

CITY PLANNING COMMISSION

June 4, 1990/Calendar No. 2

C 900404 ZMM

IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Sections 197-c and 200 of the New York City Charter for an amendment of the Zoning Map, Sections 6b, 8c and 9a, changing from an R10 district to an R10A district property bounded by :

1. a line 125 feet easterly of Park Avenue, a line midway between East 72nd Street and East 73rd Street, a line 125 feet westerly of York Avenue, a line midway between East 71st Street and East 72nd Street, a line 125 feet easterly of First Avenue, East 71st Street, a line 125 feet westerly of First Avenue, and a line midway between East 71st Street and East 72nd Street;
2. a line 125 feet easterly of Park Avenue, a line midway between East 79th Street and East 80th Street, a line 125 feet westerly of York Avenue, East 80th Street, a line 125 feet easterly of York Avenue, a line midway between East 79th Street and East 80th Street, a line 125 feet westerly of East End Avenue, a line midway between East 85th Street and East 86th Street, First Avenue, East 87th Street, a line 125 feet easterly of First Avenue, a line midway between East 86th Street and East 87th Street, a line 125 feet westerly of York Avenue, East 87th Street, a line 125 feet easterly of York Avenue, a line midway between East 86th Street and East 87th Street, a line 100 feet westerly of Henderson Place, East 86th Street, East End Avenue, East 87th Street, a line 125 feet westerly of East End Avenue, East 90th Street and its easterly prolongation, the U.S. Pierhead and Bulkhead Line, East 78th Street and its easterly prolongation, the southerly prolongation of a line 125 feet westerly of East End Avenue, a line midway between East 78th Street and East 79th Street, a line 125 feet easterly of York Avenue, East 78th Street, a line 125 feet westerly of York Avenue, and a line midway between East 78th Street and East 79th Street; and
3. a line 150 feet easterly of Park Avenue, a line midway between East 96th Street and East 97th Street, First Avenue, East 95th Street, a line 100 feet westerly of First Avenue, and a line midway between East 95th Street and East 96th Street;

Borough of Manhattan, Community Districts 8 and 11, as shown on a diagram dated December 28, 1989.

The application for the amendment of the Zoning Map was filed by the Department of City Planning on December 7, 1989 to rezone portions of East 72nd, East 79th, East 86th, East 96th Streets and East End Avenue currently zoned R10 to R10A. The areas to be rezoned are in Community District 8 (CD8), with the exception of the north side of East 96th Street which is part of Community District 11 (CD11).

### BACKGROUND

The scale and character of the residential neighborhoods of the Upper East Side of Manhattan was largely shaped by pre-1961 zoning regulations and building economics which encouraged higher coverage, lower rise buildings than those promoted by the 1961 zoning. Buildings developed under the 1916 zoning were shaped by regulations which related the height of buildings to the width of the streets they faced. Thus, narrow streets were lined with 60-foot high brownstones while wide crosstown streets and avenues were built up with 125-150 foot structures.

Among the major goals of the 1961 rezoning of the city was the provision of open space. The trade-off between increased floor area and density for additional open space was strongly encouraged in new building bulk formulas. Incentives for plazas and open space encouraged the "tower in the park" building. Bulk controls were skewed toward providing as much open space as possible on the zoning lot, including a bonus mechanism for the provision of plazas on the zoning lot. These controls yielded taller buildings with less coverage, which resulted in more open space, light, and air at the ground level and would allowed sunlight and air in the new apartments and offices as well.

The 1961 zoning resolution resulted in buildings that worked well in some areas, and not so well in others. The requirements for open space, which were intended to create a more livable city, unfortunately brought with them a whole new set of issues

and concerns that had not been anticipated. New development under the 1961 Resolution drastically contrasted with the existing form of some neighborhoods.

