

## CITY PLANNING COMMISSION

Minutes of Meeting of the City Planning Commission Held in Room 16, City Hall  
Wednesday, May 3, 1967

Present—Donald H. Elliott, Chairman; Harmon H. Goldstone, Elinor C. Gugenheimer, Lawrence M. Orton, Beverly M. Spatt and James G. Sweeney, Commissioners.

The Commission met pursuant to adjournment.

### No. 1

**APPROVAL OF MINUTES** of Meeting of March 29, 1967, as printed in THE CITY RECORD of April 6, 1967.

On motion, unanimously approved.

## I. REPORTS

### ASSIGNMENTS

BOROUGH OF BROOKLYN

### No. 2

(CP-19786)

COMMUNICATION, dated February 24, 1967, from the New York City Transit Authority, requesting the assignment of property within the interior of the block bounded by West 8th Street, Neputne Avenue, West 5th Street and Surf Avenue, (Part of Lot 24 in Block 7279), Borough of Brooklyn, for use as the site for the proposed Brighton-West 8th Street Electrical Sub-Station and surface and sub-surface easements required in connection with the sub-station. This property is in the process of being conveyed to the City by the South Brooklyn Railway Company. (On April 6, 1967, Cal. No. 155, the Board of Estimate referred this matter to the Commission.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*Hon. JOHN V. LINDSAY, Mayor, Chairman, Board of Estimate:*

Sir—At a meeting of the Board of Estimate held on April 6, 1967, Cal. No. 155, there was referred to the City Planning Commission a communication, dated February Lot 24 in Block 7279), Borough of Brooklyn, for use as the site for the proposed property within the interior of the block bounded by West 8th Street, Sheepshead Bay Road, West 6th Street, Neptune Avenue, West 5th Street and Surf Avenue (part of Lot 24 in Block 7279), Borough of Brooklyn, for use as the site for the proposed Brighton-West 8th Street Electrical Sub-Station, together with permanent surface and sub-surface easement required in connection with the sub-station.

The property requested by the Transit Authority comprises a trapezoidal parcel, about 8,900 square feet in area, within the interior of the hereinbefore described block, approximately 483 feet north of Surf Avenue and 322 feet east of West 8th Street. The Site Selection Board approved the selection of this property as the site for the proposed electrical sub-station on June 24, 1966, Cal. No. 8.

The easements requested by the Transit Authority, shown on the Authority's Drawing No. 227, File 90, comprise: (1) a surface access easement (Easement A), generally about 34 feet wide, located underneath the existing elevated structure of the IND Transit Line, between Sheepshead Bay Road and the immediate proximity of the proposed Sub-Station site; (2) a sub-surface easement (Easement B) for an electric duct line, generally 12 feet wide and 12 feet in depth below the ground level, along the center line of the above surface easement; and (3) a sub-surface easement (Easement C-2) for a 2-inch water line, generally 4 feet wide and 5 feet in depth, along the center line of the existing elevated structure of the Brighton-BMT Transit Line, between the immediate proximity of the proposed sub-station site and the westerly line of Lot 378 in Block 7279. A request for the assignment of the westerly prolongation of this water supply line easement was referred to the City Planning Commission by the Board of Estimate on April 6, 1967, Cal. No. 156. This request is the subject of a separate report (CP-19787), dated May 3, 1967.

The electrical sub-station site and the related easements under consideration are located within a larger tract of land owned by the South Brooklyn Railway Company. The City of New York, in turn, owns the entire corporate stock of the company, having acquired it in the transit unification proceedings as a part of the BMT holdings. The South Brooklyn Railway Company has submitted an indenture of conveyance to the City of the property and easements requested by the Transit Authority. This indenture was referred to the Corporation Counsel, the Commissioner of Real Estate and the Director of the Budget by the Board of Estimate on April 6, 1967, Cal No. 154.

The South Brooklyn Railway property, within which the proposed transit site and easements are encompassed, is now under a lease to Trump Village Section 4, Inc., and is in use as an outdoor parking facility. It is understood that the lease has appropriate provisions for the utilization by the City of a portion of the parking area for the new sub-station site and for the installation and operation of utility lines across the area. The portion of the area, located under the El structure and proposed to be assigned as a surface easement to the Transit Authority, is now in use for vehicular access to the parking area. It is understood that this use will be permitted to continue.

The construction of the new electrical sub-station on the site under consideration, which has been heretofore approved by the Site Selection Board, is a part of the Transit Authority's program of modernization of power equipment of the City's transit system. Funds for this purpose are included in the 1967-1968 Capital Budget (Project T-62).

The City Planning Commission recommends that the assignment of property and easements under consideration to the New York City Transit Authority as the site for the proposed Brighton-West 8th Street Electrical Sub-Station and appurtenant utilities be approved after the acceptance of conveyance of this property and easements from the South Brooklyn Railway Company.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWBENEY, Commissioners.

### No. 3

(CP-19787)

COMMUNICATION, dated February 21, 1967, from the **New York City Transit Authority, requesting the assignment of a permanent subsurface easement through City-owned property**, formerly the property of the South Brooklyn Railway Company, on the easterly side of West 8th Street, north of Surf Avenue, (Parts of Lots 277 and 278 in Block 7279), Borough of Brooklyn, required for a water supply line in connection with the construction of the proposed Brighton-West 8th Street Electrical Sub-station.

(On April 6, 1967, Cal. No. 156, the Board of Estimate referred this matter to the Commission.)

On motion, the following favorable report was unanimously adopted:

*Hon. JOHN V. LINDSAY, Mayor, Chairman, Board of Estimate:*

Sir—At a meeting of the Board of Estimate held on April 6, 1967, Cal. No. 156, there was referred to the City Planning Commission a communication, dated February 21, 1967, from the New York City Transit Authority, requesting the assignment of a permanent sub-surface easement through City-owned property, on the easterly side of West 8th Street, north of Surf Avenue (parts of Lots 277 and 278 in Block 7279), Borough of Brooklyn, for a water supply line in connection with the proposed new Brighton-West 8th Street Electrical Sub-station.

The easement requested by the Transit Authority, shown on the Authority's Drawing No. 227, File 90 (Easement C-1), comprises a volume of property, generally 4 feet in width and extending to a depth of 5 feet below the ground surface. It is located along the center line of the existing elevated structure of the Brighton-BMT Transit Line, beginning at the easterly line of West 8th Street and extending east for a distance of approximately 208 feet to the easterly line of Lot 277 in Block 7279. This easement is required for the installation of a 2-inch water supply service line which is to serve the Brighton-West 8th Street Electrical Substation proposed to be built in the interior of the block. Selection of the site for this sub-station was approved by the Site Selection Board on June 24, 1966, Cal. No. 8 (SS-274). A request for the assignment of the prolongation of the water supply easement to the sub-station site was referred to the City Planning Commission by the Board of Estimate on April 6, 1967, Cal. No. 155. This request is the subject of a separate report (CP-19786), dated May 3, 1967.

The sub-surface easement under consideration traverses two lots (Lots 277 and 278) located underneath an elevated structure. These lots have been surrendered to the City by the Transit Authority in May 1963 and are now under the jurisdiction of the Board of Estimate. The two lots are a part of a larger parcel which was approved by the Site Selection Board and the Mayor in 1963 as the site for a combined facility for the 60th Police Precinct Station House and the Firehouse for Engine Company 245 and

Ladder Company 161. The approval of this site selection was made subject to the retention of an easement by the Transit Authority for the operation and maintenance of the overhead BMT elevated structure, columns, footings and fireproofing. The Police and Fire Department facilities have been designed in such a way that the space under the EI would be utilized for outdoor parking.

The approved police station and firehouse site has not yet been assigned. If the assignment of the sub-surface easement presently under consideration is approved prior to the approval of the assignment of property for the police and firehouse site, the scope of the easements reserved by the New York City Transit Authority should be extended to relate also to the sub-surface water line.

The construction of the new electrical sub-station, proposed to be served by the water supply line in the easement under consideration, is a part of the Transit Authority's program of modernization of power equipment of the City's transit system. Funds for this purpose are included in the 1967-1968 Capital Budget (Project T-62).

The City Planning Commission recommends that the assignment of the sub-surface easement under consideration, through and under Lots 277 and 278 in Block 7279, Borough of Brooklyn, be approved.

DONALD H. ELLIOTT, HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE H. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

## CITY MAP CHANGES

### BOROUGH OF THE BRONX

#### No. 4

(CP-19743)

IN THE MATTER OF communication dated January 18, 1967, from the President, Borough of The Bronx, **submitting a map showing the layout of East 156th Street from Concourse Village East to Concourse Village West** and the adjustment of grades necessitated thereby, Borough of The Bronx.

(On February 9, 1967, Cal. No. 117, the Board of Estimate referred this matter to the Commission; on March 8, 1967, Cal. No. 13, the Commission fixed March 29, 1967 for a hearing; on March 29, 1967, Cal. No. 34, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*Hon. JOHN V. LINDSAY, Mayor, Chairman, Board of Estimate:*

Sir—At the meeting of the Board of Estimate held on February 9, 1967, Cal. No. 117, there was referred to the City Planning Commission a communication dated January 18, 1967, from the President of the Borough of The Bronx, submitting a proposed change in the City Map by modifying the lines and grades of the street system within the territory bounded by East 153d Street, Concourse Village West, East 161st Street and Concourse Village East, Borough of The Bronx, in accordance with a map (No. 11798) signed by the Borough President and dated January 18, 1967.

The map relates to an area in the Melrose section of the Borough and provides for establishing the lines of one block of East 156th Street from Concourse Village East to Concourse Village West across the tracks of the Mott Haven Yards of the New York Central Railroad located in a cut below street grade. East 156th Street which is being laid out at a width of 60 feet will provide the required access for two proposed schools, namely, Intermediate School 151 and Public School 156, abutting the southerly side of the street. The property of "Concourse Village," a Mitchell-Lama housing project, occupies the northerly frontage of the street. The portion of East 156th Street under consideration, averaging about 832 feet in length, is offset a maximum of 165 feet northerly of the continuing sections of the street to the east and west.

On July 25, 1966, the Site Selection Board approved the expanded sites for Intermediate School 151 and Public School 156 to include the air rights above the railroad yard for the proposed street jurisdiction over the street area will subsequently be transferred from the Board of Education to the Department of Highways.

The map also provides for modifications of grades on Concourse Village East and Concourse Village West occasioned by the map change. It should be noted that drainage pockets occur in Concourse Village East and Concourse Village West between East 158th Street and East 156th Street as proposed. This condition will be controlled by the construction of additional drainage facilities. Otherwise, the grade changes will meet sewerage and surface drainage requirements.

The map change was the subject of a public hearing duly held by the Commission on March 29, 1967, Cal. No. 34. No opposition developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 4, at which time it was determined that the proposed map change, designed

to lay out one block of a local street for the purpose of facilitating access to new educational facilities, is a desirable modification of the City Map.

The City Planning Commission recommends that the map under consideration be approved.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

**No. 5 (CP-19751)**

IN THE MATTER OF communication, dated January 18, 1967, from the President, Borough of The Bronx, submitting a map showing the **elimination of Virgil Place from Havemeyer Avenue to Zerega Avenue**, Borough of The Bronx.

(On March 2, 1967, Cal. No. 104, the Board of Estimate referred this matter to the Commission; on March 29, 1967, Cal. No. 14, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 39, the hearing was closed.)

On motion, laid over.

**ZONING**

**No. 6 (CP-19761)**

IN THE MATTER OF an **amendment, pursuant to Section 200** of the New York City Charter, of the Zoning Resolution of The City of New York, **relating to Section 74-68 concerning Developments over railroad or transit rights-of-way or yards.**

(On March 29, 1967, Cal. No. 15, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 40, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 15, authorized a public hearing on an amendment of the Zoning Resolution of the City of New York, relating to Section 74-68 concerning Developments over railroad rights-of-way or yards, as follows:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changes relating to Section 74-68 concerning Developments over railroad rights-of-way or yards, as follows:

- Matter in **Bold Type** is new.
- Matter in brackets [ ], is old, to be omitted.
- 74-68
- Developments over Railroad or Transit
- Rights-of-Way or yards

\* \* \*

(a) That the *lot area* for such *development* or *enlargement* includes only that portion of the right-of-way or yard which is to be completely covered over by a permanent [fireproof] platform, **constructed in accordance with administrative code provisions where applicable and standards appropriate for public safety to be determined by the Department of Buildings**, unperforated except for such suitably protected openings as may be required for ventilation, drainage, or other necessary purposes.

\* \* \*

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR G. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 40. No opposition to the proposed amendment developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 6.

The amendment, as proposed, would eliminate the term "fireproof" from the present requirements of Section 74-68 thereby placing the construction of platforms under the jurisdiction of the Department of Buildings wherein such controls rightfully belong.

Consequently, it was determined that the amendment under consideration would provide an appropriate modification of the Zoning Resolution and it was thereupon adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changes relating to Section 74-68 concerning Developments over railroad rights-of-way or yards, as follows:

Matter in **Bold Type** is new.

Matter in brackets [ ], is old, to be omitted.

74-68

Developments over Railroad or Transit

Rights-of-Way or yards

\* \* \*

(a) That the *lot area* for such *development* or *enlargement* includes only that portion of the right-of-way or yard which is to be completely covered over by a permanent [fire-proof] platform, **constructed in accordance with administrative code provisions where applicable and standards appropriate for public safety to be determined by the Department of Buildings**, unperforated except for such suitably protected openings as may be required for ventilation, drainage, or other necessary purposes.

\* \* \*

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

BOROUGH OF MANHATTAN

No. 7

(CP-19716)

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 8c, changing from an R8 District to an M1-6 District property bounded by West 61st Street, a line 275 feet west of Amsterdam Avenue, West 60th Street and a line 350 feet east of West End Avenue, Borough of Manhattan.

(On March 29, 1967, Cal. No. 16, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 41, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 16, authorized a public hearing on an amendment of the Zoning Map, Section No. 8c, changing from an R8 District to an M1-6 District property bounded by West 61st Street, a line 275 feet west of Amsterdam Avenue, West 60th Street, and a line 350 feet east of West End Avenue, Borough of Manhattan, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The rezoning was requested as a preliminary step for a special permit application for the construction of a public parking garage. The scope of the request was expanded by the Commission in order to include additional properties presently being used for manufacturing purposes.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 41.

The representative of the owner appeared in favor of the proposed amendment. No opposition developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 7.

The property proposed to be rezoned is developed with two parking lots, a parking garage and several buildings used for manufacturing purposes. The proposed minor extension of the existing M1-6 District will provide the basis for application for a special permit for a public parking garage on the applicant's property.

