

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, DECEMBER 17, 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 090073 HAX | 3 | 1157 FULTON AVENUE | Scheduled to be Heard 1/7/09 |
| 2 | C 090078 HUK | 5 | GATEWAY ESTATES II | " " |
| 3 | C 090079 ZMK | 5 | " " | " " |
| 4 | C 090081 ZSK | 5 | " " | " " |
| 5 | C 090082 HAK | 5 | " " | " " |
| 6 | C 080089 MMK | 5 | " " | " " |
| 7 | C 090047 ZMK | 6 | 363-365 BOND STREET | " " |
| 8 | C 090048 ZSK | 6 | " " | " " |
| 9 | C 090049 ZRK | 6 | " " | " " |
| 10 | C 090135 PCK | 1 | BROOKLYN NORTH SALT SHED | " " |
| 11 | C 090053 ZSK | 1 | 155 WEST STREET | " " |
| 12 | C 090120 ZMM | 1 | BATTERY MARITIME BUILDING | " " |
| 13 | C 090121 PPM | 1 | " " | " " |
| 14 | C 090111 PCQ | 7 | GRACE ASPHALT | " " |
| 15 | C 070443 MMX | 2 | FOOD CENTER DRIVE | Favorable Report Adopted |
| 16 | N 090175 PXX | 11 | ACS OFFICE SPACE | " " |
| 17 | C 080533 PCY | M11,X1 | RANDALL'S ISLAND CONNECTOR | " " |

| COMMISSION ATTENDANCE: | Present (P) Absent (A) | COMMISSION VOTING RECORD: | | | | | | | | | | | | | |
|--|---------------------------|---|----|----|----|----|----|----|----|----|----|----|--|--|--|
| | | In Favor - Y Oppose - N Abstain - AB Recuse - R | | | | | | | | | | | | | |
| Calendar Numbers: | | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | | | |
| Amanda M. Burden, FAICP, Chair | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Kenneth J. Knuckles, Esq., Vice Chairman | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Angela M. Battaglia | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Irwin Cantor, P.E. | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Angela R. Cavaluzzi, AIA | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Alfred C. Cerullo, III | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Betty Chen | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Maria M. Del Toro | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Richard W. Eaddy | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Nathan Leventhal | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Shirley A. McRae | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| John Merolo | P | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | | | |
| Karen A. Phillips, Commissioners | P | Y | Y | Y | Y | R | Y | Y | Y | Y | N | Y | | | |

MEETING ADJOURNED AT: 1:25 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

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WEDNESDAY, DECEMBER 17, 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 |
|---------|-----------------|--------|--|---------------------------------|
| 18 | C 080505 ZSM | 2 | CROSBY STREET HOTEL | Favorable Report Adopted |
| 19 | N 080184(B) ZRM | 4 | SPECIAL CLINTON DISTRICT THEATER BONUS ZONING TEXT | Fav. Report Adopted as Modified |
| 20 | N 090174 PXM | 1 | DEPARTMENT OF HEALTH AND MENTAL HYGIENE OFFICES | Favorable Report Adopted |
| 21 | N 090187 HKM | 2 | F. W. DEVOE & COMPANY FACTORY BUILDING LANDMARK | Forward Report to City Council |
| 22 | N 090188 HKM | 6 | ST. STEPHEN'S ROMAN CATHOLIC CHURCH LANDMARK | " " |
| 23 | N 090029 ZAM | 5 | SUN GARAGE | Authorization Approved |
| 24 | C 090087 PSQ | 13 | NYPD VEHICLE STORAGE FACILITY | Favorable Report Adopted |
| 25 | N 080226 ZAR | 1 | BRIGHTON AVENUE | Authorization Approved |
| 26 | N 090144 HAM | 10 | ERBOGRAPH APARTMENTS | Hearing Closed |
| 27 | C 090072 PPM | 4 | PUERTO RICAN TRAVELING THEATER COMPANY DISPOSITION | " " |
| 28 | N 090103 ZRQ | 6 | SPECIAL FOREST HILLS DISTRICT REZONING | " " |
| 29 | C 090104 ZMQ | 6 | " " | " " |
| 30 | C 050187 MMX | 6 | EAST 181 ST STREET CITY MAP CHANGE | " " |
| 31 | C 090070 PCX | 11 | PSAC II | " " |
| 32 | C 080197 MMX | 11 | " " | " " |
| | | | | |
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|--|-------------|----------------------------------|------------|--------------|------------|--|--|--|--|--|--|--|--|--|--|
| COMMISSION ATTENDANCE: | Present (P) | COMMISSION VOTING RECORD: | | | | | | | | | | | | | |
| | Absent (A) | In Favor - Y | Oppose - N | Abstain - AB | Recuse - R | | | | | | | | | | |
| Calendar Numbers: | | | | | | | | | | | | | | | |
| Amanda M. Burden, FAICP, Chair | | | | | | | | | | | | | | | |
| Kenneth J. Knuckles, Esq., Vice Chairman | | | | | | | | | | | | | | | |
| Angela M. Battaglia | | | | | | | | | | | | | | | |
| Irwin Cantor, P.E. | | | | | | | | | | | | | | | |
| Angela R. Cavaluzzi, AIA | | | | | | | | | | | | | | | |
| Alfred C. Cerullo, III | | | | | | | | | | | | | | | |
| Betty Chen | | | | | | | | | | | | | | | |
| Maria M. Del Toro | | | | | | | | | | | | | | | |
| Richard W. Eaddy | | | | | | | | | | | | | | | |
| Nathan Leventhal | | | | | | | | | | | | | | | |
| Shirley A. McRae | | | | | | | | | | | | | | | |
| John Merolo | | | | | | | | | | | | | | | |
| Karen A. Phillips, Commissioners | | | | | | | | | | | | | | | |