In the early 1980s consensus grew that too often new development diluted the traditional streetscape and the scale and character of existing neighborhoods. The taller buildings which were constructed under the 1961 regulations appeared inappropriate and obtrusive in built environments characterized by streetwall buildings under twenty stories. Communities and planners were concerned that new development was increasingly out of context on wide crosstown streets, the midblocks and some avenues. On streets with a defined streetwall, towers and plazas were perceived as breaking continuity and detracting from street interest and vitality. Furthermore, since plaza regulations before 1977 had few standards and required no special features, these early, poorly-sited plazas resulted in unadorned and underutilized open spaces which not only disrupted the streetwall character of the neighborhood, but also diminished ground floor retail activities that help to enliven sidewalks.

Throughout the 1970s a number of amendments to the Zoning Resolution recognized that the existing scale and character of certain neighborhoods would be disrupted by the development of tower-in-the-park buildings, that sufficient open space already existed in certain areas, and that lower rise buildings which strengthened an existing streetwall were important urban design elements. Consequently, a variety of special districts were mapped in specific neighborhoods, complementing underlying zoning district regulations with controls that reinforced the predominant built form.

This trend towards the recognition of the importance of neighborhood context and built form culminated in 1984, when the City Planning Commission adopted amendments to the Resolution establishing new "contextual" districts which were mapped for the first time on the Upper West Side of Manhattan. The Commission

considered these districts to be prototypical for redefining the zoning controls for similar neighborhoods of the city. These "contextual" designations prescribe specific bulk regulations which result in structures that reflect existing context and built form.

### Existing Conditions

The area proposed to be rezoned consists primarily of residential uses, with some commercial uses as permitted by commercial overlay districts. There are a limited number of institutional uses. Use Groups 1-4 (residential and community facilities) are allowed in R10 districts. C1 and C2 commercial overlays are mapped on portions of the major wide crosstown streets at avenue intersections, generally to a depth of 100 feet. Use Groups 1-9 and 14, which include local retail and service establishments, are permitted in C1 and C2 overlays.

The buildings located along the streets in question can be characterized by one of three types: residential towers, low streetwall buildings (usually under 85 feet) and high streetwall buildings. The high streetwall type buildings tend to be pre-1961 developments and have a streetwall of 125 feet or greater.

The proposal area along East 72nd, East 79th, East 86th Streets and East End Avenue is generally characterized by a uniform streetwall building form. Although institutions, residential towers, low-rise commercial structures, and parks partially interrupt the continuity of the streetwall, within the area to be rezoned streetwall buildings account for between 75 and 87 percent of built frontage. High streetwall buildings account for slightly more than 50 percent of built frontage.

Context along East 96th Street within the area to be rezoned is more mixed. While 63 percent of built frontage is characterized by streetwall buildings, only 10 percent are high streetwall structures. A full blockfront was developed under existing R10 tower regulations, and two other sites, a gas

station and a recently developed mosque, lack a streetwall. In addition, several open spaces further dilute the streetscape.

#### Existing Zoning - R10 Envelope Controls

Under the R10 Height and Setback regulations a building may be located along the streetline for a height of 85 feet and then set back a minimum distance before rising again until its intersection with the sky exposure plane envelope, at which point the building may continue rising provided it is within that envelope. The initial setback distance and the angle of inclination of the sky exposure plane depend on the width of the street fronting the development. Alternatively, R10 regulations permit a building to be set back initially and have the front building wall rise until its intersection with the sky exposure plane, at which point the building may continue rising provided it remains within the sky exposure plane envelope. The angle of inclination of the sky exposure plane also varies depending on street width.

In addition, the R10 designation allows development under the Tower Regulations, provided that the lot coverage of the new development is not greater than 40 percent and that the streetwall is not located closer than 10 or 15 feet from the streetline, depending on the width of the street. R10 also allows the Quality Housing Program as an option.

#### Proposed Zoning - R10A Envelope Controls

The proposed changes primarily affect bulk regulations and result in a built form which reinforces the high streetwall context of the area. R10A controls require the front walls of new buildings on wide streets to be located on the streetline and extend the entire width of the zoning lot. These requirements maintain streetwall continuity to the greatest extent possible.

