

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, JULY 23, 2008
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 080397 ZMM	3	EAST VILLAGE/LOWER EAST SIDE REZONING	Scheduled to be Heard 8/13/08
2	C 080397(A) ZMM	3	" "	" "
3	N 080398 ZRM	3	" "	" "
4	N 080398(A) ZRM	3	" "	" "
5	C 080276 MMQ	2	HUNTERS POINT SOUTH	" "
6	C 080362 ZMQ	2	" "	" "
7	N 080363 ZRQ	2	" "	" "
8	C 080364 PQQ	2	" "	" "
9	C 080365 HAQ	2	" "	" "
10	C 080211 MMQ	7	WILLETS POINT DEVELOPMENT PLAN	" "
11	C 080381 ZMQ	7	" "	" "
12	N 080382 ZRQ	7	" "	" "
13	N 080383 HGQ	7	" "	" "
14	C 080384 HUQ	7	" "	" "
15	C 080385 HDQ	7	" "	" "
16	N 070446 ZAX	8	BENDHEIM TENNIS COURT	Authorization Approved
17	N 080394 ZAX	8	PETER J. SHARP ATHLETIC AND RECREATION CENTER	" "
18	C 080313 ZSM	1	443 GREENWICH STREET	Favorable Report Adopted
19	C 080371 ZMQ	14	ROCKAWAY NEIGHBORHOOD REZONING	Fav. Report Adopted as Modified
20	N 080372-373 ZRQ	14	" "	Favorable Report Adopted
21	N 080329 ZAR	1	LIBERTY TOWERS	Laid Over
22	N 080330 ZAR	1	" "	" "
23	N 080456 BDK	2	FULTON STREET BID	Hearing Closed
24	N 080425 ZRR	1	ST. GEORGE REZONING	" "
25	C 080426 ZMR	1	" "	" "
26	C 080336 MMM	1	DELURY SQUARE PARK	" "
27	C 080331 HAM	11	EAST 125 TH STREET DEVELOPMENT	" "
28	C 080332 HUM	11	" "	" "
29	C 080333 ZMM	11	" "	" "
30	C 080462 ZMQ	13	LAURELTON REZONING	" "
31	C 060466 MMQ	3	BUDGET RENT-A-CAR	" "
32	C 060467 ZMQ	3	" "	" "

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, JULY 23, 2008

MEETING AT 10:00 A.M. AT SPECTOR HALL

22 READE STREET

NEW YORK, NEW YORK



Michael R. Bloomberg, Mayor

City of New York

[No. 14]

Prepared by Yvette V. Gruel, Calendar Officer

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

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

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

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

NOTICE--CALENDARS: City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site (www.nyc.gov/planning). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

For Calendar Information: call (212) 720-3368, 3369, 3370.

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

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

B
CITY PLANNING COMMISSION

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

- AMANDA M. BURDEN, FAICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- IRWIN G. CANTOR, P.E.**
- ANGELA R. CAVALUZZI, AIA**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- MARIA M. DEL TORO**
- RICHARD W. EADDY**
- NATHAN LEVENTHAL**
- SHIRLEY A. MCRAE**
- JOHN MEROLO**
- KAREN A. PHILLIPS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

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

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**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for August 13, 2008 at Tishman Auditorium of Vanderbilt Hall, New York University School of Law, located at 40 Washington Square South, Manhattan at 9:00 a.m.

C

Procedures for City Planning Commission Hearing on August 13, 2008

On Wednesday, August 13, 2008, at 9:00 a.m., at Tishman Auditorium of Vanderbilt Hall, New York University School of Law, 40 Washington Square South, New York, NY 10012 in Manhattan, public hearings will be held by the City Planning Commission on:

1. East Village/Lower East Side Rezoning - land use applications for a change to the zoning map (C 080397 ZMM, C 080397(A) ZMM) and zoning text amendment (N 080398 ZRM, N 080398(A)) and a related Draft Environmental Impact Statement (DEIS) (07DCP078M) submitted by the Department of City Planning.
2. Hunter's Point South – land use applications for a change to the City Map (C 080276 MMQ), a zoning map change (C 080362 ZMQ), a zoning text amendment (N 080363 ZRQ), acquisition of property (C 080364 PQQ), and UDAAP designation, plan and disposition (C 080365 HAQ) and a related DEIS (08DME006Q) submitted by the departments of Housing Preservation and Development and Parks and Recreation and the Economic Development Corporation. **THIS HEARING IS NOT LIKELY TO BEGIN BEFORE 11 AM.**
3. Willets Point Development Plan – land use applications for a change to the City Map (C 080221 MMQ), a zoning map change (C 080381 ZMQ), a zoning text amendment (N 080382 ZRQ), urban renewal designation and plan (N 080383 HGQ, C 080384 HUQ) and disposition of city property (C 080385 HDQ) and a related DEIS (07DME014Q) submitted by the Department of Housing Preservation and Development and the Economic Development Corporation. **THIS HEARING IS NOT LIKELY TO BEGIN BEFORE 12 NOON.**

HOW TO PARTICIPATE:

Registering to speak: Anyone wishing to speak on any of the items listed above is requested to fill out a speaker's slip supplied at the staff desk outside of Tishman Auditorium on August 13, 2008. Doors will open at 8:30 AM. Speakers on each item will be called in the order they are registered, with the exception that public officials will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in support of the proposal and those speaking in opposition.

Length of Testimony: In order to give others an opportunity to speak, all speakers shall limit their remarks to three minutes.

Interpretation of Speaker's Testimony: Interpreters in Chinese, (Cantonese) and Spanish will be available for those speakers who cannot testify in English.

Written Material: If you intend to submit a written statement and/or other documents please submit 17 sets of each.

Vanderbilt Hall is located on the south side of Washington Square South (West 4th Street), just east of MacDougal Street.

Persons who cannot testify on August 13, 2008 may submit written testimony to:

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

It is requested that such testimony be submitted by August 25, 2008.

JULY 23, 2008

**APPROVAL OF MINUTES OF the Regular Meeting of July 2, 2008
and Special Meeting of July 21, 2008**

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, AUGUST 13, 2008
STARTING AT 9:00 A.M.
IN TISHMAN AUDITORIUM OF VANDERBILT HALL
NEW YORK UNIVERSITY SCHOOL OF LAW
LOCATED AT 40 WASHINGTON SQUARE SOUTH IN MANHATTAN
NEW YORK, NEW YORK**

BOROUGH OF MANHATTAN

Nos. 1, 2, 3 & 4

EAST VILLAGE/LOWER EAST SIDE REZONING

No. 1

CD 3

C 080397 ZMM

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

1. changing from an R7-2 District to an R7A District property bounded by:
 - a. East 13th Street, a line 100 feet easterly of Second Avenue, East 7th Street, and a line 100 feet westerly of Second Avenue;
 - b. East 13th Street, a line 100 feet easterly of First Avenue, East 6th Street, First Avenue, East 2nd Street, a line 100 feet easterly of First Avenue, East Houston Street, and a line 100 feet westerly of First Avenue;
 - c. East 13th Street, a line 100 feet easterly of Avenue A, the northerly, westerly and southerly boundary line of Tompkins Square Park, a line 100 feet easterly of Avenue A, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue A, East 4th Street, Avenue A, the westerly centerline prolongation of East 5th Street, and a line 100 feet westerly of Avenue A;

- d. East 13th Street, a line 100 feet easterly of Avenue B, East 2nd Street, Avenue B, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue B, the southerly, easterly and northerly boundary line of Tompkins Square Park, and a line 100 feet westerly of Avenue B;
 - e. East 12th Street, Avenue C – Loisaída Avenue, East 10th Street, a line 100 feet easterly of Avenue C – Loisaída Avenue, a line midway between East 2nd Street and East 3rd Street, Avenue C – Loisaída Avenue, East 2nd Street, and a line 100 feet westerly of Avenue C – Loisaída Avenue; and
 - f. a line 100 feet southerly of East Houston Street, Pitt Street, Rivington Street, a line 100 feet westerly of Pitt Street, a line 100 feet northerly of Delancey Street, a line midway between Essex Street and Norfolk Street, the southerly boundary line of a playground and its easterly prolongation, and Norfolk Street;
2. changing from an C6-1 District to a R7A District property bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;
 3. changing from an R7-2 District to a R7B District property bounded by the southerly boundary line of Tompkins Square Park, a line 100 feet westerly of Avenue B, East 4th Street, and a line 100 feet easterly of Avenue A;
 4. changing from an R7-2 District to a R8A District property bounded by:
 - a. East 10th Street, Avenue D, East Houston Street, Pitt Street, a line 100 feet southerly of East Houston Street, Norfolk Street, the southerly boundary line of a playground and its easterly and westerly prolongation, Essex Street, East Houston Street, a line 100 feet easterly of First Avenue, a line midway between East 2nd Street and East 1st Street, Avenue A, a line 100 feet southerly of East 2nd Street, Avenue B, East 2nd Street, Avenue C – Loisaída Avenue, a line midway between East 2nd Street and East 3rd Street, and a line 100 feet westerly of Avenue D; and
 - b. Rivington Street, Pitt Street, Delancey Street and its westerly centerline prolongation (at Clinton Street), a line midway between Suffolk Street and Clinton Street, a line 100 feet northerly of Delancey Street, and a line 100 feet westerly of Pitt Street;
 5. changing from an R7-2 District to a R8B District property bounded by:
 - a. East 13th Street, a line 100 feet westerly of Second Avenue, East 1st Street, a line 100 feet easterly of Bowery, and a line 100 feet easterly of Third Avenue;
 - b. East 13th Street, a line 100 feet westerly of First Avenue, East Houston Street, and a line 100 feet easterly of Second Avenue;

- c. East 13th Street, a line 100 feet westerly of Avenue A, East 6th Street, and a line 100 feet easterly of First Avenue;
 - d. East 4th Street, a line 100 feet westerly of Avenue A, a line midway between East 1st Street and East 2nd Street, a line 100 feet easterly of First Avenue, East 2nd Street, and a line 150 feet easterly of First Avenue;
 - e. East 13th Street, a line 100 feet westerly of Avenue B, the northerly boundary line of Tompkins Square Park, and a line 100 feet easterly of Avenue A;
 - f. East 4th Street, a line 100 feet westerly of Avenue B, a line 100 feet southerly of East 2nd Street, and a line 100 feet easterly of Avenue A;
 - g. East 12th Street, a line 100 feet westerly of Avenue C – Loisaida Avenue, East 2nd Street, and a line 100 feet Easterly of Avenue B; and
 - h. East 10th Street, a line 100 feet westerly of Avenue D, a line midway between East 2nd street and East 3rd Street, and a line 100 feet easterly of Avenue C – Loisaida Avenue;
6. changing from a C6-1 District to a C4-4A District property bounded by:
- a. a line 100 feet southerly of East Houston Street, Essex Street, the southerly boundary line of a playground and its westerly prolongation, a line midway between Essex Street and Norfolk Street, a line 100 feet northerly of Delancey Street, and Chrystie Street; and
 - b. a line 100 feet southerly of Delancey Street, Ludlow Street, Grand Street, and Chrystie Street;
7. changing from a C6-1 District to a C6-2A District property bounded by:
- a. East 3rd Street, a line 100 feet easterly of Second Avenue, East Houston Street, Essex Street, a line 100 feet southerly of East Houston Street, Chrystie Street, East Houston Street, a line 65 feet westerly of Second Avenue, East 1st Street, and a line 100 feet westerly of Second Avenue; and
 - b. Stanton Street, Chrystie Street, a line 100 feet northerly of Delancey Street, a line midway between Suffolk Street and Clinton Street, the westerly centerline prolongation of Delancey Street (at Clinton Street), Ludlow Street, a line 100 feet southerly of Delancey Street, Chrystie Street, Grand Street, a line midway between Bowery and Chrystie Street, a line 100 feet southerly of Delancey Street, and a line 100 feet westerly of Christie Street; and

8. establishing within a proposed R7A District a C2-5 District bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated May 5, 2008 and subject to CEQR Declaration E-216.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 2

CD 3

C 080397(A) ZMM

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Map, Section No. 12c:

1. changing from an R7-2 District to an R7A District property bounded by:
 - a. East 13th Street, a line 100 feet easterly of Second Avenue, East 7th Street, and a line 100 feet westerly of Second Avenue;
 - b. East 13th Street, a line 100 feet easterly of First Avenue, East 6th Street, First Avenue, East 2nd Street, a line 100 feet easterly of First Avenue, East Houston Street, and a line 100 feet westerly of First Avenue;
 - c. East 13th Street, a line 100 feet easterly of Avenue A, the northerly, westerly and southerly boundary line of Tompkins Square Park, a line 100 feet easterly of Avenue A, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue A, East 4th Street, Avenue A, the westerly centerline prolongation of East 5th Street, and a line 100 feet westerly of Avenue A;
 - d. East 13th Street, a line 100 feet easterly of Avenue B, East 2nd Street, Avenue B, a line 100 feet southerly of East 2nd Street, a line 100 feet westerly of Avenue B, the southerly, easterly and northerly boundary line of Tompkins Square Park, and a line 100 feet westerly of Avenue B;
 - e. East 12th Street, Avenue C – Loaisida Avenue, East 10th Street, a line 100 feet easterly of Avenue C – Loaisida Avenue, a line midway between East 2nd Street and East 3rd Street, Avenue C – Loaisida Avenue, East 2nd Street, and a line 100 feet westerly of Avenue C – Loaisida Avenue; and

- f. a line 100 feet southerly of East Houston Street, Pitt Street, Rivington Street, a line 100 feet westerly of Pitt Street, a line 100 feet northerly of Delancey Street, a line midway between Essex Street and Norfolk Street, the southerly boundary line of a playground and its easterly prolongation, and Norfolk Street;
2. changing from an C6-1 District to a R7A District property bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;
 3. changing from an R7-2 District to a R7B District property bounded by the southerly boundary line of Tompkins Square Park, a line 100 feet westerly of Avenue B, East 4th Street, and a line 100 feet easterly of Avenue A;
 4. changing from an R7-2 District to a R8A District property bounded by:
 - a. East 10th Street, Avenue D, East Houston Street, Pitt Street, a line 100 feet southerly of East Houston Street, Norfolk Street, the southerly boundary line of a playground and its easterly and westerly prolongation, Essex Street, East Houston Street, a line 100 feet easterly of First Avenue, a line midway between East 2nd Street and East 1st Street, Avenue A, a line 100 feet southerly of East 2nd Street, Avenue B, East 2nd Street, Avenue C – Loaisida Avenue, a line midway between East 2nd Street and East 3rd Street, and a line 100 feet westerly of Avenue D; and
 - b. Rivington Street, Pitt Street, Delancey Street and its westerly centerline prolongation (at Clinton Street), a line midway between Suffolk Street and Clinton Street, a line 100 feet northerly of Delancey Street, and a line 100 feet westerly of Pitt Street;
 5. changing from an R7-2 District to a R8B District property bounded by:
 - a. East 13th Street, a line 100 feet westerly of Second Avenue, East 1st Street, a line 100 feet easterly of Bowery, and a line 100 feet easterly of Third Avenue;
 - b. East 13th Street, a line 100 feet westerly of First Avenue, East Houston Street, and a line 100 feet easterly of Second Avenue;
 - c. East 13th Street, a line 100 feet westerly of Avenue A, East 6th Street, and a line 100 feet easterly of First Avenue;
 - d. East 4th Street, a line 100 feet westerly of Avenue A, a line midway between East 1st Street and East 2nd Street, a line 100 feet easterly of First Avenue, East 2nd Street, and a line 150 feet easterly of First Avenue;

- e. East 13th Street, a line 100 feet westerly of Avenue B, the northerly boundary line of Tompkins Square Park, and a line 100 feet easterly of Avenue A;
 - f. East 4th Street, a line 100 feet westerly of Avenue B, a line 100 feet southerly of East 2nd Street, and a line 100 feet easterly of Avenue A;
 - g. East 12th Street, a line 100 feet westerly of Avenue C – Loisaida Avenue, East 2nd Street, and a line 100 feet Easterly of Avenue B; and
 - h. East 10th Street, a line 100 feet westerly of Avenue D, a line midway between East 2nd street and East 3rd Street, and a line 100 feet easterly of Avenue C – Loisaida Avenue;
6. changing from a C6-1 District to a C4-4A District property bounded by:
- a. a line 100 feet southerly of East Houston Street, Essex Street, the southerly boundary line of a playground and its westerly prolongation, a line midway between Essex Street and Norfolk Street, a line 100 feet northerly of Delancey Street, and Chrystie Street; and
 - b. a line 100 feet southerly of Delancey Street, Ludlow Street, Grand Street, and Chrystie Street;
7. changing from a C6-1 District to a C6-2A District property bounded by:
- a. East 3rd Street, a line 100 feet easterly of Second Avenue, East Houston Street, Essex Street, a line 100 feet southerly of East Houston Street, Chrystie Street, East Houston Street, a line 65 feet westerly of Second Avenue, East 1st Street, and a line 100 feet westerly of Second Avenue; and
 - b. a line 100 feet northerly of Delancey Street, a line midway between Suffolk Street and Clinton Street, the westerly centerline prolongation of Delancey Street (at Clinton Street), Ludlow Street, a line 100 feet southerly of Delancey Street and Chrystie Street,
8. changing from a C6-1 District to a C6-3A District property bounded by Stanton Street, Chrystie Street, Grand Street, a line midway between Bowery and Chrystie Street, a line 100 feet southerly of Delancey Street, and a line 100 feet westerly of Chrystie Street; and
9. establishing within a proposed R7A District a C2-5 District bounded by East 7th Street, a line 100 feet easterly of Second Avenue, East 3rd Street, and a line 100 feet westerly of Second Avenue;

as shown on a diagram (for illustrative purposes only) dated July 3, 2008 and subject to CEQR Declaration E-216.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 3

CD 3

N 080398 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residential Districts), and Article V, Chapter 2 (Non-Conforming Uses) in the Borough of Manhattan, Community District 3.

Matter in underline is new, to be added

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

Matter within # # is defined in 12-10 or

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

23-144

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
<u>Community District 3, Manhattan</u>	<u>R8A</u>
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *

3/26/08

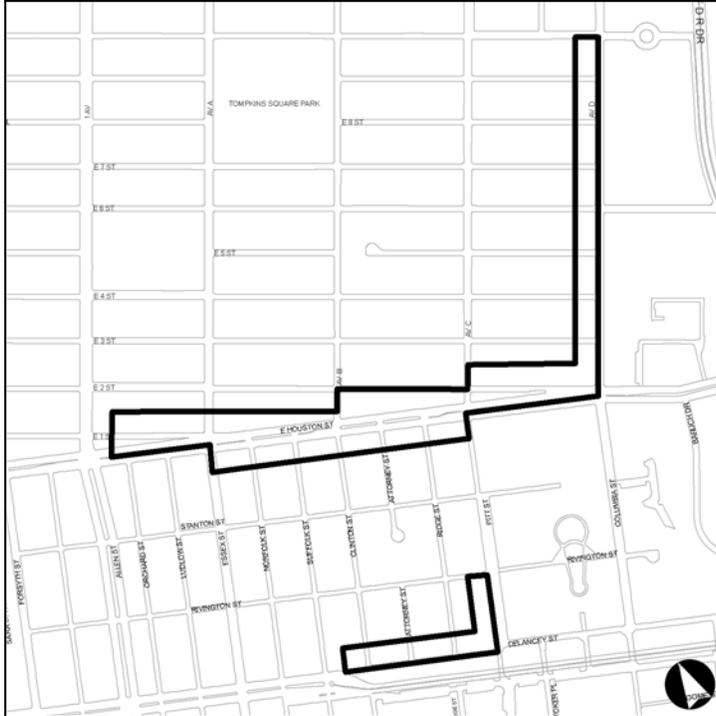
23-922

Inclusionary housing designated areas

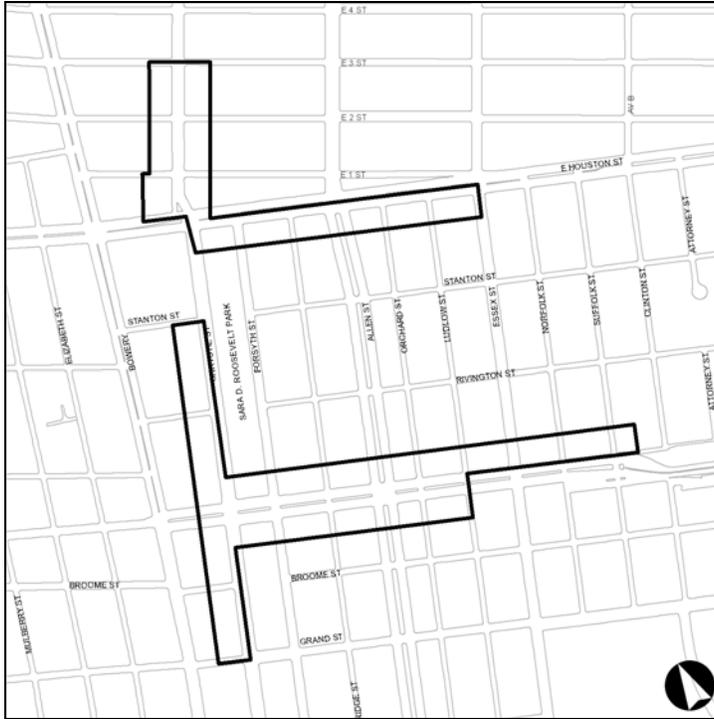
The Inclusionary Housing Program shall apply in the following areas:

* * *

- (i) In Community District 3, in the Borough of Manhattan, in the R8A Districts within the areas shown on the following Maps 14 and 15:



Map 14: Portion of Community District 3, Manhattan



Map 15: Portion of Community District 3, Manhattan

* * *

52-61

General Provisions

If, for a continuous period of two years, either the #non-conforming use# of #land with minor improvements# is discontinued, or the active operation of substantially all the #non-conforming uses# in any #building or other structure# is discontinued, such land or #building or other structure# shall thereafter be used only for a conforming #use#. Intent to resume active operations shall not affect the foregoing.

The provisions of this Section shall not apply where such discontinuance of active operations is directly caused by war, strikes or other labor difficulties, a governmental program of materials rationing, or the construction of a duly authorized improvement project by a governmental body or a public utility company.

Except in Historic Districts as designated by the Landmarks Preservation Commission, the provisions of this Section shall not apply to vacant ground floor or #basement# stores in #buildings designed for residential use# located in R5, R6 or R7 Districts, or R8B districts in Manhattan Community District 3, where the changed or reactivated #use# is listed in Use Group 6A, 6B, 6C or 6F excluding post offices, veterinary medicine for small

animals, automobile supply stores, electrolysis studios and drive-in banks. In addition, the changed or reactivated #use# shall be subject to the provisions of Section 52-34 (Commercial Uses in Residence Districts).

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 4

CD 3

N 080398(A) ZRM

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residential Districts), in the Borough of Manhattan, Community District 3.

Matter in underline is new, to be added

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

Matter within # # is defined in 12-10 or

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

23-144

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
<u>Community District 3, Manhattan</u>	<u>R7A R8A R9A</u>
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *

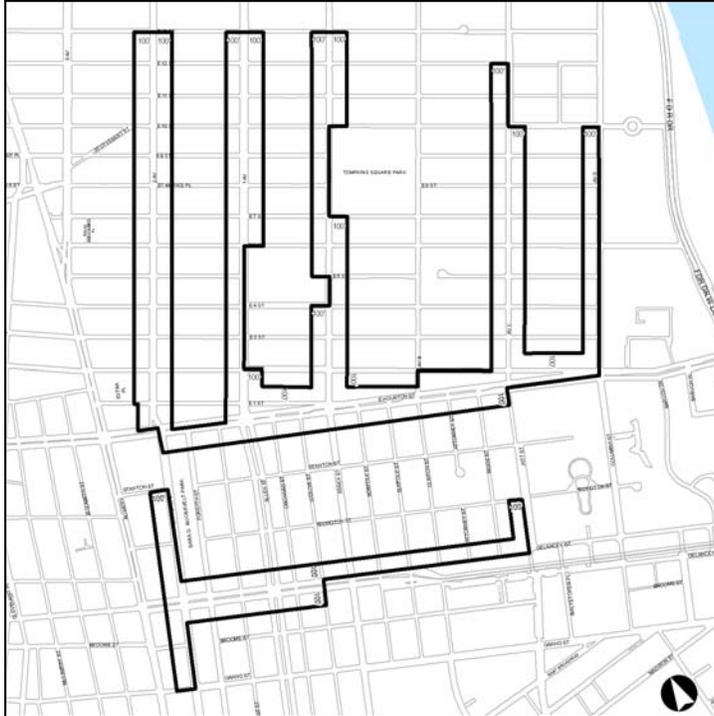
23-922

Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *

- (i) In Community District 3, in the Borough of Manhattan, in the R7A, R8A and R9A Districts within the areas shown on the following Map 14:



Map 14: Portion of Community District 3, Manhattan

* * *

Resolution for adoption scheduling August 13, 2008 for a public hearing.

NOTICE

On Wednesday, August 13, 2008, at 9:00 a.m., in Tishman Auditorium of Vanderbilt Hall on the New York University School of Law campus located at 40 Washington Square South in Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map

and text amendments and the disposition of a City property within East Village/Lower East Side neighborhood of Manhattan Community District 3. The proposed actions would preserve the low- to mid-rise character of the East Village and Lower East Side neighborhoods while concentrating new development towards specific corridors that are more suited for new residential construction with incentives for affordable housing:

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DCP078M.

Nos. 5, 6, 7, 8 & 9

HUNTERS POINT SOUTH

NOTE: This hearing is not likely to begin before 11:00 am.