In view of these circumstances, it was determined that the amendment under consideration would provide appropriate zoning for the area involved and it was thereupon

adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changing the Zoning Map, Section No. 8c, so as to change from an R8 District to an M1-6 District property bounded by West 61st Street, a line 275 feet west of Amsterdam Avenue, West 60th Street, and a line 350 feet east of West End Avenue, Borough of Manhattan, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

DONALD H. ELLIOT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

### No. 8

(CP-19717)

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 8d, changing from a C6-3 District to a C5-2 District property bounded by a line 100 feet west of Lexington Avenue, East 25th Street, a line 100 feet east of Lexington Avenue, and a line midway between East 23d Street and East 24th Street, Borough of Manhattan.

(On March 29, 1967, Cal. No. 17, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 42, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 17, authorized a public hearing on an amendment of the Zoning Map, Section No. 8d, changing from a C6-3 District to a C5-2 District property bounded by a line 100 feet west of Lexington Avenue, East 25th Street, a line 100 feet east of Lexington Avenue, and a line midway between East 23d Street and East 24th Street, Borough of Manhattan, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The rezoning of a portion of the area was requested by the representative of an owner of property fronting on the westerly side of Lexington Avenue, between East 24th Street and East 25th Street. The scope of the proposal was expanded by the Commission.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 42.

A representative of the applicant appeared in favor of the proposed amendment. No opposition developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967.

The applicant contemplates the construction of a multiple dwelling, having more floor area than that which would be permitted under the existing C6-3 zoning. The Commission finds that the bulk regulations of the C6-3 District are too restrictive for this area in the light of present and prospective trends of development, and that the proposed rezoning would constitute a logical extension of an existing C5-2 District.

In view of these circumstances, it was determined that the amendment under consideration would provide appropriate zoning for the area involved and it was thereupon adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changing the Zoning Map, Section No. 8d, so as to change from a C6-3 District to a C5-2 District property bounded by a line 100 feet west of Lexington Avenue, East 25th Street, a line 100 feet east of Lexington Avenue, and a line midway between East 23d Street and East 24th Street, Borough of Manhattan, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

## BOROUGH OF BROOKLYN

## No. 9

(CP-19759)

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 18b, changing from an M1-1 District to R6 and C1-2 Districts property bounded by Linden Boulevard, Lincoln Avenue, a line 60 feet north of Linden Boulevard, and a line 100 feet east of Lincoln Avenue, Borough of Brooklyn.

(On March 29, 1967, Cal. No. 19, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 44, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 19, authorized a public hearing on an amendment of the Zoning Map, Section No. 18b, changing from an M1-1 District to R6 and C1-2 Districts property bounded by Linden Boulevard, Lincoln Avenue, a line 60 feet north of Linden Boulevard, and a line 100 feet east of Lincoln Avenue, Borough of Brooklyn, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

This rezoning was requested by the Department of Public Works to facilitate the erection of a firehouse.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 44. No opposition to the proposed amendment developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 9.

The proposed firehouse has a floor-area-ratio of 1.39 which exceeds the maximum allowable (1.00) floor-area-ratio in an M1-1 District. In addition, the site, which is a corner lot, is located opposite Residence Districts along both frontages. This would necessitate a 20-foot setback along both frontages.

The rezoning, as proposed, would permit a maximum allowable floor-area-ratio of 2.00, and would eliminate the 20-foot setback requirement.

In view of these circumstances, it was determined that the amendment under consideration would provide appropriate zoning for the area involved and it was thereupon adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changing the Zoning Map, Section No. 18b, so as to change from an M1-1 District to R6 and C1-2 Districts property bounded by Linden Boulevard, Lincoln Avenue, a line 60 feet north of Linden Boulevard, and a line 100 feet east of Lincoln Avenue, Borough of Brooklyn, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

## No. 10

(CP-19809)

APPLICATION, from the New York City Housing Authority, requesting, pursuant to Section 78-42 of the Zoning Resolution, **waiver of the requirements for off-street parking spaces** accessory to community facility uses included within a large-scale residential development comprising a portion of the **public housing project designated as the West 24th Street—Surf Avenue Area** and located within the area bounded generally by Mermaid Avenue, West 22d Street, Surf Avenue, and West 24th Street, Borough of Brooklyn.

On motion, the following resolution was unanimously adopted:

May 3, 1967.

Whereas, The New York City Housing Authority has proposed a Federally-aided public housing project designated as the West 24th Street-Surf Avenue Area, on a site comprising the major portions of three blocks generally bounded by Neptune Avenue, West 23d Street, Mermaid Avenue, West 22d Street, Surf Avenue and West 24th Street, Borough of Brooklyn; and

Whereas, The revised plan and project for the West 24th Street-Surf Avenue Area were approved in a separate report by the City Planning Commission (CP-19137) on November 24, 1965, Cal. No. 3, and subsequently approved by the Board of Estimate on December 2, 1965, Cal. No. 68; and

Whereas, The portion of the project within the two blocks bounded by Mermaid Avenue, West 22d Street, Surf Avenue, and West 24th Street contains more than 500 dwelling units located on a site in excess of three acres, and can, therefore, be considered as a large-scale residential development in accordance with the Zoning Resolution; and

Whereas, The Commission is in receipt of a communication requesting, pursuant to Section 78-42 of the Zoning Resolution, a waiver of the requirements for off-street parking spaces accessory to the community facility uses included within the large-scale residential development and intended primarily for the use of its residents; and

Whereas, The Commission has determined that such waiver would not create any adverse conditions and would be compatible with the plan and project as previously approved;

Resolved, By the City Planning Commission, that a public housing project designated as the West 24th Street-Surf Avenue Area, contains a large-scale residential development, as defined in the Zoning Resolution, within the area bounded by Mermaid Avenue, West 22d Street, Surf Avenue, and West 24th Street; and that the application of the New York City Housing Authority requesting, pursuant to Section 78-42 of the Zoning Resolution, a waiver of the requirements for off-street parking spaces accessory to the community facility uses included within the large-scale residential development and intended primarily for the use of its residents; be and is hereby approved.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners

BOROUGH OF QUEENS

No. 11

(CP-19702)

IN THE MATTER OF petition, of Nathan L. Spells and Eugene Stern, pursuant to Section 201 of the New York City Charter, requesting an amendment of the Zoning Map, Section No. 31a, changing from an R5 District to a C8-1 District, property bounded by Seagirt Boulevard, Beach 4th Street, Seagirt Avenue, and Beach 5th Street, Borough of Queens.

(On March 29, 1967, Cal. No. 20, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 45, the hearing was closed.)

On motion, the following unfavorable report was unanimously adopted:

May 3, 1967.

Pursuant to Section 201 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 20, authorized a public hearing on the petition of Nathan L. Spells and Eugene Stern, for the amendment of the Zoning Map, Section No. 31a, changing from an R5 District to a C8-1 District, property bounded by Seagirt Boulevard, Beach 4th Street, Seagirt Avenue, and Beach 5th Street, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The petitioners requested the rezoning in order to permit the construction of a shopping center.

The amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 45.

Representatives of several civic associations, a local legislator, and a number of property owners appeared in opposition to the requested rezoning. A representative of the petitioners spoke in support of the rezoning, or, in the alternative, for a change to C4 instead of the originally requested C8-1 designation. The hearing was closed.

The Commission is in receipt of many communications expressing opposition to the establishment of commercial zoning in the area involved.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 11.

The area south of the petitioners' property is partially developed with both seasonal and year-round residences and some boating facilities. There is much new residential development north of Seagirt Boulevard.

There appear to be ample commercial facilities elsewhere on the Rockaway peninsula to meet the shopping requirements of the area at the present time.

In consequence it was determined that the amendment under consideration would not provide appropriate zoning for the area involved and it was thereupon disapproved.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

### No. 12 (CP-19704)

IN THE MATTER OF petition, of Abe J. Kaufman and Jack Taback, pursuant to Section 201 of the New York City Charter, requesting an amendment of the Zoning Map, Section No. 31a, changing from an R5 District to a C8-1 District, property bounded by Seagirt Boulevard, the boundary line of the City of New York, a line at right angles to the boundary line of the City of New York, distant 141.29 feet southerly from Seagirt Boulevard, and Beach 4th Street, Borough of Queens.

(On March 29, 1967, Cal. No. 22, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 47, the hearing was closed.)

On motion, the following unfavorable report was unanimously adopted:

May 3, 1967.

Pursuant to Section 201 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 22, authorized a public hearing on the petition of Abe J. Kaufman and Jack Taback, for the amendment of the Zoning Map, Section No. 31a, changing from an R5 District to a C8-1 District, property bounded by Seagirt Boulevard, the Boundary Line of the City of New York, a line at right angles to the Boundary Line of the City of New York, distant 141.29 feet southerly from Seagirt Boulevard, and Beach 4th Street, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The petitioners requested the rezoning in order to permit the construction of a shopping center.

The amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 47.

This hearing was held in conjunction with CP-19702, a similar petition affecting property directly to the west. Representatives of the petitioners spoke in support of the rezoning and the hearing was closed.

The opposition to the establishment of commercial zoning in the area, as indicated by the personal appearances and written communications concerning the related petition (CP-19702), is applicable to this petition as well.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 12.

The area south of the petitioners' property is partially developed with both seasonal and year-round residences and some boating facilities. There is much new residential development north of Seagirt Boulevard.

There appears to be ample commercial facilities elsewhere on the Rockaway peninsula to meet the shopping requirements of the area at the present time.

In consequence it was determined that the amendment under consideration would not provide appropriate zoning for the area involved and it was thereupon disapproved.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

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### No. 13 (CP-19714)

IN THE MATTER OF an application dated January 31, 1967 pursuant to Section 74-67 of the Zoning Resolution, for approval of a proposed Police Station on property located on the southeast corner of Union Street and 37th Avenue, of Queens.

Plans for this proposed Police Station are on file with the City Planning Commission and may be seen in Room 1500, 2 Lafayette Street, New York, New York.

(On February 21, 1967, Cal. No. 31, the Commission fixed March 29, 1967 for a hearing; on March 29, 1967, Cal. No. 41, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

On February 7, 1967 an application was filed, pursuant to Section 74-67 of the Zoning Resolution, for approval of a proposed police station on property located on the southeast corner of Union Street and 37th Avenue, Borough of Queens.

The site for the police station was approved by the Board of Estimate on December 21, 1961, Cal. No. 290, and is now in the ownership of The City of New York.

The application was the subject of a public hearing duly held by the Commission on March 29, 1967, Cal. No. 41. No opposition to the application developed and the hearing was closed.

The Commission is in receipt of a communication from the Department of Traffic stating that it is not opposed to the proposal.

The application was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 13.

As a result of investigation and study, the Commission finds that such use will serve the residential area within which it is proposed to be located; and that there are serious difficulties in locating it in a district wherein it is permitted as of right and from which it could serve the residential area, which make it necessary to locate such use within a Residence District.

Consequently, it was determined that the application warrants approval subject to the conditions enumerated in the following resolution:

Resolved, By the City Planning Commission, that the application of the Department of Public Works, dated January 31, 1967, for approval of a proposed police station on property located on the southeast corner of Union Street and 37th Avenue, Borough of Queens, be and hereby is approved pursuant to Section 74-67 of the Zoning Resolution with modifications of the applicable regulations of Article II, Chapter 3, of the Zoning Resolution, subject to the following conditions:

1. The project shall comply with all applicable district bulk regulations for community facility buildings as set forth in Article II, Chapter 4, of the Zoning Resolution and shall conform with all other applicable provisions of the Zoning Resolution;

2. The premises shall be developed in size and arrangement substantially as proposed and as indicated on the plans filed with this application; and

3. The project shall conform with all applicable laws and regulations relating to construction, operation, and maintenance.

The above resolution, duly adopted by the City Planning Commission on May 3, 1967, Cal. No. 13, together with a copy of the application, and a set of plans of the proposed police station are herewith filed with the Secretary of the Board of Estimate, pursuant to Section 74-10 of the Zoning Resolution.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

#### No. 14

(CP-19718)

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 13c, establishing within an existing R6 District, a C2-2 District bounded by Woodhaven Boulevard, Dry Harbor Road, a line 150 feet west of Woodhaven Boulevard, and 61st Road, Borough of Queens.

(On March 29, 1967, Cal. No. 23, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 48, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

To Secretary, Board of Estimate, from City Planning Commission:

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 23, authorized a public hearing on an amendment of the Zoning Map, Section No. 13c, establishing within an existing R6 District, a C2-2 District bounded by Woodhaven Boulevard, Dry Harbor Road, a line 150 feet west of Woodhaven Boulevard, and 61st Road, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The rezoning was requested by the owner of a funeral establishment located within the area involved.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 48.

The applicant appeared in favor of the proposed amendment. No opposition developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967.

The applicant's funeral establishment was built at a time when the zoning of the property permitted such use. It was rendered non-conforming by the adoption of the new Zoning Resolution, which placed the property in an R6 District. A study of the neighborhood indicates that no useful planning purpose would be served by continuing the non-conforming status of the existing use, and that the establishment of the proposed C2-2 District, in this instance, would not have any adverse effect on other properties in the area.

In view of these circumstances, it was determined that the amendment under consideration would provide appropriate zoning for the area involved and it was thereupon adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changing the Zoning Map, Section No. 13c, by establishing within an existing R6 District, a C2-2 District bounded by Woodhaven Boulevard, Dry Harbor Road, a line 150 feet west of Woodhaven Boulevard, and 61st Road, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

### No. 15

(CP-19719)

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 11a, (a) establishing within an existing R4 District, a C2-2 District property bounded by Bell Boulevard, a line 200 feet north of 38th Avenue, a line 150 feet east of Bell Boulevard, and 38th Avenue; and (b) eliminating from within an existing R4 District, a C1-2 District bounded by 36th Avenue, Bell Boulevard, a line 200 feet south of 36th Avenue and a line midway between 213th Street and Bell Boulevard, Borough of Queens.

(On March 29, 1967, Cal. No. 24, the Commission fixed April 12, 1967 for a hearing; on April 12, 1967, Cal. No. 49, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

May 3, 1967.

*To Secretary, Board of Estimate, from City Planning Commission:*

Pursuant to Section 200 of the New York City Charter, the City Planning Commission on March 29, 1967, Cal. No. 24, authorized a public hearing on an amendment of the Zoning Map, Section No. 11a: (a) establishing within an existing R4 District, a C2-2 District property bounded by Bell Boulevard, a line 200 feet north of 38th Avenue, a line 150 feet east of Bell Boulevard, and 38th Avenue; and (b) eliminating from within an existing R4 District, a C1-2 District bounded by 36th Avenue, Bell Boulevard, a line 200 feet south of 36th Avenue, and a line midway between 213th and Bell Boulevard, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

The rezoning was requested, in part, by an owner of a portion of the property involved. The scope of the request was expanded by the Commission.