The R10A controls mandate a streetwall, with a minimum height between 125 and 150 feet before setback, or the height of

the building whichever is less. However, under the R10A regulations, the sky exposure plane is more restrictive than under R10. The combination of increased streetwall height and reduced sky exposure plane results in buildings lower than those permitted under the existing R10 controls. The R10A designation encourages higher coverage buildings with the same floor area as R10 buildings, and does not permit tower buildings. The Quality Housing Program is mandatory under R10A, and residential plazas are not permitted.

The permitted uses and density are the same in the R10 and R10A districts. Where commercial overlay districts are currently mapped, local retail and local service uses will continue to be permitted.

#### ENVIRONMENTAL REVIEW

This application (C 900404 ZMM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., and the New York City Environmental Quality Review (CEQR) procedures set forth in Executive Order No. 91 of 1977. The designated CEQR number is 90-079M.

The Department of Environmental Protection and the Department of City Planning submitted to the Commission for its consideration the results of their study of the potential environmental impact of the proposed action. A negative declaration was issued on December 22, 1989.

#### UNIFORM LAND USE REVIEW

This application (C 900404 ZMM) was certified as complete by the City Planning Commission on December 28, 1989, and was duly

referred to Community Boards 8 and 11 and the Manhattan Borough Board in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

#### Community Board Public Hearing

Community Board 8 held a public hearing on this application on February 14, 1990, and on that date, by a vote of 30 to 0 with 1 abstention adopted a resolution recommending approval of the application.

Community Board 11 held a public hearing on this application on February 20, 1990, and on that date, by a vote of 11 to 9 with 3 abstentions adopted a resolution recommending approval of the application.

#### Manhattan Borough Board

The Manhattan Borough Board held a public hearing on this application on February 22, 1990, and on that date, by a vote of 17 to 0 adopted a resolution recommending approval of the application.

#### City Planning Commission Public Hearing

On March 28, 1990, Calendar No. 11, the City Planning Commission scheduled April 18, 1990, for a public hearing on this application (C 900404 ZMM). The hearing was duly held on April 18, 1990, (Calendar No. 39).

There were 22 speakers in favor of the application, and 10 speakers in opposition. The hearing was closed. Those speaking in favor included the Assemblyman and the Councilmembers for the affected districts, the Chairperson of Manhattan Community Board 8, the co-chairs of the 96th Street Task Force of Community

Boards 8 and 11, and representatives of the Municipal Art Society (MAS) and area civic organizations.

Proponents stated that the proposal addresses the concerns of Community Boards 8 and 11 and of community organizations in the area with respect to zoning designations on wide crosstown streets. They also stated that the proposal will result in development which encourages a building type compatible with the character of the area and reinforces neighborhood context; that through R10A envelope controls it will preclude tower buildings which recently have achieved unintended form through zoning lot mergers, reaching heights above that originally anticipated; that the proposal will eliminate the plaza bonus, thus preventing new plazas from interrupting and interfering with traditional streetscape along these streets. They indicated that the proposal will alter building form, not density, and will therefore not adversely affect development potential while at the same time promoting and preserving low-income housing through the utilization of the Inclusionary Housing Program.

They stressed that the proposal complements the Special Madison Avenue Preservation and Special Park Improvement districts to the west of the proposal area, as well as the limited height, midblock contextual, and sliver building regulations. They added that the proposal also complements the recent rezoning of the Special Yorkville District to R10A-equivalent commercial districts.

They stated that the proposal enhances the quality of life of the area by preserving light and air through lower building configuration, that it constitutes the first phase of the reevaluation of R10 corridors on the Upper East Side, and they urged the Commission to rezone First, Second, Third and York Avenues to R10A as well.