No. 5

CD 2

C 080276 MMQ

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

- a change in the street system;
- the establishment of park and park additions;
- the delineation of permanent sewer corridors; within an area generally bounded by 50th Avenue, 2nd Street, and the U.S. Pierhead Line at Newtown Creek and the East River;
- the elimination of portions of 48th Avenue between Vernon Boulevard and 21st Street;
- the elimination of a park between Vernon Boulevard and 11th Street,
- the elimination, discontinuance and closing of a portion of Vernon Boulevard;
- the establishment of a Public Place between 50th and 51st Avenues;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 5003 dated April 1, 2008, and signed by the Borough President.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 6**CD 2****C 080362 ZMQ**

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from an M1-4 District to an R7-3 District property bounded by 54th Avenue, a line 530 feet easterly of 2nd Street, the U.S. Pierhead and Bulkhead Line, and 2nd Street and its southerly centerline prolongation;
2. changing from an M3-1 District to an R10 District property bounded by the southerly street line of 50th Avenue and its westerly prolongation, 2nd Street and its southerly centerline prolongation, the U.S. Pierhead and Bulkhead Line, and the U.S. Pierhead Line;
3. establishing within a proposed R7-3 District a C2-5 District bounded by 54th Avenue, a line 75 feet easterly of 2nd Street and its southerly centerline prolongation, a line 695 feet southerly of 54th Avenue, and 2nd Street and its southerly centerline prolongation;
4. establishing within a proposed R10 District a C2-5 District bounded by:
 - a. the southerly street line of 50th Avenue and its westerly prolongation, a line 5 feet easterly of Center Boulevard*, 51st Avenue*, and Center Boulevard*;
 - b. the southerly street line of 50th Avenue, 2nd Street, 51st Avenue*, and a line 75 feet westerly of 2nd Street;
 - c. a line 105 feet northerly of Borden Avenue*, 2nd Street, a line 144 feet southerly of Borden Avenue*, a line 75 feet westerly of 2nd Street, a line 75 feet southerly of Borden Avenue*, Center Boulevard*, Borden Avenue*, a line 105 feet westerly of 2nd Street, a line 75 feet northerly of Borden Avenue*, and a line 75 feet westerly of 2nd Street;
 - d. a line 118 feet northerly of 54th Avenue*, 2nd Street, 55th Avenue*, and a line 75 feet westerly of 2nd Street;
 - e. 54th Avenue*, a line 75 feet easterly of Center Boulevard*, 55th Avenue*, and Center Boulevard*;
 - f. the southerly boundary line of a park* and its easterly prolongation, 2nd Street, 56th Avenue*, and a line 75 feet westerly of 2nd Street; and

- g. the southerly boundary line of a park* and its westerly prolongation, a line 75 feet southeasterly of Center Boulevard*, 57th Avenue*, and Center Boulevard*; and
- 5. establishing a Special Hunter’s Point South District (“SHP”) bounded by the southerly street line of 50th Avenue and its westerly prolongation, 2nd Street, 54th Avenue; a line 530 feet easterly of 2nd Street, the U.S. Pierhead and Bulkhead Line, and the U.S. Pierhead Line;

as shown on a diagram (for illustrative purposes only), dated April 21, 2008, and subject to the conditions of CEQR Declaration E-213.

* Note: Several streets are proposed to be demapped and new streets and parks are proposed to be established under a related concurrent application C 080276 MMQ for a change in the City Map.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 7

CD 2

N 080363 ZRQ

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning the addition of Article XII, Chapter 5 (Special Southern Hunters Point District), to establish a special district and modify related regulations, in Community District 2, Borough of Queens.

Special Southern Hunters Point District

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

* * *

**ARTICLE 1
GENERAL PROVISIONS**

* * *

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

* * *

11-12
Establishment of Districts

* * *

Establishment of the Special Southern Hunters Point District

In order to carry out the purposes of this Resolution, as set forth in Article XII, Chapter 5, the #Special Southern Hunters Point District# is hereby established.

* * *

12-10
Definitions

* * *

Special Southern Hunters Point District

The “Special Southern Hunters Point District” is a special purpose district designated by the letters “SHP” in which special regulations set forth in Article XII, Chapter 5, apply. The Special Southern Hunters Point District appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is imposed.

* * *

Chapter 3
Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens

* * *

13-01
Applicability

In Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, and the portion of Queens Community Districts 1 and 2 bounded by Queens Plaza North, 21st Street, 41st Avenue, 29th Street, 40th Road, Northern Boulevard, 43rd Street, Skillman Avenue, 39th Street, 48th Avenue, 30th Street, 49th Avenue, Dutch Kills Canal, Newtown Creek, ~~Second Street~~, the East River, the westerly prolongation of 50th Avenue, Center Boulevard, 49th Avenue, Fifth Street, Anable Basin, and the East River ("Long Island City subject area"), #accessory# off-street parking spaces, #public parking lots# and #public parking garages#

shall be used or #developed# in accordance with the provisions of this Chapter, except as otherwise provided in Section 13-011 (Exceptions). In the event of a conflict between the provisions of this Chapter and those contained in special purpose district regulations or Sections ~~26-05~~ 26-15 (Curb Cuts) or 37-30 (STREETSCAPE), the more restrictive provisions shall apply. For the purpose herein, the more restrictive provisions shall be considered those which permit the:

* * *

Chapter 4
Sidewalk Cafe Regulations

* * *

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

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

* * *

<u>Queens</u>	<u>#Enclosed Sidewalk Cafe#</u>	<u>#Unenclosed Cafe#</u>	<u>Sidewalk</u>
Downtown Jamaica District	No	Yes	
<u>Southern Hunters Point District</u>	<u>Yes</u>	<u>Yes</u>	

* * *

ARTICLE VI
SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

* * *

CHAPTER 2
SPECIAL REGULATIONS APPLYING IN THE WATERFRONT AREA

* * *

62-80
WATERFRONT ACCESS PLANS

* * *

62-85

Borough of Queens

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

Q-1: Northern Hunters Point, as set forth in Section 62-851

Q-2: Downtown Flushing, as set forth in Section 62-852.

Q-3: Newtown Creek, in the #Special Southern Hunters Point District#, as set forth in Section 125-45 (Newtown Creek Waterfront Access Plan)

ARTICLE XII

SPECIAL PURPOSE DISTRICTS

* * *

(All text is new; it is not underlined)

Chapter 5

Special Southern Hunters Point District

125-00

GENERAL PURPOSES

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

- (a) to encourage well-designed new development that complements the built character of the Hunters Point neighborhood;
- (b) to maintain and reestablish physical and visual public access to and along the waterfront;
- (c) to broaden the regional choice of residences by introducing new affordable housing;
- (d) to achieve a harmonious visual and functional relationship with the adjacent neighborhood;

- (e) to create a lively and attractive built environment that will provide daily amenities and services for the use and enjoyment of area residents, workers and visitors;
- (f) to take maximum advantage of the beauty of the East River waterfront and provide an open space network comprised of public parks, public open space and public access areas;
- (g) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and
- (h) to promote the most desirable use of land and building development in accordance with the district plan for Southern Hunters Point and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

125-01

General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Southern Hunters Point District#, the regulations of the #Special Southern Hunters Point District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Southern Hunters Point District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

125-02

District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Southern Hunters Point District# Plan.

The District Plan includes the following nine maps:

Map 1	Special Southern Hunters Point District Plan, Subdistricts and Parcels
Map 2	Special Ground Floor Use Regulations
Map 3	Maximum Base Heights and Street Wall Location
Map 4	Tower Areas
Map 5	Mandatory Sidewalk Widening and Publicly Accessible Open Area

Map 6	Publicly Accessible Private Street and Open Area in Newtown Creek Subdistrict
Map 7	Newtown Creek Waterfront Access Plan
Map 8	Permitted Curb Cut Locations

125-03
Subdistricts

In order to carry out the purposes and provisions of this Chapter, the #Special Southern Hunters Point District# is divided into two subdistricts: the East River Subdistrict and the Newtown Creek Subdistrict. The East River Subdistrict is further subdivided into parcels A through G. The location and boundaries of the subdistricts and parcels are shown on Map 1 (Special Southern Hunters Point District Plan, Subdistricts and Parcels) in Appendix A.

125-04
Applicability of District Regulations

125-041
Modification of use and bulk regulations for zoning lots bounding parks

Where the #lot line# of a #zoning lot# coincides with the boundary of a #public park#, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

125-042
Modification of Article VI, Chapter 2

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified as set forth in Section 125-45 (Newtown Creek Waterfront Access Plan).

125-10
USE REGULATIONS

125-11
Ground Floor Use Along Designated Streets

Map 2 (Special Ground Floor Use Regulations) in Appendix A of this Chapter specifies locations where the special ground floor #use# regulations of this Section apply. Such regulations shall apply along the entire #street# frontage of the #building#, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 30 feet of the #street wall# shall be limited to #commercial# or #community facility uses# permitted by the underlying district. A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space. In no event shall the length of #street# frontage occupied by lobby space exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the length of lobby frontage need not be less than 20 feet.

125-12

Transparency Requirements

The provisions of this Section shall apply to any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#. Each such ground floor #street wall# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

125-13

Location of Uses in Mixed Buildings

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

125-14

Security Gates

All security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or any publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

25-20

FLOOR AREA REGULATIONS

125-21
East River Subdistrict

In the East River Subdistrict, the maximum #residential floor area ratio# shall be as set forth in the table below, and no #floor area# bonuses shall apply.

Parcel	Maximum Floor Area
Parcel A	12.0
Parcel B	10.0
Parcel C	10.5
Parcel D	12.0
Parcel E	12.0
Parcel F	10.0
Parcel G	12.0

125-22
Newtown Creek Subdistrict

In the Newtown Creek Subdistrict, the maximum #floor area ratio# shall be 2.75, and may be increased only as set forth in this Section.

(a) Floor area bonus for public amenities

For #developments# located within the Newtown Creek Subdistrict that provide a publicly accessible private street and open area, the #floor area ratio# may be increased from 2.75 to a maximum permitted #floor area ratio# of 3.75, provided that the Chair of the City Planning Commission has certified that such publicly accessible private street and open area comply with the design standards of Section 125-43 (Private Street Requirements) and paragraph (b) of Section 125-44 (Publicly Accessible Open Area Requirements).

(b) Floor area increase for Inclusionary Housing

(1) Within the #Special Southern Hunters Point District#, the Newtown Creek Subdistrict shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, and this Section, applicable within the Special District.

(2) In the Newtown Creek Subdistrict, for #developments# that provide a publicly accessible private street and open area that comply with the provisions of paragraph (a) of this Section, the #floor area ratio# for

any #zoning lot# with #buildings# containing #residences# may be increased from 3.75 to a maximum #floor area ratio# of 5.0 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 shall not apply. In lieu thereof, the special height and setback regulations of Section 125-30 (HEIGHT AND SETBACK REGULATIONS), inclusive, of this Chapter shall apply.

125-30
HEIGHT AND SETBACK REGULATIONS

The underlying height and setback regulations shall not apply, except as set forth in this Section. In lieu thereof, the height and setback regulations of this Section, 125-30, inclusive, shall apply. All heights shall be measured from the #base plane#.

125-31
Rooftop Regulations

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Southern Hunters Point District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

125-32
Balconies

Balconies shall not be permitted below the applicable maximum base height set forth in Section 125-33. Above the applicable maximum base height, balconies are permitted provided that at least 50 percent of the perimeter of the balcony is bounded by building walls, exclusive of parapet walls.

125-33

Required Street Walls

For the purposes of applying the height and setback regulations of this Section, the boundaries of sidewalk widenings required pursuant to Section 125-41, the boundaries of publicly accessible private streets and open areas required pursuant to Sections 125-43 and 125-44, and #lot lines# of any #public park# that abut #zoning lots# shall be considered to be #street lines#.

(a) Street wall location

Map 3 (Maximum Street Wall Heights) in Appendix A specifies locations where #street walls# are required to be provided in accordance with the provisions of this Section. Such #street walls# shall be located as specified on Map 3.

(b) Maximum base heights and recesses

Required street walls shall extend up to at least a minimum base height of 40 feet or the height of the #building#, whichever is less. The maximum base height of such #street walls# shall be as indicated on Map 3. Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth, shall be permitted on the ground floor where required to provide access to the #building#, and recesses, not to exceed five feet in depth, shall be permitted on the ground floor where required to provide access to utilities. Above a height of 12 feet above adjoining grade, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#.

(c) Required setbacks and maximum building heights

Setbacks are required for all portions of #buildings# that exceed the applicable maximum base height, except #schools#. All required setbacks shall be provided at a height not lower than 40 feet. A setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except that the depth of such setbacks may include the depth of any permitted recesses in the #street wall#. For the purposes of this paragraph, (c), the following shall be considered #wide streets#:

- (1) Second Street between 54th Avenue and Borden Avenue;
- (2) 55th Avenue between Center Boulevard and Second Street;

- (3) any publicly accessible private street and open area constructed pursuant to Section 125-43 or paragraph (b) of Section 125-44, as applicable; and
- (4) Center Boulevard between 50th Avenue and 57th Avenue

Above the applicable maximum base height, the maximum building height shall be 125 feet, except where towers are permitted pursuant to Section 125-34.

125-34
Towers

Any portion of a #building# that exceeds a height of 125 feet shall comply with the following provisions:

- (a) Tower location and maximum tower height

All towers shall be located entirely within a Tower Area as designated on Map 4. The maximum height of such towers shall be as indicated for the specified location on Map 4. Where tower heights are limited to 310 feet and 360 feet, such heights may be exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 310 feet or 360 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet.

- (b) Orientation and maximum tower size

The outermost walls of each #story# located entirely above a height of 125 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street or Center Boulevard, whichever is closest, shall be 95 feet. The maximum length of any other side of such rectangle shall be 170 feet. Each #story# of a tower located entirely above a height of 125 feet shall not exceed a gross area of 11,000 square feet.

However, on Parcel G in the East River Subdistrict, the maximum length of the side of such rectangle that is parallel or within 45 degrees of being parallel to Second Street shall not exceed 170 feet.

- (e) Tower and base integration

Notwithstanding the setback provisions of paragraph (c) of Section 125-33, up to 50 percent of the #street wall# width of a tower may rise sheer from grade without setback.

125-35

Authorization for Height and Setback Modifications

Within the #Special Southern Hunters Point District#, for any #development# or #enlargement#, the City Planning Commission may modify the regulations set forth in Section 125-30, inclusive, provided the Commission finds that such modifications:

- (a) will result in a better distribution of #bulk# on the #zoning lot# and will not adversely affect access to light and air for surrounding public access areas, #streets# and properties;
- (b) are consistent with the goals of the Special District to provide flexibility of architectural design and encourage more attractive building forms; and
- (c) will result in a #development# or #enlargement# that enhances the streetscape and is compatible with #development# in the surrounding area.

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

125-40

DISTRICT PLAN ELEMENTS

125-41

Sidewalk Widening

Map 5 (Mandatory Sidewalk Widening and Publicly Accessible Open Area) in Appendix A of this Chapter specifies locations of mandatory sidewalk widenings. The depth of such sidewalk widenings shall be as indicated on Map 5 and shall be measured perpendicular to the #street line# unless otherwise indicated. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalk, and shall be accessible to the public at all times.

125-42

Street Tree Plantings

All #developments#, #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more, or conversions of a non-#residential building# to a #residential use# shall provide one #street# tree, pre-existing or newly planted, for every 25 feet of #street# frontage of the #zoning lot#. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one tree. Such trees shall be planted at approximately equal intervals along the entire length of the curb of the #street#, except where the Department of Parks and Recreation determines such tree planting would be infeasible. The species and caliper of all #street# trees shall be determined by the Department of

Parks and Recreation and all such trees shall be planted by the owner of the #development#, #enlargement# or converted #building# in accordance with the #street# tree planting standards of the Department of Parks and Recreation.

125-43

Private Street Requirements

In the Newtown Creek Subdistrict, where a private street is provided pursuant to paragraph (a) of Section 125-22, such private street shall be constructed to minimum Department of Transportation standards for public #streets#, including lighting, curbs and curb drops. Such private street shall consist of a paved road bed with a minimum width of 34 feet from curb to curb with 13-foot wide sidewalks on each side along its entire length. Such private street shall be located as shown on Map 6.

125-44

Publicly Accessible Open Area Requirements

- (a) In the East River Subdistrict, on Parcel G, where a publicly accessible private open area is required as shown on Map 5 (Mandatory Sidewalk Widening and Publicly Accessible Open Area), no excavation or building permit shall be issued for any #development# on such parcel until the Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted for such area that is consistent with the Department of Parks and Recreation design standards used for the development of the adjacent #public park#. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed, binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation.

In the event that Parcel G is not owned by the City, then, prior to design and development of the publicly accessible open area, the owner of Parcel G may make a request directed to the Office of the Mayor to transfer to the City its fee simple absolute interest, free and clear of any encumbrances in the such open area. The City may accept the transfer request, provided that development of the open area is made in accordance with guidelines established by the Chairperson of the City Planning Commission and the Commissioner of Parks and Recreation, and transfer is made pursuant to such instruments as are necessary for implementation. In the event of a transfer, the #bulk# and parking computations for the #zoning lot# shall include the transferred property and such transfer shall not be deemed a #non-compliance#.

- (b) In the Newtown Creek Subdistrict, where a publicly accessible private open area is provided pursuant to paragraph (a) of Section 125-22, no excavation or building permit shall be issued for any #development# on such parcel until the

Chairperson of the City Planning Commission certifies to the Department of Buildings that a site plan for such open area has been submitted for such area that is consistent with the Department of Parks and Recreation design standards used for the used for the development of the #public park# located on 55th Avenue between Center Boulevard and Second Street. A certification under this paragraph shall be granted on condition that an acceptable restrictive declaration is executed and filed , binding the owners, successors and assigns to develop such publicly accessible private open area in accordance with the approved site plan and to maintain such open area in accordance with maintenance standards acceptable to the Department of Parks and Recreation. .

125-45

Newtown Creek Waterfront Access Plan

Map 7 shows the boundaries of the area comprising the Newtown Creek Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area consists of Block 11, Lot 1, as established on (effective date of amendment).

(a) Modification of #use# requirements

All Use Group 6 and 9 #uses# listed in Section 62-212 (Waterfront-enhancing uses) shall be a permitted #use# in #Residence Districts# within the Newtown Creek Waterfront Access Plan, provided that:

- (1) such #use# is limited to not more than 10,000 square feet of #floor area# per establishment;
- (2) the total amount of #floor area# used for such #uses# does not exceed two percent of the total amount of #floor area# permitted on the #zoning lot#; and
- (3) such #uses# are located below the level of the first #story# ceiling of a #building#.

Additionally, docks for water taxis and docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be a permitted #use# within the Newtown Creek Waterfront Access Plan.

(b) Modifications of design standards

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the following designated locations which are shown on Map 7:

- (1) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of Section 62-831 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) shall apply to all new #development#.

(2) #Upland connection#

A single #upland connection# shall be provided through Block 11, Lot 1 abutting the prolongation of 5th Street and extending from the shore public walkway northerly to 54th Avenue.

(3) #Supplemental public access area#

#Supplemental public access areas# shall be provided pursuant to Section 62-415, paragraph (a), and shall be located as indicated on Map 7.

125-46

Phased Implementation of Publicly Accessible Areas

In the Newtown Creek Subdistrict, the Chairperson shall allow for the phased implementation of all required publicly accessible areas upon certification to the Commissioner of Buildings that a plan has been submitted that provides for an amount of public access area proportionate to the amount of #floor area# being #developed# in each phase. For any #development# located within 100 feet of a #shoreline#, the initial phase shall provide, at a minimum, the required #shore public walkway# and any adjacent #supplemental public access areas# located between such #development# and such #shore public walkway#. For any #development# that fronts upon 54th Avenue, the initial phase shall provide, at a minimum, the required publicly accessible private street.

125-50

PARKING REGULATIONS

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall apply except as set forth in this Section.

125-51

General Regulations

For the purposes of Section 125-50 (PARKING REGULATIONS), inclusive, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#.

No #public parking garages# or #public parking lots# shall be permitted.

125-52

Location of off-street parking spaces

(a) Enclosure of spaces

All off-street parking spaces shall be located within facilities that, except for entrances and exits, are entirely below the level of any #street# or publicly accessible open area upon which such facility or portion thereof fronts, or shall be located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas. Such #floor area# shall have a minimum depth of 30 feet.

(b) Rooftop landscaping

Any roof area of a parking garage not otherwise covered by a #building# and larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area. #Schools# shall be exempt from the provisions of this paragraph, (b).

125-53

Maximum Size of Permitted Accessory Group Parking Facilities

In the East River Subdistrict, Section 13-134 (Multiple use development) shall apply except that the maximum number of spaces within an #accessory# parking facility for a multiple #use development# shall be 780. Section 13-141 (Location of accessory off-street parking spaces) shall not apply.

In the Newtown Creek Subdistrict, Section 13-134 shall apply except that the maximum number of spaces within an #accessory# parking facility for a multiple #use development# shall not exceed 40 percent of the number of #dwelling units# within the #development#.

125-54

Off-site Facilities in the East River Subdistrict

In the East River Subdistrict, all #accessory# off-street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided such parking facilities are located within the #Special Southern Hunters Point District#, and the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each off-site #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#.

125-55

Location of curb cuts

Curb cuts are permitted only in the locations indicated on Map 8 (Permitted Curb Cut Locations) in Appendix A. The aggregate width of all curb cuts provided for any #development# shall not exceed 50 feet.

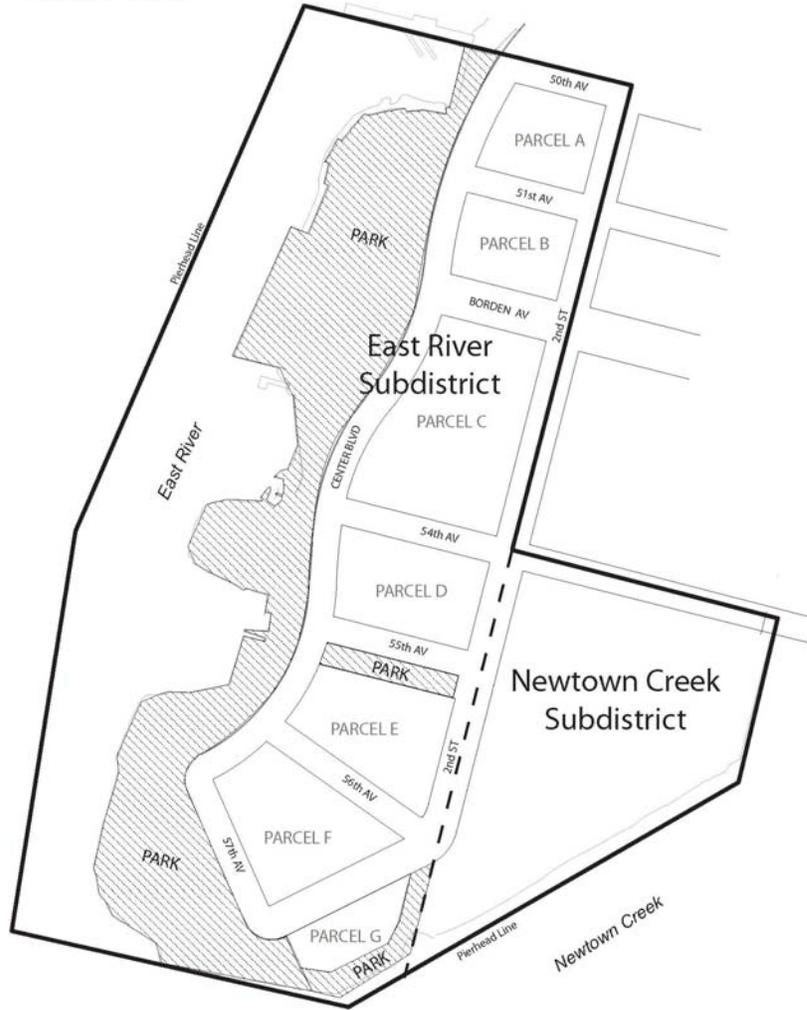
125-56

Accessory Indoor Bicycle Parking

Within the #Special Southern Hunters Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

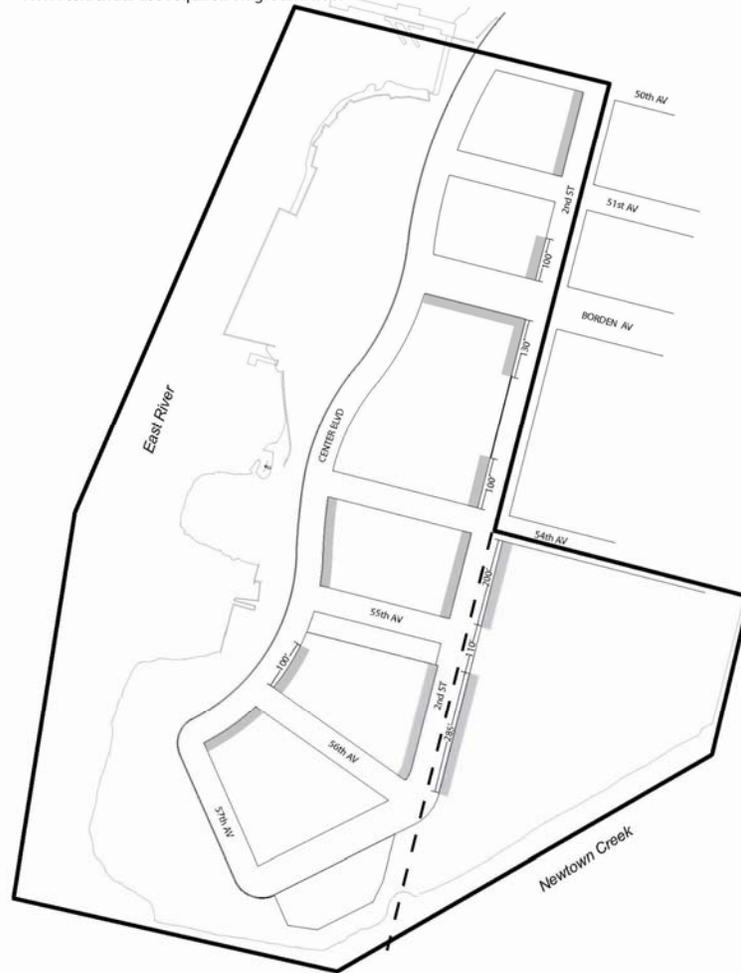
- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking space shall be provided for every 5,000 square feet of such office #use#, up to a maximum of 200 bicycle parking spaces.
- (c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 5,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

Special Southern Hunters Point District
Map 1. Special Southern Hunter's Point District Plan,
Subdistricts and Parcels



Special Southern Hunters Point District
Map 2. Special Ground Floor Use Regulations

■ Non-residential use required on ground floor



Special Southern Hunters Point District
Map 4. Tower Areas

- 270'
- 300'
- 310'
- 360'