The proposed amendment was the subject of a public hearing duly held by the Commission on April 12, 1967, Cal. No. 49.

The applicant, also representing some adjacent property owners, appeared in favor of the proposed amendment. No opposition developed and the hearing was closed.

The matter was considered further at a meeting of the Commission held on May 3, 1967, Cal. No. 15.

The area on the east side of Bell Boulevard, in which the C2-2 District is proposed to be established, is developed with six stores and two old dwellings. Property on the west side of Bell Boulevard, in which the elimination of an existing C1-2 District is proposed, is developed with a recently constructed apartment house.

The rezoning, as proposed could provide a more realistic zoning pattern conforming with existing and prospective development trends in the area.

In view of these circumstances, it was determined that the amendment under consideration would provide appropriate zoning for the area involved and it was thereupon adopted, together with the following resolution, which is herewith filed with the Secretary of the Board of Estimate, in accordance with the provisions of Section 200 of the New York City Charter:

Resolved, By the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, be and the same hereby is amended by changing the Zoning Map, Section No. 11a by: (a) establishing within an existing R4 District, A C2-2 District property bounded by Bell Boulevard, a line 200 feet north of 38th Avenue, a line 150 feet west of Bell Boulevard, and 38th Avenue; and (b) eliminating from within an existing R4 District, a C1-2 District Bounded by 36th Avenue, Bell Boulevard, a line 200 feet south of 36th Avenue, and a line midway between 213th Street and Bell Boulevard, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated March 29, 1967.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

## LANDMARKS PRESERVATION

### VARIOUS BOROUGHS

#### No. 16

(CP-19810)

COMMUNICATION, dated April 19, 1967, from the **Landmarks Preservation Commission forwarding** pursuant to Section 207-2.0 of the Administrative Code, a **list of five landmarks and landmark sites in various Boroughs**, designated by the Landmarks Preservation Commission.

(Communication, dated April 20, 1967, from the Acting Secretary of the Board of Estimate, transmitting this matter to the City Planning Commission, for report).

On motion, the following report was unanimously adopted:

*Report, pursuant to Section 207-2.0 of the Administrative Code, on a list of five landmarks and landmark sites designated by the Landmarks Preservation Commission in various Boroughs of New York City.*

May 3, 1967.

On April 20, 1967, the Acting Secretary of the Board of Estimate transmitted to the City Planning Commission for a report, pursuant to Section 207-2.0f(1) of the Administrative Code, a communication dated April 19, 1967, from the Landmarks Preservation Commission submitting a list of five landmarks and landmark sites designated on April 12, 1967, by the Landmarks Preservation Commission in the various Boroughs of New York City.

Under Section 207-2.0f(1) of the Administrative Code, the City Planning Commission is required to report to the Board of Estimate with respect to the relation of designations by the Landmarks Preservation Commission to the Master Plan, the Zoning Resolution, projected public improvements and any plans for the renewal of the area involved.

The following are the reports of the City Planning Commission on each of the five landmarks and landmark sites designated by the Landmarks Preservation Commission on April 12, 1967:

#### *Landmarks and Landmark Sites*

1. St. Andrew's Church, 2067 5th Avenue, Borough of Manhattan (LP-0294).  
 Landmark Site—Borough of Manhattan Tax Map, Block 1752, Lot 1.  
 The St. Andrew's Church site is located in an R7-2 Zoning District.  
 This site is located within Section M-1 of the Master Plan of sections containing areas suitable for development and redevelopment. Section M-1 is designated on the Master Plan, as a section containing substandard and insanitary areas suitable for clearance, replanning, reconstruction or rehabilitation for predominantly residential use.  
 Except as noted above, this site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.
2. Junior League of The City of New York (formerly Vincent Astor House), 130 East 80th Street, Borough of Manhattan (LP-0442).  
 Landmark Site—Borough of Manhattan Tax Map, Block 1508, Lot 61.  
 The Junior League of The City of New York site is located in an R-8 Zoning District.  
 This site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.
3. Dr. Samuel MacKenzie Elliott House, 69 Delafield Place, Staten Island (LP-0338).  
 Landmark Site—Borough of Richmond Tax Map, Block 137, Lot 51.  
 The Dr. Samuel MacKenzie Elliott House site is located in an R3-1 Zoning District.  
 This site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.
4. Gardiner-Tyler House, 27 Tyler Street, Staten Island (LP-0344).  
 Landmark Site—Borough of Richmond Tax Map, Block 305, Lot 76.  
 The Gardiner-Tyler House site is located in an R3-1 Zoning District.  
 This site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.
5. Ernest Flagg House, Gatehouse and Gate (The Society of St. Charles), 209 Flagg Place, Staten Island (LP-0357).  
 Landmark Site—Borough of Richmond Tax Map, Block 891, Lot 1 in part, consisting of the land on which the described improvements are situated.  
 The Ernest Flagg House, Gatehouse and Gate site is located in an R1-1 Zoning District.

This site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.

This report on the five landmarks and landmark sites, designated by the Landmarks Preservation Commission on April 12, 1967, is hereby submitted to the Board of Estimate, pursuant to Section 207-2.0f(1) of the Administrative Code.

DONALD H. ELLIOTT, Chairman; HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, BEVERLY M. SPATT, JAMES G. SWEENEY, Commissioners.

## II. FIXING WEDNESDAY, MAY 24, 1967, AT 10 A. M. FOR FUTURE PUBLIC HEARINGS

### HOUSING AND REDEVELOPMENT

BOROUGH OF BROOKLYN

#### No. 17 (CP-19813)

COMMUNICATION, dated April 24, 1967, from the **Housing and Redevelopment Board, submitting for approval an Urban Renewal Plan**, pursuant to Article 15 of the General Municipal Law (Urban Renewal Law) of the State of New York and Title I of the Housing Act of 1949, as amended, **for an Urban Renewal Project, designated as Brownsville**, proposed to be developed in the area bounded by **Livonia Avenue, Stone Avenue, Linden Boulevard and Rockaway Avenue**, Borough of Brooklyn.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Article 15 of the General Municipal Law of the State of New York hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on approval of an urban renewal plan, pursuant to Article 15 of the General Municipal Law (Urban Renewal Law) of the State of New York and Title I of the Housing Act of 1949, as amended, for an Urban Renewal Project, designated as Brownsville, proposed to be developed in the area bounded by Livonia Avenue, Stone Avenue, Linden Boulevard and Rockaway Avenue, Borough of Brooklyn.

BOROUGH OF THE BRONX

#### No. 18 (CP-19811)

COMMUNICATION, dated April 24, 1967, from the **Housing and Redevelopment Board, transmitting for approval**, pursuant to Article II of the Private Housing Finance Law (Limited-Profit Housing Companies Law) of the State of New York, **a Plan for a City-aided limited profit housing project** proposed to be erected by University Residence, Inc. on a site comprising the major portion of the block bounded by **University Avenue, Merriam Avenue and West 170th Street**, (Block 2534, Lots 8, 10, 11, 12, 13, 16, 25, 32, 34, 35, 36, 37), Borough of The Bronx.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Article II of the Private Housing Finance Law of the State of New York hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on approval, pursuant to Article II of the Private Housing Finance Law (Limited-Profit Housing Companies Law) of the State of New York, of a plan for a City-aided limited profit housing project, proposed to be erected by University Residence, Inc., on a site comprising the major portion of the block bounded by University Avenue, Merriam Avenue, and West 170th Street (Block 2534, Lots 8, 10, 11, 12, 13, 16, 25, 32, 34, 35, 36 and 37), Borough of The Bronx.

### CITY MAP CHANGES

BOROUGH OF RICHMOND

#### No. 19 (CP-19752)

COMMUNICATION, dated February 21, 1967, from the President, Borough of Richmond, submitting Map No. 3606 **establishing the lines and grades of Pam Court from Douglas Road to a point 475 feet northerly thereof and Douglas Road from Pam Court to Richmond Road**, Borough of Richmond.

(On March 2, 1967, Cal. No. 105, the Board of Estimate referred this matter to the Commission.)

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 199 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on a proposed change in the City Map by establishing the lines and grades of Pam Court from Douglas Road to a point about 475 feet therefrom and of Douglas Road from Pam Court to Richmond Road, Borough of Richmond, in accordance with a map (No. 3606), signed by the Borough President and dated February 14, 1967,

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BOROUGH OF BROOKLYN

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**No. 20**

**(CP-19781)**

COMMUNICATION, dated March 29, 1967, from the President, Borough of Brooklyn, submitting Map No. X-1892, **modifying the westerly line of Van Sinderen Avenue between Linden Boulevard and DeWitt Avenue**, establishing a permanent sewer easement on the south side of the Long Island Rail Road and adjusting the grades thereof, Borough of Brooklyn.

(On April 6, 1967, Cal. No. 100, the Board of Estimate referred this matter to the Commission.)

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 199 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on a proposed change in the City Map by modifying the westerly line of Van Sinderen Avenue and Avenue D between Linden Boulevard and DeWitt Avenue and by adjusting the grades therefor, Borough of Brooklyn, in accordance with a map (X-1892) signed by the Borough President and dated March 27, 1967.

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**No. 21**

**(CP-19782)**

COMMUNICATION, dated March 29, 1967, from the President, Borough of Brooklyn, submitting Map No. N-1893, showing the **discontinuance and closing of a portion of Linden Boulevard from the east line of the Long Island Rail Road to Van Sinderen Avenue**, pursuant to Chapter 15, Title E, of the Administrative Code.

(On April 6, 1967, Cal. No. 101, the Board of Estimate referred this matter to the Commission.)

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 199 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on a map (N-1893) submitted pursuant to the provisions of Chapter 15 Title E of the Administrative Code which provides for discontinuing and closing a portion of Linden Boulevard between the east line of the Long Island Railroad and Van Sinderen Avenue, Borough of Brooklyn. The map is signed by the Borough President and dated March 27, 1967.

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**No. 22**

**(CP-19783)**

COMMUNICATION, dated March 17, 1967, from the President, Borough of Brooklyn, submitting Map No. N-1896, showing a **change in the grades of East 92d Street from Flatlands Avenue to Avenue K** and Avenue J from East 91st Street to East 93d Street, Borough of Brooklyn.

(On April 6, 1967, Cal. No. 102, the Board of Estimate referred this matter to the Commission.)

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 199 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on a proposed change by the City Map by modifying the grades of the street system within the territory bounded by East 91st Street, Flatlands Avenue, East 93d Street and Avenue K, Borough of Brooklyn, in accordance with a map (N-1896) signed by the Borough President and dated March 15, 1967.

## BOROUGH OF QUEENS

## No. 23

(CP-19785)

COMMUNICATION, dated March 28, 1967, from the President, Borough of Queens, submitting Alteration Map No. 4482, showing a **change in the street system** heretofore laid out **within the territory bounded by Aubrey Avenue, Metropolitan Avenue, Doran Avenue and 88th Street**, Borough of Queens.

(On April 6, 1967, Cal. No. 104, the Board of Estimate referred this matter to the Commission.)

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 199 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on a proposed change in the City Map by eliminating 89th Street from Aubrey Avenue to Doran Avenue, Borough of Queens, in accordance with a map (No. 4482) signed by the Acting President of the Borough and dated March 23, 1967.

## ZONING

## No. 24

(CP-19792)

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of The City of New York, relating to Article VII, Chapters 8 and 9, concerning **Large-scale Residential Developments and Large Scale Community Facility Developments**.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendments of the Zoning Resolution of The City of New York, relating to Article VII, Chapters 8 and 9, concerning large scale residential developments and large scale community facility developments, as follows:

Matter in **Bold Type** is new;

Matter in brackets [ ], is old, to be omitted.

*Italicized* words are defined in Section 12-10 of the Zoning Resolution.

25-61

\* \* \* \*

Special regulations, applying to *large-scale residential developments* [or] are set forth in Article VII, chapter 8, and to *large-scale community facility developments* in Article VI, Chapter 9.

[ENTIRE EXISTING TEXT OF ARTICLE VII, CHAPTER 8  
TO BE ELIMINATED]

Chapter 8 Special Regulations Applying to Large-Scale Residential Developments  
78-00 GENERAL PURPOSES, DEFINITIONS AND GENERAL PROVISIONS  
78-01

General Purposes

The regulations set forth in this Chapter are designed to deal with certain types of problems which arise only in connection with large-scale residential developments and to promote and facilitate better site planning and community planning through modified application of the district regulations in such developments.

For large-scale residential developments involving several zoning lots but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and bulk controls. For such developments the regulations of this Chapter are designed to allow greater flexibility for the purpose of securing better site planning for development of vacant land and to provide incentives toward that end while safeguarding the present or future use and development of surrounding areas, and specifically: to achieve more efficient use of increasingly scarce land within the framework of the overall bulk controls, to enable open space in large-scale residential developments to be arranged in such a way as best to serve active and passive recreation needs of the residents, to protect and preserve scenic assets and natural features such as trees, streams and topographic features, to foster a more stable community by providing for a population of balanced family sizes, to encourage harmonious designs incorporating a variety of building types and variations

in the siting of buildings, and thus to promote and protect public health, safety, and general welfare.

78-02

Definitions (Repeated from Section 12-10)

Block

A "block" is a tract of land bounded by:

- (a) *Streets*,
- (b) *Public parks*,
- (c) Railroad rights-of-way, when located above ground but not including sidings or spurs in the same ownership as the *zoning lot*,
- (d) Airport boundaries,
- (e) Pierhead lines (or shore lines, where no pierhead lines have been established, or
- (f) Corporate boundary lines of New York City.

Large-scale Residential Development

A "large-scale residential development" is a *development* used predominantly for *residential uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

- (a) Has or will have an area of at least 1.5 acres and a total of at least three principal *buildings*, and
- (b) Is to be *developed* as a unit.

Lot area

"Lot area" is the area of a *zoning lot*.

Street

A "street" is:

- (a) A way shown on the City Map, or
- (b) A way designed or intended for general public use, connecting two ways shown on the City Map which:
  - (1) Performs the functions usually associated with a way shown on the City Map, and
  - (2) Is at least 50 feet in width throughout its entire length, and
  - (3) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution; or
- (c) Any other open area intended for general public use and providing a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a *building* or *other structure*, which
  - (1) Performs the functions usually associated with a way shown on the City Map, and
  - (2) Is at least 50 feet in width throughout its entire length, and
  - (3) Is approved by the City Planning Commission as a "street" to satisfy any requirement of this resolution, and
  - (4) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution, or
- (d) Any other public way which on the effective date of this resolution was performing the functions usually associated with a way shown on the City Map.