Those speaking in opposition included the spokesman for the Real Estate Board of New York (REBNY), a neighborhood civic association and representatives of several property owners in the



area. Among them were the attorney and architect representing the property owner of the block bounded by York Avenue, 79th Street, the FDR Drive and 78th Street. They stated that East 79th, 86th and 96th Streets, and East End Avenue do not have a high degree of compliance with R10A, and therefore the existing physical context does not support the proposed R10A designation. They further stated that the R10A designation was inappropriate for this site since the entire blockfront along 79th Street lacks the building form mandated by R10A controls. They believe that urban design considerations require that a new development fronting the river at 79th Street be different from the R10A building form. They stated that the R10A envelope controls are overly restrictive, and would limit the development of this site. Finally, they testified that this rezoning proposal should not proceed independently from consideration of the avenue context.

A neighborhood civic association and two representatives of owners of 96th Street sites asked that 96th Street be removed from this proposal. Representatives of the developer of a site on the northwest corner of Third Avenue and 96th Street stated that very few structures along the street had a 125-150 foot high streetwall, and that the presence of parks, playgrounds and institutions ensures that this mix will be a permanent characteristic of the street.

They testified that inclusion of East 96th Street in this rezoning proposal will result in the loss of 105 affordable housing units which are proposed as part of an 80/20 residential development. They said that inclusion of their site would mandate an inefficient building design, resulting in a building more costly to build and operate and that the net effect of these added costs would be the elimination of internal cross-subsidies necessary for the provision of 105 low-income subsidized units.

The attorney representing the owner of a site on the southwest corner of First Avenue and 96th Street stated that the proposed R10A envelope controls might preclude the redevelopment

of the high school abutting their site on the west. He also stated that the school and playground directly across the street and to the west of the site would counterbalance the impact the development of a residential tower building would have.

The REBNY spokesman stated that inclusion of East 96th Street, East End Avenue and the south side of East 79th Street between York Avenue and the FDR Drive as part of this rezoning proposal is not appropriate. He noted that there is no dominant urban character evidenced along East 96th Street, that a high percentage of built frontage does not have a high streetwall character along East End Avenue, and that the entire block front along the south side of 79th Street between York Avenue and the FDR Drive lacks the high streetwall character which would justify the R10A designation. He testified that the proposal ignores the context at the intersection of these streets with the avenues. He noted the detrimental effect which this proposal will have on the proposed development project at the northwest corner of Third Avenue and 96th Street. He asserted that R10A regulations are rigid and have resulted in a number of buildings with similar tops, inefficient and costly layouts on upper floors. He noted that these regulations should be revised to be made more flexible and urged the Commission not to extend the R10A designation to other areas until such time as such revisions are completed.

The speaker also stated that the Project Data Statement filed with the application under consideration did not fully address the impacts of the proposed rezoning. The speaker also recommended a new policy whereby new zoning regulations become effective 18 months from the time of adoption to foster a more predictable development process. The speaker then recommended to the Commission that the application not be adopted as proposed.

The representative of a civic organization in the area testified against the proposal stating that inclusion of East 96th street was inappropriate because there is no context on street. She stated that while contextual designation for the

other wide crosstown streets in this proposal is appropriate, the inclusion of East 96th Street prevents her organization's support of this action without modification.

A representative of another property owner urged the Commission to amend the Zoning Resolution in order to address the unintended effect which current regulations in certain contextual districts have on the transfer of bulk across district boundary lines. He stated that, specifically, these regulations mandate non-residential uses on the ground floor of new developments, and in the event that a lot is split into different districts by a zoning district boundary line, the regulations result in different basic Floor Area Ratios for the same use on the different portions of a split lot, which in turn prohibits the transfer of bulk across district boundary lines.

#### CONSIDERATION

The City Planning Commission believes that this amendment to the Zoning Map is appropriate. The proposal addresses the incompatibility between current zoning regulations, which encourage tall, low-coverage buildings, and the existing context along the wide streets on the Upper East Side. This context is consistently characterized by high coverage with streetwalls built at the street line extending the full width of the lot. In reviewing this application, the City Planning Commission considered the full range of issues presented by the proposed rezoning.

