

Section 74-90: Use and Bulk Modifications for Certain Community Facility Uses Special Permit Application Guidelines

Version: 1.5

Purpose

This document provides general guidance regarding the preparation of the drawings and other elements of an application for a special permit pursuant to ZR 74-90. The drawings and other information are intended to inform the City Planning Commission in making the findings and rendering a decision under ZR 74-90.

When to Use

Please use these guidelines when preparing an application for a special permit pursuant to Section 74-90 (USE AND BULK MODIFICATIONS FOR CERTAIN COMMUNITY FACILITY USES).

Exceptions and Modifications

These guidelines provide general guidance only. Depending on the specifics of the nursing home or health-related facility project, the DCP Project Team may require drawings and information in addition to or different from those described in the guidelines. At the Interdivisional Meeting, the DCP Project Team will discuss whether and to what extent preparation of the application requires exceptions to or modifications of these guidelines, in order to take into account site or project features.

Application Guidelines Overview

A special permit by the City Planning Commission is required where the Commission finds that one or more of the conditions set forth in Section 22-42 applies to a nursing home or health-related facility and the certification set forth in that section cannot be made.

The application guidelines for ZR 22-42 (Certification of Certain Community Facility Uses) should be consulted when trying to determine the Use Group of a particular type of housing or health-related facility. The Guidelines for ZR 22-42 also summarizes instances where a Certification is required and where it is not required.

An application for a special permit pursuant to Section 74-90, should include the drawings described below.

In addition to the aforementioned drawings, the application for a special permit pursuant to Section 74-90 also includes Attachment 11: Applicant's Statement of Findings. The Statement of Findings should describe in narrative form how each of the findings of Section 74-90 is met.

Submission Requirements

Table A. Required Drawings

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
1	Area Map	<ul style="list-style-type: none"> Location of bus and rapid transit facilities Include number of traffic lanes, indicate if there is on-street parking, and include and label all street lights, stop signs, bus stops and other traffic calming measures 	<ul style="list-style-type: none"> 74-90(c)
2	Zoning Analysis	<ul style="list-style-type: none"> Base maximum permitted floor area calculations on the allowable FAR. Include unmet conditions per Section 22-42 (located in the "Conditions" section) – Table B, Item 7. 	<ul style="list-style-type: none"> Required to document the conditions of approval.
3	Zoning Lot Site Plan	<ul style="list-style-type: none"> Include all adjacent circulation networks, If providing parking, loading, trash collection and the like, include and label these features. Dimension and label all landscape and exterior passive recreation areas. 	<ul style="list-style-type: none"> 74-20 74-90(a) 74-90(c) Required to document the conditions of approval.
4	Section(s)	<ul style="list-style-type: none"> Label all yards, setbacks and underlying bulk requirements such as minimum and maximum base height. Minimum of 2 sections 	<ul style="list-style-type: none"> Required to memorialize compliance with underlying regulations To confirm that a

Number	Required Drawing(s)	Additional Content Requirements	Relevant Zoning Section Nos.
			bulk action pursuant to Sections 74-901 or 74-902 is not required.
5	Neighborhood Character Diagram	<ul style="list-style-type: none"> Include landscaping details that are visible at street frontage. 	<ul style="list-style-type: none"> 74-90 (a)

Table B. Additional Application Requirements

Number	Additional Application Requirements	Description
1	LR Form	<ul style="list-style-type: none"> Pages 1-2 If the owner/applicant is not signing on page 2, include an owner's authorization letter.
2	LR Form Attachment 2: Site Data	<ul style="list-style-type: none"> Only required if the affected tax block and lots do not fit on LR Form page 1
3	Supplemental Form ZS/ZA/ZC	<ul style="list-style-type: none"> Include the full title of the ZR Section Under <u>TO MODIFY</u>: these sections must be consistent with the zoning analysis.
4	Official Zoning Sectional Map	<ul style="list-style-type: none"> Submit at 8.5x14" or 11x17" Maps can be accessed online here: http://www.nyc.gov/html/dcp/html/zone/zonedex.shtml
5	DOF Tax Map(s)	<ul style="list-style-type: none"> Submit at 11x17" DCP will accept maps printed from the Library of Tax Maps or a hard copy from the Department of Finance only. The maps can be accessed online and printed from here: Digital Tax Map Library - New York City Department

Number	Additional Application Requirements	Description
		of Finance
6	LR Item 3: Description of Proposal	<ul style="list-style-type: none"> Follow general DCP guidelines for this document. Under Actions Requested, describe all waivers and reference appropriate sections that are being modified by the action.
7	Statement of Findings (Attachment 11)	<ul style="list-style-type: none"> Follow the general DCP format guidelines for this document. For finding (a), discuss the height, massing and landscaping (hard and softscape) treatment of the proposed building in relation to the surrounding area, including how the massing and orientation of the proposed or enlarged building(s) reinforces the urban design and topographic features of the surrounding area. Describe the relationship of the building(s) on the zoning lot to any open areas on the zoning lot, including parking and passive recreation space, and to adjacent and proximate properties. For finding (b), describe existing neighborhood services and the proposed facility's demand on these types of services, including any provision of supporting services provided as part of the proposal, incorporating and/or cross-referencing results obtained from the CEQR Community Facilities analysis. For finding (c), discuss the adequacy of the existing street network to handle project-generated vehicular traffic. Also discuss the parking needs of the proposed facility and how this will relate to neighborhood streets. This discussion should focus on the projected trip generation associated with the proposed project. Note the width, circulation, and volume of nearby streets as well as proximate mass transit. Applicants should feel free to discuss or incorporate findings from the required CEQR Transportation analysis, as well as any mitigation recommended as appropriate. For finding (d), discuss how any disadvantages to the community imposed by the concentration of these facilities in the Community District are outweighed by the benefits derived from the proposed facility and what those benefits are; and

Number	Additional Application Requirements	Description
		For finding (e), if in an R1 or R2 District, confirm that the proposed facility is not a proprietary nursing home, proprietary health-related facility or proprietary domiciliary care facility for adults.
8	Photos	<ul style="list-style-type: none"> Follow the general DCP format guidelines for this document.

For More Information

Please contact your Borough Office Planner for additional information.

Related Documents

Document	Description
22-42 Guidelines	Applicants should refer to the Guidelines for ZR 22-42 to understand the Use Groups related to different types of housing for the elderly, as regulated by the New York State Department of Health and described in the Zoning Resolution.
Area Map Standard	Land Use and Zoning Map required for all Special Permit actions and some Authorization actions.
Zoning Analysis Guidelines	Depicts a proposed project's compliance with applicable Zoning Regulations.
Zoning Lot Site Plan Guidelines	Depicts all aspects of the development site and zoning lot(s) that relate to the proposed land use action.
Section Guidelines	Depicts a building's height, massing, and land uses, as well as any deviations from compliance with the requirements of the Zoning Resolution.
Neighborhood Character Diagram Guideline	Depicts the total massing of the proposed building(s) on a development site that would be facilitated by proposed land use actions in relation to neighboring, existing structures.

Revision History

Date	Version	Description	Author
05/14/2012	1.0	First draft.	Chris Holme
06/25/12	1.1	General format and content revisions	B. Estroff
2/5/2013	1.2	Removed Landscape Plan	D. Parish
6/25/2013	1.3	Revisions from David's notes	B. Budelman
8/16/2013	1.4	Final version for internal review	B. Budelman
4/24/14	1.5	Final version for external review	D. Parish