MEETING ADJOURNED AT:

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

CITY PLANNING COMMISSION

WEDNESDAY, DECEMBER 17, 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. 23]

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*
- BE TTY 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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WEDNESDAY DECEMBER 17, 2008

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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 January 7, 2009 at Spector Hall 22 Reade Street, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in support of the proposal and those speaking in opposition.

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

Written Comments: If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____
 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

DECEMBER 17, 2008

APPROVAL OF MINUTES OF the Regular Meetings of December 3, 2008

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JANUARY 7, 2009**

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

BOROUGH OF THE BRONX

No. 1

1157 FULTON AVENUE

CD 3

C 090073 HAX

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 1157 Fulton Avenue (Block 2609, Lot 54), 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 the rehabilitation of an existing four-story residential building, tentatively known as 1157 Fulton Avenue, with approximately 13 residential units.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

BOROUGH OF BROOKLYN

Nos. 2, 3, 4, 5 & 6

GATEWAY ESTATES II

No. 2

CD 5

C 090078 HUK

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

The Third Amendment updates the project time schedule and overall plan by modifying parcel sizes, densities, building heights, and use designations on individual parcels; and revises the language and format of the Urban Renewal Plan to conform with HPD's current format for urban renewal plans, to facilitate the development of a mixed-use development containing residential, commercial, community facility and open space uses.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 3

CD 5

C 090079 ZMK

IN THE MATTER OF 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 No. 17d:

1. eliminating from within an existing R6 District a C2-4 District bounded by a line 95 feet northeasterly of Lower Ashford Street, a line 115 northwesterly of Fountain Street, a line 100 feet southwesterly of Elton Street, the southwesterly centerline prolongation of Elton Place, Elton Street, a line 162 feet southeasterly of Erskine Place, a line 100 feet northeasterly of Elton Street, a line midway between Elton Place and Fountain Street, a line 95 feet southwesterly of Essex Street, Fountain Street, the southeasterly prolongation of the northeasterly street line of Essex Street, a line 180 feet southeasterly of Fountain Street, the southeasterly prolongation of the southwesterly street line of Lower Ashford Street, and Fountain Street;

2. changing from an R3-2 District to an R6 District property bounded by the former centerline of Erskine Street*, the new centerline of Erskine Street*, and a line 115 feet southeasterly of Schroeders Avenue*;
3. changing from an R6 District to an R7A District property bounded by Flatlands Avenue, Elton Street, a line 100 feet northwesterly of Egan Street*, a line 100 feet northeasterly of Elton Street, the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet southwesterly of Elton Street, Locke Street*, and Ashford Street*;
4. changing from an R3-2 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeder Avenue*, the former centerline of Erskine Street*, and the new centerline of Erskine Street*;
5. changing from an R6 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeders Avenue* and its southwesterly prolongation, a line 100 feet southwesterly of Elton Street, the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet northeasterly of Elton Street, a line 115 feet southeasterly of Schroeders Avenue*, the former centerline of Erskine Street*, Erskine Street, a line 180 feet southeasterly of former Fountain Street*, and the centerline of former Schenck Avenue;
6. establishing within an existing R6 District a C2-4 District bounded by:
 - a. Vandalia Avenue, Erskine Avenue*, Schroeders Avenue*, and a northeasterly boundary line of a park; and
 - b. Egan Street, Fountain Avenue, Vandalia Avenue, and a line 100 feet southwesterly of Fountain Avenue; and
7. establishing within the proposed R7A District a C2-4 District bounded by:
 - a. Flatlands Avenue, a line 100 feet southwesterly of Elton Street, Locke Street*, and Ashford Street*;
 - b. a line 100 feet northwesterly of Egan Street*, a line 100 feet northeasterly of Elton Street, Vandalia Avenue, and Elton Street; and
 - c. Schroeders Avenue*, Elton Street, the southeasterly street line of Elton Street and its southwesterly prolongation, and a line 100 feet southwesterly of Elton Street;

as shown on a diagram (for illustrative purposes only) dated September 8, 2008.

*Note: Fountain Street is proposed to be eliminated, Schroeders Avenue is proposed to be mapped, Erskine Street is proposed to be narrowed and various streets are proposed to be

re-named under a related concurrent application (C 080089 MMK) for a change in the City Map.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 4

CD 5

C 090081 ZSK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development and Gateway Center Properties Phase II, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the regulations of Section 32-64 (Surface Area and Illumination Provisions), Section 32-65 (Permitted Projection or Height of Signs) and Section 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) in connection with a proposed commercial development, on property generally bounded by Gateway Drive, a line approximately 750 feet southeasterly of Schroeders Avenue, Erskine Street, and a line approximately 115 feet southeasterly of Schroeders Avenue (Block 4452 p/o Lots 170 and 400 and Block 4586 p/o Lot 1), in a C4-2 District*, within a general large-scale development.