Zoning controls which address the scale and character of existing and new development have been designed and incorporated into the Zoning Resolution for application in suitable neighborhoods, and have been adopted progressively throughout the 1980s. On the Upper East Side, regulations governing new development have been significantly revised during the last eight years. In 1982, the Special Park Improvement District and the

Special Madison Avenue Preservation District were revised at the time of the designation of the Upper East Side Historic District. In early 1983, the sliver building zoning regulations were enacted, limiting the height of buildings with a frontage of 45 feet or less. An associated zoning map action changed the zoning regulations for Lexington Avenue from R10 to R9X in 1984, and reduced the R10 district along portions of Park Avenue to a uniform depth of 100 feet.

Another significant change occurred in 1984, when new "contextual" zoning designations and commercial equivalent zones which have broad applicability to many traditional New York City neighborhoods were adopted by the Board of Estimate. In September 1985 and March 1986, the low-rise midblocks on the Upper East Side were rezoned to R8B to ensure that new development would be compatible with the existing physical scale and character of the midblocks. In the most recent rezoning action in June of 1989, the Special Yorkville - East 86th Street District was eliminated and replaced with R10A-equivalent contextual zoning designations for East 86th Street between Park and First Avenues. The proposal under consideration builds upon the results achieved by those actions, and is part of an ongoing evaluation of the appropriateness of existing zoning on the Upper East Side of Manhattan.

In the course of its deliberations, the Commission evaluated the incompatibility between current zoning regulations and the existing character of buildings within the areas to be rezoned. The original prototype of residential tower envisioned a 30 to 32 story building with a lot coverage approaching 40 percent. However, in recent years there have been significant increases in building heights, as well as decreases in the size of floor plates and zoning lot coverage in new developments constructed under R10 tower regulations, particularly within Community District 8. As a result of a lower coverage, the new tower form has resulted in buildings as high as 50 stories. The Commission

concluded that this trend is wholly inappropriate within the area to be rezoned.

In considering the proposed rezoning, the Commission evaluated its potential effects in two broad categories: the impact on future development potential and the effect of proposed bulk regulations on future building form.

With respect to the impact on future development, the Commission believes that this action would not induce any development since it would not increase the maximum allowed FAR permitted as-of-right. The rezoning would not create additional soft sites or induce their development. The proposal would, however, replace the plaza bonus with a maximum 20 percent inclusionary housing bonus which serves to provide and preserve low and moderate income housing.

Based upon a review of building form along these corridors, the Commission concluded that the existing character within the area to be rezoned along East 72nd, East 79th Street, East 86th Street and East End Avenue is uniformly defined by streetwall development in general, and high streetwall buildings in particular. These buildings typically have a 125-150-foot streetwall on the street line and "wedding cake" setbacks above that height. The Commission believes that further development of the tower building form is inappropriate along these streets. Furthermore, the Commission noted that sections of the wide crosstown streets west of the proposal areas, between Fifth and Park Avenues, are also characterized by high streetwall buildings. These frontages lie within the Special Park Improvement and Special Madison Avenue Preservation districts. The bulk controls of these districts result in a high streetwall building which is compatible with the proposed R10A zoning. Thus, the proposed rezoning would strengthen consistency and uniformity along the entire length of these streets, from Fifth Avenue to the FDR Drive.

During its deliberations the Commission considered testimony by property owners within the area to be rezoned who expressed objections, particularly to the appropriateness of the R10A designation on East 96th Street, East 79th Street and East End Avenue. The property owners also disagreed with the Department of City Planning's conclusions that the predominant streetwall form supports rezoning these streets to R10A.

In evaluating the objections to the R10A designation along East End Avenue and 79th Street, the Commission concluded that both of these corridors exhibit a defined streetwall character and both contain a substantial number of high streetwall buildings. Furthermore, the Commission notes that excluding any portion of these corridors from the proposed rezoning was not warranted since it would result in a building form incompatible with the predominant character of these streets.