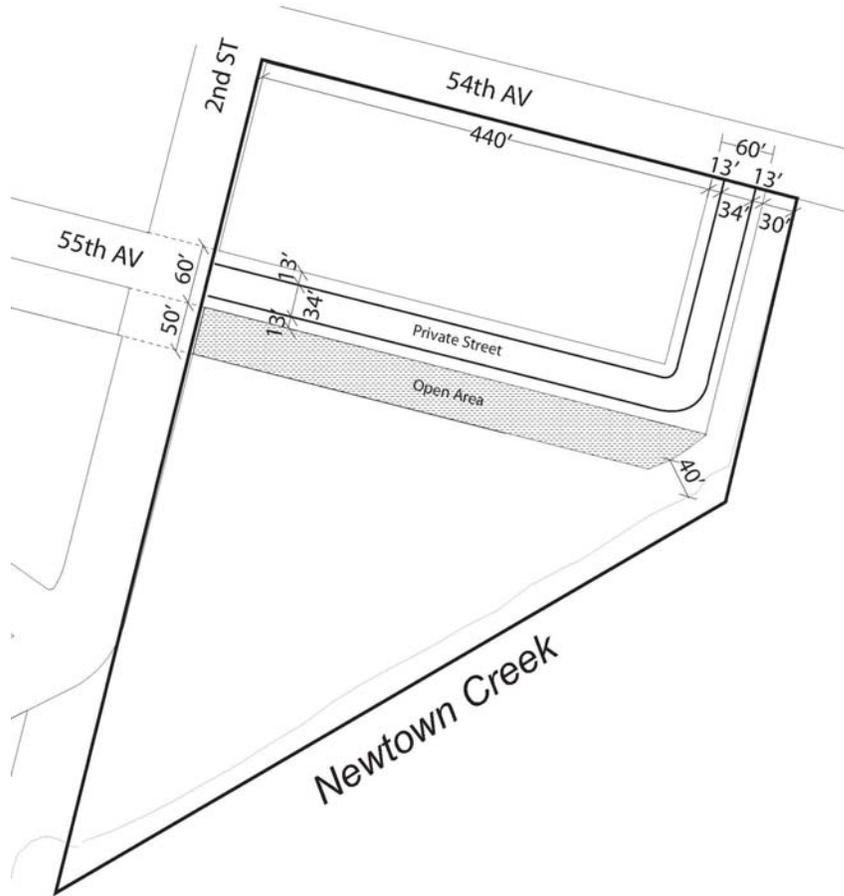
Special Southern Hunters Point District

Map 5. Mandatory Sidewalk Widening and Publicly Accessible Open Area

- ⊗⊗⊗⊗ 5 ft Sidewalk Widening
- ▨▨▨▨ 2 ft Sidewalk Widening
- ▬▬▬▬ Publicly Accessible Open Area

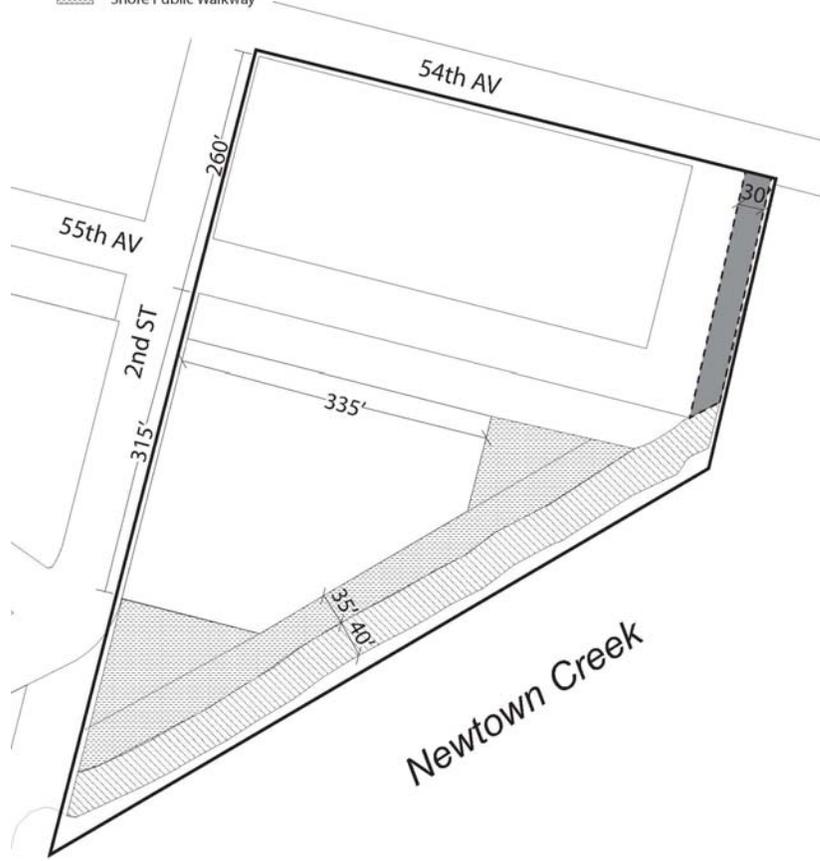


Special Southern Hunters Point District
Map 6. Publicly Accessible Private Street and Open Area in
Newtown Creek Subdistrict



Special Southern Hunters Point District
Map 7. Newtown Creek Waterfront Access Plan (Q-3)

- Supplemental Public Access Area
- Upland Connection
- Shore Public Walkway



Special Southern Hunters Point District
Map 8. Permitted Curb Cut Locations



Resolution for adoption scheduling August 13, 2008 for a public hearing.



No. 8

CD 2

C 080364 PQQ

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 2nd Street (Block 1, lots 1 and 10; Block 5, lot 1; Block 6, lots 1, 2, and 14); the bed of 54th Avenue between 2nd Street and the East River; and the bed of 55th Avenue between 2nd Street and the East River.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 9

CD 2

C 080365 HAQ

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1, 2nd Street (Block 1, Lot 1), 2nd Street (Block 1, Lot 10), 54-02 2nd Street (Block 5, Lot 1), 51-24, 51-20, and 52-50 2nd Street (Block 6, Lots 1, 2, and 14), and de-mapped portions of 54th and 55th Avenues, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of Hunters Point South, a mixed-use development.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

NOTICE

On Wednesday, August 13, 2008, at 9:00 a.m., in the Tishman Auditorium, of Vanderbilt Hall, New York University Law School Campus, located at 40 Washington Square South in Manhattan, a public hearing is being held by the Deputy Mayor for Economic Development in conjunction with the above ULURP

hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning various actions to establish the Special Hunters Point South District including a change to the Zoning Map; discontinuance, elimination and closure all of the streets and parkland in the new special district and the establishment of a new street system and parks; and the acquisition and disposition of a site to create 5,000 units of housing, in Queens Community District 2.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DME006Q.

BOROUGH OF QUEENS

Nos. 10, 11, 12, 13, 14 & 15

WILLETS POINT DEVELOPMENT PLAN

NOTE: This hearing is not likely to begin before 12 noon.

No. 10

CD 7

C 080221 MMQ

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

- the elimination, discontinuance and closing of streets within an area bounded by 126th Street, Northern Boulevard, Van Wyck Expressway Extension and Roosevelt Avenue;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map Nos. 5000, 5001 and 5002, all dated March 25, 2008, and signed by the Borough President.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 11**CD 7****C 080381 ZMQ**

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10a and 10b:

1. changing from an R3-2 District to a C4-4 District property bounded by Northern Boulevard, the westerly line of a westerly service entrance of Van Wyck Expressway Extension, the southeasterly street line of a service entrance, the southeasterly street line of Willets Point Boulevard*, the northeasterly centerline prolongation of 34th Avenue*, Willets Point Boulevard*, and a southerly service exit of Northern Boulevard;
2. changing from an M3-1 District to a C4-4 District property bounded by Northern Boulevard, a southerly service exit of Northern Boulevard, Willets Point Boulevard*, the northeasterly centerline prolongation of 34th Avenue*, the southeasterly street line of Willets Point Boulevard*, the southeasterly street line of a service entrance, the westerly boundary line of a park, a line 1280 feet northwesterly of Roosevelt Avenue, a line 540 feet northwesterly of a U.S. Pierhead and Bulkhead Line, Roosevelt Avenue, and 126th Street; and
3. establishing a Special Willets Point District (“WP”) bounded by Northern Boulevard, a westerly service entrance of Van Wyck Expressway Extension, the westerly boundary line of a park, a line 1280 feet northwesterly of Roosevelt Avenue, a line 540 feet northwesterly of a U.S. Pierhead and Bulkhead Line, Roosevelt Avenue, and 126th Street;

as shown on a diagram (for illustrative purposes only), dated April 21, 2008, and subject to the conditions of CEQR Declaration E-214.

* Note: Willets Point Boulevard and 34th Avenue are proposed to be demapped under a related concurrent application C 080221 MMQ for a change in the City Map.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 12**CD 7****N 080382 ZRQ**

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation and the Department of Housing Preservation and Development pursuant to Section 201 of the New York City Charter for amendments of the Zoning

Resolution of the City of New York, concerning the addition of Article XII, Chapter 4 (Special Willets Point District) and modifications of related sections, establishing a special district in Community District 7, Borough of Queens.

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

* * *

**11-12
Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Establishment of the Special West Chelsea District

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

Establishment of the Special Willets Point District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter 4, the #Special Willets Point District# is hereby established.

* * *

**12-10
DEFINITIONS**

* * *

Special West Chelsea District

Special Willets Point District

The “Special Willets Point District” is a Special Purpose District designated by the letters “WP” in which special regulations set forth in Article XII, Chapter 4, apply. The #Special

Willetts Point District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Story

* * *

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

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

* * *

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Downtown Jamaica District	No	Yes
<u>Special Willetts Point District</u>	<u>Yes</u>	<u>Yes</u>

* * *

All text is new; it is not underlined

**Article XII - Special Purpose Districts
Chapter 4
Special Willetts Point District**

**124-00
GENERAL PURPOSES**

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

- (a) to transform Willetts Point into a diverse and sustainable community that enhances connections to its surroundings through a unique combination of uses;

- (b) to create a retail and entertainment destination that catalyzes future growth and strengthens Flushing's role as a nexus of economic, social and cultural activity;
- (c) to encourage a mix of uses that compliment sporting venues within Flushing Meadows – Corona Park;
- (d) to maximize utilization of mass transit, reducing the automobile dependency of the redevelopment;
- (e) to create a livable community combining housing, retail and other uses throughout the district;
- (f) to create a walkable, urban streetscape environment with publicly accessible parks and open spaces for pedestrians;
- (g) to build upon the diversity of Queens as well as the proximity of regional transportation facilities, including the Van Wyck and Whitestone expressways, LaGuardia and JFK Airports and the Long Island Railroad;
- (h) to encourage the pedestrian orientation of ground floor uses;
- (i) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms; and
- (j) to promote the most desirable use of land and building development in accordance with the District Plan and Urban Renewal Plan for Willets Point and thus improve the value of land and buildings and thereby improve the City's tax revenues.

124-01

General Provisions

The provisions of this Chapter shall apply to all #developments#, #enlargements#, #extensions#, alterations and changes of #use# within the #Special Willets Point District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

124-02

Definitions

Connector street

A "connector street" shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and

Blocks).

Eastern perimeter street

The “eastern perimeter street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Primary retail street

The “primary retail street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Residential street

A “residential street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Retail street

A “retail street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Service street

A “service street” shall be a way intended for general public use located and designed in accordance with requirements set forth in Section 124-41 (Standards for Streets and Blocks).

Street

For the purposes of establishing #blocks# and applying the #use#, #signage#, height and setback, #court#, publicly accessible open space regulations and curb cut regulations of this Chapter, #connector streets#, the #eastern perimeter street#, the #primary retail street#, #residential streets#, #retail streets# and #service streets# shall be considered #streets#, and their boundaries shall be treated as #street lines#.

124-03

District Plan and Maps

District Maps are located within Appendix A of this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

The District Plan includes the following five maps:

- Map 1 - Special Willets Point District
- Map 2 - Mandatory Intersections
- Map 3 - Location Requirements for Convention Center, Cinema and Office Tower
- Map 4 - Height Limits
- Map 5 - Sheer Tower Wall Locations

**124-04
Applicability of District Regulations**

**124-041
Applicability of Chapter 1 of Article I**

Within the #Special Willets Point District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a tax lot or #zoning lot# that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**124-042
Applicability of Chapter 3 of Article VII**

The following special permits by the Board of Standards and Appeals shall not be applicable:

- Section 73-16 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission pursuant to Section 124-16 (Authorization for Electrical Utility Substations)

124-043**Applicability of Chapter 4 of Article VII**

The following special permits by the City Planning Commission shall not be applicable:

Section 74-61 (Public Transit, Railroad or Electric Utility Substations) shall not apply to electrical utility substations. In lieu thereof, such #uses# shall be allowed within the #Special Willets Point District# upon authorization of the City Planning Commission pursuant to Section 124-16 (Authorization for Electrical Utility Substations)

124-05**Certification for Large Developments**

The requirements of this Section shall apply to #zoning lots# of at least 200,000 square feet of #lot area# containing:

- (a) #developments# resulting in at least 100,000 square feet of #floor area#, and
- (b) #enlargements# resulting in at least 100,000 square feet of #floor area# on such #zoning lots#.

No building permit shall be issued until the Chairperson of the City Planning Commission certifies to the Department of Buildings that such #developments# or #enlargements# comply with the provisions of this Section.

A set of drawings of sufficient scope and detail shall be submitted showing that:

- (1) all #streets# and private streets within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-41 (Standards for Streets and Blocks), inclusive;
- (2) all #streets# and private streets within or abutting the proposed #development# or #enlargement# are constructed to grades acceptable to the Commissioner of Buildings and the Commissioner of Transportation;
- (3) all publicly accessible open areas within or abutting the proposed #development# or #enlargement# comply with the provisions of Section 124-50 (PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS), inclusive, and
- (4) for any portion of the #Special Willets Point District# not within the proposed #development# or #enlargement# and for which a certification pursuant to this Section has not been obtained, plans shall be submitted showing that the #development# or #enlargement# that is the subject of this certification will not preclude such portions of the #Special Willets Point District# from complying

with the provisions of Section 124-41 and 124-50 under future certifications pursuant to this Section.

The Chairperson may allow for phased #development# upon certification to the Commissioner of Buildings that a plan has been submitted that provides for the completion of any private streets and publicly accessible open spaces that are integral to the #development# of a #building# or #buildings# within each phase

All required private streets and publicly accessible open areas, once certified in accordance with the provisions of this Section, shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement, indexed against the property, binding the owners, successors and assigns to provide such private streets and publicly accessible open areas and public access thereto in accordance with the plans certified by the Chairperson of the City Planning Commission. Such declaration or maintenance and operation agreement shall require that a bond be posted that would ensure that the private streets and public access areas are maintained in accordance with the declaration or maintenance and operation agreement and are closed only at authorized times. The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

In addition, the private streets and publicly accessible open areas integral to the #development# or #enlargement# of a #building# or #buildings# shall be recorded on the certificate of occupancy for such #building# or #buildings# by the Department of Buildings and shall be a condition of issuance of such certificate of occupancy.

124-10 USE REGULATIONS

The #use# regulations of the underlying district are modified as set forth in this Section, inclusive.

124-11 Regulation of Residential Uses

124-111 Location of residential use within buildings

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

124-112**Residential entrances on residential streets**

Each ground floor #dwelling unit# on a #residential street# shall be directly accessible from such #residential street#. No more than one entrance to a #residential street# shall be required for any one ground floor #dwelling unit#.

124-12**Regulation of Commercial Uses**

- (a) Within Area A, #uses# permitted in the underlying district shall be permitted.
- (b) Within Area B, #commercial# and special permit #uses# shall be limited to those #uses# permitted in a C1-4 District, provided that #commercial uses# shall be located no more than 100 feet from a #connector street#, 34th Avenue, Willets Point Boulevard or Area A. However, Physical Culture or Health Establishments shall be permitted within Area B pursuant to Section 73-36, provided that such use shall be located no more than 100 feet from a #connector street#, 34th Avenue, Willets Point Boulevard or Area A.
- (c) Within Area B, #uses# permitted in the underlying district shall be permitted within an area south of Willets Point Boulevard and contiguous with Area A, provided that such area shall be limited to 115,000 square feet in land area. Such area shall be the same area to which Section 124-15(h) applies.

124-13**Uses Permitted As-of-Right (not requiring Special Permit)**

The following uses shall be permitted as-of-right and shall not require a special permit from the City Planning Commission or the Board of Standards and Appeals:

Trade Expositions with a capacity in excess of 2,500 persons (pursuant to Sections 124-181 and 124-41(b)) provided that the facility has an area of no more than 400,000 square feet

Group Parking facilities exceeding 225 spaces, provided such facilities comply with the regulations set forth in Section 124-60 (OFF-STREET PARKING REGULATIONS), inclusive.

The following uses shall be permitted as-of-right in #buildings# with frontage on 126th Street and shall not require a special permit from the City Planning Commission or the Board of Standards and Appeals:

Eating and Drinking Establishments with a capacity of more than 200 persons (Use Group 12) shall be permitted as-of-right within 100 feet of a #Residence

District# boundary

Physical Culture or Health Establishments

Indoor Interactive Entertainment Facilities

Amusement Arcades

124-14

Retail Continuity

The following regulations shall apply within Area A to all portions of #buildings# with frontage on 126th Street, the #primary retail street#, the #secondary retail streets# and #connector streets#.

(a) Ground floor #uses#

#Uses# located on the ground floor level or within five feet of #base flood elevation# shall be limited to #commercial uses# permitted by the underlying district, but not including #uses# listed in Use Groups 6B, 6E, 8C, 8D, 9B, 10B or 12D. A building's frontage shall be allocated exclusively to such #uses#, except for lobby space or entryways, parking where permitted pursuant to Section 124-60, inclusive, and vehicular access where permitted pursuant to Section 124-64 (Curb Cut restrictions). Such #uses# shall have a minimum depth of 50 feet measured from any #street wall# facing 126th Street, the #primary retail street# and #connector streets#.

In no event shall the length of such frontage occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the #building's# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet.

(b) Maximum length of establishments facing 126th Street and the #primary retail street#

The length of ground floor frontage occupied by any establishment shall not exceed 110 feet along 126th Street and 65 feet along the #primary retail street#. Such maximum lengths shall apply within 50 feet of any #streetwall# facing 126th Street and the #primary retail street#. However, the provisions of this paragraph (b) shall not apply within 300 feet of Northern Boulevard.

(c) Access to each establishment

Access to each ground floor establishment shall be provided directly from a #street#.

(d) Transparency

For any new #development# or #enlargement#, each ground floor #streetwall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of each such ground floor #streetwall#, measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such glazed area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

However, in locations where such ground floor #streetwall# above the level of the adjoining sidewalk or public access area is below #base flood elevation#, the required glazed area shall occupy an area measured from #base flood elevation# to a height 10 feet above #base flood elevation#.

124-15 Modification of Sign Regulations

The height of all #signs# shall be measured from #base flood elevation#. The underlying #sign# regulations shall apply, except as set forth in this Section.

- (a) Within Area B, the #sign# regulations of a C1 District shall apply, except pursuant to subsection (h) below.
- (b) Within Area A, the #sign# regulations of a C4 District shall apply, except for #streetwalls# facing Roosevelt Avenue, Northern Boulevard and 126th Street.
- (c) Within Area A, for #streetwalls# facing Roosevelt Avenue or Northern Boulevard, the #sign# regulations of a C4 District shall apply, except that #signs# shall be limited to 85 feet in height.
- (d) For #streetwalls# facing 126th Street to a height of 35 feet, the #sign# regulations of a C4 District shall apply, provided that the maximum projection of any #sign# from the exterior wall of a #building# shall be 4 feet, and the transparency requirements of paragraph (d) of Section 124-14 are met.
- (e) For #streetwalls# facing 126th Street above 35 feet in height, all #signs#, including #advertising signs#, #illuminated signs# and #flashing signs# shall be permitted without limitation on #surface area#, provided that:
 - (1) no such #signs# are higher than 85 feet;
 - (2) the maximum projection of any #sign# from the exterior wall of a #building# shall be 4 feet, except that projections not exceeding 6 feet are permitted, provided that such projections beyond four feet shall comprise not more than 20 percent of the #surface area# of such all #signs# on the establishment;

- (3) the screening requirements for structured parking, if provided, of Section 124-62 are met;
- (f) Within 150 feet of the neighborhood park required pursuant to Section 124-50(b), #flashing signs# whose message is visible from such park shall not be permitted.
- (g) The provisions of Section 32-67 (Special Provisions Applying Along District Boundaries) shall not apply in the #Special Willets Point District#.
- (h) Within the area wherein Section 124-12 (c) applies, subsection (b) above applies.

124-16

Authorization for Electrical Utility Substations

Electrical utility substations shall be allowed in the #Special Willets Point District# in order to serve the needs of the District, and the regulations thereof shall be modified as necessary to accommodate the operational needs of the substation, upon authorization of the City Planning Commission which shall be issued upon finding, with respect to a proposed site, that:

- (a) to the extent reasonably permitted by the operational needs of the substation, the architectural and landscaping treatment of such #use# will blend harmoniously with the abutting area; and
- (b) if the site proposed for such #use# is within Area A, that there are difficulties in locating such #use# within Area B.

The City Planning Commission may, consistent with cost-effective operations and capital planning, and the operational needs of the substation, prescribe appropriate conditions and safeguards on matters necessary to effectuate the provisions of paragraph (a) of this Section which are not regulated by other applicable codes, laws, rules or regulations. The applicant shall provide the Department of City Planning with a general description of such codes, laws, rules or regulations and a certification that the proposed substations shall comply therewith.

124-17

Special Permit for Cogeneration Power Plant

The City Planning Commission may permit a power plant not to exceed 25,000 square feet in #floor area#, provided that:

- (a) the power plant is designed to maximize cogeneration potential to the greatest extent feasible; and
- (b) the power plant is designed primarily to serve the Willets Point District; and

In addition, the Commissioner shall refer such application to the Department of Environmental Protection for a report.

The Commission may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area including safety devices and the concealment of such use with building enclosures, landscaping, buffer zones, or other methods.

**124-18
Location and Other Requirements for Specific Uses**

**124-181
Convention center**

A trade exposition center, hereinafter referred to as a convention center, is permitted in the #Special Willets Point District# only in accordance with this Section and Section and 124-412(b). A convention center may only be located in either of two areas within the #Special Willets Point District#, as depicted on Map 3 and as further described herein:

- (a) Entirely within 1,800 feet of the intersection of Roosevelt Avenue and 126th Street; or
- (b) Entirely within 650 feet of Northern Boulevard.

Furthermore, a convention center may not be located within 200 feet of 126th Street, and any portion of a convention center located between 200 feet and 450 feet of 126th Street shall be limited to no more than 50,000 square feet of #floor area#.

Section 124-14 (Retail Continuity) shall not be applicable to a convention center. In lieu thereof, the transparency requirements of this Section shall apply to the #streetwall# of the convention center facing a #connector street#. Such #streetwall# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of such #streetwall#, measured to a height of 15 feet above the level of the adjoining sidewalk or public access area. Not less than 40 percent of such area shall be glazed with transparent materials.

The main entrance(s) of such convention center shall be on a #connector street#.

**124-182
Location of theaters**

Theaters comprising over 10,000 square feet in #floor area# shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street.

124-183

Location of office uses in towers

Use Group 6B office #uses# located on any #story# entirely above 120 feet in height shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street.

124-20

BULK REGULATIONS

In the #Special Willets Point District#, bulk regulations shall be as set forth in this Section, inclusive.

124-21

Floor Area Regulations

#Zoning lots# containing less than 200,000 square feet of #lot area# shall not exceed a #floor area ratio# of 2.0.

#Zoning lots# containing at least 200,000 square feet of #lot area# shall have a maximum #floor area ratio# as follows:

- (a) Except as set forth in paragraph (3) below:
 - (1) Within Area A north of 34th Avenue, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 3.4.
 - (2) Within Area A south of 34th Avenue, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 5.0.
 - (3) #Zoning lots# within Area A of at least 28 acres of #lot area# shall have a maximum #commercial floor area ratio# of 2.0 and a maximum total #floor area ratio# of 4.6.
- (b) Except as set forth in paragraph (4) below:
 - (1) Within Area B north of 34th Avenue, the #floor area ratio# shall not exceed 2.0.
 - (2) Within Area B south of 34th Avenue and north of Willets Point Boulevard, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 3.0.

- (3) Within Area B south of Willets Point Boulevard, the maximum #commercial floor area ratio# shall be 2.0 and the maximum total #floor area ratio# shall be 4.0.
- (4) #Zoning lots# within Area B of at least 33 acres of #lot area# shall have a maximum #commercial floor area ratio# of 2.0 and a maximum total #floor area ratio# of 2.25.

124-22 Height and Setback Regulations

The height and setback regulations of this Section shall apply throughout the #Special Willets Point District#, except that #developments# or #enlargements# that result in less than 100,000 square feet of #floor area# on #zoning lots# of less than 200,000 square feet shall be limited to the height and setback regulations of an R6B district. The height of all #buildings or other structures# shall be measured from the level of the adjoining sidewalk or other publicly accessible open area. For the purposes of this Section, 34th Avenue and Willets Point Boulevard shall be considered to be #connector streets# and 127th Street shall be considered to be a #residential street#.

(a) Street Wall Location and Base Heights

- (1) Except along 126th Street, Northern Boulevard and #residential streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# or public access area and shall extend without setback to at least a minimum base height of 60 feet or the height of the building, whichever is less. The maximum height of a #building or other structure# before setback shall be 85 feet. However, the minimum base height of a convention center shall be 40 feet or the height of the #building#, whichever is less.
- (2) Along 126th Street, at least 80 percent of the #aggregate width of street walls# shall be located within 60 feet of the #street line# of 126th Street and shall extend to at least a minimum base height of 60 feet, or the height of the #building#, whichever is less. The maximum height of a #building or other structure# before setback shall be 85 feet.
- (3) Along 126th Street, for #buildings# directly opposite Citifield Stadium, the provisions of subparagraph (2) above shall apply except that an additional lower setback shall be permitted where eating and drinking establishments with outdoor seating on terraces overlooking 126th Street are provided or where Physical Culture or Health Establishments utilize the outdoor area on the second #story#. Such terraces shall be located on the roof level of the ground floor level of the #building#, at a height not lower than 20 feet or higher than 30 feet above the level of the sidewalk fronting the 126th #streetwall# of the #building#, and shall have a minimum depth of 15 feet.

- (4) Along #residential streets#, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# or public access area and shall extend without setback to at least a minimum base height of 40 feet or the height of the building, whichever is less, The maximum height of a #building or other structure# before setback shall be 85 feet. Where #streetwalls# facing #residential streets# contain ground floor #dwelling units#, such #streetwalls# shall be set back at least four feet from the #street line#. The #building# may project into the required setback area provided that:
- (i) any such projection does not exceed 20 feet in width;
 - (ii) any such projection does not exceed 25 feet in height;
 - (iii) the aggregate width of all such projections at the level of any #story# shall not exceed 50 percent of the width of the #street wall# of the #building#; and
 - (iv) all such projections are at least 10 feet apart.
- (5) Along Northern Boulevard, no portion of a #streetwall# shall be located closer to Northern Boulevard than eight feet. At least 70 percent of the #aggregate width of street walls# shall be located between eight and 15 feet of the Northern Boulevard #street line# and shall extend without setback to at least a minimum base height of 60 feet or the height of the building, whichever is less, The maximum height of a #building or other structure# before setback shall be 85 feet.
- (6) Wherever an open area is provided between the #streetwall# of a #building# and the #streetline#, such area shall be planted, except at entrances to and exits from the #building#, and except where non-#residential uses# are provided at the ground floor level of the #building#.
- (b) Required setbacks and maximum building height

Except as provided in paragraph (c)(6) of this Section 124-22, setbacks are required for all portions of #buildings# that exceed a height of 85 feet. Such setbacks shall be provided at a height not lower than 60 feet. The depth of the required setback shall be at least 10 feet measured from any required #streetwall# fronting on a #wide street#, and at least 15 feet from any required #streetwall# fronting on a #narrow street#. Where portions of #buildings# that exceed a height of 85 feet are not located above a required #streetwall#, such portions shall be set back at least ten feet from a #wide street line# and at least 15 feet from a #narrow street line#. However, dormers may penetrate a height of

85 feet in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). Within the area shown on Map 4 as limited to 218 feet above mean sea level, no portion of a #building# shall exceed a height of 120 feet except in accordance with the tower provisions of paragraph (c) below.

