant to the provisions of Section 13-432 (Floor area exemption for automated parking facilities).

For portions of an #automated parking facility#, each tray upon which a vehicle is stored at a height in excess of 40 feet in parking facilities certified pursuant to Section 13-432, or 23 feet in all other #automated parking facilities#, shall be considered #floor area# in an amount of 153 square feet, or the size of such lifted tray, whichever is greater.

(5/8/13)

13-24
Curb Cut Restrictions

In addition to the provisions of this Section, inclusive, additional restrictions on curb cuts in the #Manhattan Core# are found in the following Special Purpose Districts:

(a) the #Special Midtown District#, as set forth in Sections 81-44 (Curb Cut Restrictions) and 81-624 (Curb cut restrictions and loading berth requirements);

(b) the #Special Lincoln Square District#, as set forth in paragraph (b) of Section 82-50 (OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS);

(c) the #Special Battery Park City District#, as set forth in Sections 84-144 (Location of curb cuts) and 84-343 (Curb cuts);

(d) the #Special Lower Manhattan District#, as set forth in Section 91-52 (Curb Cut Regulations);

(e) the #Special Park Improvement District#, as set forth in Section 92-05 (Maximum Number of Accessory Off-Street Parking Spaces);

(f) the #Special Transit Land Use District#, as set forth in Section 95-09 (Special Regulations for Accessory Off-Street Parking and Curb Cuts);

(g) the #Special Clinton District#, as set forth in paragraph (f) of Section 96-21 (Special Regulations for 42nd Street Perimeter Area);

(h) the #Special Madison Avenue Preservation District#, as set forth in Section 99-06 (Off-Street Parking Regulations); and

(i) the #Special Little Italy District#, as set forth in Section 109-352 (Curb cut regulations).

(5/8/13)

13-241
Location of curb cuts

For #accessory# off-street parking facilities, automobile rental establishments and #public parking lots#, curb cuts are required for entry and exit to such parking facilities. Such curb cuts:

(a) shall not be permitted within 50 feet of the intersection of any two #street lines#, except where the Commissioner of Buildings certifies that such location:

(1) is not hazardous to traffic safety;

(2) is not likely to create traffic congestion; and

(3) will not unduly inhibit surface traffic or pedestrian flow.

The Commissioner of Buildings may refer such matter to the Department of Transportation, or its successor, for a

report;

(b) shall not be located within two and one-half feet of any #side lot line# of the #zoning lot#, or prolongation thereof;

(c) for #accessory# off-street parking facilities and automobile rental establishments, shall not be located on a #wide street#, except where authorized pursuant to Section 13-441 (Curb cuts); and

(d) for #public parking lots#, shall not be permitted on the following #wide streets#, except where authorized pursuant to Section 13-441:

(1) 14th Street, from Fourth Avenue to Seventh Avenue;

(2) Avenue of the Americas, from 23rd Street to 32nd Street;

(3) Canal Street, from the Bowery to West Broadway;

(4) Church Street, from Park Place to Worth Street;

(5) Delancey Street, from Clinton Street to the west side of Orchard Street;

(6) Fifth Avenue;

(7) Seventh Avenue, from 23rd Street to 32nd Street; and

(8) Worth Street, from Centre Street to Church Street.

(5/8/13)

13-242
Maximum width of curb cuts

(a) #Accessory# off-street parking facilities

For curb cuts accessing off-street parking spaces #accessory# to #residences# in the #Manhattan Core#, the provisions of Sections 25-631 (Location of curb cuts in certain districts) and 36-532 (Location and width of curb cuts accessing residential parking spaces in certain districts) shall apply, as applicable.

In addition, the maximum width of a curb cut shall be 22

feet for curb cuts accessing off-street parking spaces #accessory# to #residences# in R9 or R10 Districts, C1 and C2 Districts mapped within R9 and R10 Districts, and in all other #Commercial Districts# where, as set forth in the tables in Section 34-112 or 35-23, as applicable, the equivalent #Residential District# is R9 or R10. This maximum curb cut width of 22 feet shall also apply to curb cuts accessing off-street parking spaces #accessory# to #commercial# or #community facility uses#, and to curb cuts accessing off-street parking facilities with parking spaces #accessory# to a mix of #uses#.

(b) Automobile rental establishments

For curb cuts accessing automobile rental establishments, the maximum width of a curb cut shall be 22 feet.

(c) #Public parking lots#

For curb cuts accessing #public parking lots#, the curb cut provisions of paragraph (c) of Section 36-58 (Parking Lot Maneuverability and Curb Cut Regulations) shall apply.