*Note The site is proposed to be rezoned by changing an R6 District to a C4-2 District, under a related concurrent application C 090079 ZMK.

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

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 5

CD 5

C 090082 HAK

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of the following properties located at:

| Block | Lot | Fresh Creek Urban Renewal Area |
|-------|---------------------------------------|--|
| 4444 | p/o Lot 1 | p/o Site 3a |
| 4445 | Lot 1 | Sites 3b, 3e, 3f, and p/o Site 3a |
| 4446 | Lot 1 | |
| 4447 | p/o Lot 1 | p/o Site 4 |
| 4448 | Lot 1 | Sites 6a, 6b, 14a, 14c, and p/o Site 4 |
| 4449 | Lot 1 | |
| 4452 | 600, 700, p/o Lot 170 and p/o Lot 400 | Sites 3c, 3d, 7a-c, 8a-f, 10, 12a-e, 16c, 19b, 20a-b, p/o Site 13a and p/o Site 24 |
| 4586 | p/o Lot 1 | Sites 29, 31, 27, 28, p/o Site 13a and p/o Site 24 |

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 new mixed use community, containing regional and local retail, housing, community and public facilities, and open space.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 6

CD 5

C 080089 MMK

IN THE MATTER OF an application, submitted by Gateway Center Properties Phase II, LLC, the Department of Housing, Preservation and Development, the Department of Parks and Recreation, and the Nehemiah Housing Development Fund Corporation, Inc., 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 establishment of streets;
- the elimination, discontinuance and closing of streets;
- the establishment of park;
- the elimination of park;
- the extinguishment and modification of easements;
- the modifications of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

all within an area generally bounded by Gateway Drive, Flatlands Avenue, Fountain Avenue, and Shore Parkway,

in accordance with Map Nos. Y-2705 and X-2706, dated September 4, 2008, and signed by the Borough President.

Resolution for adoption scheduling January 7, 2009 for a public hearing.



NOTICE

On Wednesday, January 7, 2009, 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 Department of Housing Preservation and Development in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the 3rd amendment to the Fresh Creek Urban Renewal Plan, zoning and city map amendments, a special permit and the designation of an Urban Development Action Area and Project to facilitate Gateway Estates II, a proposed mixed-use development.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07HPD021K.



Nos. 7, 8 & 9

363-365 BOND STREET

No. 7

CD 6

C 090047 ZMK

IN THE MATTER OF an application submitted by the Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M2-1 District to an M1-4/R7-2 District property bounded by Carroll Street and its southeasterly centerline prolongation, the center line of the Gowanus Canal, Second Street and its southeasterly centerline prolongation, and Bond Street; and
2. establishing a Special Mixed Use District (MX-11) District bounded by Carroll Street and its southeasterly centerline prolongation, the center line of the

Gowanus Canal, Second Street and its southeasterly centerline prolongation, and Bond Street.

as shown on a diagram (for illustrative purposes only) dated September 8, 2008, and subject to the conditions of CEQR Declaration E-221.

Resolution for adoption scheduling January 7, 2009 for a public hearing.



No. 8

CD 6

C 090048 ZSK

IN THE MATTER OF an application submitted by the Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback regulations of Section 123-66 (Height and Setback Regulations), the rear yard regulations of Section 23-47 (Minimum Required Rear Yards), and the inner court regulations of Section 23-852 (Inner court recesses), in connection with a proposed mixed use development on property located at 363-365 Bond Street, (Block 452, Lots 1, 5, 15, 19, and Block 458, Lot 1), in an M1-4/R7-2 (MX-11) * District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from an M2-1 District to an M1-4/R7-2 (MX-11) District, under a related application C 090047 ZMK.

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

Resolution for adoption scheduling January 7, 2009 for a public hearing.



No. 9

CD 6

C 090049 ZRK

IN THE MATTER OF an application submitted by Toll Brooklyn, LP pursuant to Section 201 of the New York City Charter, for amendments of the Zoning Resolution of the City of New concerning Article XII, Section 3 (Special Mixed Use Districts); and Article II, Section 3 (Bulk Regulations for Residential Buildings in Residence Districts) in Community District 6, Borough of Brooklyn.

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 II – RESIDENCE DISTRICTS

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

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 |
| <u>Community District 6, Brooklyn</u> | <u>R7-2</u> |
| Community District 7, Brooklyn | R8A |
| 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 6, in the Borough of Brooklyn, in the R7-2 District within the areas shown on the following Map 14:



Map 14. Portion of Community District 6, Brooklyn

* * *

23-942

In Inclusionary Housing designated areas

The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

| District | Base #floor area ratio# | Maximum #floor area ratio# |
|----------|-------------------------|----------------------------|
| R6* | 2.2 | 2.42 |
| R6** | 2.7 | 3.6 |
| R6A | 2.7 | 3.6 |

| | | |
|-------------|-------------|------------|
| R6B | 2.0 | 2.2 |
| <u>R7*</u> | <u>2.7</u> | <u>3.6</u> |
| <u>R7**</u> | <u>3.45</u> | <u>4.6</u> |
| R7A | 3.45 | 4.6 |
| R7D | 4.2 | 5.6 |
| R7X | 3.75 | 5.0 |
| R8 | 5.40 | 7.2 |
| R9 | 6.0 | 8.0 |
| R9A | 6.5 | 8.5 |
| R10 | 9.0 | 12.0 |

* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

** for #zoning lots#, or portions thereof, within 100 feet of a #wide street#

(b) Height and setback

(1) Except in #Special Mixed Use Districts#, the compensated #building# must be #developed# or #enlarged# pursuant to the height and setback regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) or 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), as applicable.