(c) Towers

Within the area shown on Map 4 as limited to 218 feet above mean sea level, any #story# of a #building# containing #residences# located above a height of 120 feet shall comply with the provisions of this paragraph (c). Such portions of a #building# are hereinafter referred to as “towers.”

(1) Maximum tower size

Each #residential story# of a tower located entirely above a height of 120 feet shall not exceed a gross area of 11,000 square feet.

(2) Maximum tower length

The maximum length of any #residential story# located entirely above a height of 120 feet shall not exceed 170 feet. Such length shall be measured by inscribing within a rectangle the outermost walls of the tower at the level of each #story# entirely above a height of 120 feet. No side of such rectangle shall exceed a length of 170 feet.

(3) Orientation

The length of any #residential story# located entirely above a height of 120 feet shall be at least 1.5 times its width and oriented so that the long side of the such tower faces within 15 degrees of south. Such length shall be measured by inscribing within a rectangle the outermost walls of the tower at the level of each #story# entirely above a height of 120 feet. The length of such rectangle shall be at least 1.5 times its width. The orientation provisions of this paragraph (3) need not apply if at least 75 percent of all towers in the #Special Willets Point District# for which building permits have been issued comply with such provisions.

(4) Uppermost #story#

The uppermost #story# that contains #floor area# within a tower must provide a setback so that such #story# covers not more than 85 percent and not less than 50 percent of the gross area of the #story# immediately below.

(5) Distance between towers

The minimum distance between all towers shall be 60 feet.

(6) Sheer tower walls

The setback provisions of paragraph (b) of this Section shall not apply to any tower or portion thereof located within the sheer tower location areas shown on Map 5.

(d) Maximum total height

The maximum height of any #building or other structure# shall be as depicted on Map 4 (Height Limits). The height limits established in Map 4 include reference points for two #airport referenced imaginary surfaces# that are continuous planes, and one area with a maximum height limitation of 218 feet. The coordinates of the points are as follows:

Point 1	73°50'36.8"W	40°45'45.6"N
Point 2	73°50'42.9"W	40°45'38.1"N
Point 3	73°50'26.6"W	40°45'39.3"N
Point 4	73°50'33.6"W	40°45'30.7"N

The height limits hereby established supersede the height limits described in Article VI, Chapter 1. Application may be made to the Board of Standards and Appeals pursuant to Section 73-66 (Height Regulations around Airports) for a permit to construct a #building or other structure# in excess of what is permitted pursuant to this subparagraph (c), provided that such application is also referred to the Port Authority of New York and New Jersey.

**124-40
MANDATORY IMPROVEMENTS**

**124-41
Standards for Streets and Blocks**

#Developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, shall front upon #streets# that comply with the requirements of this Section 124-41, inclusive.

**124-411
Maximum length of blocks**

The maximum length of a #block# shall be 450 feet except as provided below:

- (a) where a #block# includes a convention center, such length shall be unlimited;
- (b) where a #block# bounds the intersection of 126th Street and Northern Boulevard, such length shall be limited to 675 feet;

- (c) where a #block# bounds the intersection of 126th Street and Roosevelt Avenue, such length shall be limited to 575 feet;
- (d) #Blocks# or portions of #blocks# east of a line 500 feet east of and parallel to 126th Street and west of a line 1,500 feet east of and parallel to 126th Street shall have a maximum distance between intersections on a #connector street# of 218 feet, except where a #block# includes a convention center or the minimum 2-acre park required pursuant to Section 124-50.

124-412
New streets

The provisions of this Section shall apply to all private streets constructed after (effective date of amendment):

(a) Primary Retail Street.

One #primary retail street# shall be provided parallel to, or generally parallel to, 126th Street, and comply with the following requirements:

- (1) the western boundary of such #street# shall be not less than 220 feet and not more than 320 feet from 126th Street;
- (2) such #street# shall intersect two #retail streets# and two #connector streets#;
- (3) the width of such #street# shall be 70 feet, comprised of:
 - (i) two 15 foot wide sidewalks on the outer edge of the #street#,
 - (ii) two nine foot wide strips adjacent to the inner edge of the sidewalks that can be used as either parking lanes or a landscaped amenity that may include seating and walkways; and
 - (iii) two travel lanes in the center totaling 22 feet in width.

(b) Connector Streets

Two #connector streets# shall be provided as follows:

- (1) One #connector street# shall intersect 126th Street opposite 34th Avenue within the area shown on Map 2;
- (2) One #connector street# shall intersect 126th Street opposite the south side of Citifield Stadium within the area shown on Map 2;

- (3) Both #connector streets# shall intersect with the #primary retail street# and with each other at a point east of the #primary retail street#.
- (4) The width of each #connector street# shall be at least 75 feet and no more than 86 feet, comprised of:
 - (i) two 15 foot wide sidewalks, one on each outer edge;
 - (ii) two nine foot wide strips adjacent to the inner edge of the sidewalks that can be used as either parking lanes or a landscaped amenity that may include seating and walkways; and
 - (iii) at least two travel lanes and not more than three travel lanes totaling at least 22 feet and not more than 33 feet in width, and one bike lane at least 5 feet wide.
 - (iv) However, where portions of such #street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 10 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes are raised to the level of the 10-foot wide sidewalk.
- (5) Where a convention center fronts upon a #connector street#, the requirements set forth in this paragraph (b) shall be modified to eliminate the nine foot wide strip and, in lieu thereof, require a 12 foot wide drop-off lane that, in the aggregate, shall not exceed 300 feet.

(c) Retail Street.

A minimum of two and maximum of three #retail streets# shall be provided as follows:

- (1) One #retail street# shall intersect 126th Street opposite the entrance to Citifield stadium, within the area shown on Map 2;
- (2) One #retail street# shall intersect 126th Street opposite the north side of Citifield Stadium within the area shown on Map 2;
- (3) Two #retail streets# shall intersect with the #primary retail street#;
- (4) The width of each #retail street# shall be no more than / at least 68 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;

- (ii) Two ten foot wide strips adjacent to the inner edge of the sidewalks that can be used as a landscaped pedestrian amenity that may include seating and walkways; and
- (iii) two travel lanes totaling at least 22 feet in width.

(d) Eastern Perimeter Street

One #eastern perimeter street# shall be provided as follows:

- (1) the eastern boundary of such #street# shall be within 20 feet of the eastern boundary of the #Special Willets Point District#, extending between Roosevelt Avenue and a #connector street#;
- (2) the width of such #street# shall be at least 62 feet and no more than 75 feet, comprised of:
 - (i) a 13 foot wide sidewalk along its western boundary and a sidewalk at least five feet wide along its eastern boundary;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) at least two and no more than three travel lanes totaling at least 20 feet and not more than 33 feet in width.

(e) Residential Street.

All #streets# other than those listed in paragraphs (a) through (d) above that have ground floor #residential uses# fronting on such #street# shall be considered #residential streets#, except where such #residential uses# are opposite a block containing no #residential uses# on any floor fronting such #street#. #Residential streets# shall be provided as follows:

- (1) A #residential street# shall be 62 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) two travel lanes totaling between 20 and 22 feet in width.

- (iv) However, where portions of such #street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 8 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes is raised to the level of the 8-foot wide sidewalk.
 - (v) However, where a sidewalk is directly adjacent to publicly accessible open space, such sidewalk may be reduced to 10 feet in width.
- (f) Service Street.

All newly constructed #streets# other than those listed in paragraphs (a) through (e) above shall be improved as a #service street#, and shall be provided as follows:

- (1) A #service street# shall be 62 feet wide, comprised of:
 - (i) Two 13 foot wide sidewalks, one on each outer edge;
 - (ii) two eight foot wide strips adjacent to the inner edge of the sidewalks that can be used as either a parking lane or as a landscaped pedestrian amenity that may include seating and walkways; and
 - (iii) two travel lanes totaling between 20 and 22 feet in width.
 - (iv) However, where portions of such #street# accommodates a change of grade, the sidewalk area shall be permitted to be divided into two areas, one 8 feet wide adjacent to the #building# and one 5 feet wide adjacent to and at the level of the travel lanes and/or parking areas, and street trees shall not be required until such time that the travel lanes is raised to the level of the 8-foot wide sidewalk.

**124-42
Street Tree Planting**

All new #developments# or #enlargements# shall provide and maintain trees of not less than three-inch caliper at the time of planting in the sidewalk adjacent to the #building# on the side of the sidewalk closest to the travel lane. All such trees shall be provided for the entire length of the frontage of the building, for every 25 feet of such frontage. Species shall be selected, installed and maintained in accordance with specifications established by the Department of Parks and Recreation. However, street trees need not be provided where such trees may interfere with truck movements in the loading area for a convention center.

124-43**Mandatory Sidewalk Widening**

All #developments# or #enlargements# on 34th Avenue shall provide a sidewalk widening of no less than 13 feet in width. Such sidewalk widenings may be utilized to satisfy the requirements of Section 124-42 (Street Tree Planting). No obstructions shall be permitted from the lowest level to the sky except for those permitted pursuant to Section 37-073(f)(3). When one end of the sidewalk widening abuts an existing building, the special design treatment specified in Section 37-073(f)(5) shall be required.

124-44**Roof Design Requirements**

Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust, and that it is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

124-50**PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS**

Publicly accessible open spaces shall be provided as specified in this Section, inclusive. In the event of a conflict between the provisions of this Section, inclusive, and any underlying regulation, the provisions of this Section shall govern.

124-51**Amount of Publicly Accessible Open Space**

Publicly accessible open space within the #Special Willets Point District# shall total not less than eight acres. Such required amounts shall be open to the sky and shall not include any sidewalks required pursuant to this Section.

- (a) Within Area A, for #developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, 30 square feet of publicly accessible open space shall be provided for each 1,000 square feet of #floor area#.

- (b) Within Area B, for #developments# or #enlargements# that result in a total of at least 100,000 square feet of #floor area# on #zoning lots# of at least 200,000 square feet, 50 square feet of publicly accessible open space shall be provided for each 1,000 square feet of #floor area#.

Such publicly accessible open space may be transferred from the #zoning lot# containing the #development# or #enlargement# to any other #zoning lot# in the #Special Willets Point District# provided that such publicly accessible open space meets the standards of Section 124-52, inclusive.

124-52

Types and Standards of Publicly Accessible Open Space

The following types and standards of publicly accessible open space shall apply:

- (a) Park

At least one park not less than two acres in area shall be provided. Such park shall be bounded on all sides by #streets# or a #school#, and at least one of the #streets# bounding the park shall be a #connector street#. No portion of such park shall be closer than 200 feet from the boundaries of the #Special Willets Point District#. Up to five percent of the area of such outdoor park may be covered by a #building or other structure#.

- (b) 126th Street

The provisions of this paragraph (b) shall apply along the western boundary of #blocks# bounding 126th Street:

- (1) A sidewalk with a minimum width of 15 feet shall be located adjacent to the curb, and have an elevation not higher than the one foot above the level of the road bed.
- (2) A pedestrian amenity area at least 20 feet wide and no more than 35 feet wide shall be located between such sidewalk and the #streetwall# of any #building# fronting upon 126th Street. Pedestrian circulation space at least 5 feet wide shall be provided within such area within 1.5 feet of the #ground floor elevation# of such #streetwalls# to allow pedestrian movement in a direction parallel with the #street# and connecting with sidewalks of #streets# intersecting 126th Street;
- (3) On each such #block# there shall be a minimum of two ramps connecting the sidewalk along 126th Street and the pedestrian circulation space. In addition, stairways shall be provided linking the sidewalk and pedestrian circulation space so that each establishment on the #block# with entrances facing 126th Street is readily accessible by such stairs or ramps;

- (4) All publicly accessible open spaces shall comply with the provisions of Sections 37-725 (Steps), 37-726 (Permitted obstructions), 37-728 (Standards of accessibility for persons with disabilities), 37-73 (Kiosks and Open Air Cafes) and 37-74 (Amenities) except for the following modifications:
- (i) Section 37-73 shall be modified so that only certification pursuant to Section 124-05 is required. Subsections (c) and (d) of Section 37-73 shall not apply, and filing of plans for cafes in the Borough Office of the City Register shall not be required.
 - (ii) Section 37-73 (b) shall be modified to permit open air cafes to be at a different elevation from adjoining public access areas and from adjoining sidewalks.
 - (iii) For publicly accessible open space on the western boundary of #blocks# facing Citifield Stadium, Section 37-73 (b) shall be modified to limit the aggregate area of open air cafes to no more than 50 percent of the public access area, and to allow open air cafes to occupy up to 75 percent of #street# frontage.
 - (iv) Section 37-741 shall be modified so that the sentence that reads “A minimum of one linear foot of the required seating for every two linear feet of #street# frontage must be located within 15 feet of the #street line#,” shall not apply.
 - (v) For public access areas on the western boundary of #blocks# facing Citifield Stadium, Section 37-741 shall be modified so that seating for open air cafes may meeting the seating requirement, in the category of movable seating, provided that 25 percent of the linear seating capacity is provided through other seating types.
 - (vi) For publicly accessible open space on the western boundary of #blocks# not facing Citifield Stadium, Section 37-742 shall be modified to require planters, planting beds and accessible lawns at a rate of 200 square feet for every 1,000 square feet of publicly accessible open space.
 - (vii) Section 37-747 shall not apply; in lieu thereof, paragraph (i) of this Section 124-54 (Hours of Access) shall apply.
- (c) Roosevelt Avenue
- Along the south side of #blocks# bounding Roosevelt Avenue, the following provisions shall apply:

- (1) A bike lane with a minimum width of 5 feet shall be located no more than 16 feet from the curb line;
 - (2) A pedestrian amenity area at least 20 feet and not more than 45 feet in width shall be provided between the bike lane and the #street wall# of a #building#;
 - (3) Within the pedestrian amenity area, there shall be a sidewalk with a minimum width of 13 feet generally parallel to Roosevelt Avenue linking the sidewalk along 126th Street to either a sidewalk along the #eastern perimeter street#, if built, or the sidewalk leading to the Roosevelt Avenue Bridge.
 - (4) A minimum of 50 percent of the pedestrian amenity area shall be planted.
- (d) Block at Roosevelt and 126th Street

In the event that a utility easement is retained on the #block# bounded by Roosevelt Avenue and 126th Street, improvements shall be provided as follows:

- (1) An entry plaza of at least 7,000 square feet shall be provided adjacent to the intersection of 126th Street and Roosevelt Avenue, as follows:
 - (i) the plaza shall include no less than 60 feet and no more than 80 feet of frontage along 126th Street;
 - (ii) each #use# or establishment with frontage on the plaza shall include at least one entrance to such plaza;
 - (iii) at least two amenities shall be provided from among those listed in Section 37-748, except that a kiosk that provides information instead of food service shall also be permitted;
 - (iv) the area of such plaza does not overlap with the requirements of paragraph (c) (Roosevelt Avenue) above.
- (2) A central plaza of at least 20,000 square feet shall be provided as follows:
 - (i) the plaza shall have at least 100 feet of frontage on a #connector street#;
 - (ii) the prolongation of the centerline of the primary retail street shall intersect with such plaza;

- (iii) such plaza shall meet the pedestrian amenity standards of subsection (b) (4) (126th Street) above.
- (3) A pedestrian corridor area shall be provided linking the entry plaza required pursuant to paragraph (d)(1) above and the central plaza required pursuant to paragraph (d)(2) above, as follows:
- (i) such corridor shall be at least 60 feet in width and include within such width a 40 foot utility easement;
 - (ii) such corridor shall be at least 150 feet in length;
 - (iii) each #use# or establishment with frontage on such corridor shall include at least one entrance to such corridor;
 - (iv) each side of such corridor area shall be planted with street trees of not less than three-inch caliper at the time of planting for the entire length of such corridor, at a rate of one tree for every 25 feet of the length of each side of such corridor.

(e) Northern Boulevard

Along the north side of #blocks# bounding Northern Boulevard, the following provisions shall apply:

- (1) A sidewalk with a minimum width of 13 feet shall be located adjacent to the curb and have an elevation not higher than one foot above the road bed of Northern Boulevard;
- (2) An open area at least 8 feet wide and no more than 15 feet wide shall be located between the sidewalk and the #street wall# of a #building#, except that such area need not be provided where such areas may interfere with truck movements in the loading area for a convention center located on any such #block#;
- (3) A minimum of 70 percent of such open area shall be planted.

However, the requirements of this paragraph (e) shall not apply if a convention center is located on such #block#.

(f) Eastern Perimeter Street

Along the #eastern perimeter street# between the required sidewalk and the eastern boundary of the #Special Willets Point District#, an open area with a minimum depth of 8 feet and a maximum depth of 15 feet shall be provided. At least 70 percent of such open area shall be planted.

(g) Convention Center

If a convention center is provided, a pedestrian amenity area shall be required between the #street line# and the #street wall# of the convention center. The pedestrian amenity area shall have a depth of at least 10 and not more than 22 feet and meet the standards of paragraph (b)(4) (126th Street) above.

(h) Standards for Additional Areas

If the amount of public access areas required pursuant to paragraphs (a) through (g) above does not total eight acres, the difference shall be provided in the form of one or more public access areas located anywhere not closer than 100 feet to the boundary of the #Special Willets Point District#.

(i) Hours of Access

All publicly accessible open space shall be accessible to the public from sunrise to one hour after sunset. Entry plaques for public access areas over one-half acre in size shall be provided as described in Section 37-751(a).

124-60**OFF-STREET PARKING REGULATIONS****124-61****Required and Permitted Parking**

Off-street parking shall be provided for all required parking spaces and loading as specified by the underlying district, except as modified by the special regulations of this Section.

124-62**Use and Location of Parking Facilities**

The provisions of this Section shall apply to all off-street parking spaces within the #Special Willets Point District#.

Floor space used for parking shall be exempt from the definition of #floor area#.

Parking facilities with over 225 parking spaces shall provide adequate reservoir space at the vehicular entrances to accommodate either ten automobiles or five percent of the total parking spaces provided in such facility, whichever amount is greater, but in no event shall such reservoir space be required for more than 50 automobiles.

- (a) All off-street parking spaces shall be located within facilities that, except for entrances and exits, meet the following standards:

- (1) Are located entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or
- (2) Are located in a #cellar# no more than four feet above grade within Area B provided that the #street wall# is set back at least four feet from the #street line# except for projections permitted pursuant to Section 124-22(a)(4) and planted areas are provided pursuant to Section 124-22(a)(5) and further provided that 50 percent of such #streetwall# with adjacent parking spaces consists of opaque materials; or
- (3) Are located, at every level above-grade, behind #commercial#, #community facility# or #residential# #floor area# at least 25 feet from any #streetwall# or public access area, or
- (4) Are located above-grade and adjacent to a #streetwall# or public access area provided that any non-horizontal parking deck structures are not visible from the exterior of the #building# in elevation view and opaque materials are located in the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck and a total of at least 50 percent of such #streetwall# with adjacent parking spaces consists of opaque materials. A parking structure so screened shall be permitted only in the following locations:
 - (i) Except for within #blocks# that bound the intersection of 126th Street and Northern Boulevard or 126th Street and Roosevelt Avenue, a parking facility may be located adjacent to a #streetwall# facing 126th Street above a height of 35 feet and limited to a height of 85 feet, provided that no less than 60 percent and no more than 70 percent of the surface area of the portion of such #streetwall# with adjacent parking spaces consists of one or more of the following: #signs#, graphic or sculptural art, or living plant material; and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#;
 - (ii) A parking facility may be located adjacent to a #streetwall# limited to a height of 85 feet on a #block# that bounds the intersection of 126th Street and Northern Boulevard provided that such #streetwall# is on Northern Boulevard and is more than 100 feet from 126th Street; and provided that no less than 60 percent and no more than 70 percent of the surface area of the portion of such #streetwall# with adjacent parking spaces consists of one or more of the following: #signs#, graphic or sculptural art, or living plant material; and provided that at least 25 feet of #commercial#, #community facility# or

#residential floor area# separates such parking spaces from any other adjacent #street#;

- (iii) A parking facility not on a #block# that bounds the intersection of 126th Street and Northern Boulevard may be located adjacent to a #streetwall# limited to a height of 40 feet facing Northern Boulevard provided that such #streetwall# with adjacent parking spaces is on Northern Boulevard and is more than 100 feet from 126th Street; and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#;
 - (iv) A parking facility may be located adjacent to a #streetwall# on a #block# that bounds the intersection of 126th Street and Roosevelt Avenue provided that such #streetwall# with adjacent parking spaces is more than 100 feet from 126th Street, Roosevelt Avenue and any #connector street#;
 - (v) A parking facility may be located adjacent to a #streetwall# limited to a height of 40 feet facing the eastern boundary of the #Special Willets Point District#, within 200 feet of such eastern boundary, so that such parking facility is not visible from a #connector street#. and provided that at least 25 feet of #commercial#, #community facility# or #residential floor area# separates such parking spaces from any other adjacent #street#.
- (5) A parking facility with parking spaces adjacent to an exterior #building# wall that is not a #streetwall# shall provide screening of such exterior wall so that any non-horizontal parking deck structures are not visible from the exterior of the #building# in elevation view and opaque materials are located in the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck and a total of at least 50 percent of such exterior #building# wall with adjacent parking spaces consists of opaque materials.
- (6) No parking spaces shall be open to the sky, and a parking facility shall have a roof that meets the requirements of Section 124-44.
- (b) 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 therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same block, all such spaces shall be located within the same parking facility.

- (c) All #accessory# off-street parking spaces may be provided within parking facilities in #buildings# other than the same #building# as the #uses# to which they are #accessory#, provided that:
- (1) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #building#; and
 - (2) such parking facilities are located within the #Special Willets Point District#; or
 - (3) such parking facilities are located within distances specified by Sections 36-421 and 36-43, as applicable.

124-63**Loading Restrictions**

Loading areas shall not be permitted within 75 feet of 126th Street or within 50 feet of the Primary Retail Street. Loading areas for a convention center use shall not be permitted within 100 feet of a Connector Street.

124-64**Curb Cut Restrictions**

Along 126th Street, the #primary retail street#, the #connector streets#, across from public open space of 2 acres in size or greater, and within 50 feet of the intersection of any #streets#, no driveway curb cuts for parking facilities or loading berths shall be permitted, except for a convention center or a #transient hotel# with 50,000 at least square feet of #floor area#, and except that the City Planning Commission may authorize curb cuts, provided the Commission finds that such curb cuts are needed, do not unduly inhibit surface traffic or pedestrian flow and do not impair the essential character of the surrounding area.

Where permitted, the maximum aggregate width of curb cuts on any frontage shall be limited to 24 feet for #residential streets# and 60 feet for all other #streets#, except that the maximum shall be 100 feet for #blocks# that bound the intersection of 126th Street and Northern Boulevard or 126th Street and Roosevelt Avenue and for #blocks# that contain a #transient hotel# #transient hotel# with 50,000 at least square feet of #floor area#. For a convention center, the maximum aggregate width of curb cuts on any frontage shall be limited to 100 feet, except that curb cuts shall be unlimited directly adjacent to the loading area of the convention center. All curb cuts shall be achieved without any reduction to the grade of the sidewalk over which they pass.

124-65**Indoor Bicycle Parking**

Within the #Special Willets Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking shall be provided for every 5,000 square feet of such Office #use#, up to a maximum of 200 bicycle parking spaces.
- (c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 10,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

124-70

SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

For any #development#, #enlargement#, alteration or change of #use# within the #Special Willets Point District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# provisions, provided the Commission shall find that such:

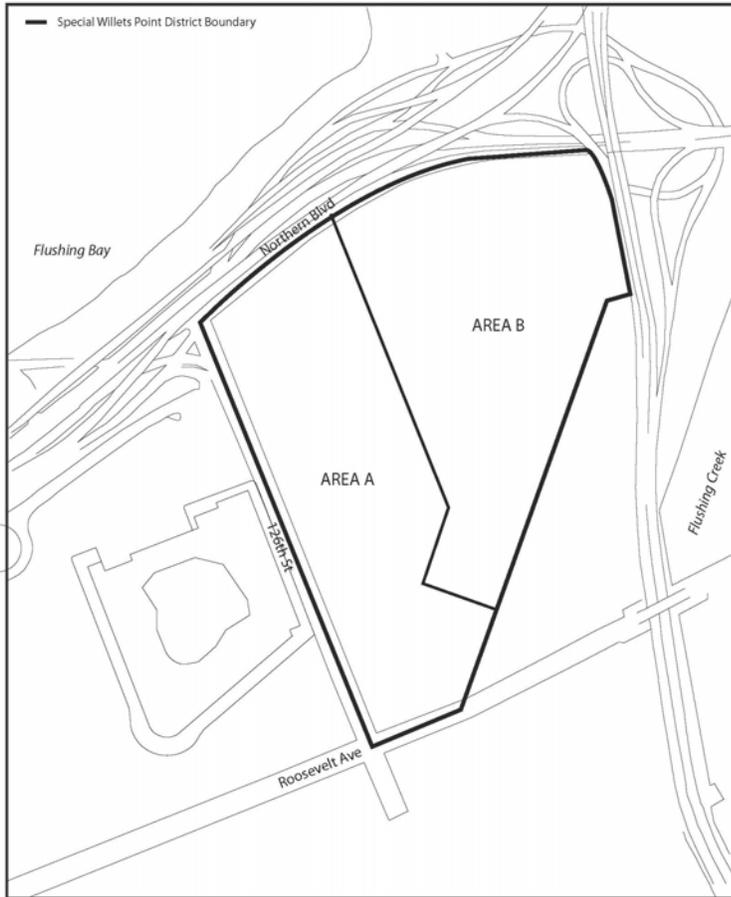
- (a) modification will aid in achieving the general purposes and intent of the Special District;
- (b) #use# modification will encourage a lively pedestrian environment along the street, or is necessary for, and the only practicable way to achieve the programmatic requirements of the #development#;
- (c) #bulk# modifications will enhance the distribution of #bulk# within the District;
- (d) #bulk# modifications will permit adequate access of light and air to surrounding streets; and
- (e) #development# or #enlargement# will relate harmoniously to the character of the surrounding area.

