

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, MAY 12, 2004  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

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

CAL NO.	ULURP NO.	CD NO	PROJECT NAME	C.P.C. ACTION
1	N 040352 HAX	6	RESIDENCIA ESTRELLA VARGAS	Scheduled to be Heard 5/26/04
2	C 040331 ZMM	5	LADIES' MILE REZONING	" "
3	N 040332 ZRM	5	" "	" "
4	C 040333 ZSM	5	" "	" "
5	C 040334 ZSM	5	" "	" "
6	C 040097 PPQ	14	CITY-OWNED-PROPERTY DISPOSITION	" "
7	C 040273 ZMQ	2	HUNTERS POINT REZONING	" "
8	N 040272 ZRQ	2	" "	" "
9	N 040424 BDQ	1,2	QUEENS PLAZA/COURT SQUARE BID	Not scheduled
10	C 030191 MMR	1	MERSEREAU AVENUE	Scheduled to be Heard 5/26/04
11	C 040278 PPR	2	SEAVIEW SENIOR HOUSING	Not scheduled
12	N 040202 ZRY	cw	COMMUNITY FACILITY TEXT	" "
13	C 040274 HAX	12	RAIN APARTMENTS	Hearing Closed
14	C 040203 HAK	5	PSCH DEWITT RESIDENTE	" "
15	N 040395 BDK	2	MYRTLE AVENUE BROOKLYN BID	" "
16	C 030387 ZSM	3	PATHMARK GARAGE	Hearing Continued
17	C 040269 HUM	10	WEST 145 <sup>TH</sup> STREET CORNERSTONE PROJECT	Hearing Closed

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:													
		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		21	22	23	24	25	26								
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y	Y	Y								
Kenneth J. Knuckles, Esq., Vice Chairman	A														
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y								
Irwin Cantor, P.E.	P	Y	Y	Y	Y	Y	Y								
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y								
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y								
Alexander Garvin	P	Y	Y	Y	Y	Y	Y								
Jane D. Gol	P	Y	Y	Y	R	Y	Y								
Christopher Kui	P	Y	Y	Y	Y	Y	Y								
John Merolo	P	Y	Y	Y	Y	Y	Y								
Karen A. Phillips	A														
Dolly Williams, Commissioners	P	Y	Y	Y	Y	Y	Y								

MEETING ADJOURNED AT: 11:06 A.M.



**COMPREHENSIVE**  
**CITY PLANNING CALENDAR**  
**of**  
**The City of New York**  
—  
**CITY PLANNING COMMISSION**  
—  
**WEDNESDAY, MAY 12, 2004**  
—  
**MEETING AT 10:00 A.M. AT SPECTOR HALL**  
**22 READE STREET**  
**NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor**

**City of New York**

**[No. 9]**

**Prepared by Yvette V. Gruel, Calendar Officer**

**To view the Planning Commission Calendar and/or the Zoning Resolution  
on the World Wide Web, visit the Department of City Planning (DCP)  
home page at: [nyc.gov/planning](http://nyc.gov/planning)**

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

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

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

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

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

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

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

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

**B**  
**CITY PLANNING COMMISSION**

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

**AMANDA M. BURDEN**, *AICP, Chair*  
**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*  
**ANGELA M. BATTAGLIA**  
**IRWIN G. CANTOR**, P.E.  
**ANGELA R. CAVALUZZI**, *R.A.*  
**RICHARD W. EADDY**  
**ALEXANDER GARVIN**  
**JANE D. GOL**  
**CHRISTOPHER KUI**  
**JOHN MEROLO**  
**KAREN A. PHILLIPS**  
**DOLLY WILLIAMS**, *Commissioners*  
**YVETTE V. GRUEL**, *Calendar Officer*

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

**ORDER OF BUSINESS AND INDEX**

**WEDNESDAY, MAY 12, 2004**

Roll Call; approval of minutes .....	1
I. Scheduling of May 26, 2004 .....	1
II. Public Hearings .....	72
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**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for May 26, 2004 at Spector Hall, 22 Reade Street, New York, at 10:00 a.m.

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**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

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

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

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

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

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

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

Subject \_\_\_\_\_

Date of Hearing \_\_\_\_\_ Calendar No. \_\_\_\_\_

Borough \_\_\_\_\_ Identification No.: \_\_\_\_\_ CB No.: \_\_\_\_\_

Position: Opposed \_\_\_\_\_

In Favor \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Organization (if any) \_\_\_\_\_

Address \_\_\_\_\_ Title: \_\_\_\_\_

**MAY 12, 2004**

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**APPROVAL OF MINUTES OF Regular Meeting of April 14, 2004**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, May 26, 2004  
STARTING AT 10:00 A.M.  
IN SPECTOR HALL, 22 READE STREET  
NEW YORK, NEW YORK**

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**BOROUGH OF THE BRONX**

**No. 1**

***RESIDENCIA ESTRELLA VARGAS***

**CD 6**

**N 040352 HAX**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for:

1. The designation of property located at 2339 Prospect Avenue (Block 3102, Lot 47), as an Urban Development Action Area; and
2. An Urban Development Action Area Project for such area;

to facilitate development of a six-story building tentatively known as Residencia Estrella-Vargas, with approximately 32 units of permanent housing for low income families and one unit for a superintendent, to be developed under the HPD Supportive Housing Program.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**Nos. 2, 3, 4 and 5**

***LADIES' MILE REZONING***

**No. 2**

**CD 5**

**C 040331 ZMM**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 8d and 12c, changing from an M1-6M District to a C6-4A District property bounded by West 22<sup>nd</sup> Street, a line 100 feet westerly of Fifth Avenue, a line midway between West 16<sup>th</sup> Street and West 17<sup>th</sup> Street, and a line 100 feet easterly of Avenue of the Americas**, as shown on a diagram (for illustrative purposes only) dated March 22, 2004, and subject to the conditions of CEQR Declaration E-131.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**No. 3**

**CD 5**

**N 040332 ZRM**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to an increase in street wall height within the Ladies' Mile Rezoning Area, the grandfathering of an existing special permit, and a clarification of the zoning text.

Matter that is underlined is new, to be added

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

Matter within # # is defined in Section 12-10

\* \* \* indicate where unchanged text appears in the Zoning Resolution

**Section 11-44**

**Special Permits Granted Prior to (effective date of amendment)**

Within the area bounded by West 22 Street, a line 100 feet west of Fifth Avenue, a line midway between West 16 Street and West 17 Street, and a line 100 feet east of Sixth Avenue, any special permit granted by the City Planning Commission may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant

to the #bulk# regulations in effect at the time such special permit was granted, subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

**Article 2  
Residence District Regulations**

\* \* \*

**Chapter 3  
Bulk Regulations for Residential Buildings in Residence Districts**

\* \* \*

**23-60  
HEIGHT AND SETBACK REGULATIONS**

\* \* \*

**23-633  
Street wall location and height and setback regulations in certain districts**

R6A R7A R8A R9A R10A R6B R7B R8B R7X R8X R9X R10X

\* \* \*

(b) Setback regulations

In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6, R7, R8, R9 and R10 Districts, setbacks are required for all portions of #buildings# that exceed the maximum base height specified in ~~Table A of the table~~ in this Section. Such setbacks shall be provided in accordance with the following regulations:

\* \* \*

R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

(d) Additional regulations

\* \* \*

(4) For any #zoning lot# located in a Historic District designated by the Landmarks

Preservation Commission, the minimum base height and #street wall# location regulations of this Section, or as modified in any applicable Special District, shall be modified as follows:

- (i) The minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section, or as modified in any applicable Special District.
- (ii) The maximum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height allowed, and the maximum base height requirements of this Section, provided that such height not exceed 150 feet, and provided such #zoning lot# is located within the area bounded by West 22<sup>nd</sup> Street, a line 100 feet west of Fifth Avenue, a line midway between West 16<sup>th</sup> Street and West 17<sup>th</sup> Street, and a line 100 feet east of Sixth Avenue.
- (iii) The location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Section, or as modified in any applicable Special District, and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

**TABLE A**  
**MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT**  
**AND MAXIMUM BUILDING HEIGHT**

\* \* \*

**23-663**

**Required rear setbacks for tall buildings in other districts**

\* \* \*

R6A R6B R7A R7B R7X R8A R8B R8X R9A R9X R10A R10X

- (b) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a#building# that exceeds the applicable maximum base height specified in permitted by Table A of Section 23-633 shall be nearer to a #rear yard line# than 30 feet.

\* \* \*

**Article 3**

**Commercial District Regulations**

\* \* \*

**Chapter 5**

**Bulk Regulations for Mixed Buildings in Commercial Districts**

\* \* \*

**35-24**

**Special Street Wall Location and Height and Setback Regulations in Certain Districts**

\* \* \*

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5X C4-6A C4-7A C5-1A C6-2A C6-3A C6-3X C6-4A C6-4X

(e) Additional regulations

\* \* \*

(4) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height and #street wall# location regulations of this Section, or as modified in any applicable Special District, shall be modified as follows:

(i) The minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section, or as modified in any applicable Special District.