(2) In #Special Mixed Use Districts#, ~~where the #residence district# designation has a letter suffix,~~ the compensated #building# must be #developed# or #enlarged# pursuant to paragraph (a) or (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations), as applicable. ~~However, ~~where~~ where the #residence district# designation is an R6 District without does not have~~ a letter suffix, the compensated #building# must be #developed# or #enlarged# pursuant to the height and setback regulations of Section 23-633 regardless of whether the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.

* * *

ARTICLE XII - SPECIAL PURPOSE DISTRICTS

Chapter 3

Special Mixed Use District

* * *

123-63

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

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

However, in #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratio# 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).

| Special Mixed Use District | Designated Residence District |
|---|-------------------------------|
| MX 8-Community District 1, Brooklyn | R6 R6A R6B R7A |
| MX 11-Community District 6, Brooklyn | R7-2 |

* * *

123-90

Special Mixed Use Districts Specified

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 11: Gowanus, Brooklyn

The #Special Mixed Use District# -11 is established in Gowanus, in Brooklyn as indicated on the #zoning maps#.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

NOTICE

On Wednesday, January 7, 2009, 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 a zoning text amendment and a related zoning map amendment to change an existing M2-1 zoning district to a Special Mixed Use District (M1-4/R7-2) for two blocks (Blocks 452 and 458) located along the west waterfront of the Gowanus Canal in the Gowanus neighborhood of Brooklyn Community District 6. The proposed actions would facilitate a proposal by the applicant, Toll Brothers, Inc., to redevelop their project site (Block 452, Lots 1 and 15 and Block 458, Lot 1) with a mix of residential (market rate and affordable), commercial, community facility, and open space uses. The applicant is also seeking a special permit to modify height and setback, inner courtyard recess, and rear yards requirements within a General Large-Scale Development.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DCP033K.

No. 10

BROOKLYN NORTH SALT SHED

CD 1

C 090135 PCK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 175 Varick Avenue (Block 2962, p/o Lot 11) , for use as a salt storage facility.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 11

155 WEST STREET

CD 1

C 090053 ZSK

IN THE MATTER OF an application submitted by 145 West Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-736 of the Zoning Resolution to modify the height and setback requirements of Section 62-354 (Special height and setback regulations) to facilitate the development of a 39-story mixed use development on property bounded by West Street, India Street, the East River Pierhead Line, and Huron Street, (Block 2530, Lots 1, 55 and 56), in R6, R6/C2-4, and R8 Districts.

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

Resolution for adoption scheduling January 7, 2009 for a public hearing.

BOROUGH OF MANHATTAN

Nos. 12 & 13

BATTERY MARITIME BUILDING

No. 12

CD 1

C 090120 ZMM

IN THE MATTER OF an application submitted by Dermot BMB, LLC and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12b changing from an M1-4 District to a C4-6 District property bounded by South Street, the southerly prolongation of a line 100 feet westerly of the westerly street line of Broad Street, the U.S. Pierhead Line and the southerly centerline prolongation of Whitehall Street, as shown on a diagram (for illustrative purposes only) dated October 27, 2008.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

No. 13

CD 1

C 090121 PPM

IN THE MATTER OF an application submitted by the New York City Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at the Battery Maritime Building, 10 South Street (Block 2, Lot 1) pursuant to zoning.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

BOROUGH OF QUEENS

No. 14

GRACE ASPHALT

CD 7

C 090111 PCQ

IN THE MATTER OF an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68 and 72) , for use as an asphalt plant.

Resolution for adoption scheduling January 7, 2009 for a public hearing.

II. REPORTS

BOROUGH OF THE BRONX

No. 15

FOOD CENTER DRIVE

CD 2

C 070443 MMX

IN THE MATTER OF an application, submitted by the Economic Development Corporation and the Department of Small Business Services, 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 establishment of Food Center Drive and Hunt's Point Landing east of Halleck Street;
- the elimination, discontinuance and closing of Hunt's Point Avenue between Halleck Street and the U.S. Bulkhead Line, Farragut Street between Hunt's Point Avenue and the U.S. Bulkhead Line, Viele Avenue between Halleck Street and Hunt's Point Avenue, and a portion of Ryawa Avenue between Halleck Street and Hunt's Point Avenue;
- the widening of Halleck Street between Hunt's Point Avenue and Viele Avenue;
- the modification and delineation of sewer corridors necessitated thereby;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto, in accordance with Map No. 13120 dated June 20, 2008 and signed by the Borough President.

(On October 29, 2008, Cal. No. 1, the Commission scheduled November 19, 2008 for a public hearing. On November 19, 2008, Cal. No. 17, the hearing was closed.)

For consideration.