A driveway which serves only to give vehicular access to an *accessory* parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a *building*, shall not be considered a *street*.

Zoning lot

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or
- (c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York or on any recorded subdivision plot or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

78-03

Applicability of this Chapter

*Large-scale residential developments* are governed by all the use, *bulk*, off-street parking and loading, and other applicable regulations of this resolution, except for such special provisions as are specifically set forth in this Chapter and apply only to such *developments*.

Any *large-scale residential development* having a total of at least 500 *dwelling units* shall be subject to the provisions of Sections 78-11 (General Provisions), relating to Provision of Public Facilities in Connection with Large-Scale Residential Developments.

78-04

Powers of the City Planning Commission

78-041

Authorization by Commission

For any *large-scale residential development* for which proposed modifications of the applicable district regulations are limited to those which may be granted in accordance with the provisions of Sections 78-21 to 78-23, inclusive, relating to Use Regulations, Sections 78-311 and 78-313 relating to Bulk Regulations, Section 78-41 (Location of Accessory Parking Spaces), or Sections 78-51 to 78-53, inclusive, relating to Subdivision of Large-Scale Residential Developments, the City Planning Commission may grant such modifications in accordance with the provisions of such specified sections and may prescribe appropriate conditions and safeguards thereon.

78-042

Special permits

For *large-scale residential developments* for which proposed modifications of the applicable district regulations include those which may be granted only in accordance with the provisions of Section 78-312 to 78-33, inclusive, relating to Bulk Regulations, or Sections 78-42 (Parking Regulations for Community Facility Uses), the City Planning Commission may, after public notice and hearing and subject to Board of Estimate action, grant special permits for such modifications in accordance with the applicable provisions of such specified sections and other sections of this Chapter and may prescribe appropriate conditions and safeguards thereon. Within five days after the Commission approves an application for such special permit, the resolution of approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate, and the Board of Estimate shall act upon such resolution in accordance with the provisions of Section 200 of the New York City Charter.

78-043

Requirements for Findings

The requirements for findings as set forth in this Chapter shall constitute a condition precedent to the grant of any such modification by special permit or otherwise. The decision or determination of the Commission shall set forth each required finding in each grant of modifications for a *large-scale residential development*. Each finding shall be supported by substantial evidence or data considered by the Commission in reaching its final decision.

78-044

Contractual agreements

The City of New York may enter into contractual agreements with the applicant as may be required to assure compliance with the terms and conditions of the modifications granted under the provisions of this Chapter.

## 78-05

**Requirements for Applications**

An application to the City Planning Commission for authorizations or special permit respecting any *large-scale residential development* shall include a site plan and related schedules showing the location and proposed use of all *buildings* or other structures on the site, the location of existing natural features such as important trees or clusters of trees, streams, or rock formations, and all information necessary to indicate the authorizations requested and their justification.

The City Planning Commission shall require, where relevant, a time schedule for carrying out the proposed *development*, a financial plan, a subdivision plan, and, in the case of a site plan providing for common *open space* or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

## 78-06

**Ownership**

Any *large-scale residential development* for which application is made for authorizations or special permit in accordance with the provisions of this Chapter shall be on a tract of land, which at the time of application is all under the control of the applicant as the single owner or holder of a written option to purchase. However, no authorizations or special permit shall be granted for such *development* unless the applicant has acquired actual ownership of, or executed a binding sales contract for, all of the property comprising such tract. For the purpose of this section, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration. The term "single ownership" shall include ownership of portions of such a *development* by two or more wholly-owned subsidiaries of a single owner, or by such single owner and one or more of its wholly-owned subsidiaries.

Unless otherwise provided as a condition for the grant of such authorizations or special permit, the permittee may divide and transfer units of such tract before, during, or after development in accordance with the provisions of Section 78-51 (General Provisions).

## 78-07

**Lapse of Authorizations or Special Permit**

Such authorizations or special permit granted under the provisions of this Chapter shall automatically lapse if substantial construction thereunder has not been completed within one year from the date of granting such authorizations or permit, or, if judicial proceedings to review the decision to make such grant shall be instituted, from the date of entry of the final order in such proceedings including all appeals.

## 78-10 PROVISION OF PUBLIC FACILITIES IN CONNECTION WITH LARGE-SCALE RESIDENTIAL DEVELOPMENTS

## 78-11

**General Provisions**

The following regulations apply to all *large-scale residential developments* with a total of at least 500 *dwelling units*, as a condition precedent to the issuance of a building permit.

## 78-111

**Report by Planning Commission**

Within one month after a request from the Commissioner of Buildings, the City Planning Commission shall make a report, based upon information from the Board of Education and other appropriate City Departments, on the anticipated effect of the proposed *development* on the existing capacity of public *schools* or other public facilities serving the area in which the proposed *development* is to be located.

## 78-112

**If no additional public facilities needed**

If the Commission reports that the proposed *development* will not require any significant addition to the public facilities serving the neighborhood, then the requirements of this Section shall be considered to be satisfied.

## 78-113

**If additional public facilities needed**

If the Commission reports that the proposed *large-scale residential development* can be expected to create a need for one or more new public facilities in the neighborhood, the Commission may, in its discretion, recom-

mend that a site for one or more such facilities should be reserved within the site of such proposed *development*. If the Commission does so recommend, the issuance of a building permit shall be withheld for a period not to exceed three months. In such a case, the requirements of this Section shall be considered to be satisfied:

- (a) If, within a period of less than three months, the developer and the appropriate City officials have agreed on the reservation of such a site or sites, or official proceedings have been initiated to authorize acquisition of such a site or sites, or if necessary to amend the capital budget to include the project as a prerequisite to site acquisition, or
- (b) In any event, at the expiration of the above-mentioned period of three months.

#### 78-20 USE REGULATIONS

##### 78-21

##### Permitted Uses

A *large-scale residential development* may include within its area any *residential uses* or *community facility uses* permitted in the district or districts in which it is located.

##### 78-22

##### Accessory Uses in Large-Scale Residential Developments

A *large-scale residential development* may contain, as *accessory uses*, any *commercial uses* listed in Use Group 6A or 6F which in the aggregate occupy not more than 2 per cent of the total *floor area* in the *development*, and of which no single establishment occupies more than 15,000 square feet of *floor area*; provided that upon a review of the site plan, the City Planning Commission finds that such *commercial uses*:

- (a) Will be primarily for the use of the residents of the *development* and will provide more convenient shopping for such residents, and
- (b) Are so located as to minimize interference with residential or recreational areas within the *development* and to avoid creation of traffic congestion or other objectionable influences affecting *residences* outside the *development*, and
- (c) Comply with all the applicable *bulk* and off-street parking and loading regulations for such *accessory commercial uses*, as set forth in Article 11, Chapters 3 and 5, and
- (d) Conform to those provisions of the following Sections which are applicable to *commercial uses* in C1 Districts:
  - Section 32-41 (Enclosure within Buildings)
  - Section 32-42 (Location within Buildings)
  - Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

##### 78-23

##### Accessory Swimming Pools

Swimming pools may be authorized by the City Planning Commission as *accessory uses* even though not located on the same *zoning lots* as the principal uses to which they are related, provided that:

- (a) Any such swimming pool is located in a common *open space* area and as a part of such area meets all the requirements set forth in Section 78-52 (Common Open Space)
- (b) The use of such swimming pool is restricted to the residents of the *large-scale residential development* or portion thereof served by such common *open space*, and their guests
- (c) The edge of such swimming pool is located not less than 100 feet from any *lot line* on the periphery of the *development*, except that it may be located not less than 50 feet from a *front lot line* if suitably screened from the *street*
- (d) Such swimming pool complies in all other respects with the definition of "*accessory use*" as set forth in Section 12-10 (DEFINITIONS).

#### 78-30 BULK REGULATIONS

##### 78-31

##### Location of Buildings and Distribution of Bulk and Open Space

Authorizations may be granted for *buildings* to be located, and *bulk* and *open space* distributed in accordance with the provisions of this Section.

##### 78-311

##### Authorizations by the Planning Commission

When a *large-scale residential development* includes or will include after subdivision two or more *zoning lots*, the City Planning Commission may upon application:

(a) Authorize the total *floor area, dwelling units, rooms, or rooming units* permitted by the applicable district regulations for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*.

(b) Authorize the total *open space* required by the applicable district regulations for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*, except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution, may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots.

(c) For *zoning lots* adequately served by common *open space*, authorize the minimum required *lot area* as set forth in Section 23-32 (Minimum Lot Area or Lot Width for Residences) to be reduced, provided that any *residence* for which the minimum required *lot area* is so reduced shall be separated from all other *buildings* on the same or adjacent *zoning lots* by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot), or in cases where at least one of the *buildings* is a one-family or two-family detached or semi-detached house, by a lesser distance to be determined by the Commission but in no event to be less than 20 feet.

(d) Authorize the location of *buildings* without regard for *yard* regulations which would otherwise apply along portions of *streets* wholly within the *development* or along portions of *lot lines* abutting other *zoning lots* within the *development* provided that any *building* for which required rear or *side yards* are reduced shall be separated from all other *buildings* on the same or adjacent *zoning lots* by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) or, in cases where at least one of the *buildings* is a one-family or two-family detached or semi-detached house, by a lesser distance to be determined by the Commission but in no event to be less than 20 feet.

(e) Authorize the location of buildings without regard for the height and setback regulations which would otherwise apply along portions of *streets* wholly within the *development* or along *side* or *rear lot lines* abutting other *zoning lots* within the *development*, provided that any *building* for which required rear or side setbacks are reduced shall be separated from all other *buildings* on the same or adjacent *zoning lots* by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot).

In the case of a *large-scale residential development* with an area of 40 acres or more, for that portion of the *development* which is located within an R5 District, the Commission may authorize the permitted *floor area ratio*, required *open space ratio*, and required *lot area per room* to be determined on the basis of a *height factor* which is less than the actual *height factor* of such portion of the *development*.

Where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions) and satisfactory provision is made for common *open space*, the Commission may consider such common *open space* in determining to what extent, if any, modifications of the *yard* regulations are justified.

#### 78-312

##### Special permit authorizations

For any *large-scale residential development*, the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action:

(a) Authorize the total *floor area, dwelling units, rooms, or rooming units* permitted by the applicable district regulations or by Section 78-32 (Bonus for Good Site Plan) or Section 78-33 (Bonus for Common Open Space) for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*.

(b) Authorize the total *open space* required by the applicable district regulations or by Section 78-32 (Bonus for Good Site Plan) or Section 78-33 (Bonus for Common Open Space) for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*, except that where subdivision is authorized in accordance with the pro-

visions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution, may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots.

(c) Authorize minor variations in required *front* or *rear yards* on the periphery of such *development* for the purpose of introducing variety or preserving natural features.

(d) Authorize minor variations in the front height and setback regulations on the periphery of such *development* for the purpose of introducing variety or preserving natural features but within the general purpose and intent of the height and setback regulations.

#### 78-313

##### Findings

As a condition precedent to the granting of authorizations under the provisions of Section 78-311 (Authorizations by the Planning Commission) or Section 78-312 (Special permit authorizations), the Commission shall make the following findings:

(a) That such authorizations will aid in achieving the general purposes and intent of this Chapter as set forth in Section 78-01 (General Purposes).

(b) That the authorized distribution of *floor area*, *dwelling units*, *rooms*, *rooming units*, or *open space*, or locations of *buildings* will permit better site planning and will thus benefit both the residents of the *development* and the City as a whole.

(c) That such distribution or location will not unduly increase the *bulk* of *buildings*, density of population, or intensity of use in any *block*, to the detriment of the occupants of *buildings* in the *block* or nearby *blocks*.

(d) That such distribution or location will not affect adversely any other *zoning lots* outside the *development*, by restricting access to light and air or by creating traffic congestion.

(e) Where portions of the total required *open space* are pooled in common *open space* areas or common parking areas, that such common areas will, by location, size, shape and other physical characteristics, and by their relationship to surrounding development and the circulation system, permit realization of the full community service advantages for which such pooled areas are designed.

(f) Where one or more *zoning lots* in the *development* do not abut mapped *streets*, that suitable private access to mapped *streets* will be provided conforming to standards which will insure adequate circulation and make adequate provision for public services.

#### 78-32

##### Bonus for Good Site Plan

In R1-2, R2, R3, or R4 Districts, for any *large-scale residential development*, the Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may authorize the *open space ratio* otherwise required for the *development* as a whole and for individual *zoning lots* therein to be reduced by not more than 10 per cent and the required *lot area per room* or *lot area per dwelling unit* by not more than 5 per cent, and may authorize the permitted *floor area ratio* to be increased by not more than 7.5 per cent, if the Commission finds that throughout the *development* the site plan provides a significantly better arrangement of the *buildings* in relation to one another and to their sites from the standpoints of privacy, access of light, organization of private *open spaces*, and preservation of important natural features than would be possible or practical for a *development* comprised of similar types built in strict compliance with the applicable district regulations.

#### 78-33

##### Bonus for Common Open Space

In R3 or R4 Districts, for any *large-scale residential development*, the Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may authorize the *open space ratio* otherwise required for such *development* as a whole to be reduced by not more than 20 per cent and the required *lot area per room* or *lot area per dwelling unit* by not more than 10 per cent, and may authorize the permitted *floor area ratio* to be increased by not more than 15 per cent, provided that:

(a) At least one acre or 20 per cent of the total *open space*, whichever is more, is provided in common areas meeting the requirements of Section 78-52 (Common Open Space) and not used for off-street parking.

(b) The *development* qualifies for a bonus in accordance with the provisions of Section 78-32 (Bonus for Good Site Plan).

(c) The Commission makes the findings required in Section 78-32 (Bonus for Good Site Plan and in paragraph (e) of Section 78-311 (Findings).

Such authorizations shall be instead of, rather than in addition to, those which would be allowable under the provisions of Section 78-32 (Bonus for Good Site Plan).

#### 78-40 OFF-STREET PARKING REGULATIONS

##### 78-41

##### Location of Accessory Parking Spaces

When a *large-scale residential development* includes or will include after subdivision two or more *zoning lots*, the City Planning Commission may, upon application, authorize permitted or required *accessory off-street parking spaces* to be located anywhere within the *development* without regard for *zoning lot lines*, provided that in each case the Commission shall make the following special findings:

(a) That such off-street parking spaces will be conveniently located in relation to the *use* or *uses* to which such spaces are *accessory*.

(b) That such location of the off-street parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents, or visitors of the *development* and the City as a whole.