(ii) The maximum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height allowed, and the maximum base height requirements of this Section provided that such height not exceed 150 feet, and provided such #zoning lot# is located within the area bounded by West 22<sup>nd</sup> Street, a line 100 feet west of Fifth Avenue, a line midway between West 16<sup>th</sup> Street and West 17<sup>th</sup> Street, and a line 100 feet east of Sixth Avenue.

(iii) The location of the #street wall# of any #building# may vary between the #street wall# location requirements of this Section, or as modified in any applicable Special District, and the location of the #street wall# of an adjacent #building# fronting on the same #street line#.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**No. 4**

**CD 5**

**C 040333 ZSM**

**IN THE MATTER OF** an application submitted by Richard Chapman & Associates pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Sections 13-562 and 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 363 spaces on a portion of the first floor, cellar and sub-cellar of a proposed mixed building at 7-13 West 21st Street a.k.a. 6-14 West 22<sup>nd</sup> Street** (Block 823, Lot 31), in a C6-4A\* District, within the Ladies' Mile Historic District.

\*Note The development site is proposed to be rezoned from an M1-6M District to a C6-4A District under a related application ( C 040331 ZMM ) for and amendment of the zoning map.

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

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**No. 5**

**CD 5**

**C 040334 ZSM**

**IN THE MATTER OF** an application submitted by Richard Chapman & Associates pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Sections 13-562 and 74-52 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 105 spaces on a portion of the first floor, cellar and sub-cellar of a proposed mixed building at 4 West 21st Street** (Block 822, Lot 45), in a C6-4A\* District, within the Ladies' Mile Historic District.

\*Note The development site is proposed to be rezoned from an M1-6M District to a C6-4A District under a related application ( C 040331 ZMM ) for and amendment of the zoning map.

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

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**BOROUGH OF QUEENS**

**No. 6**

***CITY-OWNED PROPERTY DISPOSITION***

**CD 14**

**C 040097 PPQ**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, **for the disposition of five (5) city-owned properties** pursuant to zoning.

<b>Block</b>	<b>Lot</b>	<b>Address/Location</b>
15599	668	Jarvis Avenue
15600	325	Seagirt Boulevard
15600	350	Seagirt Boulevard
15600	375	Seagirt Boulevard
15600	775	Beach 9 <sup>th</sup> Street

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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**Nos. 7 and 8**

***HUNTERS POINT REZONING***

**No. 7**

**CD 2**

**C 040273 ZMQ**

**IN THE MATTER OF** an application submitted by The Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 8d and 9b:**

- 1. eliminating from an existing R6A District a C1-5 District bounded by:**
  - a.** 51<sup>st</sup> Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard; and
  - b.** 46<sup>th</sup> Road, 21<sup>st</sup> Street, 47<sup>th</sup> Avenue, and a line 90 feet westerly of 21<sup>st</sup> Street
- 2. eliminating from an existing R7A District a C1-5 District bounded by 44<sup>th</sup> Drive, a line 45 feet westerly of 23<sup>rd</sup> Street, a line midway between 44<sup>th</sup> Drive and 45<sup>th</sup> Avenue, and a line 100 feet westerly of 11<sup>th</sup> Street;**
- 3. eliminating from an existing R7A District a C2-5 District bounded by Jackson Avenue, 21<sup>st</sup> Street, and 47<sup>th</sup> Road;**
- 4. eliminating a Special Long Island City Mixed Use District (LIC) bounded by 51<sup>st</sup> Avenue, Jackson Avenue, and Vernon Boulevard;**
- 5. changing from an M1-4 District to an R6B District property bounded by 44<sup>th</sup> Drive, 23<sup>rd</sup> Street, 45<sup>th</sup> Avenue, a line 90 feet westerly of 23<sup>rd</sup> Street, a line midway between 45<sup>th</sup> Avenue and 45<sup>th</sup> Road, a line 90 feet easterly of 21<sup>st</sup> Street, a line midway between 44<sup>th</sup> Drive and 45<sup>th</sup> Avenue, and a line 45 feet westerly of 23<sup>rd</sup> Street;**
- 6. changing from an R6A District to an R7X District property bounded by 46<sup>th</sup> Road, 21<sup>st</sup> Street, 47<sup>th</sup> Avenue, and a line 90 feet westerly of 21<sup>st</sup> Street;**
- 7. changing from an R7A District to an R7X District property bounded by:**

- a. a line 100 feet northerly of 46<sup>th</sup> Avenue and its easterly prolongation, 23<sup>rd</sup> Street, Jackson Avenue, 21<sup>st</sup> Street, 46<sup>th</sup> Road, a line 90 feet easterly of 21<sup>st</sup> Street, 46<sup>th</sup> Avenue, and a line 215 feet westerly of 23<sup>rd</sup> Street; and
  - b. 47<sup>th</sup> Avenue, Jackson Avenue, the northerly boundary line of the Long Island Railroad right-of-way, 11<sup>th</sup> Street, 50<sup>th</sup> Avenue, a line 100 feet southeasterly of Jackson Avenue, 51<sup>st</sup> Avenue, Vernon Boulevard, 50<sup>th</sup> Avenue, a line 250 feet easterly of Vernon Boulevard, a line 100 feet northwesterly of Jackson Avenue, 49<sup>th</sup> Avenue, a line 120 feet westerly of 11<sup>th</sup> Street, 48<sup>th</sup> Avenue, 11<sup>th</sup> Street, 47<sup>th</sup> Road, a line 235 feet easterly of 11<sup>th</sup> Street, and a line 100 feet northwesterly of Jackson Avenue;
- 8. changing from an M1-4 District to an M1-4/R6A District property bounded by:**
- a. the southerly boundary of a Canal, a line 100 feet easterly of 5<sup>th</sup> Street and its northerly prolongation, a line midway between 47<sup>th</sup> Road and 48<sup>th</sup> Avenue, and 5<sup>th</sup> Street and its northerly centerline prolongation;
  - b. 48<sup>th</sup> Avenue, a line 100 feet easterly of 5<sup>th</sup> Street, Borden Avenue, and 5<sup>th</sup> Street; and
  - c. the northerly boundary line of John F. Murray Playground, a line 90 feet westerly of 21<sup>st</sup> Street, 46<sup>th</sup> Road, and a line 60 feet easterly of 11<sup>th</sup> Street;
- 9. changing from an M1-4 District to an M1-4/R6B District property bounded by:**
- a. 45<sup>th</sup> Avenue, 23<sup>rd</sup> Street, a line 100 feet northerly of 46<sup>th</sup> Avenue, a line 215 feet westerly of 23<sup>rd</sup> Street, 46<sup>th</sup> Avenue, a line 90 feet westerly of 21<sup>st</sup> Street, a line midway between 45<sup>th</sup> Avenue and 45<sup>th</sup> Road, and a line 90 feet westerly of 23<sup>rd</sup> Street;

- b. 46<sup>th</sup> Road, a line 90 feet westerly of 21<sup>st</sup> Street, 47<sup>th</sup> Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 235 feet easterly of 11<sup>th</sup> Street, 47<sup>th</sup> Road, and a line 60 feet easterly of 11<sup>th</sup> Street;
  - c. 49<sup>th</sup> Avenue, a line 90 feet westerly of 21<sup>st</sup> Street, 50<sup>th</sup> Avenue, 21<sup>st</sup> Street, the Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, 11<sup>th</sup> Street, 51<sup>st</sup> Avenue, a line 100 feet southeasterly of Jackson Avenue, 50<sup>th</sup> Avenue, and 11<sup>th</sup> Place;
  - d. 46<sup>th</sup> Road, a line 100 feet westerly of 11<sup>th</sup> Street, 48<sup>th</sup> Avenue, a line 120 feet westerly of 11<sup>th</sup> Street, 49<sup>th</sup> Avenue, a line 100 feet northwesterly of Jackson Avenue, a line 250 feet easterly of Vernon Boulevard, 50<sup>th</sup> Avenue, and a line 100 feet easterly of Vernon Boulevard;
  - e. 47<sup>th</sup> Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 47<sup>th</sup> Road and 48<sup>th</sup> Avenue, and a line 100 feet easterly of 5<sup>th</sup> Street;
  - f. 48<sup>th</sup> Avenue, a line 100 feet westerly of Vernon Boulevard, a line midway between 51<sup>st</sup> Avenue and Borden Avenue, and a line 100 feet easterly of 5<sup>th</sup> Street; and
  - g. 51<sup>st</sup> Avenue, 5<sup>th</sup> Street, a line 50 feet southerly of the northerly street line of Borden Avenue, and 2<sup>nd</sup> Street;
10. **changing from an R7A District to an M1-4/R7A District property bounded by** 44<sup>th</sup> Drive, a line 45 feet westerly of 23<sup>rd</sup> Street, a line midway between 44<sup>th</sup> Drive and 45<sup>th</sup> Avenue, and a line 100 feet westerly of 11<sup>th</sup> Street;
11. **changing from an M1-4 District to an M1-4/R7A District property bounded by:**
- a. a line 100 feet northerly of 44<sup>th</sup> Drive, 23<sup>rd</sup> Street, 44<sup>th</sup> Drive, and a line 100 feet westerly of 11<sup>th</sup> Street;