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

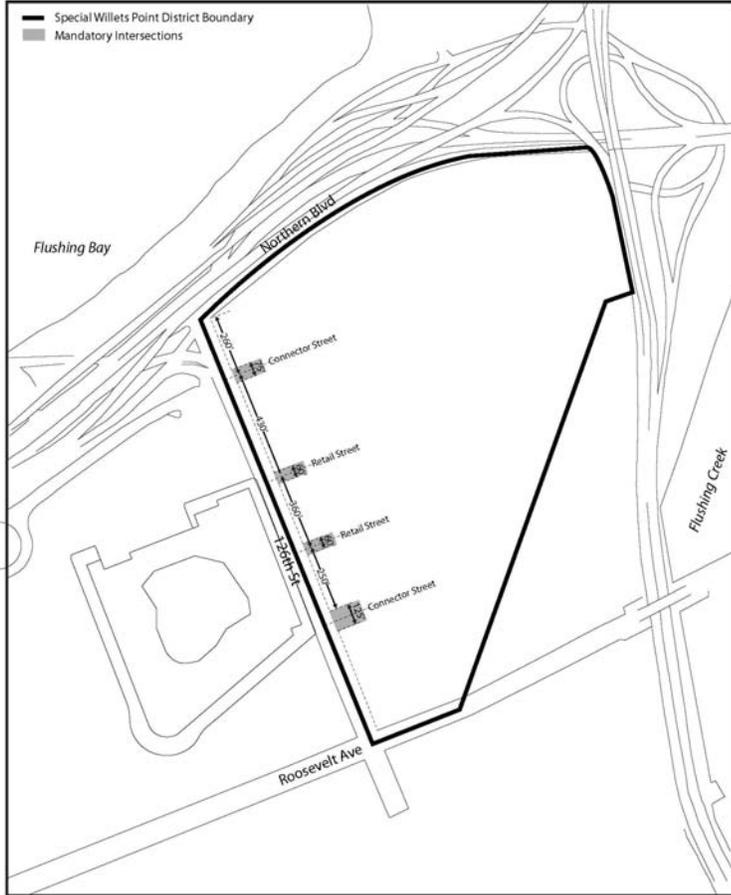
Appendix A

Special Willets Point District

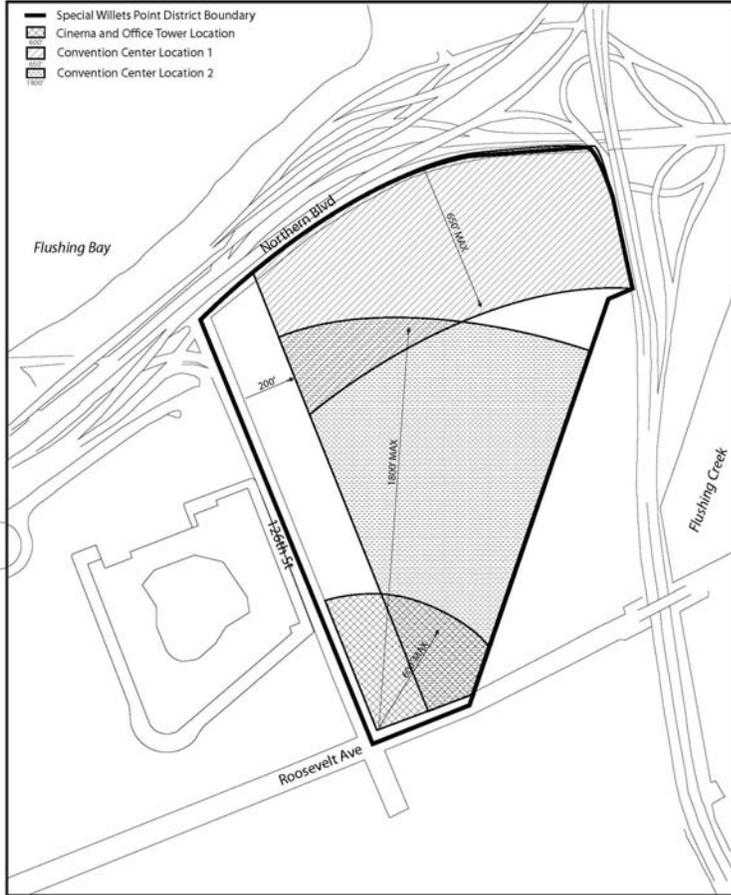
Special Willets Point District
Map 1. District Plan



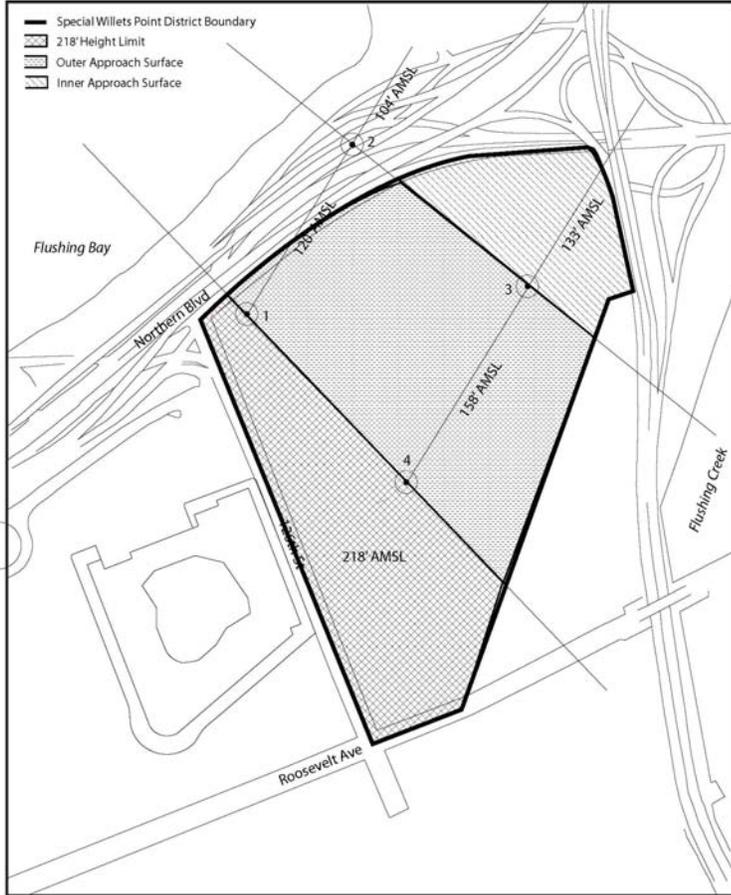
Special Willets Point District
Map 2. Mandatory Intersections



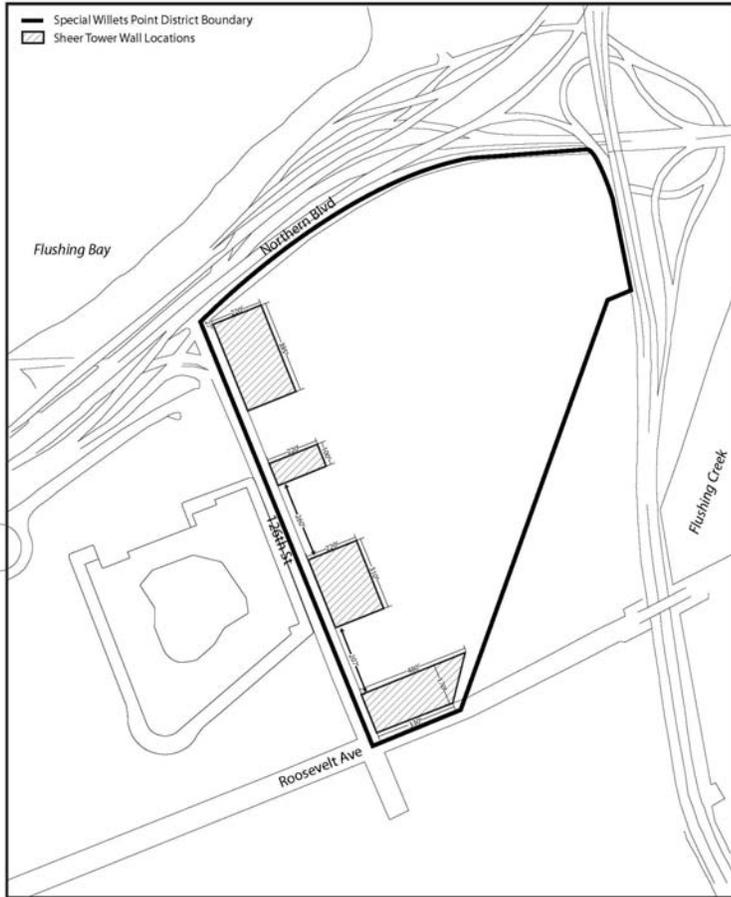
Special Willets Point District
Map 3. Location Requirements



Special Willets Point District
Map 4. Height Limits



Special Willets Point District
Map 5. Sheer Tower Wall Locations



Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 13**CD 7****N 080383 HGQ**

IN THE MATTER OF the designation of the Willets Point Urban Renewal Area, as an area appropriate for urban renewal, pursuant to Section 504 of Article 15 of the General Municipal Law (Urban Renewal Law) of New York State, located in Community District 7 in the Borough of Queens and described as follows:

<u>Land Use</u>	<u>Block</u>	<u>Lot(s)</u>
Commercial	1820	1, 6, 9, 18, 34, 108
Commercial	1821	1, 6, 16, 25, 27
Commercial	1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
Commercial	1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58 59, 60
Commercial	1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
Commercial	1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
Commercial	1826	1, 5, 14, 18, 20, 31, 35
Commercial	1827	1
Commercial	1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
Commercial	1829	19, 21, 40, 71
Commercial	1830	1, 9, 10, 21
Commercial	1831	1, 10, 35
Commercial	1832	1, 10
Commercial	1833	p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425

All mapped and/or built streets within the project boundary.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 14**CD 7****C 080384 HUQ**

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Willets Point Urban Renewal Plan for the Willets Point Urban Renewal Area, Community District 7, Borough of Queens.

The proposed plan consists of the following properties to be acquired:

<u>Block</u>	<u>Lot(s)</u>
1820	1, 6, 9, 18, 34, 108
1821	1, 6, 16, 25, 27
1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58 59, 60
1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
1826	1, 5, 14, 18, 20, 31, 35
1827	1
1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
1829	19, 21, 40, 71
1830	1, 9, 10, 21
1831	1, 10, 35
1832	1, 10
1833	p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172, 177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300, 425

All mapped and/or built streets within the project boundary.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

No. 15

CD 7

C 080385 HDQ

IN THE MATTER OF an application, submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property comprising sites within the Willets Point Renewal Area.

The properties are to be disposed to a developer to be selected by HPD for redevelopment in accordance with the Willets Point Urban Renewal Plan and consists of the following:

<u>Block</u>	<u>Lot(s)</u>
1820	1, 6, 9, 18, 34, 108
1821	1, 6, 16, 25, 27
1822	1, 5, 7, 17, 21, 23, 28, 33, 55, 58
1823	1, 3, 5, 7, 12, 14, 19, 20, 21, 23, 26, 28, 33, 40, 44, 47, 52, 55, 58 59, 60
1824	1, 12, 19, 21, 26, 28, 33, 38, 40, 45, 53
1825	1, 19, 21, 25, 28, 30, 37, 46, 48, 53, 55, 58
1826	1, 5, 14, 18, 20, 31, 35
1827	1
1828	1, 4, 8, 11, 13, 17, 21, 23, 29, 34, 37, 39
1829	19, 21, 40, 71
1830	1, 9, 10, 21
1831	1, 10, 35
1832	1, 10

1833 p/o 1, 103, 111, 117, 120, 141, 143, 151, 155, 158, 165, 166, 168, 170, 172,
177, 179, 180, 186, 188, 192, 197, 199, 201, 203, 212, 215, 230, 300,
425

All mapped and/or built streets within the project boundary.

Resolution for adoption scheduling August 13, 2008 for a public hearing.

NOTICE

On Wednesday, August 13, 2008, at 9:00 a.m., in the Tishman Auditorium, Vanderbilt Hall, New York University School Law located at 40 Washington Square South in Manhattan, a public hearing is being held by the Deputy Mayor for Economic Development in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning various actions to implement the Willets Point Development Plan and create the new Willets Point Urban Renewal Area, including a text amendment to create the Special Willets Point District, a change to the Zoning Map to change existing M1-1 and R3-2 zoning districts to a C4-4 zoning district, and the discontinuance, elimination and closure all of the streets in the approximately 61-acre area generally bounded by the Van Wyck Expressway, Roosevelt Avenue, 126th Street, and Northern Boulevard, in Queens Community District 7.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DME014Q.

II. REPORTS

BOROUGH OF THE BRONX

No. 16

BENDHEIM TENNIS COURT

CD 8

N 070446 ZAX

IN THE MATTER OF an application submitted by Jack Bendheim pursuant to Sections 105-421, 105-422 and 105-425 of the Zoning Resolution, for the grant of authorizations involving modification of topographic features on Tier I sites, development, enlargement or site alteration on a Tier II zoning lot, and modification of botanic environments to allow the construction of a tennis court on property located along the west side of West 248th Street, approximately 310 feet west of Palisade Avenue (Block 5937, Lot 300) within the Special Natural Area District (NA-2).

Plans for the proposal are on file with the City Planning Commission and may be seen at One Fordham Plaza, Room 502, Bronx, NY 10458.

For consideration.

No. 17

PETER J. SHARP ATHLETIC AND RECREATION CENTER

CD 8

N 080394 ZAX

IN THE MATTER OF an application submitted by the College of Mount Saint Vincent pursuant to Sections 105-422, and 105-425 of the Zoning Resolution, for the grant of authorizations involving development, enlargement, or site alteration on a Tier II zoning lot or portions of a zoning lot having a steep slope or steep slope buffer, and modification of botanic environment and tree preservation and planting requirements to allow the construction of a an athletic and recreation center, and related parking and circulation improvements on property located at 6301 Palisade Avenue (Block 5933, Lot 425) within the Special Natural area District (NA-2).

Plans for the proposal are on file with the City Planning Commission and may be seen at One Fordham Plaza, Room 502, Bronx, NY 10458.

For consideration.

BOROUGH OF MANHATTAN

No. 18

443 GREENWICH STREET

CD 1

C 080313 ZSM

IN THE MATTER OF an application submitted by 443 Greenwich LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the use regulations of Sections 42-10 and 111-102(b) to allow Use Group 2 uses (residential uses) and/or Use Group 5 uses (hotel uses) and to allow a Physical Culture and Health Establishment on portions of the ground floor and cellar level;
2. the bulk regulations of Section 43-28 (Special Provisions for Through Lots), Section 43-43 (Minimum Height of Front Wall and Required Front Setbacks); and
3. the roof top recreational use requirements of Section 111-112 (Open Space Equivalent),

in connection with the conversion of an existing 7-story building and proposed penthouse on property located at 443 Greenwich Street (Block 222, Lot 1) in an M1-5 District, within the Special Tribeca Mixed Use District (Area B2).

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

(On June 4, 2008, Cal. No. 1, the Commission scheduled June 18, 2008 for a public hearing. On June 18, 2008, Cal. No. 16, the hearing was closed.)

For consideration.

BOROUGH OF QUEENS**Nos. 19 & 20*****ROCKAWAY NEIGHBORHOOD REZONING*****CD 14****C 080371 ZMQ**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 25b, 30a, 30b, 30c, 31a:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by a line 100 feet northerly of Beach Channel Drive, Beach 66th Street, Beach Channel Drive, and Beach 67th Street;
2. eliminating from within an existing R5 District a C1-2 District bounded by:
 - a. Beach Channel Drive, Beach 116th Street, a line 100 feet southeasterly of Beach Channel Drive, a line 150 feet northeasterly of Beach 116th Street, a line 150 feet northwesterly of Rockaway Beach Boulevard, the northwesterly prolongation of the northeasterly street line of Beach 114th Street, Rockaway Beach Boulevard, Beach 113th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, a line midway between Beach 115th Street and Beach 116th Street, Ocean Promenade, Beach 116th Street, a line 200 feet northwesterly of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 117th Street, Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, Newport Avenue, and Beach 117th Street;
 - b. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 109th Street, Rockaway Beach Boulevard, and a line 365 feet southwesterly of Beach 109th Street;
 - c. Rockaway Beach Boulevard, Beach 108th Street, a line 150 feet southeasterly of Rockaway Beach Drive, and Beach 109th Street;
 - d. a line 150 feet northwesterly of Rockaway Beach Boulevard, Beach 101st Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, and Beach 102nd Street; and
 - e. Beach Channel Drive, Beach 66th Street, a line 100 feet southerly of Beach Channel Drive, and Beach 67th Street;

3. eliminating from within an existing R6 District a C1-2 District bounded by Rockaway Beach Boulevard, Beach 90th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, and Beach 91st Street;
4. eliminating from within an existing R4 District a C2-2 District bounded by:
 - a. Beach Channel Drive, a line midway between Beach 102nd Street and Beach 101st Street, the centerline of a railroad right-of-way, and Seaside Avenue;
 - b. the U.S. Bulkhead Line, a line 1110 feet northeasterly of Beach 92nd Street, Beach Channel Drive, and Beach 92nd Street; and
 - c. a line 100 feet northwesterly of Beach Channel Drive, Beach 59th Street, Beach Channel Drive, and Beach 61st Street;
5. eliminating from within an existing R6 District a C2-2 District bounded by a line 150 feet northwesterly and northerly of Rockaway Beach Boulevard, Beach 86th Street, Rockaway Beach Boulevard, and Beach 91st Street;
6. eliminating from within an existing R4 District a C2-4 District bounded by:
 - a. Rockaway Beach Boulevard, the centerline of former Beach 43rd Street, a line 85 feet northerly of the Shorefront Parkway, and Beach 47th Street; and
 - b. Beach Channel Drive, Beach 35th Street, the northeasterly centerline prolongation of Rockaway Beach Boulevard, and Beach 36th Street;
7. eliminating from within an existing R6 District a C2-4 District bounded by:
 - a. the northeasterly centerline prolongation of Rockaway Beach Boulevard, Beach 35th Street, Shore Front Parkway, the southerly centerline prolongation of Beach 36th Street; and
 - b. a line 100 feet southeasterly of Shore Front Parkway, Beach 35th Street, Ocean Front Road, the southerly prolongation of the centerline of Beach 36th Street, a line 100 feet northerly of Ocean Front Road, and a line 100 feet westerly of Beach 35th Street;
8. changing from an R2 District to an R2X District property bounded by a boundary line of the City of New York, a line 100 feet southeasterly of Hicksville Road, Reads Lane, Hicksville Road, Beach 9th Street, and Empire Avenue;
9. changing from an R5 District to an R3A District property bounded by a line 100 feet southeasterly of Rockaway Beach Drive, Beach 108th Street, a line 120 feet northwesterly of Rockaway Park and its northeasterly prolongation, a

northwesterly boundary line of Rockaway Park, a line 100 feet southwesterly of 109th Street, a line 260 feet northwesterly of Rockaway Park, and Beach 109th Street;

10. changing from an R6 District to an R3A District property bounded by Seagirt Boulevard, a line 240 feet easterly of Beach 25th Street, a line 200 feet southerly of Seagirt Boulevard, a line 80 feet easterly of Beach 25th Street, a line 330 feet northerly of Boardwalk, Beach 25th Street, a line 500 feet southerly of Seagirt Avenue, Beach 26th Street, Seagirt Avenue, and the northerly centerline prolongation of Beach 25th Street;
11. changing from an R3A District to an R3X District property bounded by Newport Avenue, a line midway between Beach 124th and Beach 125th Street, a line 100 feet southeasterly of Newport Avenue, Beach 124th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, Rockaway Beach Boulevard, and a line midway between Beach 129th Street and Beach 130th Street;
12. changing from an R3-1 District to an R3X District property bounded by the U.S. Pierhead Line, a northeasterly boundary line of Marine Park and its northwesterly and southeasterly prolongation, Beach Channel Drive, Beach 117th Street, Newport Avenue, Beach 122nd Street, a line 100 feet southeasterly of Newport Avenue, a line midway between Beach 124th Street and Beach 125th Street, Newport Avenue, and a line midway between Beach 129th Street and Beach 130th Street and its northwesterly prolongation;
13. changing from an R3-2 District to an R3X District property bounded by Newport Avenue, a line midway between Beach 119th Street and Beach 120th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 120th Street, a line 400 feet southeasterly of Newport Avenue, a line midway between Beach 121st Street and Beach 122nd Street, a line 100 feet southeasterly of Newport Avenue, and Beach 121st Street;
14. changing from an R4 District to an R3X District property bounded by Newport Avenue, Beach 121st Street, a line 100 feet southeasterly of Newport Avenue, a line midway between Beach 121st Street and Beach 122nd Street, a line 400 feet southeasterly of Newport Avenue, Beach 120th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, a line midway between Beach 119th Street and Beach 120th Street, Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 124th Street, a line 100 feet southeasterly of Newport Avenue, and Beach 122nd Street;
15. changing from an R4-1 District to an R3X District property bounded by Rockaway Beach Boulevard, Beach 120th Street, a line 560 feet northwesterly of Ocean Promenade, a line midway between Beach 120th Street and Beach 121st Street, a line 390 feet northwesterly of Ocean Promenade and its northeasterly

prolongation (at Beach 121st Street), and a line midway between Beach 124th Street and Beach 125th Street;

16. changing from an R4A District to an R3X District property bounded by Rockaway Beach Boulevard, a line midway between Beach 124th Street and Beach 125th Street, a line 100 feet northwesterly of Ocean Promenade, Beach 125th Street and its southeasterly centerline prolongation, the northwesterly boundary line of Rockaway Park, and Beach 126th Street and its southeasterly centerline prolongation;
17. changing from an R5 District to an R4 District property bounded by a line 150 feet southeasterly of Rockaway Beach Boulevard, Beach 109th Street, a line 260 feet northwesterly of Rockaway Park, a line 100 feet southwestly of Beach 109th Street and its southeasterly prolongation, the northwesterly boundary line of Rockaway Park, Beach 115th Street and its southeasterly prolongation, a line 280 feet northwesterly of Ocean Promenade, Beach 113th Street, a line 200 feet northwesterly of Ocean Promenade, and Beach 112th Street;
18. changing from a C3 District to an R4 District property bounded by:
 - a. the U.S. Pierhead line, the southwestly street line of Cross Bay Parkway, Beach Channel Drive, and the northerly centerline prolongation of Beach 106th Street; and
 - b. Almeda Avenue, a line 100 feet easterly of Beach 59th Street, Beach Channel Drive, and Beach 59th Street;
19. changing from an R3-2 District to an R4-1 District property bounded by a U.S. Pierhead and Bulkhead Line, the westerly centerline prolongation of Almeda Avenue, a line 200 feet easterly of a proposed U.S. Pierhead and Bulkhead Line, a line 100 feet northerly of a proposed U.S. Pierhead and Bulkhead Line, the southerly prolongation of a westerly boundary line of a proposed U.S. Pierhead and Bulkhead Line, Parvine Avenue, Beach 61st Street, a line 100 feet northwesterly and northerly of Beach Channel Drive, a line midway between Beach 66th Street and Beach 67th Street, and Almeda Avenue;
20. changing from an R4 District to an R4-1 District property bounded by:
 - a. the U.S. Bulkhead Line, a line 1110 feet northeasterly of Beach 92nd Street, Beach Channel Drive, Barbadoes Drive and its northeasterly centerline prolongation, an easterly boundary line of a railroad right-of-way, a northeasterly boundary line of a railroad right-of-way, Rockaway Freeway, Beach 84th Street, Rockaway Freeway, a southeasterly boundary line of a railroad right-of-way, the northeasterly service road of the Cross Bay Parkway, Beach Channel Drive, and Beach 92nd Street;
 - b. a U.S. Pierhead and Bulkhead Line, a U.S. Bulkhead Line and its

southerly prolongation, Norton Avenue, and the former centerline of 45th Street;

- c. Ocean Crest Boulevard, Beach Channel Drive, Grassmere Terrace, Brookhaven Avenue, Beach 28th Street, a line 100 feet northerly of Deerfield Road, Beach 29th Street, Brookhaven Avenue, a line 200 feet southwesterly of Hartman Lane and its southeasterly prolongation, Beach Channel Drive, and Hartman Lane; and
 - d. Camp Road, Fernside Place, and Seagirt Avenue;
21. changing from an R5 District to an R4-1 District property bounded by:
- a. the centerline of a railroad right-of-way, Beach 99th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, and Beach 100th Street;
 - b. Shore Front Parkway, the southeasterly centerline prolongation Beach 97th Street, Rockaway Beach, a line midway between Beach 98th Street and Beach 99th Street and its southeasterly prolongation;
 - c. Beach Channel Drive, a line 280 feet westerly of Beach 22nd Street, Cornaga Avenue, Beach 22nd Street, a line perpendicular to the westerly street line of Beach 22nd Street distant 150 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Beach 22nd Street and the southerly street line of Cornaga Avenue, a line 200 feet westerly of Beach 22nd Street, New Haven Avenue, a line perpendicular to the southerly street line of New Haven Avenue distant 150 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of New Haven Avenue and the easterly street line of Grassmere Terrace, Brookhaven Avenue, and Grassmere Terrace; and
 - d. Frisco Avenue, Beach 12th Street, Hicksville Road, Beach 9th Street, Plainview Avenue, Beach 12th Street, a line 100 feet northerly of Plainview Avenue, Beach 13th Street, a line 95 feet southwesterly of Davies Road, a line 280 feet southeasterly of Caffrey Avenue, New Haven Avenue, Beach 15th Street, the easterly centerline prolongation of Plainview Avenue, Beach 17th Street, Brookhaven Avenue, Gateway Boulevard, a line 100 feet northeasterly of New Haven Avenue, Caffrey Avenue, Davies Road, a line 100 feet southeasterly of Caffrey Avenue, and Mott Avenue;
22. changing from an R6 District to an R4-1 District property bounded by:
- a. the centerline of a railroad right-of-way, Beach 98th Street, Rockaway

Beach Boulevard, Beach 97th Street, Shore Front Parkway, a line midway between Beach 98th Street and Beach 99th Street, Rockaway Beach Boulevard, and Beach 99th Street;