(c) That such location of the off-street parking spaces will not increase the number of spaces in any single *block* or the traffic drawn through any one or more of the nearby local *streets* in such measure as to affect adversely other *zoning lots* outside the *development* or traffic conditions in the surrounding area.

Whenever required off-street parking spaces are authorized to be located without regard for *zoning lot lines* in accordance with the provisions of this Section, the number of spaces required for each *building* or *use* shall be kept available for such *building* or *use* throughout its life. Whenever any *zoning lot* within such a *large-scale residential development* is subdivided into two or more *zoning lots*, such subdivision shall be subject to the provisions of Section 78-51 (General Provisions).

##### 78-42

##### Parking Regulations for Community Facility Uses

For *large-scale residential developments* in R6, R7, R8, R9, or R10 Districts, or in *Commercial Districts* in which *residential buildings* are governed by the *bulk* regulations of R6, R7, R8, R9, or R10 Districts, the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action, waive the requirements for off-street parking spaces *accessory* to any *community facility use* included in such *large-scale residential development* and intended primarily for the use of its residents.

#### 78-50 SUBDIVISION OF LARGE-SCALE RESIDENTIAL DEVELOPMENTS

##### 78-51

##### General Provisions

A *large-scale residential development* may be subdivided before, during, or after development into two or more *zoning lots*, which may be in different ownerships, provided that either:

(a) All resulting *zoning lots* and all *buildings* thereon comply with all the applicable regulations of this resolution, or

(b) Such subdivision conforms to a subdivision plan which was included as part of the application for authorizations or special permit under the provisions of this Chapter and whose execution has been authorized in the grant of such authorizations or special permit, or

(c) Such subdivision is made necessary by forced sale or foreclosure of a portion of such *development*, but can be accommodated to any authorization or special permit granted pursuant to the provisions of this Chapter.

All *zoning lots* resulting from such subdivisions shall be subject to all the applicable regulations of this resolution or, in the case of a *large-scale residential development* for which any modifications were granted in accordance with the provisions of this Chapter, shall be subject to the terms, conditions, and limitations of the *large-scale residential development* plan as approved.

In any subdivision of a *large-scale residential development* for which such modifications were granted, covenants running with the land which shall permit of public or private enforcement, reflecting the terms, conditions, and limitations of the *large-scale residential development* plan as approved, shall be incorporated in the deed to each parcel conveyed.

Such subdivision may result in commonly or separately owned common *open space* or common parking areas, as set forth in Section 78-52 (Common Open Space) or Section 78-53 (Common Parking Areas).

#### 78-52

##### Common Open Space

An area designated on the site development plan of a *large-scale residential development* as "common *open space*" and on the subdivision plan as an area to be held in separate ownership for the use and benefit of residents occupying specified *zoning lots* shown on such subdivision plan may be approved as part of such subdivision plan, provided that it meets the following requirements:

- (a) It shall be conveniently accessible to all residents of *zoning lots* for which it is intended to satisfy the *open space* requirements.
- (b) It shall be made available in its improved state as set forth on the site development plan in accordance with an approved time schedule.
- (c) It shall be maintained in accordance with an approved maintenance plan specifying what such maintenance shall consist of, whose responsibility it shall be, and assuring satisfactory execution of maintenance.
- (d) Provisions to insure its continuing availability shall be included in the covenants to be incorporated in the deed to each parcel to be served by such common *open space*.
- (e) It shall be entirely at natural grade level or at the principal level of pedestrian circulation in adjacent areas.
- (f) It may contain only such obstructions as are specifically permitted under the provisions of Section 23-12 (Permitted Obstructions in Open Space) or minor accessory structures, and the total area occupied by driveways, private streets, or open accessory off-street parking spaces in all areas claimed as common or private *open space* throughout the *development* shall not exceed 50 per cent of the total required *open space* for the *development*.

The approval of a subdivision plan which includes common *open space* shall be conditioned upon a finding that these requirements are met.

#### 78-53

##### Common Parking Areas

An area designated on the site development plan of a *large-scale residential development* as "common off-street parking area" and on the subdivision plan as an area to be held in separate ownership for use by the occupants or visitors of specified *zoning lots* shown on such subdivision plan may be approved as part of such subdivision plan, provided that it shall meet the following requirements:

- (a) It shall be made available in its improved state as set forth in the site development plan in accordance with an approved time schedule.
- (b) It shall be maintained in accordance with an approved maintenance plan specifying what such maintenance shall consist of, whose responsibility it shall be, and assuring satisfactory execution of maintenance.
- (c) Provisions to insure its continuing availability shall be included in the covenants to be incorporated in the deed to each parcel to be served by such common off-street parking area.

The approval of a subdivision plan which includes common off-street parking areas shall be conditioned upon a finding that these requirements are met.

#### Chapter 9 Special Regulations Applying to Large-Scale Community Facility Developments

#### 79-00 DEFINITIONS (repeated from Section 12-10)

##### Block

A "block" is a tract of land bounded by:

- (a) *Streets*,
- (b) *Public parks*,
- (c) Railroad rights-of-way, when located above ground but not including sidings or spurs in the same ownership as the *zoning lot*,
- (d) Airport boundaries,
- (e) Pierhead lines (or shore lines, where no pierhead lines have been established), or

(f) Corporate boundary lines of New York City.

Large-scale community facility development

A "large-scale community facility development" is a *development* or *enlargement* used for *community facility uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

(a) Has or will have an area of at least three acres, and

(b) Is designated by its owner as a tract, all of which is to be used, *developed*, or *enlarged* as a unit under single ownership.

For the purposes of this definition, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration, or possessory interest or control as evidenced by a binding agreement between two or more owners to develop such tract of land as a unit.

Such tract of land may include any land occupied by *buildings* existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 9, provided that such *buildings* form an integral part of the planned *development* or *enlargement*.

Lot area

"Lot area" is the area of a *zoning lot*.

Street

A "street" is:

(a) A way shown on the City Map, or

(b) A way designed or intended for general public use, connecting two ways shown on the City Map which:

(1) Performs the functions usually associated with a way shown on the City Map, and

(2) Is at least 50 feet in width throughout its entire length, and

(3) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or use which depends thereon to satisfy any requirement of this resolution; or

(c) Any other open area intended for general public use and providing a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a *building* or *other structure*, which

(1) Performs the functions usually associated with a way shown on the City Map, and

(2) Is at least 50 feet in width throughout its entire length, and

(3) Is approved by the City Planning Commission as a "street" to satisfy any requirement of this resolution, and

(4) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or use which depends thereon to satisfy any requirement of this resolution, or

(d) Any other public way which on the effective date of this resolution was performing the functions usually associated with a way shown on the City Map.

A driveway which serves only to give vehicular access to an *accessory parking* or *loading facility*, or to allow vehicles to take on or discharge passengers at the entrance to a *building*, shall not be considered a *street*.

Zoning lot

A "zoning lot" is either:

(a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or

(b) A tract of land, either unsubdivided or consisting of two or more contiguous lots or record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or

(c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York or on any recorded subdivision plot or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

#### 79-10 GENERAL PROVISIONS

##### 79-11

##### Applicability of this Chapter

*Large-scale community facility developments* are governed by all the use, *bulk*, off-street parking and loading, and other applicable regulations of this resolution, except for such special provisions as are specifically set forth in this Chapter. Such special provisions are designed to deal with problems which arise only in connection with *large-scale community facility developments* and apply only to such *developments* as set forth herein.

##### 79-12

##### Permitted Uses

A *large-scale community facility development* may include within its area any *community facility uses* permitted in the district or districts in which it is located.

#### 79-20 BULK REGULATIONS

##### 79-21

##### General Provisions

When a *large-scale community facility development* includes two or more *zoning lots*, which are contiguous or would be contiguous but for their separation by a *street*, the City Planning Commission may, upon application, authorize the permitted *floor area*, or *lot coverage* to be distributed without regard for *zoning lot lines*, may authorize the location of *buildings* without regard for rear setback regulations applicable along portions of a rear wall not exceeding 40 feet in aggregate width, may authorize the location of *buildings* without regard for *front yard* or height and setback regulations which would otherwise apply along portions of *streets* wholly within the *development*, and further may authorize the location of *buildings* without regard for *side* or *rear yard* regulations which would otherwise apply along portions of *lot lines* abutting other *zoning lots* within the *development*.

As a condition of granting such authorizations, in each case the Commission shall make the following special findings:

- (a) That such distribution or location will permit better site planning and will thus benefit both the residents, occupants, or users of the *development* and the City as a whole.
- (b) That such distribution or location will not reduce the minimum distance between *legally-required windows* or required windows and walls or *lot lines*.
- (c) That such distribution or location will not unduly increase the *bulk* of *buildings* in any *block*, to the detriment of the occupants or users of *buildings* in the *block* or nearby *blocks*.
- (d) That such distribution or location will not affect adversely any other *zoning lots* outside the *development* by restricting access to light and air or by creating traffic congestion.

#### 79-30 PARKING REGULATIONS

##### 79-31

##### Location of Parking Spaces

When a *large-scale community facility development* includes two or more *zoning lots*, the City Planning Commission may, upon application authorize permitted or required *accessory* off-street parking spaces to be located anywhere within the *development* without regard for *zoning lot lines*, provided that in each case the Commission shall make the following special findings:

- (a) That such off-street parking spaces will be conveniently located in relation to the use or uses to which such spaces are *accessory*.
- (b) That such location of the off-street parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents, or visitors of the *development* and the City as a whole.
- (c) That such location of the off-street parking spaces will not increase the number of spaces in any single *block* or the traffic drawn through any one or more of the nearby local *streets* in such measure as to affect

**adversely other zoning lots outside the development or traffic conditions in the surrounding area.**

**Whenever required off-street parking spaces are authorized to be located without regard for zoning lot lines in accordance with the provisions of this Section, the number of spaces required for each building or use shall be kept available for such building or use throughout its life.**

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BOROUGH OF BROOKLYN

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**No. 25 (CP-19812)**

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section Nos. 17a and 17c, changing from R6, C4-3, C8-2 and M1-1 Districts to R5 and R6 Districts property bounded generally by Marcy Avenue, Lafayette Avenue, Sumner Avenue, Kosciusko Street, Stuyvesant Avenue, Monroe Street, Ralph Avenue, Halsey Street, Howard Avenue, Herkimer Street, Eastern Parkway, Atlantic Avenue, Nostrand Avenue, Fulton Street, Throop Avenue, Lexington Avenue, Tompkins Avenue and Greene Avenue, Borough of Brooklyn.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section Nos. 17a and 17c, changing from R6, C4-3, C8-2 and M1-1 Districts to R5 and R6 Districts property bounded generally by Marcy Avenue, Lafayette Avenue, Sumner Avenue, Kosciusko Street, Stuyvesant Avenue, Monroe Street, Ralph Avenue, Halsey Street, Howard Avenue, Herkimer Street, Eastern Parkway, Atlantic Avenue, Nostrand Avenue, Fulton Street, Throop Avenue, Lexington Avenue, Tompkins Avenue and Greene Avenue, Borough of Brooklyn, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.

(See Diagram on page 237.)

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**No. 26 (CP-19815)**

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 17d, changing from a C4-2 District to an R5 District property bounded by Flatlands Avenue, Van Siclen Avenue, a line at right angles to Van Siclen Avenue distant 1,515 feet southerly of Flatlands Avenue, and Pennsylvania Avenue, Borough of Brooklyn.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section No. 17d, changing from a C4-2 District to an R5 District property bounded by Flatlands Avenue, Van Siclen Avenue, a line at right angles to Van Siclen Avenue distant 1,515 feet southerly of Flatlands Avenue, and Pennsylvania Avenue, Borough of Brooklyn, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.

(See Diagram on page 239.)

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BOROUGH OF THE BRONX

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**No. 27 (CP-19795)**

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section 7a, changing from a C1-2 District to a C2-2 District property bounded by Bruckner Boulevard, White Plains Road, Story Avenue and Bolton Avenue, Borough of The Bronx.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section No. 7a, changing from a C1-2 District to a C2-2 District property bounded by Bruckner Boulevard, White Plains Road,

CITY PLANNING COMMISSION  
CITY OF NEW YORK  
**DIAGRAM SHOWING PROPOSED  
ZONING CHANGE  
ON SECTIONAL MAPS**

17a & 17c  
BOROUGH OF  
BROOKLYN

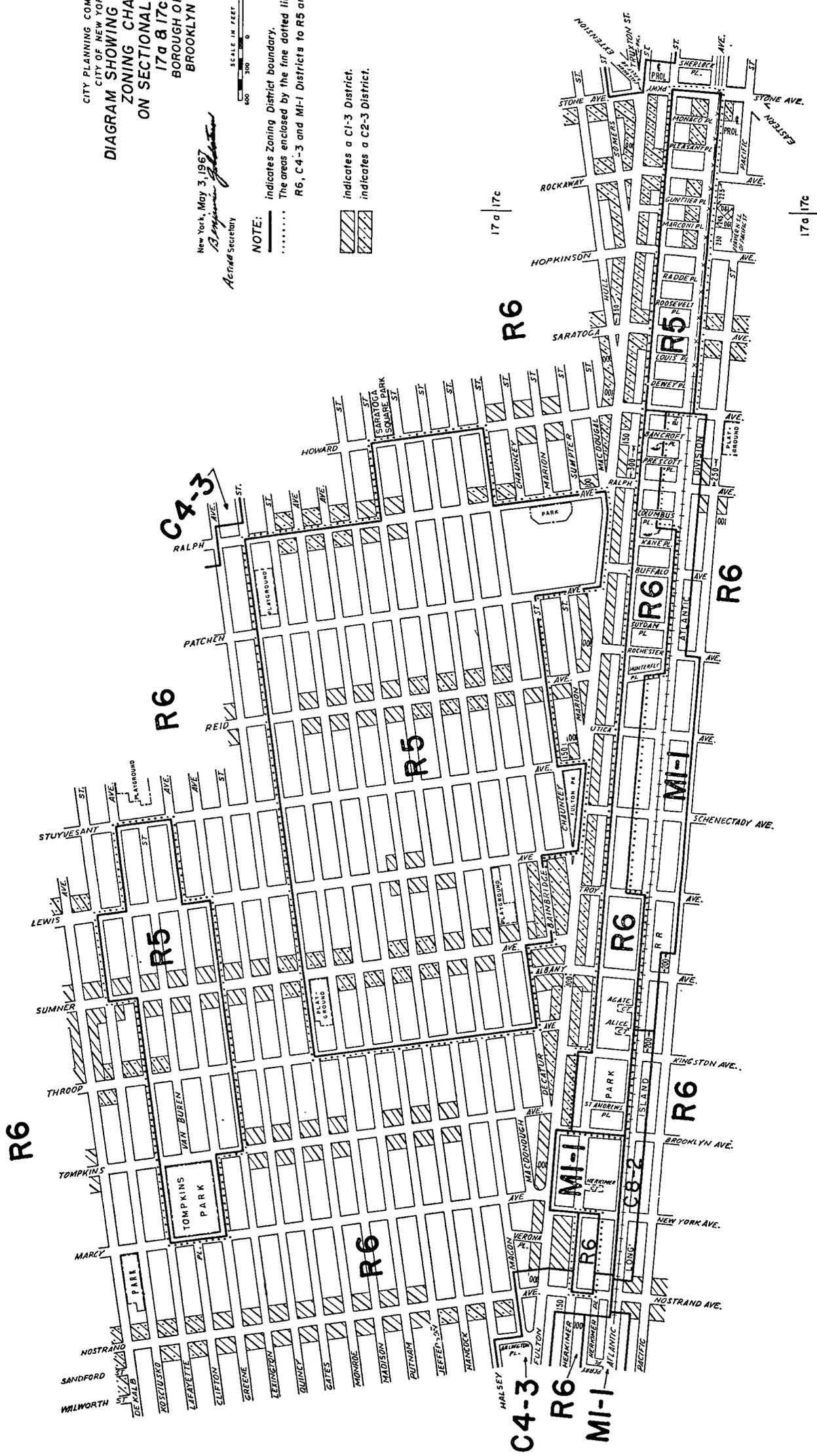
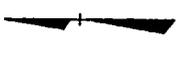
New York, May 3, 1967  
*Benjamin G. Johnson*  
Acting Secretary