- b. a line midway between 44<sup>th</sup> Drive and 45<sup>th</sup> Avenue, a line 90 feet westerly of 21<sup>st</sup> Street, the northerly boundary line of John F. Murray Playground, a line 60 feet easterly of 11<sup>th</sup> Street, 47<sup>th</sup> Road, 11<sup>th</sup> Street, 48<sup>th</sup> Avenue, and a line 100 feet westerly of 11<sup>th</sup> Street;
  - c. a line midway between 47<sup>th</sup> Road and 48<sup>th</sup> Avenue, a line 100 feet westerly of Vernon Boulevard, 48<sup>th</sup> Avenue, and 5<sup>th</sup> Street; and
  - d. 49<sup>th</sup> Avenue, 5<sup>th</sup> Street, 51<sup>st</sup> Avenue, and a line 100 feet westerly of 5<sup>th</sup> Street;
12. **changing from an R6A District to an M1-5/R7X District property bounded by** 51<sup>st</sup> Avenue, Vernon Boulevard, Borden Avenue, and a line 100 feet westerly of Vernon Boulevard;
13. **changing from an R7A District to an M1-5/R7X District property bounded by** 21<sup>st</sup> Street, 47<sup>th</sup> Road, and Jackson Avenue;
14. **changing from an M1-4 District to an M1-5/R7X District property bounded by:**
- a. the northerly boundary line of the Long Island Railroad right-of-way, 11<sup>th</sup> Place and its northerly centerline prolongation, 50<sup>th</sup> Avenue, and 11<sup>th</sup> Street; and
  - b. a line midway between 51<sup>st</sup> Avenue and Borden Avenue, a line 100 feet westerly of Vernon Boulevard, Borden Avenue, and a line 100 feet easterly of 5<sup>th</sup> Street;
15. **changing from an M1-6 District to an M1-5/R7X District property bounded by** 47<sup>th</sup> Road, 21<sup>st</sup> Street, the northerly boundary line of the Long Island Railroad right-of-way, and Jackson Avenue;
16. **changing from an M3-1 District to an M1-5/R7X District property bounded by** Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, and 21<sup>st</sup> Street;
17. **changing from an M1-4 District to an M1-5/R8A District property bounded by** 49<sup>th</sup> Avenue, a line 100 feet westerly of 5<sup>th</sup> Street, 51<sup>st</sup>

Avenue, 2<sup>nd</sup> Street, 50<sup>th</sup> Avenue, and a line 400 feet westerly of 5<sup>th</sup> Street;

18. **establishing within a proposed R7X District a C2-5 District** bounded by 46<sup>th</sup> Road, 21<sup>st</sup> Street, 47<sup>th</sup> Avenue, and a line 90 feet westerly of 21<sup>st</sup> Street; and
19. **establishing a Special Long Island City Mixed Use District (LIC) bounded:**
  - a. a line 100 feet northerly of 44<sup>th</sup> Drive, a line 90 feet westerly of 21<sup>st</sup> Street, 44<sup>th</sup> Drive, and a line 100 feet westerly of 11<sup>th</sup> Street;
  - b. a line 100 feet northerly of 44<sup>th</sup> Drive, a line 115 feet westerly of 23<sup>rd</sup> Street, 44<sup>th</sup> Drive, and 21<sup>st</sup> Street;
  - c. a line midway between 44<sup>th</sup> Drive and 45<sup>th</sup> Avenue, 11<sup>th</sup> Street, 45<sup>th</sup> Avenue, and a line 100 feet westerly of 11<sup>th</sup> Street;
  - d. 46<sup>th</sup> Avenue, 11<sup>th</sup> Street, 46<sup>th</sup> Road, and a line 100 feet westerly of 11<sup>th</sup> Street;
  - e. Jackson Avenue, Crane Street, a line 250 feet southeasterly of Jackson Avenue, 21<sup>st</sup> Street, the northerly boundary line of the Long Island Railroad right-of-way, the northerly centerline prolongation of 11<sup>th</sup> Place, 49<sup>th</sup> Avenue, 11<sup>th</sup> Street, Jackson Avenue, 47<sup>th</sup> Road, and 21<sup>st</sup> Street;
  - f. the service road of the Queens Midtown Tunnel Plaza, 21<sup>st</sup> Street, Queens Midtown Expressway, the Queens Midtown Tunnel Plaza, and 11<sup>th</sup> Street;
  - g. the southerly boundary of a Canal, a line 100 feet easterly of 5<sup>th</sup> Street and its northerly prolongation, 47<sup>th</sup> Avenue, and 5<sup>th</sup> Street and its northerly centerline prolongation; and
  - h. 49<sup>th</sup> Avenue, 5<sup>th</sup> Street, a line 50 feet southerly of the northerly street line of Borden Avenue, 2<sup>nd</sup>

Street, 50<sup>th</sup> Avenue and a line 400 feet westerly of  
5<sup>th</sup> Street;

within the Special Long Island City Mixed Use District, as shown on a diagram (for illustrative purposes only) dated February 9, 2004, and subject to the conditions of CEQR Declaration E-129.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

---

**No. 8**

**CD 2**

**N 040272 ZRQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District), relating to the revision of mixed use zoning regulations within the Hunters Point Subdistrict and expansion of the Hunters Point Subdistrict boundaries, in Community District 2, Borough of Queens.

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

**CHAPTER 7  
SPECIAL LONG ISLAND CITY MIXED USE DISTRICT**

\* \* \*

~~7/26/01~~  
**117-04**  
**Subdistricts**

In order to carry out the purposes and provisions of this Chapter, three subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts certain regulations apply that do not apply within the remainder of the #Special Long Island City Mixed Use District#. The Special District and Subdistricts are shown in Appendix A of this Chapter.

Special regulations set forth in Sections 117-05 -~~10~~ through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.

\* \* \*

~~7/26/01~~

~~117-05~~ **10**

~~Hunters Point Subdistrict~~ **HUNTERS POINT SUBDISTRICT**

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-10 through 117-30, inclusive, shall apply within the Hunters Point Subdistrict and, where noted in Sections 117-40 through 117-45, inclusive, shall also apply within the Court Square Subdistrict.

*(Note: the proposed amendment would delete the contents of Sections 117-10 through 117-24 pertaining to the Hunters Point Subdistrict and new regulations would be inserted in some of those section numbers.)*

~~7/26/01~~

~~117-10~~

~~SPECIAL USE REGULATIONS FOR M1-4 DISTRICTS~~

~~10/25/95~~

~~117-11~~

~~Residential Use Regulations~~

~~#Uses# listed in Use Groups 1 and 2 are allowed subject to the conditions set forth in Sections 117-111 through 117-114, inclusive, and subject to the #bulk# regulations set forth in Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS).~~

~~10/25/95~~

~~117-111~~

~~Residential enlargements~~

~~A #residential building# may be #enlarged# provided that the #enlargement# does not result in a new #dwelling unit#.~~

~~10/25/95~~

**117-112**

**Residential developments**

~~Residential developments are permitted, provided that:~~

- ~~(a) the side lot lines of the zoning lot, on which such development will be located, abut zoning lots occupied by residential, community facility or commercial uses other than uses listed in Use Groups 13 or 16;~~
- ~~(b) the frontage along the street line of such zoning lot does not exceed 60 feet and the total area of such zoning lot does not exceed 7,800 square feet, and~~
- ~~(c) no use listed in Use Groups 16, 17 or 18 is located on such zoning lot, or on the zoning lot or lots abutting the rear lot line of such zoning lot.~~

~~10/25/95~~

**117-113**

**Changes in use**

~~A residential use may be changed to a community facility use.~~

~~10/25/95~~

**117-114**

**Authorizations for residential uses**

~~The City Planning Commission may authorize a residential enlargement resulting in additional dwelling units or a residential development on a zoning lot that does not comply with the requirements of Section 117-112 (Residential developments) provided it finds that the residential use will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from commercial or manufacturing uses on the same or abutting zoning lot.~~

~~In addition, for residential developments, the Commission shall find that:~~

- ~~(a) the zoning lot on which such development would be located has been vacant or land with minor improvements, continuously, for the five years immediately prior to the date of application for such authorization; and~~
- ~~(b) the development will not preempt any zoning lot which is essential to the normal functioning or growth of manufacturing uses within the District.~~

10/25/95

**117-12****Community Facility Use Regulations**

~~#Uses# in Use Groups 3 and 4 may be #developed# or #enlarged# subject to the #bulk# regulations set forth in Section 117-20.~~

10/25/95

**117-121****Changes of use**

~~A #community facility use# may be converted to a #residential use# provided a #use# listed in Use Group 16, 17 or 18 is not located within the #building#.~~

~~The City Planning Commission may authorize the change of a #community facility use# in a #building# also occupied by a #residential use# to a #commercial use# or a #manufacturing use#, pursuant to Section 117-122 (Authorizations for community facility uses).~~

~~The Commission may authorize the change of a #community facility use# in a #building# also occupied by a #use# listed in Use Group 16, 17 or 18 to a #residential use# pursuant to Section 117-122.~~

10/25/95

**117-122****Authorizations for community facility uses**

~~The City Planning Commission may authorize the following changes of #use# provided it finds that the #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from new or existing #commercial# or #manufacturing uses#:~~

- ~~(a) — from a #community facility use# to a #use# listed in Use Group 5, 6, 7, 8, 9, 10, 12, 14, 16 or 17 in a #building#, or portion thereof, occupied by a #residential# and #community facility use#; or~~
- ~~(b) — from a #community facility use# to a #residential use# in a #building# also occupied by a #use# listed in Use Group 16, 17 or 18.~~

10/25/95

**117-13****Commercial and Manufacturing Use Regulations**

~~#Commercial# and #manufacturing uses# are permitted subject to the provisions set forth in~~

Sections 117-131 through 117-134, inclusive, and subject to the #bulk# regulations set forth in Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS), except that #uses# listed in Use Groups 13, 15 and 18 are not permitted.