- b. a southeasterly boundary line of a railroad right-of-way, Beach 90th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard; and a line 175 feet southwestly of Beach 92nd Street;
 - c. a southeasterly boundary line of a railroad right-of-way, Beach 86th Street, a line 100 feet northerly of Rockaway Beach Boulevard; and Beach 88th Street;
 - d. a U.S. Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, Norton Avenue, and a U.S. Bulkhead Line and its southerly prolongation;
 - e. Ocean Crest Boulevard, a line 250 feet southwestly of Hartman Lane, Beach Channel Drive, a line 200 feet southwestly of Hartman Lane and its southeasterly centerline prolongation, Brookhaven Avenue, Beach 29th Street, a line 100 feet northerly of Deerfield Road and its westerly prolongation, the southeasterly prolongation of a line 235 feet northeasterly of Beach 32nd Street, the centerline of a railroad right-of-way, and Beach 32nd Street; and
 - f. Seagirt Avenue, Beach 26th Street, Seagirt Boulevard, the northerly centerline prolongation of Beach 26th Street, Seagirt Avenue, Beach 26th Street, a line 500 feet southerly of Seagirt Avenue, Beach 25th Street, a line 330 feet northerly of Boardwalk, a line 80 feet easterly of Beach 25th Street and its southerly prolongation, Public Beach, and Beach 28th Street and its southerly centerline prolongation;
23. changing from a C3 District to an R4-1 District property bounded by:
- a. the U.S. Pierhead Line, the northerly centerline prolongation of Beach 86th Street, Barbadoes Drive, a line 1110 feet northeasterly of Beach 92nd Street, Beach 92nd Street, Beach Channel Drive, a northeasterly service road of Cross Bay Parkway, a southeasterly prolongation of the northeasterly roadway line of Cross Bay Parkway, Beach Channel Drive, and the northeasterly street line of Cross Bay Parkway and its southeasterly prolongation; and
 - b. the U.S. Pierhead and Bulkhead Line, the former centerline of 45th Street, Beach 45th Street, Norton Avenue and its northeasterly centerline prolongation, and the northerly centerline prolongation of Beach 47th Street;
24. changing from an R3-2 District to an R4A District property bounded by:

- a. Newport Avenue, a line midway between Beach 116th Street and Beach 117th Street, Rockaway Beach Boulevard, Beach 117th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 120th Street, Rockaway Beach Boulevard, Beach 119th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, and a line midway between Beach 119th Street, Beach 120th Street; and
 - b. Almeda Avenue, a line midway between Beach 66th Street and Beach 67th Street, a line 100 feet northerly of Beach Channel Drive, Beach 68th Street, a line 140 feet northerly of Beach Channel Drive, Beach 69th Street, Gouverneur Avenue, and Barbadoes Drive;
25. changing from an R4 District to an R4A District property bounded by:
- a. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 119th Street, Rockaway Beach Boulevard, and a line midway between Beach 119th Street and Beach 120th Street;
 - b. a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 117th Street, a line 100 feet northwesterly of Ocean Promenade, a line midway between Beach 120th Street and Beach 121st Street, a line 560 feet northwesterly of Ocean Promenade, and Beach 120th Street; and
 - c. Brookhaven Avenue, Briar Place, Collier Avenue, Elk Drive, Fernside Place, Camp Road, Seagirt Boulevard, Beach 29th Street, a line 100 feet northerly of Deerfield Road, and Beach 28th Street;
26. changing from an R4-1 District to an R4A District property bounded by a line 390 feet northwesterly of Ocean Promenade and its northeasterly prolongation (at Beach 121st Street), a line midway between Beach 120th Street and Beach 121st Street, a line 100 feet northwesterly of Ocean Promenade, Beach 121st Street, a line 100 feet northwesterly of Ocean Promenade, and a line midway between Beach 124th Street and Beach 125th Street;
27. changing from an R5 District to an R4A District property bounded by:
- a. Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, and Beach 117th Street;
 - b. Beach Channel Drive, a line midway between Beach 63rd Street and Beach 62nd Street, a line 75 feet northerly of Rockaway Beach Boulevard, a line 100 feet westerly of Beach 63rd Street, a line 100 feet southerly of Beach Channel Drive, and a line 120 feet westerly of Beach 63rd Street;
 - c. Brookhaven Avenue, Beach 17th Street, Seagirt Boulevard, Beach 20th Street, Plainview Avenue, and Beach 19th Street;

- d. Gateway Boulevard, Cornaga Avenue, Beach 9th Street, Hicksville Road, Frisco Avenue, Mott Avenue, a line 100 feet southeasterly of Caffrey Avenue, Davies Road, Caffrey Avenue, a line 165 feet southwesterly of Mott Avenue, a line 110 feet northwesterly of Caffrey Avenue, and Mott Avenue; and
 - e. Heyson Road, Beach 13th Street, Seagirt Boulevard, and Beach 14th Street;
28. changing from an R6 District to an R4A District property bounded by:
- a. a line 100 feet northerly of Deerfield Road and its westerly prolongation, Beach 29th Street, Seagirt Boulevard, Beach 32nd Street, a line 180 feet northerly of Seagirt Boulevard, and a line 100 feet westerly of Beach 30th Street; and
 - b. Seagirt Boulevard, Beach 26th Street, Seagirt Avenue, and a line 110 feet westerly of Beach 27th Street;
29. changing from an R4 District to an R4B District property bounded by Beach Channel Drive, a line midway between Beach 102nd Street and Beach 101st Street, the center line of a railroad right-of-way, and Seaside Avenue;
30. changing from an R6 District to an R5 District property bounded by Seagirt Boulevard, a line 110 feet westerly of Beach 27th Street, Seagirt Avenue, Beach 28th Street and its southerly centerline prolongation, Rockaway Beach, and Beach 32nd Street and its southerly centerline prolongation;
31. changing from an R3-2 District to an R5A District property bounded by Gouverneur Avenue, Beach 69th Street, a line 140 feet northerly of Beach Channel Drive, Beach 68th Street, Beach Channel Drive, and Beach 72nd Street;
32. changing from an R5 District to an R5A District property bounded by:
- a. Rockaway Beach Boulevard, Beach 112th Street, a line 200 feet northwesterly of Ocean Promenade, Beach 113th Street, a line 280 feet northwesterly of Ocean Promenade, Beach 115th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, and Beach 113th Street; and
 - b. Beach Channel Drive, a line midway between Beach 67th Street and Beach 68th Street, the easterly and westerly prolongation of the southerly street line of Beach 70th Street, and a line 95 feet westerly of Beach 70th Street;
33. changing from an R6 District to an R5A District property bounded by a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 90th Street and its

southerly centerline prolongation, Rockaway Beach, Cross Bay Parkway and its southeasterly centerline prolongation, Holland Avenue, and Beach 92nd Street;

34. changing from an R5 District to an R5B District property bounded by Beach Channel Drive, Beach 116th Street, a line 100 feet southeasterly of Beach Channel Drive, a line 150 feet northeasterly of Beach 116th Street, a line 150 feet northwesterly of Rockaway Beach Boulevard, the northwesterly prolongation of the northeasterly street line of Beach 114th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 109th Street, the northwesterly boundary line of a railroad right-of-way, Beach 108th Street, a line 100 feet southeasterly of Rockaway Beach Drive, Beach 109th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, Beach 112th Street, Rockaway Beach Boulevard, Beach 113th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, Newport Avenue, and Beach 117th Street;
35. changing from an R6 District to an R5B District property bounded by the southeasterly boundary line of a railroad right-of-way, Beach 97th Street, the northwesterly boundary line of a railroad right-of-way, Beach 96th Street, Rockaway Beach Boulevard, a line 175 feet southwesterly of Beach 92nd Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 90th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 97th Street, Rockaway Beach Boulevard, and Beach 98th Street;
36. changing from an R3-2 District to an R5D District property bounded by a line 100 feet northerly of Beach Channel Drive, Beach 62nd Street, a line 100 feet northerly of Beach Channel Drive, Beach 61st Street, Beach Channel Drive, and Beach 68th Street;
37. changing from an R4 District to an R5D District property bounded by a line 100 feet northwesterly of Beach Channel Drive, Beach 59th Street, Beach Channel Drive, and Beach 61st Street;
38. changing from an R5 District to an R5D District property bounded by:
 - a. Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street;
 - b. the centerline of a railroad right-of-way, Beach 100th Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 99th Street, Shore Front Parkway, the southeasterly prolongation of a line midway between Beach 98th Street and Beach 99th Street, Rockaway Beach, Beach 102nd Street and its southeasterly centerline prolongation, Rockaway Beach Boulevard, and a line 420 feet southwesterly of Beach 102nd Street;
 - c. Beach Channel Drive, a line 120 feet westerly of Beach 63rd Street, a

line 100 feet southerly of Beach Channel Drive, and a line midway between Beach 67th Street and Beach 68th Street; and

- d. Beach Channel Drive, Beach 59th Street, a line 75 feet northerly of Rockaway Beach Boulevard, and a line midway between Beach 62nd Street and Beach 63rd Street;
39. changing from an R6 District to an R5D District property bounded by:
- a. Rockaway Beach Boulevard, a line midway between Beach 98th Street and Beach 99th Street, Shore Front Parkway, and Beach 99th Street;
 - b. a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 92nd Street, Holland Avenue, Cross Bay Parkway and its southeasterly centerline prolongation, Rockaway Beach Boulevard, and Beach 97th Street and its southeasterly centerline prolongation; and
 - c. the centerline of a railroad right-of-way, Beach 88th Street, a line 100 feet northerly of Rockaway Beach Boulevard, Beach 86th Street, Rockaway Beach Boulevard, and Beach 90th Street;
40. changing from an R6 District to an R6A District property bounded by:
- a. the U.S. Pierhead Line, the northeasterly street line of Cross Bay Parkway and its southeasterly prolongation, Beach Channel Drive, a southeasterly prolongation of the northeasterly roadway line of Cross Bay Parkway, a northeasterly service road of Cross Bay Parkway, a southeasterly boundary line of a rail road right-of-way, a line 175 feet southwesterly of Beach 92nd Street, Rockaway Beach Boulevard, Beach 96th Street, the northwesterly boundary line of a rail road right-of-way, a southwesterly service road of Cross Bay Parkway, and the southwesterly street line of Cross Bay Parkway; and
 - b. Beach Channel Drive, Beach 32nd Street, and Far Rockaway Boulevard;
41. changing from an R5 District to an R7A District property bounded by:
- a. a line 150 feet southeasterly of Rockaway Beach Boulevard, Beach 115th Street and its southeasterly centerline prolongation, a northwesterly boundary line of Rockaway Park, Beach 116th Street and its southeasterly centerline prolongation, a line 200 feet northerly of Ocean Promenade, a line midway between Beach 116th Street and Beach 117th Street, a line 100 feet northerly of Ocean Promenade, Beach 117th Street; and
 - b. the centerline of a railroad right-of-way, a line 420 feet southwesterly of Beach 102nd Street, Rockaway Beach Boulevard, and Beach 106th Street;

42. changing from an R4 District to a C4-3A District property bounded by:
 - a. Rockaway Beach Boulevard, the centerline of former Beach 43rd Street, a line 85 feet northerly of Shore Front Parkway, and Beach 47th Street; and
 - b. Beach Channel Drive, Beach 35th Street, the northeasterly centerline prolongation of Rockaway Beach Boulevard, and Beach 36th Street;
43. changing from an R6 District to a C4-3A District property bounded by the northeasterly centerline prolongation of Rockaway Beach Boulevard, Beach 35th Street, Shore Front Parkway, and Beach 36th Street and its southerly centerline prolongation;
44. changing from an R6 District to a C4-4 District property bounded by a line 100 feet southeasterly of Shore Front Parkway, Beach 35th Street and its southeasterly centerline prolongation, Ocean Front Road, and the southerly centerline prolongation of Beach 36th Street;
45. changing from an R4 District to an M1-1 District property bounded by Beach Channel Drive, Beach 104th Street, the centerline of a railroad right-of-way, and the northwesterly centerline prolongation of Beach 106th Street;
46. establishing within a proposed R3A District a C1-3 District bounded by Seagirt Avenue, Beach 25th Street, a line 100 feet southerly of Seagirt Avenue, and Beach 26th Street;
47. establishing within a proposed R4-1 District a C1-3 District bounded by:
 - a. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 98th Street, Rockaway Beach Boulevard, and Beach 99th Street; and
 - b. Seagirt Boulevard, the northerly centerline prolongation of Beach 25th Street, Seagirt Avenue, and Beach 26th Street;
48. establishing within a proposed R4A District a C1-3 District bounded by Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, and Beach 117th Street;
49. establishing within a proposed R5A District a C1-3 District bounded by Beach Channel Drive, a line midway between Beach 69th Street and Beach 70th Street, a line 100 feet southerly of Beach Channel Drive, and a line 95 feet westerly of Beach 90th Street;
50. establishing within a proposed R5B District a C1-3 District bounded by:

- a. Beach Channel Drive, Beach 116th Street, a line 100 feet southeasterly of Beach Channel Drive, a line 150 feet northeasterly of Beach 116th Street, a line 150 feet northwesterly of Rockaway Beach Boulevard, the northwesterly prolongation of the northeasterly street line of Beach 114th Street, Rockaway Beach Boulevard, Beach 113th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 116th Street, a line 150 feet southeasterly of Rockaway Beach Boulevard, a line midway between Beach 116th Street and Beach 117th Street, Newport Avenue, and Beach 117th Street;
 - b. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 109th Street, Rockaway Beach Boulevard, and the northwesterly prolongation of the southwesterly street line of Beach 111th Street;
 - c. Rockaway Beach Boulevard, Beach 108th Street, a line 100 feet southeasterly of Rockaway Beach Drive, and Beach 109th Street;
 - d. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 96th Street, Rockaway Beach Boulevard, a line midway between Beach 96th Street and Cross Bay Parkway, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 97th Street, Rockaway Beach Boulevard, and Beach 98th Street; and
 - e. Rockaway Beach Boulevard, Beach 90th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, and Cross Bay Parkway;
51. establishing within a proposed R5D District a C1-3 District bounded by:
- a. the centerline of a railroad right-of-way, a line midway between Beach 101st Street and 102nd Street, a line 100 feet northwesterly of Rockaway Beach Boulevard, and Beach 102nd Street;
 - b. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 99th Street, Rockaway Beach Boulevard, Beach 100th Street, a line 100 feet southeasterly of Rockaway Beach Boulevard, Beach 102nd Street, Rockaway Beach Boulevard, and Beach 100th Street;
 - c. a line 100 feet northerly of Beach Channel Drive, Beach 66th Street, a line 100 feet southerly of Beach Channel Drive, Beach 67th Street, Beach Channel Drive, and Beach 68th Street;
 - d. a line 100 feet northerly of Beach Channel Drive, Beach 64th Street, Beach Channel Drive, and Beach 65th Street; and
 - e. a line 100 feet northerly of Beach Channel Drive, Beach 62nd Street, a

line 75 feet northerly of Rockaway Beach Boulevard, a line midway between Beach 62nd Street and Beach 63rd Street, Beach Channel Drive, and Beach 63rd Street;

52. establishing within a proposed R7A District a C1-3 District bounded by a line 150 feet southeasterly of Rockaway Beach Boulevard, a line midway between Beach 115th Street and Beach 116th Street, Ocean Promenade, Beach 116th Street, a line 200 feet northwesterly of Ocean Promenade, and a line midway between Beach 116th Street and Beach 117th Street;
53. establishing within a proposed R4-1 District a C2-3 District bounded by a U.S. Bulkhead Line, a line 235 feet northeasterly of Beach 92nd Street, Beach Channel Drive, and Beach 92nd Street;
54. establishing within a proposed R5B District a C2-3 District bounded by:
 - a. a line 100 feet northwesterly of Rockaway Beach Boulevard, the northwesterly prolongation of the southwesterly street line of Beach 111th Street, Rockaway Beach Boulevard, and the northwesterly prolongation of the northeasterly street line of Beach 114th Street; and
 - b. a line 100 feet northwesterly of Rockaway Beach Boulevard, Beach 90th Street, Rockaway Beach Boulevard, and a line 175 feet southwesterly of Beach 92nd Street;
55. establishing within a proposed R5D District a C2-3 District bounded by:
 - a. Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street;
 - b. Rockaway Freeway, Beach 102nd Street, Rockaway Beach Boulevard, and a line 420 feet southwesterly of Beach 102nd Street;
 - c. a line 100 feet northwesterly and northerly of Rockaway Beach Boulevard, Beach 86th Street, Rockaway Beach Boulevard, and Beach 90th Street; and
 - d. a line 100 feet northwesterly of Beach Channel Drive, Beach 59th Street, Beach Channel Drive, and Beach 62nd Street; and
56. establishing within a proposed R7A District a C2-3 District bounded by Rockaway Freeway, a line 420 feet southwesterly of Beach 102nd Street, Rockaway Beach Boulevard, and Beach 106th Street;

as shown in a diagram (for illustrative purposes only) dated April 21, 2008 and subject to the conditions of CEQR declaration E-215.

(On June 4, 2008, Cal. No. 4, the Commission scheduled June 18, 2008 for a public hearing. On June 18, 2008, Cal. No. 14, the hearing was closed.)

For consideration.

No. 20

CD 14

**N 080372 ZRQ
N 080373 ZRQ**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article II, Chapters 1 and 5, to extend the applicability of the R2X District and to modify the off-street parking regulations for R6 and R7 Districts in Community District 14, in the Borough of Queens.

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

* * *

**ARTICLE II
RESIDENCE DISTRICT REGULATIONS**

**Chapter 1
Statement of Legislative Intent**

* * *

**21-10
PURPOSES OF SPECIFIC RESIDENCE DISTRICTS**

* * *

**21-12
R2X - Single-Family Detached Residence District**

This district is designed to provide for large single-family detached dwellings on narrow zoning lots. This district also includes community facilities and open uses which serve the residents of the district or are benefited by a residential environment.

This district may be mapped only within the Special Ocean Parkway District and Community District 14 in the Borough of Queens.

* * *

**Chapter 5
Accessory Off-Street Parking and Loading Regulations**

**25-00
GENERAL PURPOSES AND DEFINITIONS**

Off-street Parking Regulations

**25-02
Applicability**

* * *

**25-027
Applicability of regulations in Community District 14, Queens**

In Community District 14 in the Borough of Queens, R6 and R7 Districts shall be subject to the #accessory# off-street parking regulations of an R5 District, except that such requirement shall not apply to any #development# located within an urban renewal area established prior to (effective date of amendment).

For the purposes of this Section, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided on any #story# located below 33 feet above the #base plane#.

* * *

(On June 4, 2008, Cal. No. 5, the Commission scheduled June 18, 2008 for a public hearing. On June 18, 2008, Cal. No. 15, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

Nos. 21 & 22

LIBERTY TOWERS

No. 21

CD 1

N 080329 ZAR

IN THE MATTER OF an application submitted by Liberty Towers Realty LLC for the grant of authorizations pursuant to Section 119-311 to authorize development in a steep slope, Section 119-312 to authorize certain uses (commercial, community facility, group parking facilities of 30 cars or more) within the Special Hillside Preservation District, and Section 119-315 to authorize modification of height in order to construct a mixed-use building located at 24 Stuyvesant Place (Block 13, Lots 100, 103, 104 (Tentative Lot 100)) within the Special Hillside Preservation District.

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

For consideration.



No. 22

CD 1

N 080330 ZAR

IN THE MATTER OF an application submitted by Liberty Towers Realty I LLC for the grant of authorizations pursuant to Section 119-311 to authorize development in a steep slope, Section 119-312 to authorize certain uses (commercial, community facility, group parking facilities of 30 cars or more) within the Special Hillside Preservation District, and Section 119-315 to authorize modification of height in order to construct a mixed-use building located at Richmond Terrace (Block 13, Lots 75, 78, 79, 80, 81, 82, and 92 (Tentative Lot 82)) within the Special Hillside Preservation District.

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

For consideration.



III. PUBLIC HEARINGS

BOROUGH OF BROOKLYN

No. 23

FULTON STREET BID

CD 2

N 080456 BDK

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Fulton Street Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the Fulton Street Business Improvement District.

(On July 2, 2008, Cal. No. 1, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF STATEN ISLAND

Nos. 24 & 25

ST. GEORGE REZONING

No. 24

CD 1

N 080425 ZRR

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article I, Chapters 1, 2, 4, 5 and Article 10, Chapter 8 to establish the Special St. George District in Staten Island, CD 1.

Special St. George District

Matter is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in is old, to be deleted;

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

**11-12
Establishment of Districts**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

Establishment of the Special St. George District

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

* * *

**12-10
DEFINITIONS**

* * *

Special South Richmond Development District

* * *

Special St. George District

The “Special St. George District” is a Special Purpose District designated by the letters “SG” in which special regulations set forth in Article X, Chapter 8, apply. The #Special St. George District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Special Stapleton Waterfront District

* * *

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

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

* * *

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
South Richmond Development District	Yes	Yes
<u>St. George District</u>	<u>Yes</u>	<u>Yes</u>
Stapleton Waterfront District	Yes	Yes

* * *

**Chapter 5
Residential Conversion of Existing Non-Residential Buildings**

* * *

**15-011
Applicability within Special Districts**

* * *

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article X, Chapter 8 (Special St. George District).

* * *

**ARTICLE X
SPECIAL PURPOSE DISTRICTS**

* * *

All text is new; it is not underlined

**Chapter 8
Special St. George District**

**108-00
GENERAL PURPOSES**

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

- (a) build upon St. George's existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian friendly business and residence district;
- (b) establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- (c) require a tall, slender building form that capitalizes on St. George's hillside topography and maintains waterfront vistas;
- (d) encourage the reuse and reinvestment of vacant office buildings;
- (e) accommodate an appropriate level of off-street parking while reducing its visual impact, and
- (f) promote the most desirable use of land and building development in accordance with the District Plan for St George and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

**108-01
Definitions**

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Commercial Street

A "commercial street" shall be a street, or portion thereof, where special regulations pertaining to ground floor uses on #commercial streets#, pursuant to Section 108-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2, in the Appendix to this Chapter.

**108-02
General Provisions**

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special St. George District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special St. George District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

However, the regulations of this Chapter shall not apply to any property that is the subject of a site selection for a court house and public parking garage pursuant to application 080379 PSR. Such property shall be governed by the underlying regulations of this Resolution.

Furthermore, any property that is the subject of a site selection and acquisition for the use of a lot for open parking pursuant to application 080378 PCR may be governed by the regulations of this Chapter or the underlying regulations of this Resolution for a period of two years after (date of enactment). After (date of enactment), such property shall be subject to the regulations of this Chapter.

108-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special St. George District# Plan.

The District Plan includes the following four maps :

Map 1	Special St. George District Plan
Map 2	Commercial Streets
Map 3	Minimum and Maximum Base Heights
Map 4	Tower Restriction Areas

The maps are located in the Appendix to this Chapter and are hereby incorporated and made a part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

108-04 Subdistricts

In order to carry out the purposes and provisions of this Chapter, the #Special St. George District# shall include two Subdistricts: Subdistrict A (Upland) and Subdistrict B (Waterfront), as shown on Map 1 (Special St George District Plan) in the Appendix to this Chapter.

108-05
Applicability of District Regulations

108-051
Applicability of Article I, Chapter 1

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

108-052
Applicability of Article 1, Chapter 2

The definition of “lower density growth management area” in Section 12-10 (DEFINITIONS) shall be modified to exclude all districts within the #Special St George District#.

108-053
Applicability of Article 1, Chapter 5

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special St. George District#, except as modified in this Chapter.

108-10
USE REGULATIONS

108-11
Ground Floor Uses on Commercial Streets

Map 2 (Commercial Streets) in Appendix A of this Chapter specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# on the ground floor of a #building# shall be limited to #commercial uses#. The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

#Commercial uses# shall have a depth of at least 30 feet from the #street wall# of the #building# facing the #commercial street# and shall extend along the entire width of the #building# except for lobbies and entrances to #accessory# parking spaces, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences# shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building# facing the #commercial street#.

108-12

Transparency Requirements

Any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

108-13

Location of Uses in Mixed Buildings

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

108-14

Security Gates

Within the #Special St. George District#, all security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

108-20
FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

108-21
Maximum Floor Area Ratio

In C4-2 Districts within Subdistrict A, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply. However, for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

108-22
Maximum Lot Coverage

In C4-2 Districts within Subdistrict A, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building# or portion thereof shall be 70 percent for an #interior# or #through lot# and 80 percent for a #corner lot#. However, no maximum #lot coverage# shall apply to any #corner lot# of 5,000 square feet or less.

108-23
Rear Yard Equivalents

In C4-2 Districts within Subdistrict A, the #rear yard equivalent# regulations for #residential uses# on #through lots# or the #through lot# portion of a #zoning lot# are modified as set forth in this Section. Such #yards# shall be provided within 45 feet of the centerline of the #through lot# or #through lot# portion, and the level of such #yards# may be provided at any level not higher than the floor level of the lowest #story# containing #dwelling units# that face such #yards#. Furthermore, no #rear yard equivalent# regulations shall apply to any #through lot# or #through lot# portion of a #zoning lot# on which a tower is #developed# or #enlarged# pursuant to Section 108-34.

108-30
HEIGHT AND SETBACK REGULATIONS

In C1-2 Districts mapped within R3-2 Districts, all #buildings# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 108-32 (Street Wall Location and Base Height) shall apply.

The underlying height and setback regulations in C4-2 Districts within Subdistrict A shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply.

In Subdistrict B, the underlying height and setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except as modified in Section 108-31 (Rooftop Regulations).

All heights shall be measured from the #base plane#.

108-31 Rooftop Regulations

The provisions of this Section shall apply to all #buildings# in C4-2 Districts within Subdistricts A and B.

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (1) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- (2) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and conversions of non-#residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

108-32 Street Wall Location and Base Height

The provisions of this Section, inclusive, shall apply to all #buildings# within Subdistrict A.

108-321

Street walls along commercial streets

For #zoning lots# with #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 70 percent of the #commercial street# frontage of the #zoning lot# and be located within eight feet of the #street line# of the #commercial street#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

108-322

Street walls along non-commercial streets

For #zoning lots# without #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 50 percent of the #street# frontage of the #zoning lot# and be located within eight feet of the #street line#. In C4-2 Districts within Subdistrict A, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights), or the height of the #building#, whichever is less.

108-323

Maximum base height

The maximum height of a #building or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights). All portions of #buildings# above such maximum base height shall provide a setback at least ten feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#. In C4-2 Districts within the Subdistrict A, dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

108-33

Maximum building height

In C4-2 Districts within Subdistrict A, the maximum #building# height shall be 70 feet, except where towers are permitted pursuant to Section 108-34.

108-34

Towers

The tower provisions of this Section shall apply to any #zoning lot# with a #lot area# of at least 10,000 square feet. Any portion of a #building developed# or #enlarged# on such #zoning lots# that exceeds a height of 70 feet shall be constructed as either a point tower or a broad tower, as follows:

(a) Point tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 6,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 85 feet. The highest three #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such stories#.

(b) Broad tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 8,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 135 feet. The upper #stories# shall provide setbacks with a minimum depth of 15 feet measured from the east facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less. For towers with at least six #stories# located entirely above a height of 70 feet, the lowest level at which such setbacks may be provided is 100 feet, and the highest #story# shall be located entirely within the western half of the tower.

(c) Orientation of all towers

The maximum length of the outermost walls of any side of each #story# of a #building# facing the #shoreline# that is entirely above a height of 70 feet shall not exceed 80 feet. For the purposes of this Section, the #street line# of St. Marks Place shall be considered to be a line parallel to the #shoreline#, and any side of such rectangle facing St. Marks Place from which lines perpendicular to the #street line# of St. Marks Place may be drawn, regardless of intervening structures, properties or #streets#, shall not exceed 80 feet.