Moreover, the Commission notes that the site of a proposed development at the eastern end of the 79th Street corridor has recently been designated a landmark by the Landmarks Preservation Commission. Consequently, under the Zoning Resolution there are special permit mechanisms which could allow an architectural approach which is responsive to the site's unique location as part of a landmark complex at the terminus of the 79th Street corridor with East River frontage.

With respect to 96th Street, the Commission concluded that the built character and varied streetscape along this street require somewhat different zoning controls than the other streets under consideration.

At this time, the Commission's choices are, however, limited to either the R10 zoning regulations which are arguably not sufficiently restrictive, or the proposed R10A zoning regulations which would impose a high streetwall, high coverage building envelope that, in fact, is not the context for certain portions of 96th Street east of the Special Park Improvement District. In order to reconcile these competing influences, the Commission

reduced the extent of the proposed R10A district. The area that would retain its current R10 designation can be generally defined as the intersection of 96th Street and Third Avenue.

This intersection can best be described as non-contextual, and therefore not consistent with the proposed R10A regulations. Third Avenue to the north and south of 96th Street is characterized by several residential towers in addition to non-streetwall and low streetwall buildings. Similarly, this intersection along East 96th Street is characterized by non-contextual structures: a non-residential structure (mosque) set back from the streetline occupies the zoning lot at the northeast corner of the intersection to a point approximately 340 feet east of Third Avenue; a residential tower development occupies the full block front on the south side of 96th Street between Second and Third Avenues; another non-residential structure (public school) occupies the site at the southwest corner of the intersection to a point approximately 190 feet west of Third Avenue; the northwest corner of the intersection is a partially vacant site with one remaining building to be demolished which is proposed for an HDC-financed project with an affordable housing component. This site extends to a point 275 feet west of Third Avenue.

The Commission recognizes that the existing R10 zoning controls can result in building forms which interrupt and undermine the consistent character of the streets under consideration for rezoning. However, the Commission believes that these controls should remain in place at this particular intersection since it does not evidence a streetwall building form.

In excluding this intersection from the rezoning proposal the Commission also recognizes that adoption without this modification would jeopardize a proposed residential development (and its affordable housing component) planned for the northwest corner of the intersection of East 96th Street and Third Avenue.

This project, which is awaiting final approval and closing, will be financed in part with a loan made available to the developer at below-market interest cost by the New York City Housing Development Corporation (HDC) from the proceeds of a bond issue. This financing would be sponsored under HDC's 80/20 Multi-Family Housing Program, and would permit the developer to subsidize at least 20% of the rental units for low- and moderate-income households (105 units). The proposed project also includes a plaza along East 96th Street, at the site's western end. At the Commission's suggestion, the plans for the public plaza have been changed to improve circulation and ensure greater public access and use.

The Commission has been assured by HDC that commitments to the City at the time of closing will be obtained to ensure that the development is built as currently proposed, and as approved by HDC. The Commission also notes that a restrictive declaration has been placed by the owner on a portion of the lot on which the proposed development will be built, namely the area extending 100 feet north and 100 feet west of the northwest corner of that intersection. These covenants guarantee that either the 80/20 development will be completed as proposed, or if it is not, that any development constructed on that site will conform to Quality Housing regulations which are mandatory under R10A. In addition, the developer has agreed to similarly restrict any portion of the development site which later comes under his control. These restrictions are designed to preclude the possibility of an entirely out-of-scale development on this site.

The Commission believes that if such a situation were to arise, a reexamination of the appropriateness of the R10 zoning designation for this portion of the intersection of East 96th Street and Third Avenue would be warranted.

The Commission recognizes and commends the joint efforts of Community Boards 8 and 11 with respect to East 96th Street and their six-year planning initiative. The Commission supports this



type of continued collaboration between communities, and between communities and the Department of City Planning.