10/25/95

### **117-131**

#### **Developments, enlargements and extensions**

#Developments# containing #uses# listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 are permitted, provided that the #zoning lot# on which such #development# will be located has a #street line# abutting Fifth Street.

#Developments# containing #uses# listed in Use Group 16 or 17 are permitted, provided that the #zoning lot# on which such #development# will be located is not occupied by a #residential building#.

These restrictions shall not apply to the #enlargement# or #extension# of such #uses#.

10/25/95

### **117-132**

#### **Changes of use**

Any #commercial# or #manufacturing use# may be changed to a #community facility use#.

On #zoning lots# not exceeding 2,500 square feet, any #commercial# or #manufacturing use# may be converted to a #residential use#. On #zoning lots# exceeding 2,500 square feet, a #commercial# or #manufacturing use# may be converted to a #residential use# only pursuant to the provisions of Section 117-134 (Special permit for changes in use).

10/25/95

### **117-133**

#### **Authorizations for commercial or manufacturing uses**

The City Planning Commission may authorize a #development# containing #uses# listed in Use Group 5, 6, 7, 8, 9, 10, 11, 12 or 14 to locate on a #zoning lot# with no #street line# abutting Fifth Street, provided it finds that the #use# will be #developed# on a #zoning lot# that has been vacant or #land with minor improvements#, continuously, for the five years immediately prior to the date of application for such authorization.

In addition, the Commission may authorize a #development# containing #uses# listed in Use Groups 16, 17 or 18 to locate on a #zoning lot# that is also occupied by a #residential building# provided it finds that the #development# will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on #residential uses# located on the same #zoning lot# or on abutting #zoning lots#.

10/25/95

**117-134****Special permit for changes in use**

On a #zoning lot# exceeding 2,500 square feet, the City Planning Commission may permit the conversion of a #building#, or portion thereof, in #manufacturing# or #commercial use# to #residential use#, provided it finds that:

- (a) ~~such #building#, or portion thereof, has been vacant, continuously, for a period of one year immediately prior to the date of such application;~~
- (b) ~~such #residential use# will not preempt any #building#, or portion thereof, that is essential to the normal functioning or growth of #manufacturing uses# within the District; and~~
- (c) ~~such #residential use# will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from #commercial# or #manufacturing uses# located either on the same #zoning lot# or on abutting #zoning lots#.~~

10/25/95

**117-14****Authorizations for Mixed Use Buildings**

The regulations set forth in Sections 117-141 and 117-142, inclusive, apply to #mixed use buildings#, as defined in Section 117-01 (Definitions):

10/25/95

**117-141****Developments and enlargements**

The City Planning Commission may, subject to the #use# regulations of Section 117-13 (Commercial and Manufacturing Use Regulations) and the #bulk# regulations of Section 117-20 (SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS), authorize a mixed-#use development# or an #enlargement# of an existing #mixed use building#, provided it finds that:

- (a) ~~the #street wall# of the #development# or #enlargement# shall align with the #street wall# of an adjacent existing #building#;~~
- (b) ~~the #commercial# or #manufacturing use# in the #development# or #enlargement# will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on #residential uses# located either on the same #zoning lot# or on abutting #zoning lots#; and~~

(c) ~~in the case of an enlargement of the portion of an existing mixed use building that is in residential use, such use will not be exposed to excessive noise, traffic, smoke, dust, noxious odor, or other impacts from commercial or manufacturing uses located on the same zoning lot or on abutting zoning lots.~~

~~10/25/95~~

~~117-142~~

~~Changes of use~~

~~The City Planning Commission may authorize a change of use in the portion of a mixed use building in commercial use to a use listed in Use Groups 16 or 17, provided it finds that the new use will not cause excessive noise, traffic, smoke, dust, noxious odor, or other impacts on residential uses located on the same zoning lot or on abutting zoning lots.~~

~~10/25/95~~

~~117-20~~

~~SPECIAL BULK REGULATIONS FOR M1-4 DISTRICTS~~

~~10/25/95~~

~~117-21~~

~~Residential Uses~~

~~The bulk regulations for residential uses in R6B Districts shall apply.~~

~~10/25/95~~

~~117-22~~

~~Community Facility Uses~~

~~The bulk regulations for community facility uses in R6B Districts shall apply.~~

~~7/26/01~~

~~117-23~~

~~Commercial and Manufacturing Uses~~

~~The bulk regulations of an M1-4 District shall apply to commercial or manufacturing uses.~~

~~10/25/95~~

~~117-24~~

~~Mixed use Buildings~~

~~The maximum floor area ratio for a mixed use building shall be 2.0.~~

**117-11**  
**General provisions**

In special areas of the Hunters Point Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the “designated districts.” The designated districts within the Hunters Point Subdistrict are indicated on the #zoning map# and are as follows:

- M1-4/R6A
- M1-4/R6B
- M1-4/R7A
- M1-5/R7X
- M1-5/R8A

**117-20**  
**SPECIAL PROVISIONS IN THE DESIGNATED DISTRICTS**

**117-21**  
**Special Provisions for Use, Bulk and Parking**

M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A

The special #use#, #bulk# and parking provisions of Article XII, Chapter 3, of the #Special Mixed Use District# shall apply to the designated districts within the Hunters Point Subdistrict, except where modified by the provisions of this Section, and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

**117-22**  
**Modification of Use Group 6A**

M1-4/R6A M1-4/R6B M1-4/R7A M1-5/R7X M1-5/R8A

The provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, &D, 7E, 8, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12 E, 13, 14, and 16) pertaining to Use Group 6A shall be modified as follows:

Food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to #floor area# per establishment.

~~10/25/95~~

**117-30**  
**SPECIAL PROVISIONS FOR C1 AND C2 DISTRICTS**

10/25/95

**117-31**

**Special Use Regulations**

For #residential developments# or #enlargements#, #uses# on the ground floor shall be limited to non-#residential uses# and lobby space. Not more than 8,000 square feet of the ground floor shall be devoted to #uses# listed in Use Group 6B.

10/25/95

**117-32**

**Special Bulk Regulations**

For #developments# or #enlargements#, any #street wall# shall be built coincident with the #street line#.

10/25/95

**117-40**

**COURT SQUARE SUBDISTRICT**

7/26/01

**117-401**

**General provisions**

\* \* \*

7/26/01

**117-41**

**Court Square Subdistrict Plan**

The Subdistrict Plan for the Court Square Subdistrict identifies the improvements to be provided in the District under the provisions of this Chapter. The elements of the Subdistrict Plan are set forth in Appendix B of this Chapter, which consists of the Subdistrict Plan Map and the Description of Improvements, and is incorporated into the provisions of this Chapter.

~~7/26/01~~

**117-42**

**Special Bulk and Use Regulations in the Court Square Subdistrict**

#Developments# or #enlargements# containing at least 70,000 square feet of #floor area# on #zoning lots# of at least 10,000 square feet are subject to the provisions of the underlying

C5-3 District, as modified by Sections 117-40 through 117-45, inclusive.

Other #developments# or #enlargements# are subject to the #use# provisions of the underlying C5-3 District and the #bulk# provisions of an ~~M1-4 District~~ M1-4/R6B designated district pursuant to the regulations of Article XII, Chapter 3 (#Special Mixed Use District#), as modified by Sections 117-00 through ~~117-24~~ 117-22, inclusive.

~~7/26/01~~

**117-421**

**Special bulk regulations**

- (a) #Developments# or #enlargements# that meet the minimum #floor area# and #zoning lot# standards of Section 117-44 (Mandatory subway improvements) and provide mandatory subway improvements as required by Section 117-44, may #develop# to a #floor area ratio# of 15.0. #Developments# or #enlargements# that do not meet the minimum standards of Section 117-44 shall not exceed the maximum #floor area ratios# ~~set forth in Sections 117-20 through 117-23, inclusive;~~ of the designated district for the applicable #use#.
- (b) The following provisions shall not apply within the Court Square Subdistrict:
  - Section 33-14 (Floor Area Bonus for an Urban Plaza)
  - Section 33-15 (Floor Area Bonus for Arcades)
  - Section 33-26 (Minimum Required Rear Yards)
  - Section 34-223 (Floor area bonus for a residential plaza)
  - Section 34-224 (Floor area bonus for an urban plaza)
  - Section 34-225 (Floor area bonus for an arcade)
  - Section 34-23 (Density Bonus for a Residential Plaza, Urban Plaza or Arcade).
- (c) The height and setback regulations of the underlying C5-3 District shall apply, except that no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and a line 75 feet north of and parallel to 45th Road.