(d) Location of all towers

Any portion of a #building# that exceeds a height of 70 feet shall be no closer to a #side lot line# than eight feet, and any #story# of a #building# that is entirely above a height of 70 feet shall be located within 25 feet of a #street line#.

(e) Maximum tower height

The maximum height of any #building# utilizing the tower provisions of this Section shall be 200 feet.

(f) Tower and base integration

All portions of a #building# that exceed the applicable maximum base height set forth in Section 108-323 shall be set back at least 10 feet from the #street wall# of a #building# facing a #wide street# and at least 15 feet from the #street wall# of a #building# facing a #narrow street#. However, up to 50 percent of the #street wall# of the portion of the #building# located above a height of 70 feet need not be set back from the #street wall# of the #building#, and may rise without setback from grade, provided such portion of the #building# is set back at least 10 feet from a #wide street line# and at least 15 feet from a #narrow street line#.

(g) Tower exclusion areas

No #building# may exceed a height of 70 feet within the areas designated on Map 4 (Tower Restriction Areas), in the Appendix to this Chapter.

**108-40
MANDATORY IMPROVEMENTS**

**108-41
Sidewalks**

Sidewalks with a depth of at least 12 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire #street# frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 12 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 12 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

**108-50
PARKING REGULATIONS**

In the #Special St George District#, the underlying regulations governing permitted and required #accessory# off-street parking spaces are modified as set forth in this Section.

108-51

Required off-street parking and loading

In C4-2 Districts, the following special regulations shall apply:

a) Residential uses

One off-street parking space shall be provided for each #dwelling unit# created after (effective date of amendment), including any #dwelling units# within #buildings# converted pursuant to Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings). However, where the total number of required spaces is five or less, or, for conversions, where the total number of required spaces is 20 or less, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after (effective date of amendment). The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to conversions where more than 20 parking spaces are required.

(b) Commercial uses

For #commercial uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area#, and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.

(c) Community facility use

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

108-52

Special Floor Area Regulations

The #floor area# of a #building# shall not include floor space used for off-street parking spaces provided in any #story# that complies with the provisions of Section 108-54 (Location of Accessory Off-street Parking Spaces).

108-53

Use of Parking Facilities

All #accessory# off-street parking spaces may be provided within parking facilities, including #public parking garages#, on #zoning lots# other than the same #zoning lot# as the #use# to which they are #accessory#, provided:

- (a) such parking facilities are located within the #Special St. George District#;

- (b) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and
- (c) the number of #accessory# parking spaces within such facility shall not exceed the combined number of spaces permitted on each #zoning lot# using such facility, less the number of spaces provided on each #zoning lot# using such facility.

108-54

Location of Accessory Off-street Parking Spaces

No open parking areas shall be located between the #street wall# of a #building# and the #street line#, and no open parking area shall front upon a #commercial street#. All open parking areas, regardless of the number of parking spaces, shall comply with the perimeter screening requirements of Section 37-921.

All off-street parking spaces within structures shall be located within facilities that, except for entrances and exits, are:

- (a) entirely below the level of each #street# upon which such facility fronts; or
- (b) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets#. The minimum depth of any such #floor area# shall be 30 feet, except that such depth may be reduced to 15 feet where the #street wall# containing such #floor area# fronts upon a #street# with a slope in excess of 11 percent; and
- (c) no parking shall be permitted on the roof of such facilities.

108-55

Special Requirements for Roofs of Parking Facilities

The roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. No parking spaces shall be provided on the roof of such facility. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. No less than 75 percent of such roof area shall be accessible for the recreational use of the occupants of the building in which it is located; and no more than 25 percent may be accessible solely from an adjacent #dwelling unit#. Hard surfaced areas shall not cover more than 60 percent of such roof area.

108-56

Curb Cuts on Commercial Streets

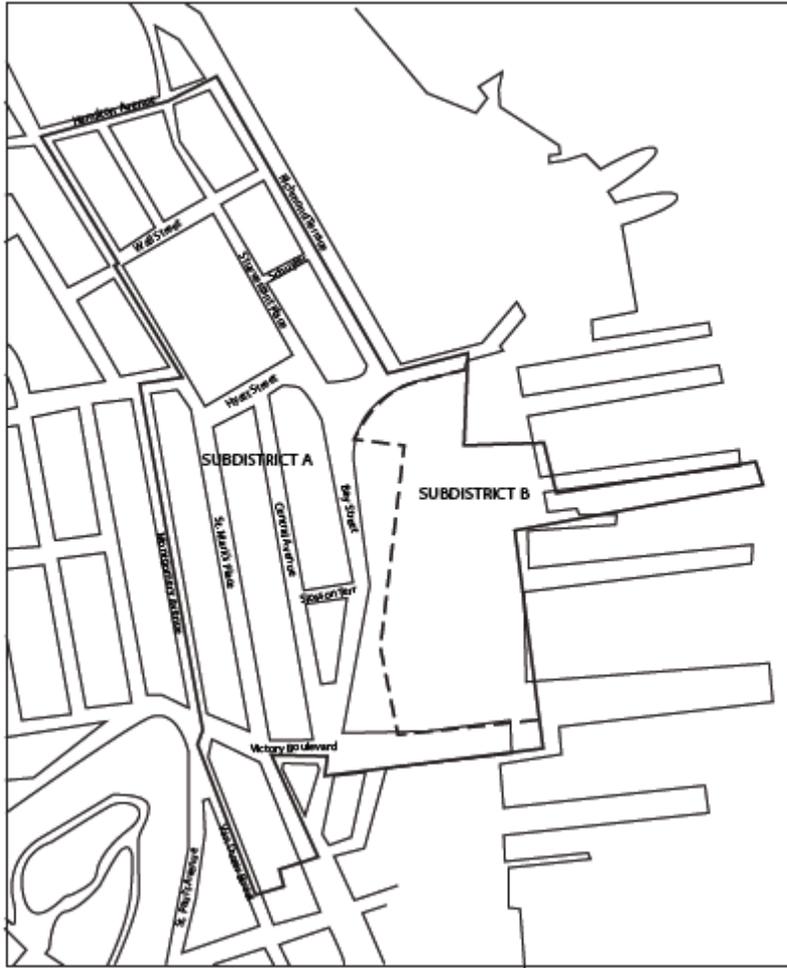
No curb cuts shall be permitted on #commercial streets# as shown on Map 2 in the Appendix to this Chapter. However, if access to a required #accessory# parking facility or loading berth is not possible because of such restriction, a curb cut may be allowed if the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such location is the only possible location for the facility or loading berth, is not hazardous to traffic safety, is at least 50 feet from the intersection of two #street lines#, and is constructed so as to have minimal effect on the streetscape.

108-57**Accessory Indoor Bicycle Parking**

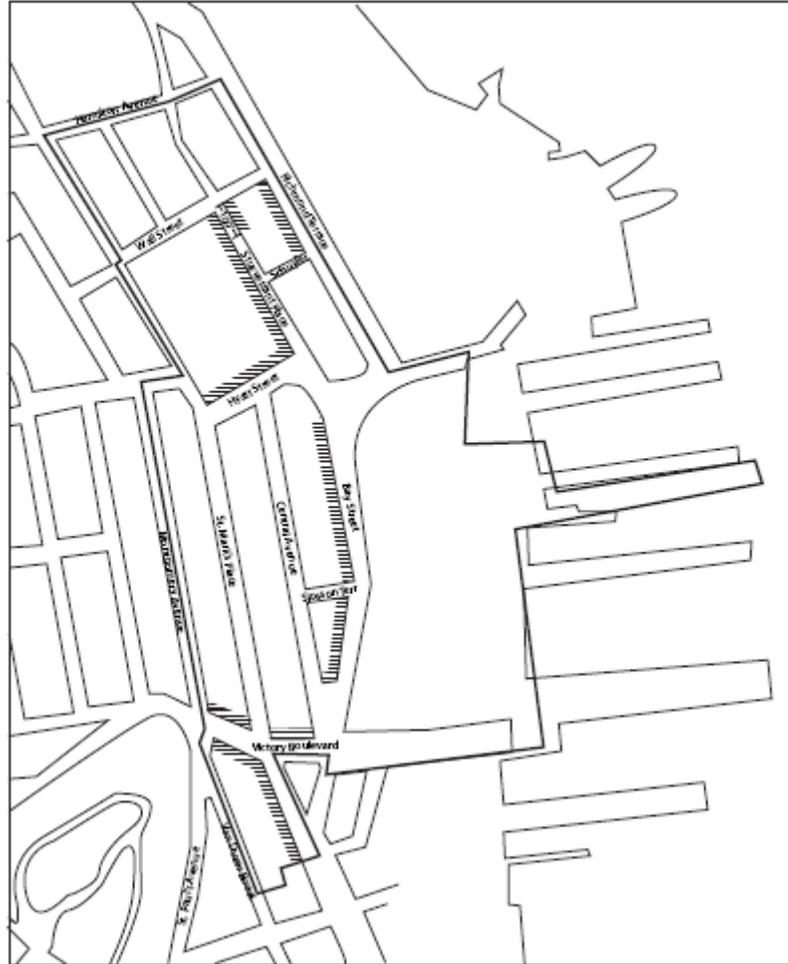
A designated area for #accessory# bicycle parking shall be provided for #developments# or #enlargements# with #residential# or #commercial uses#. Such facility shall be enclosed, accessible and secure. Floor space used for #accessory# bicycle parking located below a height of 33 feet, including #accessory# facilities, such as lockers, showers and circulation space, shall not be included in the definition of #floor area#.

- (a) For #residential developments# or #enlargements# with ten or more units per #building# or #building segment#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For commercial office #developments# or #enlargements# with 10,000 square feet or more of office #floor area#, one bicycle parking space shall be provided for every 5,000 square feet of office space, up to a maximum of 200 bicycle parking spaces.
- (c) For commercial #developments# or #enlargements# with 10,000 square feet or more of retail or service #floor area#, one bicycle parking space shall be provided for every per 10,000 square feet of retail space, up to a maximum of 100 bicycle parking spaces.

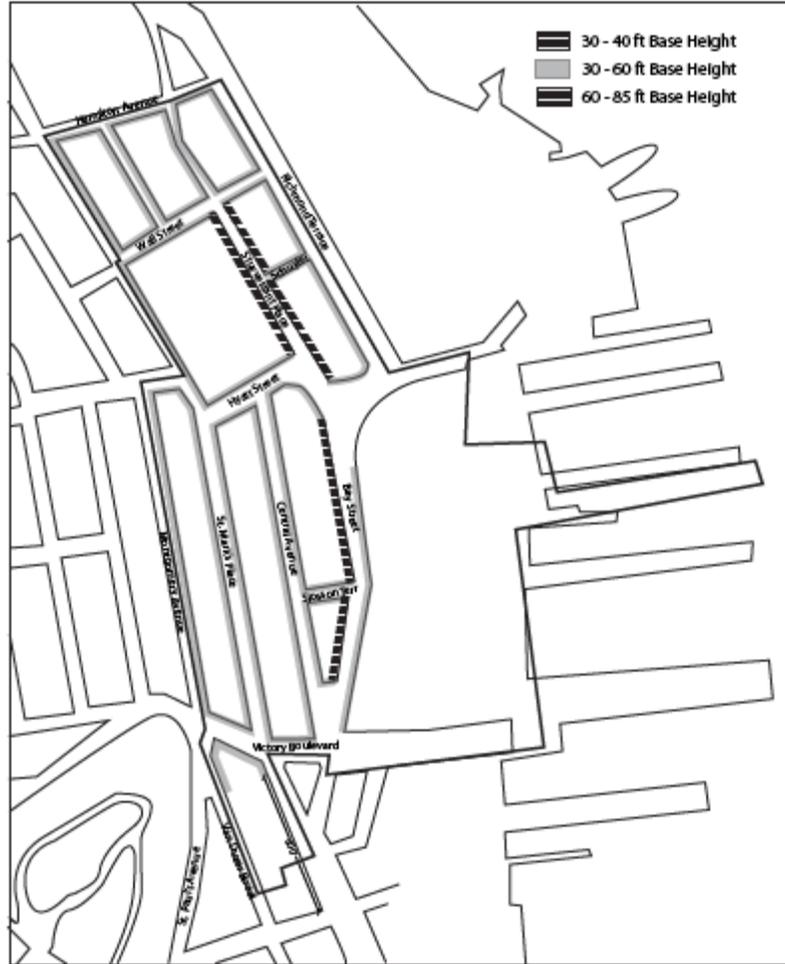
SPECIAL ST GEORGE DISTRICT
MAP 1. District Plan



SPECIAL ST GEORGE DISTRICT
MAP 2. Commercial Street Locations



SPECIAL ST GEORGE DISTRICT
MAP 3. Minimum and Maximum Base Height



No. 25**CD 1****C 080426 ZMR****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c

1. eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
2. changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
3. establishing a Special St. George District bounded by:
 - the property line of the US Government Lighthouse Department,
 - the US Bulkhead line of the Upper Bay,
 - a line forming an angle of 104 degrees with the second-named course distant 225 feet northerly (as measured along the second-named course) of the first-named course,
 - a line perpendicular to the third-named course distant 326 feet westerly (as measured along the third-named course) of the second-named course,
 - the northerly street line of Borough Place and its westerly prolongation,
 - Richmond Terrace and its southeasterly centerline prolongation,
 - Hamilton Avenue,
 - St. Marks Place,
 - Fort Place,
 - Montgomery Avenue,
 - the northerly centerline prolongation of St. Pauls Avenue,
 - Van Duzer Street,
 - a line 150 feet northwesterly of Hannah Street,
 - a line midway between Van Duzer Street and Bay Street,
 - the southwesterly centerline prolongation of Minthorne Street,
 - Bay Street (westerly portion),
 - Victory Boulevard,
 - Bay Street (easterly portion),
 - the southerly street line of Victory Boulevard and its westerly and easterly prolongations,
 - the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue,
 - the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard,
 - a US Pierhead Line, and
 - the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-217.

(On July 2, 2008, Cal. No. 13, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF MANHATTAN

No. 26

DELURY SQUARE PARK

CD 1

C 080336 MMM

PUBLIC HEARING:

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

- the elimination, discontinuance and closing of a portion of Fulton Street, and John DeLury Sr. Plaza;
- the establishment of DeLury Square Park;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 30224 dated May 1, 2008, and signed by the Borough President.

(On July 2, 2008, Cal. No. 5, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 27, 28 & 29

EAST 125TH STREET DEVELOPMENT

No. 27

CD 11

C 080331 HAM

PUBLIC HEARING:

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 2293 Third Avenue (Block 1789, Lot 46); East 125th Street to East 126th Street, from 2nd Avenue to 3rd Avenue (Block 1790, Lots 1, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26-31, 40, 41, 44-46, 49, and 101); 2321 3rd Avenue (Block 1791, Lot 1); 2469 2nd Avenue (Block 1791, Lot 25); and 230 East 127th Street (Block 1791, Lot 34), Sites 13A, 12, 8A, and 9 of the Harlem-East Harlem Urban Renewal Area, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a mixed use project, tentatively known as the East 125th Street Development, with residential, retail and publicly accessible open space.

(On July 2, 2008, Cal. No. 2, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 28**CD 11****C 080332 HUM****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the 15th amendment to the Harlem East Harlem Urban Renewal Plan for the Harlem East Harlem Urban Renewal Area, Community District 11, Borough of Manhattan.

The proposed Plan changes the designated land uses of Sites 8A, 9, 12, and 13A; removes a density restriction; updates the timetable for the implementation of the plan; extends the expiration date; and adds Block 1790, Lots 8 and 46, and Block 1791, Lots 25 and 34 as properties to be acquired. These changes will facilitate the development of the East 125th Street Development Project.

(On July 2, 2008, Cal. No. 3, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 29
CD 11**C 080333 ZMM****PUBLIC HEARING:**

IN THE MATTER an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6a & 6b:

1. changing from an R7-2 District to a C6-3 District property bounded by East 127th Street, a line 250 feet westerly of Second Avenue, a line midway between East 126th Street and East 127th Street, Second Avenue, East 126th Street, and Third Avenue;
2. changing from a C4-4 to District to a C6-3 District property bounded by a line midway between East 125th Street / Dr. Martin Luther King Jr. Boulevard and East 126th Street, a line 100 feet easterly of Third Avenue, East 125th Street / Dr. Martin Luther King Jr. Boulevard, a line 130 feet easterly of Third Avenue, a line 75 feet southerly of East 125th Street / Dr. Martin Luther King Jr. Boulevard, and Third Avenue; and

3. changing from an M1-2 District to a C6-3 District property bounded by:
 - a. East 127th Street, Second Avenue, a line midway between East 126th Street and East 127th Street, and a line 250 feet westerly of Second Avenue; and
 - b. East 126th Street, Second Avenue, East 125th Street / Dr. Martin Luther King Jr. Boulevard, a line 100 feet easterly of Third Avenue, a line midway between East 125th Street / Dr. Martin Luther King Jr. Boulevard and East 126th Street, and Third Avenue; and

as shown on a diagram (for illustrative purposes only) dated March 24, 2008.

(On July 2, 2008, Cal. No. 4, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 23, 2008, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the Office of the Deputy Mayor for Economic Development and Rebuilding in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning modifications and amendments to the Harlem-East Harlem Urban Renewal Plan, including a UDAAP and land disposition; amendments to the zoning map to change C4-4, R7-2, M1-2 to C6-3 districts; and a certification regarding a transit easement volume; to facilitate the development of a hotel, affordable housing and parking within the area generally bounded by East 125th Street, 2nd Avenue, East 127th Street, and 3rd Avenue.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07DME025M.

BOROUGH OF QUEENS**No. 30*****LAURELTON REZONING*****CD 13****C 080462 ZMQ****PUBLIC HEARING:**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City charter for an amendment of the Zoning Map, Section Nos. 19a, 19b and 19c:

1. eliminating from an existing R3-2 District a C1-2 District bounded by 225th Street, a line 150 feet northeasterly of Merrick Boulevard, a northwesterly service road of Laurelton Parkway, and a line 150 feet southwesterly of Merrick Boulevard;
2. eliminating from an existing R3-2 District a C2-2 District bounded by:
 - a. a line 100 feet northeasterly of 141st Avenue, 225th Street, 141st Road, 224th Street, Prospect Court, a line 150 feet northwesterly of 224th Street, 141st Avenue, and 224th Street; and
 - b. 143rd Road, a line 150 feet southeasterly of Springfield Boulevard, 144th Avenue, North Conduit Avenue, and Springfield Boulevard;
3. changing from an R3-2 District to an R2 District property bounded by:
 - a. a line 75 feet northeasterly of 133rd Avenue, a line midway between 225th Street and 226th Street, 133rd Avenue, and 224th Street;
 - b. a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231st Street, a line 100 feet northeasterly of Merrick Boulevard, 229th Street, a line 95 feet northeasterly of Merrick Boulevard, 228th Street, a line 100 feet northeasterly of Merrick Boulevard, and 225th Street;
 - c. a line 100 feet southwesterly of 135th Avenue, 224th Street, 137th Avenue, 224th Street, a line 100 feet northeasterly of 141st Avenue, 225th Street, a line 80 feet northeasterly of 141st Avenue, 224th Street, Carson Street, a line midway between 222nd Street and 223rd Street, 139th Avenue, 222nd Street, a line 100 feet northeasterly of 139th Avenue, a line midway between 222nd Street and 223rd Street, 138th Avenue, the southwesterly prolongation of the southeasterly street line of 223rd Street, 137th Avenue, and 223rd Street;

- d. a line 100 feet northeasterly of 137th Avenue, 226th Street, 137th Avenue, and 225th Street; and
 - e. 141st Avenue, 226th Street, Mentone Avenue, and 225th Street;
4. changing from a C8-1 District to an R2 District property bounded by a line 150 feet northeasterly of Merrick Boulevard, 225th Street, a line 100 feet northeasterly of Merrick Boulevard, and a line midway between 222nd Street and 223rd Street;
5. changing from an R2 District to an R2A District property bounded by:
- a. 121st Street, Laurelton Parkway, 131st Avenue and its southeasterly centerline prolongation, 232nd Street, a line 140 feet southwesterly of 131st Avenue, a line 90 feet southeasterly of 233rd Street, 133rd Avenue, a line 50 feet southeasterly of 234th Street, a line 150 feet northeasterly of Merrick Boulevard, 234th Street, the northwesterly prolongation of the southwesterly street line of 133rd Road, a line 80 feet southeasterly of 233rd Street, a line 150 feet northeasterly of Merrick Boulevard, a line midway between Francis Lewis Boulevard and 231st Street, 133rd Avenue, a line midway between Francis Lewis Boulevard and 230th Street, a line 330 feet northeasterly of 133rd Avenue, a line midway between 229th Street and 230th Street, 130th Avenue, 224th Street, 131st Avenue, 223rd Street, a line 100 feet southwesterly of 131st Avenue, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of 133rd Avenue, 223rd Street, a line 100 feet southwesterly of 133rd Avenue, a line midway between 222nd Street and 223rd Street, a line 150 feet northeasterly of Merrick Boulevard, 220th Street, 133rd Avenue, a line midway between 220th Street and 221st Street, a line 100 feet southwesterly of 131st Avenue, 220th Street, 131st Avenue, Springfield Boulevard, a northeasterly boundary line of Montefiore Cemetery, the southwesterly prolongation of a line midway between 227th Street and 228th Street, and Francis Lewis Boulevard; and
 - b. 137th Avenue, Francis Lewis Boulevard, 230th Place, a line 100 feet northeasterly of 141st Avenue, a line midway between 229th Street and 230th Street, a line 100 feet southwesterly of 139th Avenue, 228th Street, a line 100 feet northeasterly of 139th Avenue, a line midway between 228th Street and 229th Street, a line 100 feet southwesterly of 138th Avenue, 229th Street, 138th Avenue, 227th Street, a line 100 feet northeasterly of 138th Avenue, and a line midway between 225th Street and 226th Street;
6. changing from an R3-2 District to an R2A District property bounded by:
- a. a line 150 feet northeasterly of Merrick Boulevard, a line 80 feet southeasterly of 233rd Street, a line 100 feet northeasterly of Merrick

- Boulevard, and a line midway between Francis Lewis Boulevard and 231st Street;
- b. a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southwesterly of 234th Street, a line 100 feet southwesterly of 133rd Road, and 234th Street;
 - c. a line 100 feet northeasterly of 137th Avenue, 230th Street, 137th Avenue, and 226th Street; and
 - d. 137th Avenue, the southwesterly prolongation of the southeasterly street line of 223rd Street, 138th Avenue, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of 139th Avenue, 222nd Street, 139th Avenue, a line midway between 222nd Street and 223rd Street, Carson Street, a line 100 feet northwesterly of 222nd Street, 138th Avenue, a line 100 feet southeasterly of 220th Place, 137th Road, and 220th Place;
7. changing from a C8-1 District to an R2A District property bounded by a line 150 feet northeasterly of Merrick Boulevard, a line midway between 222nd Street and 223rd Street, a line 100 feet northeasterly of Merrick Boulevard, and 220th Street;
 8. changing from an R3-2 District to an R3-1 District property bounded by:
 - a. a line 100 feet southwesterly of Merrick Boulevard, 229th Street, a line 95 feet southwesterly of Merrick Boulevard, 230th Street, 135th Avenue, and a line midway between 228th Street and 229th Street; and
 - b. 135th Avenue, a line midway between 228th Street and 229th Street, a line 100 feet southwesterly of 135th Avenue, a line midway between 227th Street and 228th Street, a line 120 feet southwesterly of 135th Avenue, and a line midway between 226th Street and 227th Street;
 9. changing from an R2 District to an R3-2 District property bounded by:
 - a. 131st Avenue and its southeasterly centerline prolongation, Laurelton Parkway, Merrick Boulevard, a northwesterly service road of Laurelton Parkway, a line 150 feet northeasterly of Merrick Boulevard, a line 50 feet southeasterly of 234th Street, 133rd Avenue, a line 90 feet southeasterly of 233rd Street, a line 140 feet southwesterly of 131st Avenue, and 232nd Street; and
 - b. the northwesterly prolongation of the southwesterly street line of 133rd Road, 234th Street, and a line 150 feet northeasterly of Merrick Boulevard;
 10. changing from an R3-2 District to an R3A District property bounded by:

- a. Springfield Boulevard, 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 200 feet southeasterly of Springfield Boulevard, 134th Road, 217th Street, a line 175 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218th Street, a line 150 feet southwesterly of Merrick Boulevard, 222nd Street, 134th Road, 223rd Street, a line 150 feet southwesterly of Merrick Boulevard, 225th Street, a line 100 feet southwesterly of Merrick Boulevard, 227th Street, a line 95 feet northeasterly of 135th Avenue, a line 80 feet southeasterly of 225th Street, a line 100 feet northeasterly of 135th Avenue, 225th Street, a line 75 feet northeasterly of 135th Avenue, 224th Street, a line 100 feet northeasterly of 135th Avenue, the northeasterly centerline prolongation of 223rd Street, 135th Avenue, 218th Street, 137th Avenue, 219th Street, 137th Road, 218th Street, 138th Avenue, and Carson Street; and
 - b. a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet southeasterly of 234th Street, a line 100 feet northeasterly of 134th Road and its southeasterly prolongation, Laurelton Parkway and its southwesterly centerline prolongation (at North Conduit Avenue), South Conduit Avenue, the southwesterly centerline prolongation of 230th Place, the northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225th Street, Mentone Avenue, a line 100 feet southeasterly of 228th Street, 141st Avenue, 230th Place, Francis Lewis Boulevard, 137th Avenue, 230th Street, a line 100 feet northeasterly of 137th Avenue, a line midway between 229th Street and 230th Street, 135th Avenue, and 230th Street;
11. changing from a C8-1 District to an R3A District property bounded by a line 100 feet northeasterly of 219th Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northeasterly of 220th Street, a line 100 feet southwesterly of Merrick Boulevard, 221st Street, a line 140 feet southwesterly of Merrick Boulevard, 222nd Street, a line 100 feet southwesterly of Merrick Boulevard, 223rd Street, 134th Road, 222nd Street, and a line 150 feet southwesterly of Merrick Boulevard;
12. changing an R3-2 District to an R3X District property bounded by:
- a. 135 Avenue, 222nd Street, 136th Avenue, a line midway between 221st Street and 222nd Street, a line 100 feet northeasterly of 137th Avenue, 221st Street, 137th Avenue, 220th Place, 137th Road, a line 100 feet southeasterly of 220th Place, 138th Avenue, a line 100 feet northwesterly of 222nd Street, Carson Street, a line 125 feet southeasterly of 219th Street, a line 145 feet southwesterly of 139th Avenue and its southeasterly prolongation, a line 240 feet

southeasterly of 219th Street, 140th Avenue and its southeasterly centerline prolongation, a line 110 feet southeasterly of 219th Street, 141st Avenue, a line 300 feet southeasterly of 222nd Street, a line midway between 141st Avenue and 141st Road, a line 175 feet northwesterly of 224th Street, 141st Road, a line 100 feet northwesterly of 224th Street, Prospect Court and its southeasterly centerline prolongation, a line 210 feet southeasterly of 225th Street, North Conduit Avenue, 225th Street, South Conduit Avenue, Springfield Boulevard, a line 120 feet northwesterly of 142nd Road, a line 255 feet northwesterly of 221st Street, Edgewood Avenue, the northeasterly prolongation of a line 80 feet northwesterly of 221st Street, the southwesterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, a line 140 feet northwesterly of 222nd Street, 141st Road, a line 100 feet northwesterly of 219th Street, a line 150 feet easterly of Springfield Boulevard, a line 100 feet northeasterly of 138th Road, Carson Street, 138th Avenue, 218th Street, 137th Road, 219th Street, 137th Avenue, and 218th Street; and