(5/8/13)

13-25
Reservoir Spaces

For the purpose of determining required reservoir spaces, fractions equal to or greater than one-half resulting from the calculations in this Section shall be considered to be one reservoir space. In no event shall the dimensions of any reservoir space be less than 18 feet long and 8 feet, 6 inches wide.

(a) Attended parking facilities

For attended #accessory# off-street parking facilities or #public parking lots# with more than 25 off-street parking spaces, off-street reservoir space at the vehicular entrance shall be provided to accommodate:

(1) five percent of the total number of parking spaces provided in parking facilities with more than 25 parking spaces and up to 50 parking spaces;

(2) ten percent of the total number of parking spaces provided in parking facilities with more than 50

parking spaces and up to 100 parking spaces;

(3) ten parking spaces in parking facilities with more than 100 off-street parking spaces and up to 200 parking spaces; and

(4) five percent of the total number of parking spaces provided in parking facilities with more than 200 off-street parking spaces. However such number of reservoir spaces need not exceed 50.

(b) #Automated parking facilities#

For #automated parking facilities#, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

Each individual parking location where a driver is permitted to leave a vehicle for transfer to a mechanized automobile storage and retrieval unit shall constitute one reservoir space. Additional reservoir spaces may be located where drivers queue to access such locations for vehicle transfer.

In addition, the number of reservoir spaces required pursuant to this Section may be reduced where the Commissioner of Buildings determines that the operational characteristics of such #automated parking facility# warrant such a reduction.

(c) Automobile rental establishments

For automobile rental establishments, off-street reservoir space at the vehicle entrance shall be provided at the rate set forth in paragraph (a) of this Section.

(d) Self-parking facilities

For self-parking #accessory# off-street parking facilities and #public parking lots# where entering vehicles are required to stop before a mechanically-operated barrier before entering such parking facility, such barrier shall be placed a minimum of 20 feet beyond the #street line#.

(5/8/13)

13-26
Pedestrian Safety and Access

For all #accessory# off-street parking facilities, the following safety features shall be provided at all vehicular exit points:

(a) a stop sign which shall be clearly visible to drivers. Such signage shall comply with the standards set forth in the Manual of Uniform Traffic Control Devices (MUTCD) issued by the Federal Highway Administration (FHWA) for a conventional single lane road; and

(b) a speed bump, which shall be located within the exit lane of the parking facility. Such speed bump shall:

(1) span the width of the vehicular travel lane;

(2) have a minimum height of two inches, as measured from the adjoining grade of the exit lane, and a maximum depth of twelve inches; and

(3) shall be located a minimum of four feet beyond the #street line#, as measured perpendicular to the #street line#.

(5/8/13)

13-27
Minimum and Maximum Size of Parking Facilities

For all #accessory# off-street parking facilities and automobile rental establishments, the minimum and maximum size requirements for the #parking zone# for such parking facilities shall be set forth in this Section. The #access zone# of such parking facilities shall not have a minimum or maximum gross surface area.

For the purpose of calculating surface area in attended parking facilities with parking lift systems, the lifted tray upon which a vehicle is stored shall constitute surface area.

(a) Attended parking facilities

(1) For attended parking facilities without parking lift systems, the minimum gross surface area, in square feet, of the #parking zone# shall be 180 times the number of off-street parking spaces provided, and the maximum gross surface area, in square feet, of the #parking zone# shall not exceed 200 times the number of off-street parking spaces provided.

(2) For attended parking facilities with parking lift systems, the minimum and maximum surface area of the portion of the #parking zone# allocated to non-elevated parking spaces shall be calculated at the rate set forth in paragraph (a)(1) of this Section; and the surface area, in square feet, of the portion of the #parking zone# allocated to elevated parking spaces shall be 153 times the number of elevated spaces able to be provided on lifted trays.

(b) #Automated parking facilities#

No minimum or maximum surface area requirement shall be required in off-street parking facilities that the Commissioner of Buildings determines to be #automated parking facilities#.

(c) Automobile rental establishments

The maximum gross surface area, in square feet, of the #parking zone# of an automobile rental establishment, shall be established at the rate set forth in paragraph (a) of this Section.

(d) Self-park facilities

The gross surface area, in square feet, of the #parking zone# of a self-parking #accessory# off-street parking facility shall be a minimum of 300 times the number of off-street parking spaces provided, and a maximum of 350 times the number of off-street parking spaces provided. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings.

Such minimum and maximum #parking zone# requirements of this Section may be modified by the Chairperson of the City Planning Commission pursuant to the certification set forth in Section 13-431 (Reduction of minimum facility size).

(5/8/13)

13-30
OFF-STREET LOADING REGULATIONS IN THE MANHATTAN CORE

All #accessory# off-street loading berths provided as part of