In addition, the Commission also notes that all sites which were identified in the application as potential development sites remain within the boundaries of the proposed rezoning and would be developed under regulations that would complement the high coverage, streetwall character of the rest of East 96th Street.

With respect to the effect which current regulations in certain contextual districts may have on the transfer of bulk across district boundary lines, the Commission has requested staff to examine how this condition can best be addressed and resolved.

Finally, the Commission recognizes that the existing R10 controls are not sufficiently restrictive in some instances, particularly where the context is a mix of towers and streetwall buildings of varied heights. Similarly, the Commission recognizes that the R10A regulations may be overly restrictive in areas not characterized by a traditional building form. Such areas may require controls which seek to mediate between the non-streetwall/tower development and the streetwall building envelope. This may be particularly true in areas which evidence a mix of building types. The Commission anticipates further discussion of a proposal made by the Department of City Planning in 1989 with the goal of developing new zoning regulations for such high density residential zones.

Adoption of the rezoning proposal under consideration would ensure, through appropriate contextual bulk regulations, that sites developed in the future within the area to be rezoned result in a building form that complements and reinforces the area's traditional scale and character. The Commission believes that the proposal as modified warrants approval.

## RESOLUTION

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 6b, 8c and 9a, as follows:

Changing from an R10 district to an R10A district property bounded by :

1. a line 125 feet easterly of Park Avenue, a line midway between East 72nd Street and East 73rd Street, a line 125 feet westerly of York Avenue, a line midway between East 71st Street and East 72nd Street, a line 125 feet easterly of First Avenue, East 71st Street, a line 125 feet westerly of First Avenue, and a line midway between East 71st Street and East 72nd Street;
2. a line 125 feet easterly of Park Avenue, a line midway between East 79th Street and East 80th Street, a line 125 feet westerly of York Avenue, East 80th Street, a line 125 feet easterly of York Avenue, a line midway between East 79th Street and East 80th Street, a line 125 feet westerly of East End Avenue, a line midway between East 85th Street and East 86th Street, First Avenue, East 87th Street, a line 125 feet easterly of First Avenue, a line midway between East 86th Street and East 87th Street, a line 125 feet westerly of York Avenue, East 87th Street, a line 125 feet easterly of York Avenue, a line midway between East 86th Street and East 87th Street, a line 100 feet westerly of Henderson Place, East 86th Street, East End Avenue, East 87th Street, a line 125 feet westerly of East End Avenue, East 90th Street and its easterly prolongation, the U.S. Pierhead and Bulkhead Line, East 78th Street and its easterly prolongation, the southerly prolongation of a line 125 feet westerly of East End Avenue, a line

midway between East 78th Street and East 79th Street, a line 125 feet easterly of York Avenue, East 78th Street, a line 125 feet westerly of York Avenue, and a line midway between East 78th Street and East 79th Street;

3. a line 345 feet easterly of Third Avenue, a line midway between East 96th Street and East 97th Street, First Avenue, East 95th Street, a line 100 feet westerly of First Avenue, a line midway between East 95th Street and East 96th Street, Second Avenue and East 96th Street; and
4. a line 150 feet easterly of Park Avenue, a line midway between East 96th Street and East 97th Street, a line 145 feet easterly of Lexington Avenue, East 96th Street, a line 190 feet westerly of Third Avenue, and a line midway between East 95th Street and East 96th Street;

Borough of Manhattan, Community Districts 8 and 11, as shown on a diagram dated December 28, 1989 and modified June 4, 1990.

The above resolution, duly adopted by the City Planning Commission on June 4, 1990, Calendar No. 2, is filed with the Secretary of the Board of Estimate, in accordance with the requirements of Sections 197-c and 200 of the New York City Charter.

**RICHARD L. SCHAFFER**, Chairman  
**DENISE M. SCHEINBERG**, Vice-Chairperson  
**SALVATORE C. GAGLIARDO**, **RAFAEL MARTINEZ**,  
**Wm. GARRISON MCNEIL**, Commissioners