- b. a line 100 feet southwesterly of Merrick Boulevard, a line midway between 228th Street and 229th Street, 135th Avenue, a line midway between 226th Street and 227th Street, a line 120 feet southwesterly of 135th Avenue, a line midway between 227th Street and 228th Street, a line 100 feet southwesterly of 135th Avenue, a line midway between 228th Street and 229th Street, 135th Avenue, a line midway between 229th Street and 230th Street, a line 100 feet northeasterly of 137th Avenue, 225th Street, 137th Avenue, 224th Street, a line 290 feet southwesterly of 135th Avenue, a line midway between 225th Street and 226th Street, 135th Avenue, a line 80 feet southeasterly of 225th Street, a line 95 feet northeasterly of 135th Avenue, and 227th Street;

13. changing from an R2 District to an R4B District property bounded by:

- a. 130th Avenue, a line midway between 227th Street and 228th Street, a line 225 feet southwesterly of 130th Avenue, and a line midway between 226th Street and 227th Street;
- b. a line 100 feet northeasterly of 141st Avenue, a line midway between 227th Street and 228th Street, 141st Avenue, and 226th Street; and
- c. a line 100 feet northeasterly of 141st Avenue, 230th Place, and 141st Avenue, and a line midway between 228th Street and 229th Street;

14. changing from an R3-2 District to an R4B District property bounded by:

- a. 130th Avenue, a line midway between 226th Street and 227th Street, 133rd Avenue, a line midway between 225th Street and 226th Street, a line 75 feet northeasterly of 133rd Avenue, and 224th Street; and

- b. 141st Avenue, a line 100 feet southeasterly of 228th Street, Mentone Avenue, a line perpendicular to the southwesterly street line of Mentone Avenue distant 325 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of Mentone Avenue and the southeasterly street line of 225th Street, a northeasterly boundary line of the Long Island Rail Road (Montauk Division) right-of-way, 225th Street, Mentone Avenue, and 226th Street;
- 15. changing from an R2 District to an R5D District property bounded by 133rd Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133rd Road and Merrick Boulevard, and Springfield Boulevard;
- 16. changing from an R3-2 District to an R5D District property bounded by a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217th Street), a line 100 feet northwesterly of 218th Street, a line 175 feet southwesterly of Merrick Boulevard, 217th Street, 134th Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, 135th Avenue, and Springfield Avenue;
- 17. changing from a C8-1 District to an R5D District property bounded by a line midway between Merrick Boulevard and 133rd Road, 218th Street, 133rd Road, 220th Street, a line 100 feet northeasterly of Merrick Boulevard, 225th Street, a line 150 feet southeasterly of Merrick Boulevard, 223rd Street, a line 100 feet southwesterly of Merrick Boulevard, 222nd Street, a line 140 feet southwesterly of Merrick Boulevard, 221st Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220th Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219th Street, a line 150 feet southwesterly of Merrick Boulevard and its northwesterly prolongation (at 217th Street), and Springfield Boulevard;
- 18. establishing within a proposed R3X District a C1-3 District bounded by Springfield Boulevard, a line 60 feet northeasterly of 144th Avenue, a line 75 feet southeasterly of Springfield Boulevard, 144th Avenue, and North Conduit Avenue;
- 19. establishing within an existing R3-2 District a C1-3 District bounded by:
 - a. 225th Street, a line 100 feet northeasterly of Merrick Boulevard, 228th Street, a line 95 feet northeasterly of Merrick Boulevard, 229th Street, a line 100 feet northeasterly of Merrick Boulevard, 234th Street, a line 100 feet southwesterly of 133rd Road (straight portion) and its southeasterly centerline prolongation, a northwesterly service road of Laurelton Parkway, a line 100 feet northeasterly of 134th Road, a line 100 feet southeasterly of 234th Street, a line 100 feet southwesterly of Merrick Boulevard, 230th Street, a line 95 feet southwesterly of Merrick Boulevard, 229th Street, and a line 100 feet southwesterly of Merrick Boulevard;

- b. 224th Street, a line 80 feet northeasterly of 141st Avenue, 225th Street, and 141st Avenue;
 - c. 224th Street, the Long Island Rail Road (Montauk Division) right-of-way, 225th Street, and 141st Road; and
 - d. 141st Road, 224th Street, Prospect Court, and a line 100 feet northwesterly of 224th Street;
20. establishing within a proposed R5D District a C2-3 District bounded by Springfield Boulevard, 133rd Road, a line 100 feet southeasterly of Springfield Boulevard, a line midway between 133rd Road and Merrick Boulevard, 218th Street, a line 100 feet northeasterly of Merrick Boulevard, 225th Street, a line 100 feet southwesterly of Merrick Boulevard, 222nd Street, a line 140 feet southwesterly of Merrick Boulevard, 221st Street, a line 100 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 220th Street, a line 125 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 219th Street, a line 150 feet southwesterly of Merrick Boulevard, a line 100 feet northwesterly of 218th Street, a line 175 feet southwesterly of Merrick Boulevard, 217th Street, 134th Road, a line 200 feet southeasterly of Springfield Boulevard, a line midway between 134th Road and 135th Avenue, a line 100 feet southeasterly of Springfield Boulevard, and 135th Avenue;

as shown on a diagram (for illustrative purposes only) dated June 2, 2008 and subject to the conditions of CEQR Declaration E-219.

(On July 2, 2008, Cal. No. 11, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 31 & 32

BUDGET RENT-A-CAR

No. 31

CD 3

C 060466 MMQ

PUBLIC HEARING:

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

- the elimination, discontinuance and closing of 88th Street between 23rd Avenue and 24th Avenue and portions of 24th Avenue between 88th Street and 90th Place;
- the delineation of a Permanent Sewer Easement;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 4994 dated May 2, 2007, and signed by the Borough President.

(On July 2, 2008, Cal. No. 6, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 32

CD 3

C 060467 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by GTJ Co., Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c:

1. changing from an R3-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24th Avenue*, 89th Street, the centerline of former 24th Avenue*, and a line 140 feet westerly of 89th Street; and

2. changing from a C4-2 District to a C4-1 District property bounded by a line 320 feet northerly of the former centerline of 24th Avenue*, a line 140 feet westerly of 89th Street, the centerline of former 24th Avenue*, and a line 100 feet easterly of the former 88th Street*.

as shown on a diagram (for illustrative purposes) dated March 24, 2008.

* Note: 24th Avenue and 88th Street are proposed to be de-mapped under a concurrent related application C 060466 MMQ for a change in the City Map.

(On July 2, 2008, Cal. No. 7, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 33

WALDHEIM REZONING

CD 7

C 080457 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 10b, 10c and 10d:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by Franklin Avenue, a line 150 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street;
3. eliminating from within an existing R7-1 District a C1-2 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 150 feet southwesterly of Bowne Street;
4. changing from an R3-2 District to an R3X District property bounded by a line midway between Sanford Avenue and Franklin Avenue, Parsons Boulevard, Franklin Avenue, a line 80 feet southwesterly of Parsons Boulevard, Beech Avenue, Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, a line 100 feet northeasterly of Parsons Boulevard, Beech

Avenue, a line 460 feet southwesterly of 147th Street, the southeasterly street line of Ash Avenue, 147th Street, a line 125 feet southeasterly of Sanford Avenue, 149th Street, Beech Avenue, a line midway between 149th Street and 149th Place, a line 125 feet southeasterly of Sanford Avenue, a line 115 feet southwesterly of Murray Street, Sanford Avenue, a line midway between 155th Street and 156th Street, Beech Avenue, 156th Street, 45th Avenue, a line perpendicular to the southeasterly street line of 45th Avenue distance 150 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 45th Avenue and the northeasterly street line of Parsons Boulevard, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 320 feet northeasterly of Burling Street, 45th Avenue, Parsons Boulevard, Delaware Avenue, Burling Street, a line 380 feet southeasterly of Cherry Avenue, a line midway between Smart Street and Bowne Street, Cherry Avenue, and Bowne Street;

5. changing from an R3-2 District to an R4 District property bounded by Franklin Avenue, Parsons Boulevard, a line 125 feet northwesterly of Beech Avenue, a line 460 feet southwesterly of 147th Street, Beech Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between Cherry Avenue and Delaware Avenue, Parsons Boulevard, Beech Avenue, and a line 80 feet southwesterly of Parsons Boulevard;
6. changing from an R3-2 District to an R4A District property bounded by Sanford Avenue, 156th Street, Beech Avenue, and a line midway between 155th Street and 156th Street;
7. changing from an R3-2 District to an R4-1 District property bounded by:
 - a. Sanford Avenue, a line 115 feet southwesterly of Murray Street, a line 125 feet southeasterly of Sanford Avenue, a line midway between 149th Street and 149th Place, Beech Avenue, 149th Street, a line 125 feet southeasterly of Sanford Avenue, and 147th Street; and
 - b. Cherry Avenue, a line midway between Smart Street and Bowne Street, a line 380 feet southeasterly of Cherry Avenue, Burling Street, 45th Avenue, and Robinson Street;
8. changing from an R3-2 District to an R6A District property bounded by Ash Avenue, 147th Street, the southeasterly street line of Ash Avenue, a line 460 feet southwesterly of 147th Street, a line 125 feet northwesterly of Beech Avenue, and Parsons Boulevard;
9. changing from an R6 District to an R6A District property bounded by Sanford Avenue, 147th Street, Ash Avenue, Parsons Boulevard, a line midway between Sanford Avenue and Franklin Avenue, and Bowne Street;
10. changing from an R6 District to an R7-1 District property bounded by Elder Avenue, Kissena Boulevard, 45th Avenue, and Colden Street;

11. changing from an R7-1 District to an R7B District property bounded by Franklin Avenue, Bowne Street, Cherry Avenue, Robinson Street, a line 250 feet southeasterly of Cherry Avenue, a line 100 feet southwesterly of Union Street, a line 100 feet southeasterly of Cherry Avenue, and a line 150 feet northeasterly of Kissena Boulevard;
12. establishing within a proposed R3X District a C1-3 District bounded by:
 - a. Franklin Avenue, a line 100 feet northeasterly of Bowne Street, Ash Avenue, and Bowne Street; and
 - b. Elm Avenue, a line 150 feet northeasterly of 147th Street, 45th Avenue, a line 100 feet northeasterly of Parsons Boulevard, a line midway between 45th Avenue and Hawthorn Avenue, Parsons Boulevard, a line midway between 45th Avenue and Georgia Road, a line 100 feet southwesterly of Parsons Boulevard, 45th avenue and its northeasterly centerline prolongation, and 147th Street;
13. establishing within a proposed R4-1 District a C1-3 District bounded by a line 100 feet northwesterly of 45th Avenue, a line midway between Smart Street and Bowne Street, 45th Avenue, and a line midway between Bowne Street and Robinson Street; and
14. establishing within a proposed R7B District a C1-3 District bounded by Franklin Avenue, Bowne Street, Ash Avenue, and a line 100 feet southwesterly of Bowne Street;

as shown on a diagram (for illustrative purposes only) dated June 2, 2008, and subject to the conditions of CEQR Declaration E-220.

(On July 2, 2008, Cal. No. 8, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 34 & 35

DUTCH KILLS REZONING

No. 34

CD 1

N 080428 ZRQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District), relating to the addition of the Dutch Kills Subdistrict and expansion of the Special Long Island City Mixed Use District, in Community District 1, Borough of Queens.

Matter in underline is new, to be added;

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

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

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

12-10

DEFINITIONS

Special Little Italy District (2/3/77)

* * *

Special Long Island City Mixed Use District (~~7/26/01~~)

The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are ~~three~~ four special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, ~~and~~ the Queens Plaza Subdistrict and the Dutch Kills Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

Special Lower Manhattan District (8/27/98)

* * *

* * *

~~7/26/01~~

Article XI - Special Purpose Districts

Chapter 7

Special Long Island City Mixed Use District

~~7/26/01~~

117-00

GENERAL PURPOSES

The "Special Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Long Island City community. These general goals include, among others, the following specific purposes, to:

- (a) ~~to~~ support the continuing growth of ~~a~~ mixed residential, commercial and industrial neighborhoods by permitting expansion and new development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;
- (b) ~~to~~ encourage the development of moderate to high density commercial uses within a compact transit-oriented area;
- (c) ~~to~~ strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses;
- (d) encourage the development of affordable housing;
- (~~d~~-e) ~~to~~ promote the opportunity for people to work in the vicinity of their residences;
- (~~e~~-f) ~~to~~ retain jobs within New York City;
- (~~f~~-g) ~~to~~ provide an opportunity for the improvement of Long Island City; and
- (~~g~~-h) ~~to~~ promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

~~7/26/01~~

117-01

Definitions

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

Mixed use, building or development

For the purposes of this Chapter, a "mixed use building" or a "mixed use development" shall be any #building# or #development# used partly for #residential use# and partly for #community facility#, #commercial# or #manufacturing use#.

~~Special Long Island City Mixed Use District
(repeated from Section 12-10)~~

~~The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are three special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, and the Queens Plaza Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.~~

~~7/26/01~~

117-02

General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of the #Special Long Island City Mixed Use District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Long Island City Mixed Use District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

- (a) Notwithstanding the provisions of Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS), when a #building# that existed on October 25, 1995, within the Hunters Point or Court Square Subdistricts, is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.
- (b) For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# or #stories# above the highest #story# occupied, in whole or in part, by a non-#residential use#. Non-#residential uses# may, however, be located on the same #story#, or on a #story# higher than that occupied by #residential uses#, provided that the non-#residential uses#:

- (1) are located in a portion of the #mixed use building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
- (2) are not located directly over any portion of the #building# containing #dwelling units#.
- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the ~~#Special Long Island City Mixed Use District#~~ Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens).
- (d) In the granting of special permits or authorizations within the #Special Long Island City Mixed Use District#, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.
- (e) Where references are made to #block# numbers within this Chapter, such numbers are to be found on the maps appended to this Chapter.
- (f) In areas within the #Special Long Island City Mixed Use District# that are not within a Subdistrict, the regulations of the underlying zoning district shall apply.

~~7/26/01~~

117-03

District Plan and Maps

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

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

Appendix A	Map of the #Special Long Island City Mixed Use District# and Subdistricts
Appendix B	Court Square Subdistrict Plan Map and Description of Improvements
Appendix C	Queens Plaza Subdistrict Plan Maps: Map 1 - Designated Districts within the Queens Plaza Subdistrict

Map 2 - Ground Floor Use and Frontage

Map 3 - Sidewalk Widening, Street Wall Location
and Ground Floor Use.

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

8/12/04

117-04
Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~three~~ four subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts ~~certain~~ special regulations apply that do not apply elsewhere within ~~the remainder~~ of the #Special Long Island City Mixed Use District# and supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive. ~~The Special District and Subdistricts are shown in Appendix A of this Chapter.~~

~~Special regulations set forth in Sections 117-10 through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Court Square Subdistrict Plan Map is shown in Appendix B of this Chapter. Special regulations set forth in Sections 117-40 through 117-45, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Queens Plaza Subdistrict Plan Maps are included in Appendix C of this Chapter. Special regulations set forth in Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

Sections 117-60 through 117- 64, inclusive, shall apply to the Dutch Kills Subdistrict.

117-05
Applicability of Article I, Chapter 1

Within the #Special Long Island City Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, or noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

117-60
DUTCH KILLS SUBDISTRICT

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-60 through 117-64, inclusive, shall apply within the Dutch Kills Subdistrict.

117-61
General Provisions

In specified areas of the Dutch Kills Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of Section 117-60, inclusive, regulating the Dutch Kills Subdistrict , such #Residence# and M1 Districts are referred to as the “designated districts.” The designated districts within the Dutch Kills Subdistrict are indicated on the #zoning map# and are as follows:

M1-2/R5B
M1-2/R5D
M1-2/R6A
M1-3/R7X

The special provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Dutch Kills Subdistrict except where modified by the provisions of the Subdistrict , and shall supplement or supersede the provisions of the underlying designated #Residence# or M1 District, as applicable.

117-62
Special Use Regulations

In the Dutch Kills Subdistrict, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16) shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

117-63Special Bulk Regulations in the Designated Districts

Maximum #floor area ratio#, #lot coverage# and #street wall# provisions in the designated districts are modified as set forth in Sections 117-631 through 117- 633, inclusive.

117-631Floor area ratio and lot coverage modifications

(a) In the Dutch Kills Subdistrict, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#, in any #building#, except where such floor space used for #accessory parking# is contained within a #public parking garage#.

(b) M1-2/R5B Designated District

The maximum #floor area ratio# for #residential use# shall be 1.65.

The maximum #lot coverage# for a #residential building# shall be 60 percent on an #interior lot# or #through lot# and 80 percent on a #corner lot#.

(c) M1-3/R7X Designated District

(1) Inclusionary Housing Program

Where the designated district is M1-3/R7X within the Dutch Kills Subdistrict, such district shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

(2) Maximum floor area ratio

Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #building# containing a #residential use# shall not exceed the base #floor area ratio# of 3.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 5.0 as set forth in Section 23-942 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING).

117-632

Street wall location

In the Dutch Kills Subdistrict, the #street wall# of any #residential# or #mixed use development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from the #street line# than 15 feet.

117-633Maximum street wall height

In M1-2/R5B designated districts, for #residential buildings#, the maximum height of a #street wall# above the #base plane# shall be 33 feet or three #stories#, whichever is less.

117-634Maximum building height for mixed use buildings in designated R5 Districts

The provisions regarding the maximum height of #mixed use buildings# within 25 feet of a #street line#, as set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations), shall be modified in the Dutch Kills Subdistrict, where the designated Residence District is an R5 District, as follows:

- (a) In designated R5B Districts, no #building or other structure# shall exceed a height of 33 feet within 25 feet of a #street line#;
- (b) In designated R5D Districts, no #building or other structure# shall exceed a height of 40 feet within 25 feet of a #street line#.

117-64Special Parking Regulations

The provisions of Section 123-70 (Parking and Loading) and the underlying #accessory# off-street parking and loading regulations for the designated districts, are modified as follows:

- (a) Commercial and community facility uses
 - (1) The #accessory# off- street parking and loading requirements of a C8-2 District, as set forth in Article III, Chapter 6, shall apply to all #commercial# and #community facility uses#, except that this modification shall not apply to #uses# listed in Use Group 5. The #accessory# off- street parking and loading requirements applicable to the designated M1 District set forth in Article IV, Chapter 4, and Section 123-70 shall apply to Use Group 5.
 - (2) For Use Group 5 #uses#, the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall be modified as

follows: the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 5 spaces.

(b) Residential uses

(1) The provisions of Section 25-241 (Reduced requirements) shall not apply in the designated M1-3/R7X District.

(2) In the applicable designated #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified as follows:

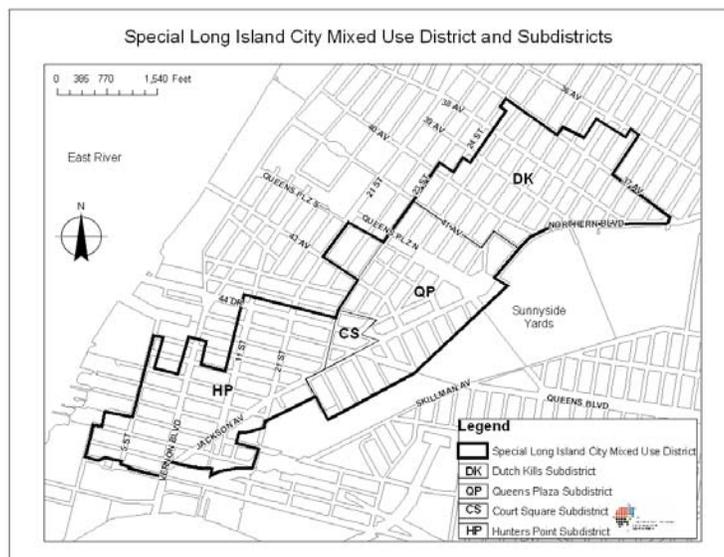
i) in the designated M1-2/R6A and M1-3/R7X Districts, the provisions of Section 25-26 shall only apply to #zoning lots# existing both on (date of amendment adoption) and on the date of application for a building permit.

ii) for all new #residential developments# or #enlargements# in the designated M1-3/R7X District, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be five spaces.

(3) Where the designated district is a M1-2/R5B District, the provisions of Section 25-633 (Prohibition of curb cuts in certain districts) shall not apply.

APPENDIX A

Special Long Island City Mixed Use District and Subdistricts
(Proposed Text Map)



(On July 2, 2008, Cal. No. 9, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 35

CD 1

C 080429 ZMQ

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b:

1. changing from an M1-3D District to an M1-2 District property bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue, and 24th Street;
2. changing from an M1-1 District to an M1-2/R5B District property bounded by 36th Avenue, 33rd Street, a line 200 feet southwesterly of 36th Avenue, a line midway between 32nd Street and 33rd Street, a line 150 feet northeasterly of 37th Avenue, and a line midway between 31st Street and 32nd Street;
3. changing from an M1-1 District to an M1-2/R6A District property bounded by a line 100 feet southwesterly of 36th Avenue, a line midway between 31st Street and 32nd Street, a line 150 feet northeasterly of 37th Avenue, a line midway between 32nd Street and 33rd Street, a line 200 feet southwesterly of 36th Avenue, 33rd Street, 37 Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, and a line midway between 30th Street and 31st Street;
4. changing from an M1-3D District to an M1-2/R5B District property bounded by:
 - a. a line 100 feet southwesterly of 37th Avenue, 29th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet northwesterly of 27th Street;
 - b. a line 100 feet southwesterly of 38th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet northeasterly of 39th Avenue, and a line midway between Crescent Street and 27th Street;

- c. a line 100 feet southwesterly of 39th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 40th Avenue, and 24th Street;
 - d. a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
 - e. a line 100 feet southwesterly of 40th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 41st Avenue, and 23rd Street; and
 - f. a line 100 feet southwesterly of 40th Avenue, 29th Street, a line 100 feet northeasterly of 41st Avenue, and a line midway between 27th Street and Crescent Street;
5. changing from an M1-3D District to an M1-2/R5D District property bounded by:
- a. a line 100 feet southwesterly of 37th Avenue, a line 100 feet northwesterly of 27th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet southeasterly of 24th Street; and
 - b. by a line 100 feet southwesterly of 38th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 39th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 30th Street and 31st Street, 39th Avenue, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 40th Road, 29th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 41st Avenue, a line midway between Crescent Street and 24th Street, a line 100 feet southwesterly of 40th Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, and a line 100 feet southeasterly of 24th Street; and excluding the area bounded by a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
6. changing from an M1-3D District to an M1-2/R6A District property bounded by:
- a. 37th Avenue, 34th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 31st Street and 32nd Street, 39th Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of 38th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet northeasterly of 38th Avenue, 29th Street, a line 100 feet southwesterly of 37th Avenue, and 24th Street; and

- b. a line 100 feet northeasterly of 41st Avenue, 29th Street, 41st Avenue, and 23rd Street;
7. changing from an M1-3D District to an M1-3/R7X District property bounded by 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 39th Avenue, a line midway between 31st Street and 32nd Street, a line 100 feet southwesterly of 38th Avenue, and 34th Street; and
8. establishing a Special Long Island City District (LIC) bounded by 36th Avenue, 33rd Street, 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, 29th Street, 41st Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, 24th Street, a line 100 feet southwesterly of 39th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 37th Avenue, 24th Street, 37th Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of 36th Avenue, and a line midway between 32nd Street and 33rd Street;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and subject to the conditions of CEQR Declaration E-218.

(On July 2, 2008, Cal. No. 10, the Commission scheduled July 23, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, July 23, 2008, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning zoning map amendments affecting all or portions of 40 blocks in Dutch Kills neighborhood of Queens Community District 1. The proposed zoning map amendments would create the Dutch Kills Subdistrict within the Special Long Island City Mixed-Use District and establish Inclusionary Housing provisions for an area along Northern Boulevard proposed for an M1-3/R7X District:

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DCP021Q.

V. CITY PLANNING COMMISSION 2008 SCHEDULE OF MEETINGS
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT
JULY			1	CPC PUBLIC MEETING 2	3	INDEPENDENCE DAY 4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	REVIEW SESSION 21	22	CPC PUBLIC MEETING 23	24	25	26
	27	28	29	30	31		
AUGUST						1	2
	3	4	5	6	7	8	9
	10	REVIEW SESSION 11	12	CPC PUBLIC MEETING 13	14	15	16
	17	18	19	20	21	22	23
	24	REVIEW SESSION 25	26	CPC PUBLIC MEETING 27	28	29	30
31							
SEPTEMBER		LABOR DAY 1	2	3	4	5	6
	7	REVIEW SESSION 8	9	CPC PUBLIC MEETING 10	11	12	13
	14	15	16	17	18	19	20
	21	REVIEW SESSION 22	23	CPC PUBLIC MEETING 24	25	26	27
	28	29	ROSH HASHANAH 30				
OCTOBER				1	2	3	4
	5	REVIEW SESSION 6	CPC PUBLIC MEETING 7	8	YOM KIPPUR 9	10	11
	12	13	14	15	16	17	18
	19	COLUMBUS DAY OBSERVED 20	21	22	23	24	25
	26	REVIEW SESSION 27	28	CPC PUBLIC MEETING 29	30	31	
NOVEMBER							1
	2	3	ELECTION DAY 4	5	6	7	8
	9	10	VETERANS' DAY 11	12	13	14	15
	16	REVIEW SESSION 17	18	CPC PUBLIC MEETING 19	20	21	22
	23	24	25	26	THANKSGIVING 27	28	29
30							
DECEMBER		REVIEW SESSION 1	2	CPC PUBLIC MEETING 3	4	5	6
	7	8	9	10	11	12	13
	14	REVIEW SESSION 15	16	CPC PUBLIC MEETING 17	18	19	20
	21	22	23	24	25	26	27
	28	HANUKKAH 29	30	31	CHRISTMAS	KWANZAA BEGINS	

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.