\* \* \*

~~7/26/01~~

**117-50  
QUEENS PLAZA SUBDISTRICT**

\* \* \*

~~7/26/01~~

~~117-525~~

**Density regulations for residential and mixed-use buildings in Areas A-1, A-2, B and C**

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict, the density requirements of Section 23-20 (DENSITY REGULATIONS) shall not apply. In lieu thereof, the #lot area per dwelling unit# requirements of this Section shall apply as set forth for the applicable designated #Residence District#, as specified in the following table:

**MINIMUM LOT AREA PER DWELLING UNIT REQUIREMENTS  
IN THE DESIGNATED RESIDENCE DISTRICTS**

Designated Residence District	Minimum Lot Area per Dwelling Unit (square feet)
R7-3	135
R9	98
R10	79

In addition, each #dwelling unit# shall have at least 400 square feet of #floor area#.

~~7/26/01~~

~~117- 526~~ **525**

**Special yard regulations**

\* \* \*

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

\_\_\_\_\_

**No. 9**

***QUEENS PLAZA/COURT SQUARE BID***

**CD 1 AND 2**

**N 040424BDQ**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services on behalf of the Queens Plaza/Court Square Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, **concerning the Queens Plaza/Court Square Business Improvement District.**

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

---

**BOROUGH OF STATEN ISLAND**

**No. 10**

***MERSEREAU AVENUE***

**CD 1**

**C 030191 MMR**

**IN THE MATTER OF** an application submitted by Forest Avenue Associates, LLC., pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination of Mersereau Avenue between Forest Avenue and Wemple Street,
- the adjustment of grades necessitated thereby, and any acquisition or disposition of real property related thereto.

Borough of Staten Island, in accordance with map No. 4174, dated September 12, 2003, and signed by the Borough President.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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No. 11

*SEAVIEW SENIOR HOUSING*

CD 2

C 040278 PPR

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, **for the disposition of one (1) city-owned property located on the easterly side of Brielle Avenue, south of Wolcott Avenue (Block 955, P/O Lots 1 and 200)**, pursuant to zoning.

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

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CITYWIDE

No. 12

*COMMUNITY FACILITY TEXT*

**Please note the public hearing on this item will not be scheduled for May 26, 2004. The expected hearing date is June 9, 2004.**

Citywide

N 040202 ZRY

**IN THE MATTER OF** an application submitted by the Department of City Planning and the City Council Land Use Committee pursuant to Section 201 of the New York City Charter, for **an amendment to the Zoning Resolution** of the City of New York relating to community facilities, as follows:

Matter underlined is new, to be added;

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

Matter within # # signs is defined in Section 12-10;

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

\*\*\*

**12-10**

**DEFINITIONS**

\*\*\*

Adult physical culture establishments

An "adult physical culture establishment," is any establishment,... except for activities which are excluded below or defined under #physical culture or health establishment# in Section 12-10 and which are, therefore, not included within the definition of an #adult physical culture establishment#:

\*\*\*

- (3) hospitals, nursing homes, or ambulatory diagnostic or treatment health care facilities listed in Use Group 4 ~~medical clinics or medical offices;~~

\*\*\*

Residence, or residential

A "residence" is a #building# or part of a #building# containing #dwelling units# or #rooming units#, including one-family or two-family houses, multiple dwellings, boarding or rooming houses, or #apartment hotels#. However, #residences# do not include:

- (a) such transient accommodations as #transient hotels#, #motels# or #tourist cabins#, or #trailer camps#;
- (b) #non-profit hospital staff dwellings#;
- (c) student dormitories, fraternity or sorority student houses, monasteries or convents, sanitariums, nursing homes, or other living or sleeping accommodations in #community facility buildings# or portions of #buildings# used for #community facility uses#; or

\*\*\*

1/10/74

**22-13**  
**Use Group 3**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\*\*\*

A. Community facilities

\*College or universities, including professional schools but excluding business colleges or trade schools

\*College or school student dormitories ~~or~~ and fraternity or sorority student houses

~~\*\*Domiciliary care facilities for adults under the jurisdiction of the New York State Board of Social Welfare which have secured certification by such agency.~~

~~\*\*\*~~

9/13/84

**22-14  
Use Group 4**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

~~\*\*\*~~

A. Community facilities

~~\*\*\* Ambulatory diagnostic or treatment health care facilities, limited to public, private, for-profit or not-for-profit medical, health, and mental health care facilities in which patients are diagnosed or treated by health care professionals licensed by the New York State Department of Education or successor agency for medical, health or mental health conditions, and where such patients are ambulatory rather than admitted. Such facilities shall not include the practice of veterinary medicine, physical culture or health establishments, or ophthalmic dispensing.~~

~~In buildings containing residences, such facilities shall be limited to locations below the level of the first story ceiling, except that such facilities may be located on a second story provided there is separate access from the outside or directly from a portion of such facility located on the ground floor.~~

~~Churches, rectories, or parish houses~~

~~\*\*\*~~

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Article 7 of the New York State Social Services Law:~~

~~Medical offices or group medical centers, including the practice of dentistry or osteopathy, limited to a location below the level of the first story ceiling, except that in multiple dwellings such uses may be located on the second floor, if:~~

~~\_\_\_\_\_ (a) \_\_\_\_\_ separate access to the outside is provided; or~~

~~\_\_\_\_\_ (b) \_\_\_\_\_ such use existed on January 1, 1948~~

~~In R1 or R2 Districts, such #use# is further limited to not more than 1,500 square feet of #floor area# or #cellar# space.~~

Houses of Worship, rectories, or parish houses

Monasteries, convents or novitiates used only for living purposes, provided that such #use# is to be part of a group of #buildings# accommodating church house of worship activities, #schools#, or other church house of worship facilities which existed on December 15, 1961 or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# which is contiguous thereto or directly across the #street# on which such #buildings# face.

\*\*\*

Philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4, provided that the number of persons employed in central office functions shall not exceed 50, and the amount of #floor area# used for central office purposes shall not exceed 25 percent of the total #floor area# or 25,000 square feet, whichever is greater, except that in R1, R2, R3, R4, R5, R6 or R7 Districts the amount of #floor area# used for central office purposes shall in no event exceed 25 percent of the total #floor area#

\*\*\*

C. #Accessory uses#

\*\*\*

\*\*\* Not permitted in R1 or R2 Districts, and, in R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, limited to a maximum of 1,500 square feet of #floor area#.

12/15/61

**22-20  
USES PERMITTED BY SPECIAL PERMIT**

9/13/84

**22-21  
By the Board of Standards and Appeals**

In the districts indicated, the following #uses# are permitted by special permit of the Board

of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

R3A, R3X, R3-1, R4A, R4B, R4-1

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4, limited to a maximum of 10,000 square feet of #floor area#.

\*\*\*

R1 R2

College or school student dormitories ~~or~~ and fraternity or sorority student houses

~~R1 R2~~

~~Medical offices or group medical centers limited in each case to a maximum of 6,000 square feet of #floor area# or #cellar# space~~

\*\*\*

6/12/96

**24-33**

**Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

\*\*\*

(b) In any #rear yard# or #rear yard equivalent#:

\*\*\*

Any #building# or portion of a #building# used for #community facility uses#, ~~except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and~~ provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#. However, ~~such #building# shall not be a permitted obstruction in R1 or R2 Districts;~~ the following shall not be permitted obstructions:

- (1) in all #residence districts#, any portion of a #building# containing rooms used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients;
- (2) in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, any portion of a #building# used for any #community facility use#;

- (3) in all #residence districts# not listed in paragraph (b)(2) of this Section, beyond one hundred feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;

\*\*\*

Parking spaces, off-street, #accessory# to a #community facility building# or a #building# used partly for #community facility uses#, provided that the height of an #accessory building# used for such purposes shall not exceed 14 feet above #curb level#. However, such #accessory building# shall not be a permitted obstruction in R1, or R2, R3A, R3X, R3-1, R4A, R4B, or R4-1 Districts;

\*\*\*

7/26/01

## 24-51

### Permitted Obstructions

In all #Residence Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;
- ~~(c)~~ Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- ~~(d)~~(c) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- ~~(e)~~ (d) Flagpoles or aerials;
- (e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;

- (f) Parapet walls, not more than four feet high;
- (g) Spires or belfries;
- (h) Wire, chain link or other transparent fences.

Building columns having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building# are a permitted obstruction, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 24-52, 24-53, or 24-54 (Tower Regulations).