No. 16

ACS OFFICE SPACE

CD 11

N 090175 PXX

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for use of property located at 974 Morris Park Avenue (Block 4101, Lot 1)(Administration For Children's Services offices).

(On November 19, 2008, the Commission duly advertised December 3, 2008 for a public hearing. On December 3, 2008, Cal. No. 9, the hearing was closed.)

For consideration.

BOROUGHS OF MANHATTAN AND THE BRONX

No. 17

RANDALL'S ISLAND CONNECTOR

**CD 11 M
CD 1 X**

C 080533 PCY

IN THE MATTER OF an application submitted by the Department of Transportation, the Department of Parks and Recreation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of easements (Block 2543, p/o Lot 1 and Block 2583, p/o Lot 2) for use as a pedestrian and bicycle pathway.

(On October 29, 2008, Cal. No. 2, the Commission scheduled November 19, 2008 for a public hearing. On November 19, 2008, Cal. No. 18, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN

No. 18

CROSBY STREET HOTEL

CD 2

C 080505 ZSM

IN THE MATTER OF an application submitted by Crosby Street Hotel LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the requirements of Section 42-14 (D)(2)(b) to allow Use Group 5 uses (hotel use) and/or Use Group 6 uses (retail uses) to be located below the floor level of the second story of a proposed 11-story building on property located at 79 Crosby Street a.k.a. 246 Lafayette Street (Block 496, Lots 1 & 29), in an M1-5B District.

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

(On October 29, 2008, Cal. No. 3, the Commission scheduled November 19, 2008 for a public hearing. On November 19, 2008, Cal. No. 19, the hearing was closed.)

For consideration.

No. 19

SPECIAL CLINTON DISTRICT THEATER BONUS ZONING TEXT

CD 4

N 080184(B) 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 IX Chapter 6 (Special Clinton District).

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of November 19, 2008 (Cal. No. 20) and at the Department of City Planning web site: (www.nyc.gov/planning).

(On October 29, 2008, Cal. No. 4, the Commission scheduled November 19, 2008 for a public hearing. On November 19, 2008, Cal. No. 20, the hearing was closed.)

For consideration.

No. 20

DHMH OFFICES

CD 1

N 090174 PXM

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter, for use of property located at 291 Broadway (Block 150, Lot 38)(Department of Health and Mental Hygiene offices).

(On November 19, 2008 the Commission duly advertised December 3, 2008 for a public hearing. On December 3, 2008, Cal. No. 13, the hearing was closed.)

For condideration.

No. 21

F. W. DEVOE & COMPANY FACTORY BUILDING LANDMARK

CD 2

N 090187 HKM

IN THE MATTER OF a communication dated November 6, 2008, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the F. W. Devoe & Co. Factory Building, located at 110-112 Horatio Street (Block 642, Lot 12), by the Landmarks Preservation Commission on October 28, 2008 (List No. 406/LP- 2308).

For condideration.

No. 22

ST. STEPHEN'S ROMAN CATHOLIC CHURCH LANDMARK

CD 6

N 090188 HKM

IN THE MATTER OF a communication dated November 6, 2008, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of St. Stephen's Roman Catholic Church, located at 151 East 28th Street a.k.a.141-155 East 28th Street and 144-152 East 29th Street (Block 884, part of Lot 30), by the Landmarks Preservation Commission on October 28, 2008 (List No. 406/LP- 2259).

For consideration.

No. 23

SUN GARAGE

CD 5

N 090029 ZAM

IN THE MATTER OF an application submitted by Sun Garage Company, LLC for the grant of an authorization pursuant to Section 11-411 of the Zoning Resolution to extend the period of continuance for a term of 10 years of a previously approved special permit (CP-10489) for a public parking garage with a maximum capacity of 254 spaces, in an existing 6-story garage building, on property located at 148 West 48th Street (Block 1000, Lot 53), in a C6-5.5 District, within the Special Midtown District (Theatre Sub-district).

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

For consideration.

BOROUGH OF QUEENS

No. 24

NYPD VEHICLE STORAGE FACILITY

CD 13

C 090087 PSQ

IN THE MATTER OF an application submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property generally bounded by Rockaway Boulevard and North Boundary Road (Block 14260, p/o Lot 1) for use as evidence vehicle storage.

(On October 29, 2008, Cal. No. 5, the Commission scheduled November 19, 2008 for a public hearing. On November 19, 2008, Cal. No. 21, the hearing was closed.)

For consideration.

No. 25

BRIGHTON AVENUE

CD 1

N 080226 ZAR

IN THE MATTER OF an application submitted by Gerard Nealon for the grant of authorizations pursuant to Sections 119-311 and 119-314 of the Zoning Resolution involving development on a portion of a zoning lot having steep slope and modification of lot coverage controls to facilitate the development of two residential buildings with a total of eight dwelling units at Brighton Avenue (Block 85, Lots 52 and 59) 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 MANHATTAN

No. 26

ERBOGRAPH APARTMENTS

CD 10

N 090144 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 203 West 146th Street (Block 2032, Lot 23), Site 23 of the Bradhurst Urban Renewal Area, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area;

to facilitate development of an eight-story, mixed-use building, tentatively known as Erbograph Apartments, with approximately 65 residential units, to be developed under the U.S. Department of Housing and Urban Development's Section 202 Supportive Housing for the Elderly Program.