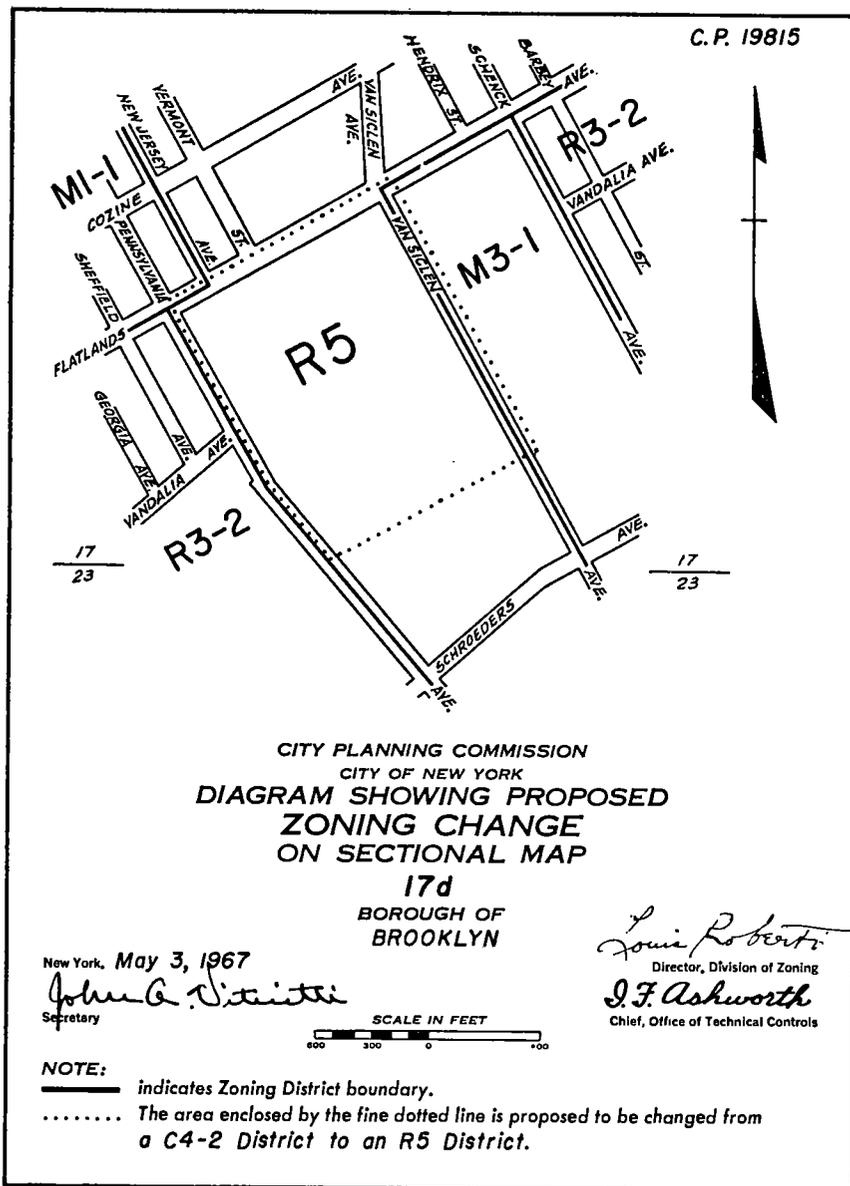
*Louis Robert*  
Director, Division of Zoning  
*J.F. Ashworth*  
Chief, Office of Technical Controls



**NOTE:**  
..... indicates Zoning District boundary.  
The areas enclosed by the fine dotted lines are proposed to be changed from R6, C4-3 and MI-1 Districts to R5 and R6 Districts

indicates a C1-3 District.  
 indicates a C2-3 District.





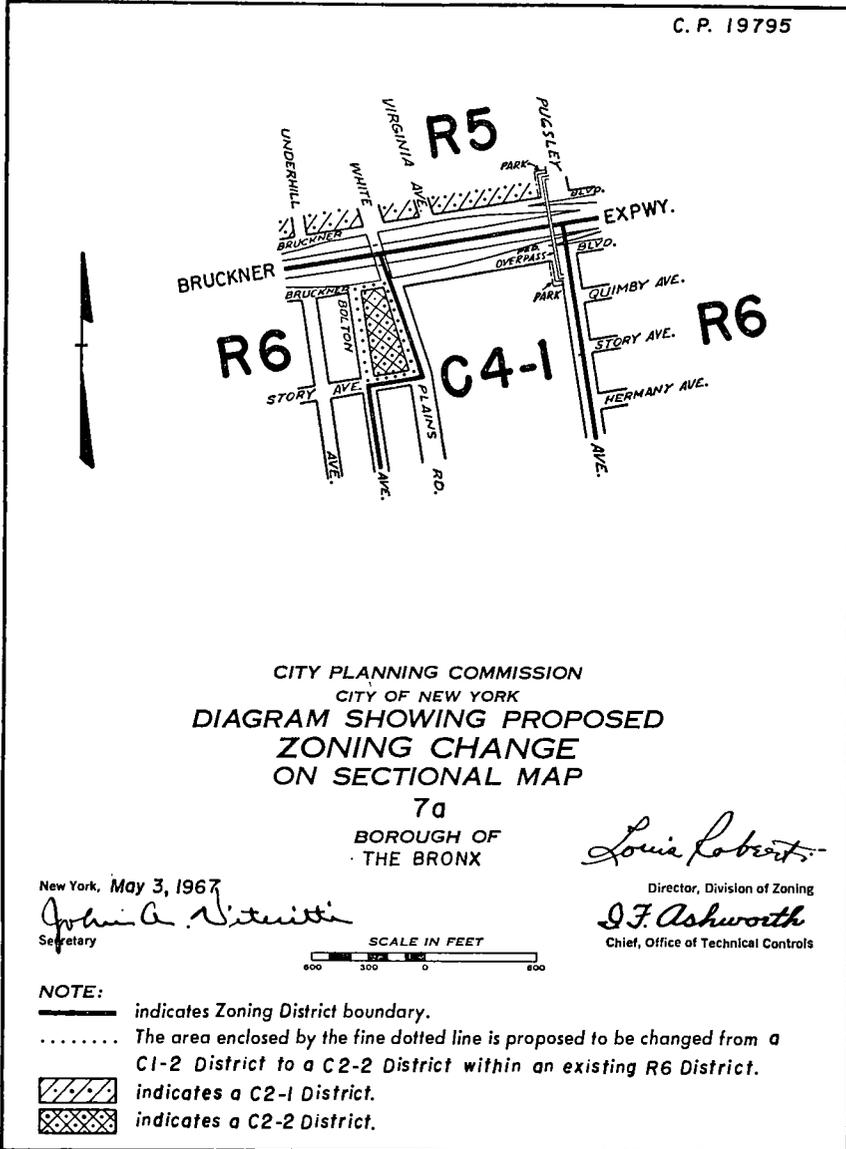
Story Avenue and Bolton Avenue, Borough of The Bronx, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.  
 (See Diagram on page 240.)

BOROUGH OF MANHATTAN

No. 28

(CP-19790)

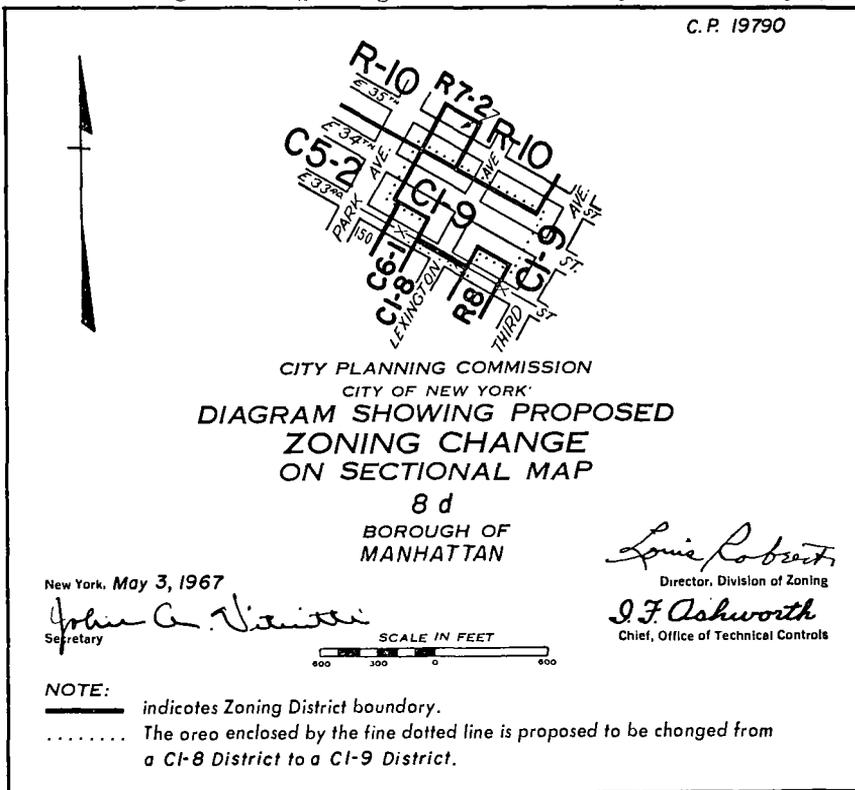
IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 8d, changing from a C1-8 District to a C1-9 District property bounded by East 33d Street, a line 100 feet west of Lexington Avenue, a line midway between East 33d



Street and East 34th Street, a line 100 feet east of Park Avenue, a line midway between East 34th Street and East 35th Street, a line 100 feet west of 3d Avenue, a line midway between East 33d Street and East 34th Street and a line 100 feet east of Lexington Avenue, Borough of Manhattan.

On motion, the following resolution was unanimously adopted:  
 Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section No. 8d, changing from a C1-8 District to a C1-9 District property bounded by East 33d Street, a line 100 feet west of Lexington Avenue, a line midway between East 33d Street and East 34th Street, a line 100 feet East of Park Avenue, a line midway between East 34th Street and East 35th

Street, a line 100 feet west of 3d Avenue, a line midway between East 33d Street and East 34th Street and a line 100 feet east of Lexington Avenue, Borough of Manhattan, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.



BOROUGH OF QUEENS

**No. 29**

**(CP-19793)**

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 10b, changing from C1-2 and R6 Districts to a C4-2 District property bounded by Main Street, 41st Avenue, a line at right angles to 41st Avenue starting at a point 525 feet westerly of Main Street and the northerly right-of-way of the Long Island Railroad, Borough of Queens.

On motion, the following resolution was unanimously adopted:

Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section No. 10b, changing from C1-2 and R6 Districts to a C4-2 District property bounded by Main Street, 41st Avenue, a line at right angles to 41st Avenue starting at a point 525 feet westerly of Main Street and the northerly right-of-way of the Long Island Railroad, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.

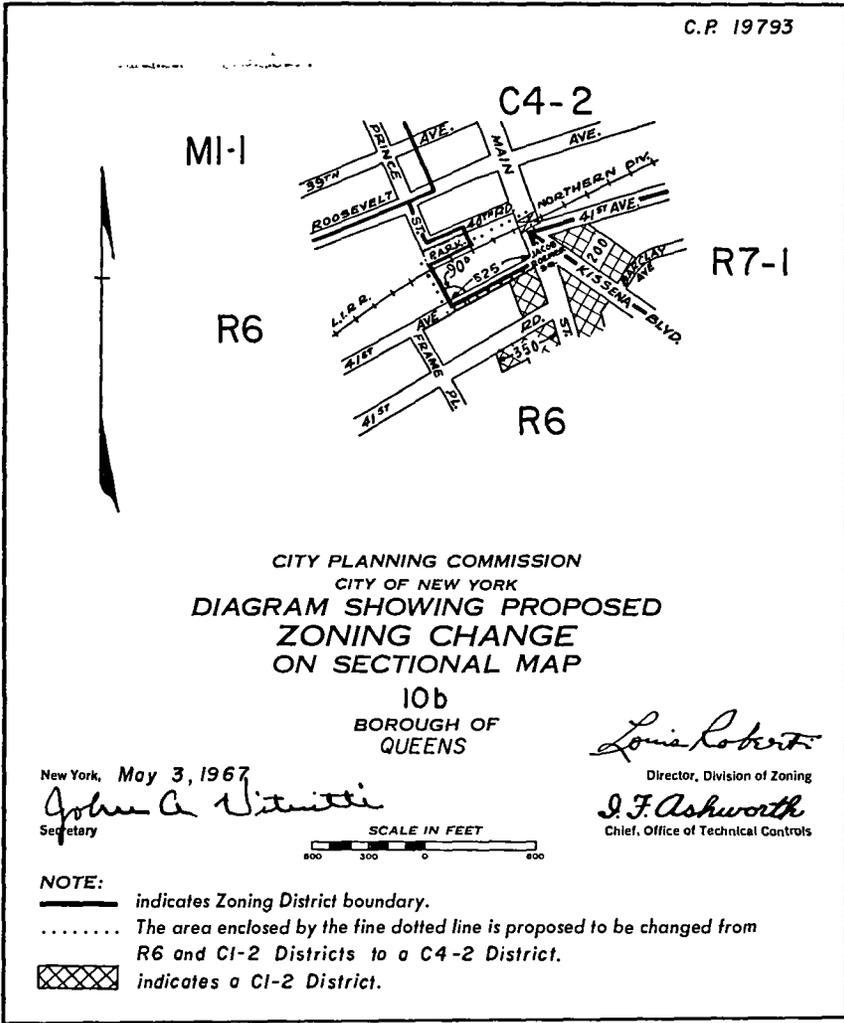
(See Diagram on page 242.)