\*\*\*

12/15/61

**25-30  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR PERMITTED  
NON-RESIDENTIAL USES**

10/25/93

**25-31  
General Provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

\*\*\*

**REQUIRED OFF-STREET PARKING SPACES FOR NON-RESIDENTIAL USES**

Type of #use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement - District

---

FOR COMMUNITY FACILITY USES:

\*\*\*

~~Medical offices or group medical centers~~  
Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Square feet of #floor area# and #cellar# space, except #cellar# space #used# for storage:

None required - R7-2 R7A R7X R8 R9 R10

1 per 400 - R1 R2 R3

1 per 500 - R4 R5

1 per 800 - R6 R7-1 R7B

Churches

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - R6 R7 ~~R7-2 R7A R7X~~ R8 R9 R10

1 per 10 ~~fixed seats~~ persons rated capacity - R1 R2 R3

1 per 15 ~~fixed seats~~ persons rated capacity - R4 R5

~~1 per 20 fixed seats - R6 R7-1 R7B~~

\*\*\*

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers, provided that in R5, R6 and R7-1 Districts, no #accessory# off-street parking spaces shall be required for that portion of a non-profit neighborhood settlement house or community center which is used for youth-oriented activities.

Rated Capacity:

None required - R7-2 R7A R7X R8 R9 R10

1 per 10 persons - R1 R2 R3 R4 R5

1 per 20 persons - R6 R7-1 R7B

\*\*\*

College student dormitories, fraternity or sorority student houses

None required - R7-2 R7A R7X R8 R9 R10

1 per 6 beds - R1 R2 R3 R4 R5

1 per 12 beds - R6 R7-1 R7B

\*\*\*

12/15/61

**25-40**

**RESTRICTIONS ON OPERATION OF ACCESSORY OFF-STREET PARKING**

**SPACES**

\*\*\*

12/15/61

**25-42**

**Use of Spaces Accessory to Permitted Non-Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared facilities for houses of worship).

\*\*\*

12/15/61

**25-50**

**RESTRICTIONS ON LOCATION OF ACCESSORY OFF-STREET PARKING SPACES**

12/15/61

**25-51**

**General Provisions**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to #residences#, to permitted #community facility uses#, to #commercial uses# permitted as #accessory uses# in #large-scale residential developments#, or to #uses# permitted by special permit, shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

Section 25-52 (Off-Site Spaces for Residences)

Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses)

Section 25-54 (Joint And Shared Facilities)

Section 25-55 (Additional Regulations for Required Spaces When Provided Off Site)

Section 73-45 (Modification of Off-Site Parking Provisions)

\*\*\*

12/15/61

**25-53  
Off-Site Spaces for Permitted Non-Residential Uses**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, off-site parking spaces may be provided in accordance with the provisions set forth in this Section.

**25-531  
For houses of worship**

R1 R2 R3 R4

In the districts indicated, all required off-street parking spaces #accessory# to permitted houses of worship may be provided on a #zoning lot# other than the same #zoning lot# as such house of worship but within the same district or an adjoining district provided that in such instances all such spaces shall be not further than 600 feet from the nearest boundary of the #zoning lot# containing such #uses#.

**25-532  
For permitted non-residential uses**

R5 R6 R7 R8 R9 R10

In the districts indicated, all permitted or required off-street parking spaces #accessory# to permitted non-#residential uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses#, but within the same district or an adjoining district other than an R1, R2, R3 or R4 District provided that in such instances all such spaces located in a #Residence District# shall be not further than 200 feet from the nearest boundary of the #zoning lot# containing such #uses#, and all such spaces located in a #Commercial# or #Manufacturing District# shall be not further than 600 feet from the nearest boundary of such #zoning lot#, and provided further that the Commissioner of Buildings determines that:

- (a) there is no way to arrange such spaces on the same #zoning lot# as such #uses#;

and

- (b) such spaces are so located as to draw a minimum of vehicular traffic to and through #streets# having predominantly #residential# frontages.

Such parking spaces shall conform to all additional regulations promulgated by the Commissioner of Buildings to minimize adverse effects on the character of surrounding areas.

12/15/61

## **25-54**

### **Joint And Shared Facilities**

#### **25-541**

#### **Joint facilities**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 25-21 (General Provisions)

Section 25-31 (General Provisions)

Section 25-32(Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements);

- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 73-45 (Modification of Off-Site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

**25-542**

**Shared parking facilities for houses of worship**

R1 R2 R3 R4 R5

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

8/18/77

**25-55**

**Additional Regulations for Required Spaces When Provided Off Site**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Section 25-52 (Off-Site Spaces for Residences), Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), or Section 25-54 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

\*\*\*

12/15/61

25-66

**Screening**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all open off-street parking areas or groups of individual garages with 10 spaces or more, which are located either at natural grade or on a roof, shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

For community facilities located in R1, R2, R3, R4 or R5 Districts, except for any parking that is located on a roof, all such parking shall be screened pursuant to paragraph (a) herein.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances or exits; and
- (3) shall have no #signs# hung or attached thereto other than those permitted in Section 22-323 (Signs for parking areas).

\*\*\*

10/31/01

**32-01**

**Special Provisions for Adult Establishments**

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

- (a) #Adult establishments# are not permitted in C1, C2, C3, C4, C5, C6-1, C6-2 or C6-3 Districts.

- (b) In C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, C7 or C8 Districts, no #adult establishment# shall be established less than 500 feet from a ~~church~~ house of worship, a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision. However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph shall not be rendered #non-conforming# if a ~~church~~ house of worship or a #school# is established on or after April 10, 1995, within 500 feet of such #adult establishment#.

\*\*\*

6/29/94

**33-121**

**In districts with bulk governed by Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, the maximum #floor area ratio# for a #commercial# or #community facility building# is determined by the #Residence District# within which such #Commercial District# is mapped and shall not exceed the maximum #floor area ratio# set forth in the following table:

MAXIMUM FLOOR AREA RATIO

District	For #Commercial Buildings#	For #Community Facility Buildings#	For #Buildings# Used for Both #Commercial# and #Community Facility Uses#
R1 R2	1.00	0.50	1.00
<del>R3</del> <u>R3-1 R3A R3X</u>	1.00	1.00	1.00
<u>R3-2</u> R4 R5	1.00	2.00	2.00

R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
R7A R8B	2.00	4.00*	4.00
R6 R7-1	2.00	4.80	4.80
R7X	2.00	5.00	5.00
R7-2 R8	2.00	6.50	6.50
R8X	2.00	6.00	6.00
R9	2.00	10.00	10.00
R9A	2.00	7.50	7.50
R9X	2.00	9.00	9.00
R10	2.00	10.00	10.00

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\* In R8B Districts, within the boundaries of Community Board 8 in the Borough of Manhattan, the maximum #floor area ratio# on a #zoning lot# containing #community facility uses# exclusively shall not exceed 5.10.

\*\*\*

**33-16  
Floor Area Bonus for Front Yards**

8/27/98

**33-161  
In districts with bulk governed by Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, when mapped within an R1, R2, R3, R4 or R5 District, on any #zoning lot# on which there are provided #yards# as set forth in this Section, the maximum #floor area ratio# set forth in Section 33-12 (Maximum Floor Area Ratio) for a #community facility building# or a #building# used partly for #commercial use# and partly for #community facility use#, may be increased to the #floor area ratio# set forth in the following table provided that:

- (a) on #interior lots#, a #front yard# not less than 30 feet in depth is provided;
- (b) on #corner lots#, two #front yards#, each not less than 20 feet in depth, are provided; or
- (c) on #through lots#, a #front yard# not less than 30 feet in depth is provided along each #front lot line#.

MAXIMUM FLOOR AREA RATIO

Districts	Maximum #Floor Area Ratio#
When mapped within R1, R2, <del>or R3</del> <u>R3-1, R3A</u> or <u>R3X</u> Districts	1.60
When mapped within R4 or R5 Districts	2.40

\*\*\*

6/12/96

**33-42**

**Permitted Obstructions**

In all #Commercial Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or #front# or #rear sky exposure planes# as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Balconies, unenclosed, subject to the provisions of Section 24-165.
- (b) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- ~~(c)~~ Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- ~~(d)~~ (c) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;

- (d) Flagpoles or aerials;
- (e) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (f) Parapet walls, not more than four feet high;

\*\*\*

12/15/61

**36-20  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL  
OR COMMUNITY FACILITY USES**

2/9/94

**36-21  
General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new #development# after December 15, 1961, for the #commercial# or #community facility uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed#, under single ownership or control, shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons that may be accommodated by such #uses#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) when, as a result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number); or
- (b) when the Commissioner of Buildings has certified, in accordance with the provisions of Section 36-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 36-53 (Location of Access to the Street).