(On December 3, 2008, Cal. No. 4, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 27

PUERTO RICAN TRAVELING THEATER COMPANY DISPOSITION

CD 4

C 090072 PPM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition to 303 West 46th Street, LLC of a negative easement interest and the removal of a community facility use only restriction from the unused development rights on city-owned property located at 304 West 47th Street (Block 1037, Lot 37).

(On December 3, 2008, Cal. No. 5, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF QUEENS

Nos. 28 & 29

SPECIAL FOREST HILLS DISTRICT REZONING

No. 28

CD 6

N 090103 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 an amendment of the Zoning Resolution of the City of New York, creating the Special Forest Hills District in Article VIII, Chapter 6, and amending related sections of the Zoning Resolution.

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

**ARTICLE I
GENERAL PROVISIONS**

* * *

**11-12
Establishment of Districts**

* * *

Establishment of the Special Forest Hills District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 6, the Special Forest Hills District is hereby established.

Establishment of the Special Garment Center District

* * *

**12-10
DEFINITIONS**

* * *

Special Forest Hills District

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills 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 superimposed.

Special Garment Center District

* * *

**Chapter 3
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).

* * *

| Queens | #Enclosed Sidewalk Cafe# | #Unenclosed Sidewalk Cafe# |
|-------------------------------|--------------------------------|----------------------------------|
| <u>Forest Hills District*</u> | <u>No</u> | <u>Yes</u> |
| Downtown Jamaica District | No | Yes |

* #Sidewalk cafes# are not allowed on Austin Street

* * *

Article VIII, Chapter 6, (86-00) is new text; it is not underlined

* * *

**ARTICLE VIII
SPECIAL PURPOSE DISTRICTS**

* * *

**Chapter 6
Special Forest Hills District**

86-00

GENERAL PURPOSES

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

- (a) to ensure that the form of new buildings is compatible with and relates to the built character of the Forest Hills neighborhood;
- (b) to preserve, protect and promote the special character of Austin Street as a regional shopping destination;
- (c) to create a graduated transition from the lower-scale character of Austin Street to the higher-scale character of Queens Boulevard;
- (d) to support a broad and vibrant mix of commercial and residential uses throughout the Special District
- (e) to enhance the pedestrian setting of Austin Street through appropriate ground floor uses and structural requirements;
- (f) to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's revenue.

86-01

Definitions

Special Forest Hills District

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills 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 superimposed.

86-02

General Provisions

In harmony with the general purposes of this Resolution and in accordance with the provisions of the #Special Forest Hills District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the Special District. Unless modified by the particular provisions of the Special District, the regulations of the underlying zoning districts shall remain in effect. 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.

86-03**District Plan and Maps**

The regulations of this Chapter are designed to implement the District Plan for the #Special Forest Hills District#. The District Plan includes the map of the #Special Forest Hills District#, which is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

86-04**Applicability of Article I**

Within the #Special Forest Hills 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 (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

86-10**SPECIAL USE REGULATIONS****86-11****Ground Floor Uses Along Designated Streets**

Along the portions of Austin Street and 71st Avenue specified on the map in the Appendix to this Chapter as Special Retail Continuity Streets, #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 and the provisions of Section 86-12 (Modification of Uses on Austin Street).

The #street# frontage of a #development# or #enlargement# shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations and #accessory# parking spaces. 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.

86-12
Modification of Uses Along Austin Street

The #use# regulations in the #Special Forest Hills District# shall be modified to permit Use Groups 10A, 10C, 12A, 12B, 12D and 12E within C2 Districts fronting on Austin Street.

The provisions of Section 32-423 (Limitation on ground floor location) shall not apply to #uses# located along Austin Street.

86-13
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#.

Such non-#residential uses#, however, may be located over a #residential use# by authorization of the City Planning Commission upon a finding that there is sufficient separation of #residential uses# from non-#residential uses# within the #building#.

86-14
Transparency Requirements

The ground floor #street wall# bounding any #commercial# or #community facility use#, other than a #school#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors.

For such #community facility uses#, the 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.

For #commercial uses#, such glazed area shall occupy at least 70 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. Not less than 50 percent of such area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

86-15
Security Gates

For all #commercial# or #community facility uses# located on the ground floor of a #development# or #enlargement# within the #Special Forest Hills District#, any security gates installed after (date of enactment) 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.

**86-20
SPECIAL BULK REGULATIONS**

The applicable bulk regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

**86-21
Special Floor Area Regulations in C4-5X Districts**

In C4-5X Districts within the #Special District#, the underlying #floor area ratio# for #commercial uses# shall not apply. In lieu thereof, the provisions of Section 33-122 (Commercial buildings in all other Commercial Districts) shall be modified to permit a maximum #floor area ratio# of 5.0.

**86-22
Waiver for Rear Yards**

No rear yards shall be required for any #commercial# or #community facility use# permitted within a C2-3 District in the #Special Forest Hills District#.

**86-23
Height and setback regulations**

#Developments# and #enlargements# within the Special District shall comply with the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), except as modified by this Section.

(a) In C4-4A Districts

For #developments# or #enlargements# within the C4-4A District, the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-4A District shall be 70 feet.