**No. 30**

**(CP-19796)**

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 13c, changing from M1-1 and R4 Districts to an M1-2 District property bounded by Brooklyn-Queens Expressway, 59th Place, 59th Street, the westerly prolongation of the southerly street line of Tyler Avenue and 58th Lane, Borough of Queens.

C.P. 19793

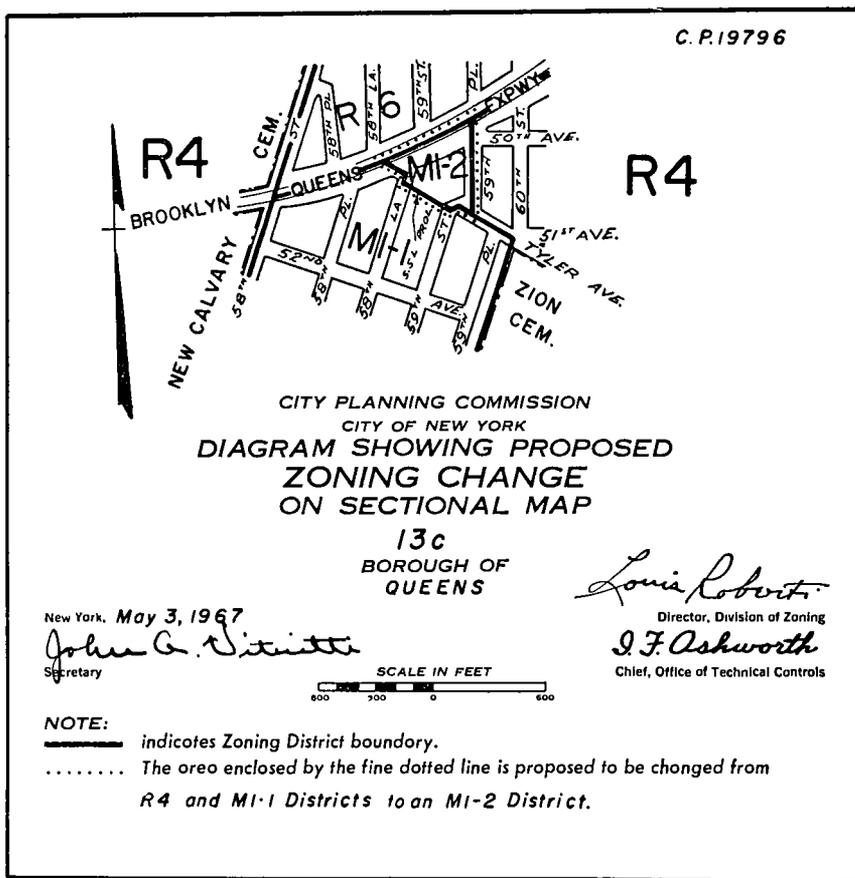


On motion, the following resolution was unanimously adopted:  
 Resolved, That the City Planning Commission, pursuant to Section 200 of the New York City Charter, hereby fixes Wednesday, May 24, 1967, at 10 a. m., in Room 16, City Hall, Borough of Manhattan, City of New York, as the time and place for a public hearing on amendment of the Zoning Map, Section No. 13c, changing from M1-1 and R-4 Districts to an M1-2 District property bounded by Brooklyn-Queens Expressway, 59th Place, 59th Street, the westerly prolongation of the southerly street line of Tyler Avenue and 58th Lane, Borough of Queens, as shown on a diagram bearing the signature of the Secretary and dated May 3, 1967.

(See Diagram on page 243.)

**III. PUBLIC HEARINGS**  
**HOUSING AND REDEVELOPMENT**  
 BOROUGH OF MANHATTAN

**No. 31 (CP-19779)**  
 PUBLIC HEARING in the matter of communication, dated April 4, 1967, from



the **Housing and Redevelopment Board**, submitting for approval, an **Urban Renewal Plan**, pursuant to Article 15 of the General Municipal Law (Urban Renewal Law) of the State of New York and Title I of the Housing Act of 1949, as amended, for an **Urban Renewal Project** designated as **Two Bridges**, proposed to be developed in the area bounded by **Cherry Street, Montgomery Street, South Street and Market Slip**, Borough of Manhattan.

(On April 12, 1967, Cal. No. 24, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: R. C. Weinberg; Cecil F. Bundren, representing Preservation Views; Philip A. Friedman, representing the Avenue B and East Broadway Transit Co.; Frank Mosco and Harry Liebowitz, representing the Two Bridges Neighborhood Council; Barnett August, representing the East Side Chamber of Commerce; Harold J. Weinstock, representing the Metropolitan News Co.; Domingo Depina, representing the Rutgers Tenants Association; Msgr. James Wilson, representing St. Teresa Church.

On motion, it was unanimously voted to close the hearing.

### CITY MAP CHANGES

BOROUGH OF MANHATTAN

No. 32

(CP-19753)

PUBLIC HEARING in the matter of communication, dated February 23, 1967, from the President, Borough of Manhattan, submitting a map showing a **change in the street system** by eliminating street lines, by widening peripheral streets above designated lower limiting planes, by eliminating volumes of streets below designated

limiting planes and by establishing grades and roadway treatment in the area generally bounded by **West Street, Barclay Street, Church Street and Liberty Street**, Borough of Manhattan.

(On March 2, 1967, Cal. No. 160, the Board of Estimate referred this matter to the Commission.)

This item was inadvertently not advertised in THE CITY RECORD for the required ten days. Therefore, in order to correct this legal advertising oversight, the Commission rescheduled this hearing to May 11, 1967.

**No. 33 (CP-19754)**

PUBLIC HEARING in the matter of communication, dated February 23, 1967, from the President, Borough of Manhattan, submitting a map showing a **change in the street system by discontinuing and closing** pursuant to Chapter 15, Title E, of the Administrative Code, **volumes of streets** below designated upper limiting planes and streets with no upper or lower limits in the area bounded by **Liberty Street, West Street, Barclay Street and Greenwich Street**, Borough of Manhattan.

(On March 2, 1967, Cal. No. 161, the Board of Estimate referred this matter to the Commission.)

This item was inadvertently not advertised in THE CITY RECORD for the required ten days. Therefore, in order to correct this legal advertising oversight, the Commission rescheduled this hearing to May 11, 1967.

BOROUGH OF QUEENS

**No. 34 (CP-19586)**

PUBLIC HEARING in the matter of communication dated October 4, 1966, from the President, Borough of Queens, submitting Map No. 4466 showing a **change in the street system heretofore laid out within the territory bounded by Parsons Boulevard, Grand Central Parkway, 159th Street and 84th Road**, Borough of Queens.

(On October 14, 1966, Cal. No. 78, the Board of Estimate referred this matter to the Commission; on April 12, 1967, Cal. No. 25, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearance: Frank R. Loeschner.

On motion, it was unanimously voted to close the hearing.

**No. 35 (CP-19762)**

PUBLIC HEARING in the matter of communication, dated March 14, 1967, from the Executive Director, Department of Parks, submitting a map **laying out a park area along the southerly line of Rockaway Point Boulevard between Beach 193d Street and Beach 199th Street**, Borough of Queens.

(On April 6, 1967, Cal. No. 176, the Board of Estimate referred this matter to the Commission; on April 12, 1967, Cal. No. 26, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: R. C. Weinberg; Max Carlstein; Alfred Shapiro, representing the Parks Department.

On motion, it was unanimously voted to close the hearing.

**No. 36 (CP-19766)**

PUBLIC HEARING in the matter of communication, dated March 9, 1967, from the President, Borough of Queens, submitting Map No. 4472 showing a **change in the street system heretofore laid out within the territory bounded by 263d Street, 73d Avenue, City Line at Nassau County and 76th Avenue**, Borough of Queens.

(On March 16, 1967, Cal. No. 128, the Board of Estimate referred this matter to the Commission; on April 12, 1967, Cal. No. 27, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearance: Jerome M. Beckor, representing the Long Island Jewish Hospital.

On motion, it was unanimously voted to close the hearing.

**WATERFRONT PLAN**

BOROUGH OF MANHATTAN

**No. 37 (CP-19780)**

PUBLIC HEARING in the matter of communication, dated March 28, 1967, from the Commissioner of Marine and Aviation, requesting approval of a map show-

ing a modification of the bulkhead line of the marginal street along the North River in the area generally from a point opposite the Battery Tunnel ramp northward to Cortlandt Street, Manhattan, to accommodate the land fill and retaining structures to be placed in connection with the construction of the World Trade Center and the proposed Lower Manhattan plan.

(On April 6, 1967, Cal. No. 133, the Board of Estimate referred this matter to the Commission; on April 12, 1967, Cal. No. 28, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Austin J. Tobin, representing the Port of New York Authority; James J. Felt; Geoffrey Carlton, representing the Linnaean Society of New York and the American Museum of Natural History; James W. Danahy, representing the Business and Labor Committee for Construction of the World Trade Center; Roger H. Gilman, representing the Port of New York Authority; Lawrence A. Wien, representing the Committee for a Reasonable World Trade Center; Leon Seidel; Raymond S. Rubinow, Chairman, Emergency Civic Committee to Oppose the World Trade Center.

On motion, it was unanimously voted to close the hearing.

## ZONING

### BOROUGH OF RICHMOND

#### No. 38 (CP-19769)

**PUBLIC HEARING** in the matter of a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 20d, establishing within an existing R4 District, a C2-1 District bounded by Richmond Avenue, Trantor Place, a line 150 feet north of Richmond Avenue and Villa Avenue, Borough of Richmond.

(On April 12, 1967, Cal. No. 29, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearance: Robert J. Amoury, representing Dr. F. J. Amoury.

On motion, it was unanimously voted to close the hearing.

### BOROUGH OF BROOKLYN

#### No. 39 (CP-19756)

**PUBLIC HEARING** in the matter of an application dated February 27, 1967, pursuant to Section 74-67 of the Zoning Resolution, for approval of a proposed combined fire and police station on property located on the south side of Snyder Avenue, 94.39 feet west of Nostrand Avenue, Borough of Brooklyn.

Plans for this proposed combined fire and police station are on file with the City Planning Commission and may be seen in Room 1500, 2 Lafayette Street, New York, New York.

(On March 29, 1967, Cal. No. 28, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

#### No. 40 (CP-19763)

**PUBLIC HEARING** in the matter of a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 12d, changing from an M1-1 District to an M1-4 District property bounded by Tillary Street, Prince Street, a line 225 feet south of Tillary Street and Gold Street, Borough of Brooklyn.

(On April 12, 1967, Cal. No. 30, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

#### No. 41 (CP-19765)

**PUBLIC HEARING** in the matter of a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 22b, changing from C1-2 and R6 Districts to a C4-2 District property bounded by 5th Avenue, 85th Street, a line 150 feet east of 5th Avenue and a line midway between 85th Street and 86th Street, Borough of Brooklyn.

(On April 12, 1967, Cal. No. 31, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Hon. Angelo J. Arculeo, Minority Leader of the Council of The City of New York; Monroe Scifer; Wm. P. Staderman, representing the Kings County Lafayette Trust Co.; Louis Sternbach, representing the 86th Street Board of Trade; Vincent P. Kassenbrock, representing the Bay Ridge Community Council; Harry House, representing the Bay Ridge Community Council; Anthony Chiaino, representing the community and storekeepers.

On motion, it was unanimously voted to close the hearing.

BOROUGH OF QUEENS

**No. 42 (CP-19706)**

**PUBLIC HEARING** in the matter of petition, of **Irving Wolpin**, pursuant to **Section 201 of the New York City Charter**, requesting an amendment of the Zoning Map, Section No. 19a, **changing from an R3-2 District to an M1-1 District property bounded by Baisley Boulevard, 167th Street, 120th Avenue, Bedell Street and 168th Street**, Borough of Queens.

(On April 12, 1967, Cal. No. 32, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Thelma D. Miller and George H. Gaton, representing the North Star Civic Association; George Schechter, representing Rochdale Village; Herman Reinis, representing Lili Reinis; Albert J. Marlo, representing I. Wolpin; James Scaringe; Mrs. N. Faleshman.

On motion, it was unanimously voted to close the hearing.

**No. 43 (CP-19710)**

**PUBLIC HEARING** in the matter of petition, of **Ernest Passaretti, et al**, pursuant to **Section 201 of the New York City Charter**, requesting an amendment of the Zoning Map, Section No. 19a, **changing from an R2 District to an M1-1 District property located on the northwest corner of Adair Street and Springfield Boulevard**, having frontages of 198.90 feet on Adair Street and 204.37 feet on Springfield Boulevard, Borough of Queens.

(On April 12, 1967, Cal. No. 33, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Mrs. Thelma McGriff, representing the Pine Hill Community Organization; Edwin Roberts, representing the petitioner; Earl Johnson; Janet L. Foster; Mrs. Millicent Walker; Shelton Allwood; Henry Williams; Edwin F. Roberts, representing the petitioners; Joseph La Grassa.

On motion, it was unanimously voted to close the hearing.

**No. 44 (CP-19711)**

**PUBLIC HEARING** in the matter of petition, of **A. J. Panzarella Realty, Inc.**, pursuant to **Section 201 of the New York City Charter**, requesting an amendment of the Zoning Map, Section No. 18b, **establishing within an existing R2 District, a C2-2 District bounded by 156th Avenue**, a line midway between 92d Street and Cross Bay Boulevard, **157th Avenue, and 92d Street**, Borough of Queens.

(On April 12, 1967, Cal. No. 34, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Tom Muglia and Joseph La Grassa, representing the Rockwood Park Civic Association; Attilio W. Panzarella, representing the A. J. Panzarella Realty, Inc.

On motion, it was unanimously voted to close the hearing.

**No. 45 (CP-19771)**

**PUBLIC HEARING** in the matter of a zoning change, pursuant to **Section 200 of the New York City Charter**, involving an amendment of the Zoning Map, Section No. 18a,

1. **changing from an M1-1 District to an R5 District property bounded by (a) 97th Street**, a line 260 feet north of **95th Avenue**, a line 100 feet east of 97th Street and **95th Avenue**; and **(b) Atlantic Avenue**, a line 115 feet east of **96th Street and the centerline of a former street**; and
2. **changing from an R5 District to an M1-1 District property bounded by 97th Street**, a line 190 feet north of 95th Avenue, a line 115 feet east of **96th Street and the centerline of a former street**, Borough of Queens.