REQUIRED OFF-STREET PARKING SPACES FOR COMMERCIAL  
OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required in Relation  
to Specified Unit of Measurement-Districts

\*\*\*

FOR COMMUNITY FACILITY USES

\*\*\*

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - C1-5 C1-6 C1-7 C1-8 C1-9 C2-5 C2-6 C2-7 C2-8  
C4-4A C4-5 C4-6 C4-7 C5 C6 C8-4

1 per 150\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-1 C2-1 C3 C4-1

1 per 300\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-2 C2-2 C4-2 C8-1

1 per 400\* sq. ft. of #floor area#  
and #cellar# space, except #cellar#  
space used for storage - C1-3 C2-3 C4-2A C4-3 C7 C8-2

1 per 1,000 sq. ft. of #floor area#  
and #cellar# space, except #cellar#

space used for storage - C1-4 C2-4 C4-4 C8-3

except 1 per 400 square feet of #floor area# when located above the first #story# ceiling in C1-1, C1-2, C2-1 or C2-2 Districts mapped within R3-2 Districts

**Churches**

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - C1 and C2 districts mapped within R6, R7, R8, R9 or R10 districts ~~C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-2A C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-2 C8-3 C8-4~~

1 per 10 fixed seats persons rated capacity - C1 and C2 districts mapped within R1, R2 or R3 districts, ~~C1-1 C2-1 C3 C4-1~~

1 per 15 fixed seats persons rated capacity - C1-2 C2-2 C1 and C2 districts mapped within R4 and R5 districts C4-2 C8-1

~~1 per 20 fixed seats - C1-3 C2-3 C4-2A C4-3 C8-2~~

Clubs, community centers or settlement houses; philanthropic or non-profit institutions without sleeping accommodations excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

None required - C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6 C8-3 C8-4

1 per 10 persons rated capacity - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2 C8-1

1 per 20 persons rated capacity - C1-3 C2-3 C4-2A C4-3 C7 C8-2

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\*                    The parking requirements for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Parking Spaces for Uses in Parking Requirement Category B1)

\*\*                    In the case of golf driving ranges, the requirements in this table apply

only to that portion of the range used for tees

\*\*\* For predominantly open storage of miscellaneous #uses#, the #lot area# used for such #uses# shall be considered as #floor area# for the purposes of these requirements

\*\*\*\* Requirements are in addition to area utilized for ambulance parking

\*\*\*\*\* Requirements apply only to the #floor area# not used for storage.

\*\*\*

College student dormitories ~~or~~ and fraternity or sorority student houses

None required - C1-4 C1-5 C1-6 C1-7 C1-8 C1-9 C2-4 C2-5 C2-6 C2-7 C2-8 C4-4 C4-5 C4-6 C4-7 C5 C6

1 per 6 beds - C1-1 C1-2 C2-1 C2-2 C3 C4-1 C4-2

1 per 12 beds - C1-3 C2-3 C4-2A C4-3

\*\*\*

12/15/61

**36-22**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#:

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly) when in the same #building# or on the same #zoning lot# as any other #use# may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

\*\*\*

7/6/72

**36-37**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

C1 C2 C3 C4 C5 C6

In the districts indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in the following Sections, the parking requirements for each type of #use# shall apply to the extent of that #use#.

Section 36-21 (General Provisions)

Section 36-31 (General Provisions)

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly) when in the same #building# or on the same #zoning lot# as any other #use# may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

\*\*\*

12/15/61

**36-40**

**RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

6/23/66

**36-41**

**General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to #residences# or to #commercial# or #community facility uses# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

Section 36-42	(Off-Site Spaces for Residences)
Section 36-43	(Off-Site Spaces for Commercial or Community Facility Uses)
Section 36-44	(Joint <u>and Shared</u> Facilities)
Section 36-45	(Additional Regulations for Required Spaces When Provided Off-Site)
Section 73-45	(Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 36-57 (Accessory Off-Street Parking Spaces in Public Parking Garages).

\*\*\*

12/15/61

### **36-43**

#### **Off-Site Spaces for Commercial or Community Facility Uses**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to #commercial# or #community facility uses# may be provided on a #zoning lot# other than the same #zoning lot# as such #uses# but within the same district or an adjoining #Commercial District# or #Manufacturing District#. However, all required spaces shall not be further than 600 feet from the nearest boundary of the #zoning lot# on which such #uses# are located.

12/15/61

### **36-44**

#### **Joint And Shared Facilities**

### **36-441**

#### **Joint Facilities**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined number of #dwelling units# or the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 36-21 (General Provisions)

Section 36-22(Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)

Section 36-31 (General Provisions);

- (b) all such spaces are located in a district where they are permitted under the applicable provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 73-45 (Modification of Off-Site Parking Provisions); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

**36-442**

**Shared parking facilities for houses of worship**

C1 or C2 districts mapped within R1, R2, R3, R4 or R5 districts C3 C4-1 C4-2 C8-1

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they are located.

**36-45  
Additional Regulations for Required Spaces When Provided Off Site**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Section 36-42 (Off-Site Spaces for Residences), Section 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), or Section 36-44 (Joint And Shared Facilities), the following additional regulations shall apply:

- (a) such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#; and
- (b) such spaces shall conform to all applicable regulations of the district in which they are located.

\*\*\*

10/25/95

**42-00  
GENERAL PROVISIONS**

In order to carry out the purposes and provisions of this Resolution, the #uses# of #buildings or other structures# and of tracts of land have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group.

Use Groups 4B, 4C, 5, 6A, 6B, 7, 8, 9B, 9C, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16, 17 or 18, including each #use# listed separately therein, and certain #uses# listed in Use Groups 3A, 4A, 6C, 9A, 10A or 12B are permitted in #Manufacturing Districts# as indicated in Section 42-11 to 42-15, inclusive, except that any such #use# which is also an #adult establishment# shall, in addition, be subject to the provisions of Section 42-01 (Special Provisions for Adult Establishments).

\*\*\*

10/31/01

**42-01**

### Special Provisions for Adult Establishments

In addition to the applicable regulations for the #uses# listed in a permitted Use Group, #adult establishments# shall be subject to the following provisions:

\*\*\*

- (b) In all other #Manufacturing Districts#, no #adult establishment# shall be established:
- a) less than 500 feet from the following: a church house of worship established prior to (the effective date of this amendment), a #school#, a #Residence District#, a C1, C2, C3, C4, C5-1, C6-1, C6-2 or C6-3 District, or a #Manufacturing District#, other than an M1-6M District, in which new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# are allowed, under the provisions of the Zoning Resolution, as-of-right or by special permit or authorization. No provisions or findings of such special permit or authorization which require an assessment of the impact of new #residences#, new #joint living-work quarters for artists# or new #loft dwellings# on #commercial# or #manufacturing uses# within a #Manufacturing District# shall be construed as a limitation on the scope of this provision; or,
  - (ii) less than 100 feet from the following: a house of worship established on or after (the effective date of this amendment).

However, on or after October 25, 1995, an #adult establishment# that otherwise complies with the provisions of this paragraph, (b), shall not be rendered #non-conforming# if a church house of worship or a #school# is established: (i) on or after April 10, 1995, and prior to (the effective date of this amendment), less than than within 500 feet of such #adult establishment#; or, (ii) on or after (the effective date of this amendment), less than 100 feet of such #adult establishment#.

\*\*\*

1/28/71

**42-10  
USES PERMITTED AS-OF-RIGHT**

8/16/79

**42-11**

**Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B**

M1

Use Groups 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B as set forth in Sections 32-14, 32-15, 32-16, 32-18, 32-21.

All health facilities listed in Use Group 4A and requiring approval under Article 28 of the Public Health Law of the State of New York, which prior to July 10, 1974, have received approval of Part I of the required application from the Commissioner of Health, and houses of worship, are allowed as-of-right and are not subject to the special permit provision of Sections 42-32 and 74-921.

\*\*\*

2/26/98

**42-14**

**Use Group 17**

M1 M2 M3

Use Group 17 consists primarily of #manufacturing uses# which: ...

\*\*\*

B. Manufacturing establishments

Adhesives, excluding manufacture of basic components

\*\*\*

Statuary, mannequins, figurines, or religious ~~or church~~ art goods, excluding foundry operations

\*\*\*

12/11/01

**42-32**

**By the City Planning Commission**

In the districts indicated, the following #uses# are permitted by special permit of the City

Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

\*\*\*

M1 M2 M3

#Uses# listed in a permitted Use Group for which #railroad or transit air space# is #developed#

M1

#Uses# listed in Use Group 4A Community Facilities, except houses of worship.

M1

Variety stores, with no limitation on #floor area# per establishment [PRC-B]

\*\*\*

2/26/67

#### 43-42

##### Permitted Obstructions

In all #Manufacturing Districts#, the following shall not be considered obstructions and may thus penetrate a maximum height limit or a #sky exposure plane# set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height Districts).

- (a) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- (b) ~~Church towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;~~
- (c) (b) Elevator or stair bulkheads, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage;
- (d) (c) Flagpoles or aerials;
- (e) (d) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (f) Parapet walls, not more than four feet high;

\*\*\*

12/15/61

**44-20****REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES**

10/25/93

**44-21****General Provisions**

M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, open or enclosed, shall be provided in conformity with the requirements set forth in the table in this Section for all new #development# after December 15, 1961, for the #manufacturing#, #commercial# or #community facility uses# listed in the table. In addition, all other applicable requirements of this Chapter shall apply as a condition precedent to the #use# of such #development#.

A parking space is required for a portion of a unit of measurement one-half or more of the amount set forth in the table.

For the purposes of this Section, a tract of land on which a group of such #uses# is #developed# under single ownership or control shall be considered a single #zoning lot#.

For those #uses# for which rated capacity is specified as the unit of measurement, the Commissioner of Buildings shall determine the rated capacity as the number of persons which may be accommodated by such #uses#.