(b) In C4-5X Districts

For #developments# or #enlargements# within the C4-5X District west of 70th Road, the minimum base height of the #street wall# shall be 40 feet and the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-5X District shall be 150 feet, except that the maximum height for #buildings# or portions of #buildings# on #zoning lots# located wholly or partly within 60 feet of the northerly side of Austin Street between Yellowstone Boulevard and 70th Avenue, shall be 80 feet.

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

86-30

SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

For any #development#, #enlargement#, alteration or change of #use# on a #zoning lot# within the #Special Forest Hills District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, other than #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 Austin Street;
- (c) modification is the only practicable way to achieve the programmatic requirements of the #development#;
- (d) modification will enhance the distribution of #bulk# on the #zoning lot#;
- (e) modification of #bulk# will permit adequate access of light and air to surrounding #streets# and properties; and
- (f) #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.

86-40

SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS

The applicable parking and loading regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

86-41**Parking Regulations for Commercial Uses**

For all #commercial uses# located within the #Special Forest Hills District# in parking requirement category (PRC) A, B, B1 or C, the requirements of Section 36-21 (General Provisions) pertaining to the number of #accessory# off-street parking spaces required for each type of #use# shall be modified to provide one parking space per 400 square feet of #floor area# for all such #uses#.

In the Special District, hotels (PRC-H) shall be required to provide one parking space per 12 guest rooms or suites, or one parking space per 12 persons rated capacity, whichever is greater. Places of assembly (PRC-D) shall be required to provide one parking space per 12 persons rated capacity.

86-42**Location of Off-Site Accessory Parking Spaces for Residences**

The applicable regulations for the location of permitted or required off-site #accessory# parking spaces for #residential uses# in Sections 36-42 (Off-Site Spaces for Residences) and 36-421 (Maximum distance from zoning lot) shall not apply in the #Special Forest Hills District#. In lieu thereof, such off-site parking spaces, which are #accessory# to a #residential use#, may also be located on any #zoning lot# within the Special District other than the #zoning lot# to which they are #accessory#.

86-43**Modification of Parking Requirement Waivers**

The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), inclusive, shall be modified within the #Special Forest Hills District#, as follows:

- (a) For any new #residential development# or #enlargement# in the Special District, the waiver modification provisions set forth in Section 36-362 (For new developments or enlargements in other C1 or C2 Districts or in C4, C5 or C6 Districts), inclusive, shall not apply. In lieu thereof, the total number of #accessory# off-street parking spaces required in Section 36-30 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS), inclusive, shall be waived if the number of spaces for all #uses# on the #zoning lot#, required by the applicable regulations of Section 36-30, inclusive, is five spaces or fewer.

For any #commercial# or #community facility use# permitted in the Special District, the modification waiver provisions for a C4-4 or C4-5 District set forth in Section 36-232 (In districts with very low parking requirements) shall not apply. In lieu thereof, the total number of #accessory# off-street parking spaces required in Section 36-21 (General Provisions) shall be waived if the number of

spaces for all #uses# on the #zoning lot#, required by the regulations of Section 36-21, is fewer than 40 spaces.

- (b) The provisions of Sections 36-342 (Reduced requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) and 36-344 (Waiver of requirements in other C1 or C2 Districts or in C4, C5 or C6 Districts) shall not apply in the #Special Forest Hills District#.
- (c) Within the #Special Forest Hills District#, the provisions of paragraph (a) of this Section and Sections 36-23 (Waiver of Requirements for Spaces Below Minimum Number) and 36-36 (Waiver of Requirements for Small Number of Spaces) shall apply only to #zoning lots# existing both on (date of amendment) and on the date of application for a building permit.

86-44

Location of Access to the Street

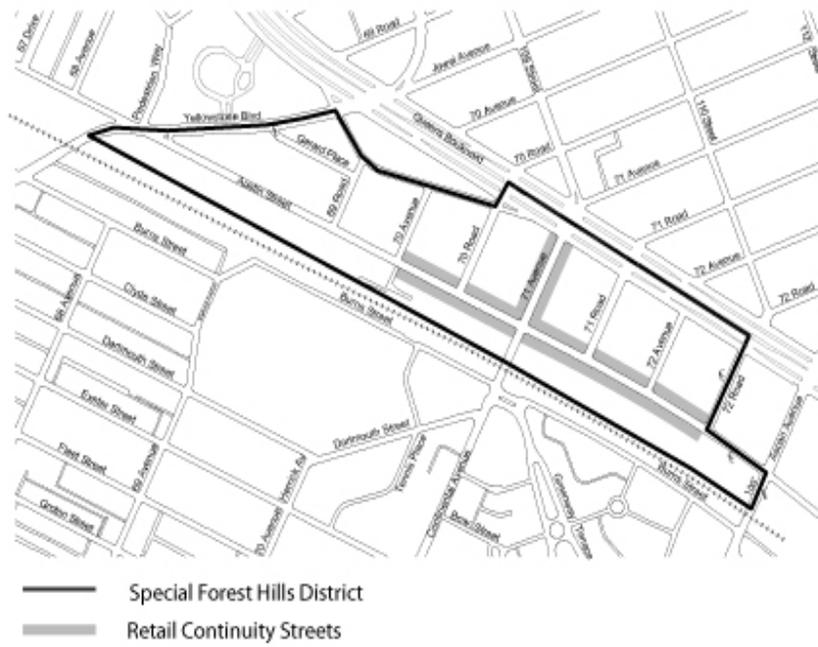
The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), pertaining to location of access shall be modified within the #Special Forest Hills District#, as follows:

Curb cuts for permitted or required #accessory# off-street parking and loading spaces along Austin Street from 70th Avenue to Ascan Avenue and along 71st Avenue from Austin Street to Queens Boulevard, as shown on the map in the Appendix to this Chapter, shall not be allowed. The Chairperson of the City Planning Commission, however, may certify to the Commissioner of Buildings that such #zoning lot# has access only to such prohibited location and that a curb cut in that location would not be hazardous to traffic safety and would, if granted, be no wider than 20 feet.

An application for certification respecting such curb cut shall be accompanied by a site plan drawn to a scale of at least one sixteenth inch to a foot, showing the size and location of the proposed curb cut.

The Commissioner may refer such matter to the Department of Transportation, or its successor, for a report and may base the determination on such report.

Appendix
Special Forest Hills District



(On December 3, 2008, Cal. No. 6, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 29**CD 6****C 090104 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 No. 14a:

1. eliminating from within an existing R7-1 District a C1-2 District bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72nd Road;
2. changing from an R7-1 District to an R5D District property bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72nd Road;
3. changing from a C4-2 District to an R5D District property bounded by Austin Street, the southwesterly centerline prolongation of 72nd Road, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly prolongation of a line midway between 70th Road and Continental Avenue-71st Avenue;
4. changing from a C8-2 District to an R5D District property bounded by Austin Street, the southwesterly prolongation of a line midway between 70th Road and Continental Avenue-71st Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard;
5. changing from an C4-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, 72nd Road, Austin Street, and a line midway between 70th Road and Continental Avenue-71st Avenue;
6. changing from an C8-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, a line midway between 70th Road and Continental Avenue-71st Avenue, Austin Street, and 70th Avenue;
7. changing from an R7-1 District to a C4-5X District property bounded by Queens Boulevard, 72nd Road, a line 100 feet southwesterly of Queens Boulevard, and a line midway between 71st Road and 72nd Avenue;
8. changing from a C4-2 District to a C4-5X District property bounded by Queens Boulevard, a line midway between 71st Road and 72nd Avenue, a line 100 feet southwesterly of Queens Boulevard, 72nd Road, a line 240 feet northeasterly of Austin Street, a line midway between 70th Road and Continental Avenue-71st

Avenue, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, and 70th Road.

9. changing from a C8-2 District to a C4-5X District property bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, a line midway between 70th Road and Continental Avenue-71st Avenue, a line 240 feet northeasterly of Austin Street, 70th Avenue, and Austin Street;
10. establishing within a proposed R5D District a C2-3 District bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard; and
11. establishing a Special Forest Hills District (“FH”) bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard, 70th Road, Queens Boulevard, 72nd Road, Austin Street, Ascan Avenue; and the northeasterly boundary line of the Long Island Rail Road right-of-way,

as shown on a diagram (for illustrative purposes only), dated September 22, 2008 and subject to the conditions of CEQR Declaration E-222.

(On December 3, 2008, Cal. No. 7, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

BOROUGH OF THE BRONX

No. 30

EAST 181ST STREET CITY MAP CHANGE

CD 6

C 050187 MMX

PUBLIC HEARING:

IN THE MATTER OF an application, submitted by the New York City Department of Transportation, 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 East 181st Street between Webster Avenue and Park Avenue West;
- any adjustment of grades necessitated thereby; and

- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 13108 dated May 5, 2008, and signed by the Borough President.

(On December 3, 2008, Cal. No. 1, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 31 & 32

PSAC II

No. 31

CD 11

C 090070 PCX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Police Department, the Fire Department, the Department of Information Technology and Telecommunications, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 1200 Waters Place (Block 4226, Lots 75 and p/o Lots 40 and 55) for use as a public safety answering center.

(On December 3, 2008, Cal. No. 2, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

No. 32

CD 11

C 080197 MMX

PUBLIC HEARING:

IN THE MATTER OF an application, submitted by the Police Department, Fire Department, Department of Information, Technology and Telecommunications, Department of Design and Construction, and Department of Citywide Administrative

Services, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Marconi Street north of Waters Place;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 13122 dated August 11, 2008, and signed by the Borough President.

(On December 3, 2008, Cal. No. 3, the Commission scheduled December 17, 2008 for a public hearing which has been duly advertised.)

Close the hearing.

NOTICE

On Wednesday, December 17, 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 Police Department in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the site selection and acquisition of privately-owned property and an amendment to city map to establish 'Marconi Street' to facilitate the construction of a second emergency communications 911 center to be located at 1200 Waters Place (Block 4226, Lot 75 and p/o Lots 40 and 55), within Bronx Community District 11.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07NPD004X.

IV. CITY PLANNING COMMISSION 2009 SCHEDULE OF MEETINGS
January 1 to June 30

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

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.

V. CITY PLANNING COMMISSION 2009 SCHEDULE OF MEETINGS
July 1 to December 31

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

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.