(On April 12, 1967, Cal. No. 35, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

BOROUGH OF THE BRONX

**No. 46 (CP-19705)**

PUBLIC HEARING in the matter of petition, of **Baychester-Hacker, Inc.** pursuant to **Section 201 of the New York City Charter**, requesting an amendment of the Zoning Map, Section No. 2a, **establishing within an existing R4 District, a C1-2 District bounded by Baychester Avenue**, a line 300 feet south of **Pitman Avenue**, a line 66 feet east of **Baychester Avenue and Bussing Avenue**, Borough of The Bronx.

(On April 12, 1967, Cal. No. 36, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearance: Abraham Werfel, representing the petitioner.

On motion, it was unanimously voted to close the hearing.

**CAPITAL BUDGET**

**No. 47 (CB-66-12)**

PUBLIC HEARING in the matter of communication from the **Department of Marine and Aviation requesting amendment of the 1966-1967 Capital Budget by adding** the following new line and project:

Line 262h, Project D-298, "**Acquisition of Pier 18, North River, Manhattan, at foot of Murray Street**," in the amount of \$435,000.

(On April 12, 1967, Cal. No. 37, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearance: Hugh A. Nelson, representing the Department of Marine and Aviation.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

Recommended amendment of the Capital Budget for 1966-1967, as requested by the Commissioner of the Department of Marine and Aviation, as follows:

To add Line 262h, Project D-298, "**Acquisition of Pier 18, North River, at foot of Murray Street, Manhattan**" in the amount of \$435,000.

May 3, 1967.

*Honorable JOHN V. LINDSAY, Mayor of The City New York:*

Sirs—On January 17, 1967, the Commissioner of the Department of Marine and Aviation requested amendment of the 1966-1967 Capital Budget, as described above.

The 67-year-old Pier 18, North River, is 60 feet wide, 700 feet long, and constructed of pile supported timber decking containing a one-story metal piershed. The Department states that its acquisition is essential in connection with the North River waterfront development in lower Manhattan.

The pier under consideration is one of the few privately owned piers within an area proposed to be filed in to create new upland. This reclamation process is scheduled to be started by the Port of New York Authority which has agreed to fill the area from Pier 7 to Pier 13 comprising about 23 acres adjacent to the World Trade Center.

City Ownership of Pier 18 is now important to permit future fill operations in the area immediately north of Pier 13.

The \$435,000 required for the acquisition of Pier 18 is less than its total assessed valuation of \$630,000.

On April 12, 1967, Cal. No. 37, the City Planning Commission fixed May 3, 1967, as the date for a public hearing on the proposed amendment of the Capital Budget.

The matter was the subject of a public hearing duly held by the Commission on May 3, 1967, Cal. No. 47. There were no appearances.

The Commission approved the amendment and adopted the following recommendation:

That the Capital Budget for 1966-1967, under the Department of Marine and Aviation, be amended by adding a new line as follows:

Column Number	Column Heading	Column Entry
1	Line .....	262h
2	Project .....	D-298
3	Title .....	Acquisition of Pier 18, North River, at foot of Murray Street, Manhattan.

Column Number	Column Heading	Column Entry
4	<b>1966-1967 Capital Budget</b> .....	<b>\$435,000 00</b>
5	* Code .....	81-6303-16-51
6	Source of Funds for Capital Budget .....	\$435,000 00A
7	Total Estimated Cost .....	\$435,000 00
8	Total Authorization as of March 25, 1966 .....	0
9	Required to Complete and Estimated Additional Annual Maintenance and Operation .....	{ 0
10	Statutory Period of Probable Usefulness and Estimated Additional Annual Debt Service .....	{ 30(21)
		{ \$38,000 00

Footnotes:

A—Additional Funds.

\*—Coding is subject to the requirements of the Comptroller.

Column 10—The figure shown in parenthesis after the term of years refers to the particular paragraph of Section 11.00 of the Local Finance Law applied in determining such term of years.

DONALD H. ELLIOTT, Chairman, City Planning Commission.

**No. 48**

**(CB-66-13)**

**PUBLIC HEARING** in the matter of communication, from the **Department of Marine and Aviation requesting amendment of the Capital Budget for 1966-1967 by increasing Line 261a**, Project D-294, "Acquisition of Pier 7, North River, Manhattan, Between Rector and Morris Streets" **from \$278,000 to \$635,000.**

(On April 12, 1967, Cal. No. 53, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

Recommended amendment of the 1966-1967 Capital Budget, as requested by the Commissioner of the Department of Marine and Aviation, as follows:

To increase Line 261a, Project D-294, "Acquisition of Pier 7, North River, Manhattan, Between Rector and Morris Streets" from \$278,000 to \$635,000.

May 3, 1967.

*Honorable JOHN V. LINDSAY, Mayor of The City of New York:*

Sir—On March 9, 1967, the Commissioner of the Department of Marine and Aviation requested amendment of the 1966-1967 Capital Budget, as described above.

An agreement with the Port of the New York Authority provides for filling in about 23 acres of waterfront adjacent to the World Trade Center in connection with the lower Manhattan Development. Pier 7, North River, is within this area and has already been acquired by the City and partially demolished to permit filling operations now underway.

The acquisition of this pier was part of a settlement of claims between The City of New York and the Erie-Lackawanna Railroad. Under the terms of said settlement, the railroad agreed to sell Pier 7 to the City for \$635,000. \$357,000 of this amount will be returned to the City upon settlement of its claims and the remaining \$278,000 will be held in escrow to insure performance of certain rehabilitation work on other piers leased by the railroad.

Accordingly, the Comptroller has recommended that the additional \$357,000 needed for the acquisition of Pier 7 be obtained by increasing the amount provided for this project in the 1966-1967 Capital Budget from \$278,000 to \$635,000.

On April 12, 1967, Cal. No. 53, the City Planning Commission fixed May 3, 1967, as the date for a public hearing on the proposed amendment of the Capital Budget for 1966-1967.

The matter was the subject of a public hearing duly held by the Commission on May 3, 1967, Cal. No. 48. There were no appearances.

The Commission approved the amendment and adopted the following recommendation:

That the Capital Budget for 1966-1967, under the Department of Marine and Aviation, be amended as follows:

Column Number	Column Heading	Column Entry
1	Line .....	261a
2	Project .....	D-294
3	Title .....	Acquisition of Pier 7, North River, Man- hattan, Between Rec- tor and Morris Streets
4	<b>1966-1967 Capital Budget</b> .....	<b>\$635,000 00</b>
5	* Code .....	81-6299-16-52
6	Source of Funds for Capital Budget .....	\$635,000 00A
7	Total Estimated Cost .....	\$635,000 00
8	Total Authorization as of March 25, 1966 .....	0
9	Required to Complete and Estimated Additional Annual Maintenance and Operation .....	{ 0 0
10	Statutory Period of Probable Usefulness and Estimated Additional Annual Debt Service .....	{ 30(21) } \$54,000

## Footnotes:

A—Additional Funds.

\*—Coding is subject to the requirements of the Comptroller.

Column 10—The figure shown in parenthesis after the term of years refers to the particular paragraph of Section 11.00 of the Local Finance Law applied in determining such term of years.

DONALD H. ELLIOTT, Chairman, City Planning Commission.

**No. 49****(CB-66-14)**

PUBLIC HEARING in the matter of communication, from the **Department of Public Works requesting amendment of the Capital Budget for 1965-1966 by changing the title of Line 385, Project PW-187 from "New Civil Courts Building, Brooklyn Civic Center, Including Site" to "New Family Court and New Surrogate's Court, Boerum Place, Schermerhorn, Livingston and Smith Streets, Brooklyn, Including Site."**

(On April 12, 1967, Cal. No. 54, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

Recommended amendment of the 1965-1966 Capital Budget, as requested by the Deputy and Acting Commissioner of the Department of Public Works, as follows:

To change the title of Line 385, Project PW-187, from "New Civil Courts Building, Brooklyn Civic Center, Including Site" to "New Family Court, New Surrogate's Court, Boerum Place, Schermerhorn, Livingston and Smith Streets, Brooklyn, Including Site."

May 3, 1967.

Honorable JOHN V. LINDSAY, Mayor of The City of New York:

Sir—On February 10, 1967, the Deputy and Acting Commissioner of the Department of Public Works requested amendment of the 1965-1966 Capital Budget, as described above.

The Second Judicial Department, which has jurisdiction over the courts of Kings County, has assigned top priority to the construction of a new Family Court building with facilities for the Surrogate's Court. This is in accordance with the results of a comprehensive study showing that the present Family Court at 283 Adams Street is inadequate because of increased caseloads, added responsibilities, new departments and increased staffs.

As a result of subsequent conferences among representatives of the Department of Public Works, the City Planning Commission and the judges involved, it was decided to advance the construction of a new building for the Family Court and the Surrogate's Court. The existing Family Court building, when vacated, would be altered for occupancy by the Civil Court.

In light of the foregoing, the Department of Public Works has recommended that Project PW-187 be revised in order to provide funds for the New Family and Surrogate's Court. The amount appropriated is sufficient for site and planning of the new facility decided upon.

On April 12, 1967, Cal. No. 54, the City Planning Commission fixed May 3, 1967 as the date for a public hearing on the proposed amendment of the Capital Budget.

The matter was the subject of a public hearing duly held by the Commission on May 3, 1967, Cal. No. 49. There were no appearances.

The Commission approved the amendment and adopted the following recommendation:

That the Capital Budget for 1965-1966 under the Department of Public Works (Public Buildings) be amended as follows:

Column Number	Column Heading	Column Entry
1	Line .....	385
2	Project .....	PW-187
3	Title .....	New Family Court, New Surrogate's Court, Boerum Place, Schermer- horn, Livingston and Smith Streets, Brooklyn, Including Site.
4	Total Estimated Cost .....	\$22,900,000 00
5	Total Authorization as of April 9, 1965 .....	0
6	<b>1965-1966 Capital Budget</b> .....	<b>\$1,683,000 00</b>
7	Source of Funds for Capital Budget .....	{ 1,590,000 00R 93,000 00A
8	Required to Complete .....	\$21,217,000 00
9	Years of Probable Usefulness and Estimated Additional Annual Debt Service .....	{ 30(11a) \$144,000
10	Estimated Additional Annual Maintenance and Operation..	0

Footnotes:

A—Additional Funds.

R—Renewal of 1964-1965 Capital Budget Appropriation.

Column 9—The figure shown in parenthesis after the term of years refers to the particular paragraph of Section 11.00 of the Local Finance Law applied in determining such term of years.

DONALD H. ELLIOTT, Chairman, City Planning Commission.

**No. 50**

**(CB-66-15)**

**PUBLIC HEARING** in the matter of communication, from the **Board of Education requesting amendment of the Capital Budget for 1966-1967 by increasing Line 55, Project E-750, "Public School 277, Brooklyn, Addition, Gerritsen Avenue" from \$135,000 to \$330,000.**

(On April 12, 1967, Cal. No. 55, the Commission fixed this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

Recommended amendment of Capital Budget for 1966-1967, as requested by the Board of Education, to increase Line 55, Project E-750, "Public School 277, Brooklyn, Addition, Gerritsen Avenue" from \$135,000 to \$330,000.

May 3, 1967.

*Honorable JOHN V. LINDSAY, Mayor of The City of New York:*

Sir—On February 23, 1967, the Secretary of the Board of Education requested amendment of the Capital Budget for 1966-1967, as described above.

Public School 277, Brooklyn, is an overutilized school in the Gerritsen Beach area of the Borough. An addition to this school first appeared in the Capital Budget for 1965-1966 at an estimated total cost of \$525,000 based on preliminary studies. In the Capital Budget for 1966-1967, the total cost was estimated to be \$765,000.

Subsequently, an architectural contract was awarded and final plans and specifications were prepared. These showed the total cost as \$830,000.

The project is ready to be advertised for bids but must wait for an allocation of sufficient funds before that may be done. The addition is needed urgently; the site is available.

On April 12, 1967, Cal. No. 55, the City Planning Commission fixed May 3, 1967 as the date for a public hearing on the proposed amendment of the Capital Budget.

The matter was the subject of a public hearing duly held by the Commission on May 3, 1967, Cal. No. 50. There were no appearances.

The Commission approved the amendment and adopted the following recommendation:

That the Capital Budget for 1966-1967, under the Board of Education be amended as follows:

Column Number	Column Heading	Column Entry
1	Line .....	55
2	Project .....	E-750
3	Title .....	Public School 277, Brooklyn, Addition, Gerritsen Avenue.
4	<b>1966-1967 Capital Budget</b> .....	<b>\$330,000 00(a)</b>
5	* Code .....	40-4370-14-13
6	Source of Funds for Capital Budget .....	\$330,000 00A
7	Total Estimated Cost .....	\$830,000 00
8	Total Authorization as of March 25, 1966 .....	\$500,000 00
9	Required to Complete and Estimated Annual Maintenance and Operation .....	{ 0 \$15,000
10	Statutory Period of Probable Usefulness and Estimated Additional Annual Debt Service .....	{ 30(11a) \$28,100

Footnotes:

A—Additional Funds:

(a)—Engineering and/or Site Acquisition Funds, if necessary, can be appropriated from Projects E-279 and E-640, respectively.

\*—Coding is subject to the requirements of the Comptroller.

Column 10—The figure shown in parenthesis after the term of years refers to the particular paragraph of Section 11.00 of the Local Finance Law applied in determining such term of years.

DONALD H. ELLIOTT, Chairman, City Planning Commission.

**No. 51**

**(CB-66-16)**

**PUBLIC HEARING** in the matter of communication, from the **Board of Education requesting amendment of the Capital Budget for 1966-1967 by changing the title of Line 45, Project E-1273, from "Intermediate School 349, Brooklyn, Vicinity Bushwick-Ridgewood-Williamsburg, Including Site" to Intermediate School 349, Queens, Vicinity Ridgewood-Maspeth, Including Site."**

(On April 12, 1967, Cal. No. 56, the Commission fixed this day for a hearing, which has been duly advertised.)

Appearances: Joseph Ciaccio, representing the Ridgewood Metropolitan Civic Association; Stanley J. Pryor.

On motion, it was unanimously voted to close the hearing.

On motion, the Commission adjourned at 3.35 p. m., to meet Thursday, May 11, 1967, at 10 a. m., in Room 16, City Hall, Manhattan.

JOHN A. VITERITTI, Secretary.