After December 15, 1961, if an #enlargement# results in a net increase in the #floor area# or other applicable unit of measurement specified in the table in this Section, the same requirements set forth in the table shall apply to such net increase in the #floor area# or other specified unit of measurement.

The requirements of this Section shall be waived in the following situations:

- (a) When, as the result of the application of such requirements, a smaller number of spaces would be required than is specified by the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number).
- (b) When the Commissioner of Buildings has certified, in accordance with the

provisions of Section 44-24 (Waiver of Requirements for All Zoning Lots Where Access Would Be Forbidden), that there is no way to arrange the spaces with access to the #street# to conform to the provisions of Section 44-43 (Location of Access to the Street).

REQUIRED OFF-STREET PARKING SPACES FOR MANUFACTURING, COMMERCIAL OR COMMUNITY FACILITY USES

Type of #Use#

Parking Spaces Required, in Relation to Specified Unit of Measurement                      Districts

---

\*\*\*

FOR COMMUNITY FACILITY USES

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

None required - M1-4 M1-5 M1-6

1 per 300\*\*\* sq. ft. of #floor area#

and #cellar# space, except #cellar# space used for storage - M1-1 M1-2 M1-3

\*\*\*

**Churches**

Houses of Worship, applicable only to the facility's largest room of assembly; however, rooms separated by movable partitions shall be considered a single room

None required - M1-4 M1-5 M1-6

1 per 15 ~~fixed seats~~ persons rated capacity - M1-1 M1-2 M1-3

Clubs, community centers, or settlement houses; philanthropic or non-profit institutions without sleeping accommodations except ambulatory diagnostic or treatment health care facilities listed in Use Group 4; golf course club houses; ~~health centers~~; non-commercial recreation centers; or welfare centers

Rated capacity:

None required - M1-4 M1-5 M1-6

1 per 10 persons - M1-1 M1-2 M1-3

\*\*\*

\*\*\* The parking requirements for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and #uses# in parking requirement category B1 may be reduced by permit of the Board of Standards and Appeals in accordance with the provisions of Section 73-44 (Reduction of Spaces for ambulatory diagnostic or treatment health care facilities listed in Use Group 4 and Uses in Parking Requirement Category B1)

\*\*\*

12/15/61

**44-22**

**Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements**

M1 M2 M3

In all districts, as indicated, where any #building# or #zoning lot# contains two or more #uses# having different parking requirements as set forth in Section 44-21 (General Provisions), the parking requirements for each type of #use# shall apply to the extent of that #use#.

However, the number of spaces required for ~~churches~~ houses of worship or for #uses# in parking requirement category D (Places of Assembly), when in the same #building# or on the same #zoning lot# as any other #use#, may be reduced by the Board of Standards and Appeals in accordance with the provisions of Section 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly).

\*\*\*

12/15/61

**44-30**

**RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES**

6/23/66

**44-31  
General Provisions**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, #accessory# to any permitted #use# shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in the following Sections:

- Section 44-32 (Off-Site Spaces for All Permitted Uses)
- Section 44-33 (Joint and Shared Facilities)
- Section 44-34 (Additional Regulations for Required Spaces When Provided Off-Site)
- Section 73-45 (Modification of Off-Site Parking Provisions)

Such exceptions to the requirement that the spaces be provided on the same #zoning lot# as the #building# or #use# to which they are #accessory# shall not apply in the case of spaces provided in a permitted #public parking garage# in accordance with the provisions of Section 44-46 (Accessory Off-Street Parking Spaces in Public Parking Garages).

12/15/61

**44-32  
Off-Site Spaces for All Permitted Uses**

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces #accessory# to any permitted #use# may be provided on a #zoning lot# other than the same #zoning lot# as such #use# but within the same district or an adjoining C8 or #Manufacturing District#. However, all required spaces shall be not more than 600 feet from the nearest boundary of the #zoning lot# on which such #use# is located.

12/15/61

**44-33  
Joint and Shared Facilities**

**44-331****Joint facilities**

M1 M2 M3

In all districts, as indicated, required #accessory# off-street parking spaces may be provided in facilities designed to serve jointly two or more #buildings# or #zoning lots#, provided that:

- (a) the number of spaces in such joint facilities shall be not less than that required in the following Sections for the combined #floor area#, #lot area#, rated capacity, or other such unit of measurement in such #buildings# or #zoning lots#:

Section 44-21(General Provisions)

Section 44-22(Special Provisions for a Single Zoning Lot with Uses Subject to Different Parking Requirements)

- (b) all such spaces conform to the provisions of Section 44-32 (Off-Site Spaces for All Permitted Uses); and
- (c) the design and layout of such joint facilities meet standards of adequacy set forth in regulations promulgated by the Commissioner of Buildings.

**44-332****Shared facilities for houses of worship**

M1-1 M1-2 M1-3

In the districts indicated, required #accessory# off-street parking spaces may be provided for houses of worship in facilities designed to be shared with other permitted non-#residential uses#, in any district, provided that:

- (a) no more than 25 percent of the spaces in such facilities may be used to satisfy the parking requirement for both the house of worship and other permitted non-#residential uses#, except that such percentage may be increased by the Commissioner of Buildings if it can be demonstrated that such additional parking spaces would not be used by the house of worship and other permitted non-#residential uses# at the same times.
- (b) all such spaces are no further than 600 feet from the nearest boundary of the #zoning lot# containing the house of worship.
- (c) all such spaces conform to all applicable regulations of the district in which they

are located.

8/18/77

**44-34**

**Additional Regulations for Required Spaces When Provided Off-Site**

M1 M2 M3

In all districts, as indicated, when required #accessory# off-street parking spaces are provided off the site in accordance with the provisions of Sections 44-32 (Off-Site Spaces for All Permitted Uses) or 44-33 (Joint and Shared Facilities), the following additional regulations shall apply:

- (a) Such spaces shall be in the same ownership (single fee ownership or alternative ownership arrangements of the #zoning lot# definition in Section 12-10) as the #use# to which they are #accessory#, and shall be subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces available throughout the life of such #use#.
- (b) Such spaces shall conform to all applicable regulations of the district in which they are located.

\*\*\*

10/25/93

**62-212**

**WE uses (Waterfront-Enhancing)**

WE #uses# comprise a group of primarily recreational, cultural, entertainment or retail shopping #uses# that, when located at the water's edge, add to the public use and enjoyment of the waterfront. WE #uses# shall be limited to the following:

\*\*\*

From Use Group 4:

~~Churches~~

Community centers

Houses of worship

\*Ice skating rinks, outdoor

\*\*\*

Recreation centers, non-commercial

\*Philanthropic or non-profit institutions - without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Golf courses

\*\*\*

7/22/71

**73-10  
SPECIAL PERMIT USES**

\*\*\*

12/15/61

**73-12**

**Community Facility Uses in R1, or R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts**

In R1, or R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit specified #community facility uses# in accordance with the provisions of this Section.

\*\*\*

**73-122**

**College or school student dormitories or and fraternity or sorority student houses**

The Board of Standards and Appeals may permit college or school student dormitories or and fraternity or sorority student houses in R1 or R2 Districts, provided that the following findings are made: ...

\*\*\*

5/22/63

73-125

~~Medical offices or group medical centers~~Ambulatory diagnostic or treatment health care facilities

In ~~R1 or R2~~ R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, the Board of Standards and Appeals may permit ambulatory diagnostic or treatment health care facilities listed in Use Group 4, medical offices or group medical centers, including the practice of dentistry or osteopathy; limited in each case to a maximum of ~~6,000~~ 10,000 square feet of #floor area# and to a location below the level of the first #story# ceiling, provided that the Board finds following findings are made:

- (a) that the amount of open area and its distribution on the #zoning lot# conform to standards appropriate to the character of the neighborhood;
- (b) that, ~~notwithstanding the provisions of Section 25-33 (Waiver of Requirements for Spaces below Minimum Number)~~, at least one #accessory# off-street parking space is provided for each 400 square feet of #floor area#; and
- (c) ~~that all open #accessory# off-street parking spaces will be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years.~~

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

\*\*\*

12/15/61

**73-43****Reduction of Parking Spaces for Churches Houses of Worship or Places of Assembly**

The Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required under the provisions of Sections 25-31, 36-21 or 44-21 (General Provisions) for Houses of Worship or Places of Assembly, in accordance with the applicable provisions of the following Sections.

73-431Reduction of parking spaces for houses of worship

In all districts, the Board of Standards and Appeals may permit a reduction in the number of required #accessory# off-street parking spaces for houses of worship, provided:

- (a) the house of worship will be operated or utilized in such a manner as to reduce demand for on-site parking;
- (b) such reduction is commensurate with the reduced demand for on-site parking.

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

73-432

Reduction of parking spaces for places of assembly

In all #Commercial# and #Manufacturing Districts#, the Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required under the provisions of Sections 25-31, 36-21 or 44-21 (General Provisions) for ~~churches~~ ~~or~~ #uses# in parking requirement category D (Places of Assembly) whenever such #uses# are located in the same #building# or on the same #zoning lot# as other #uses#, proportionate to the extent that the Board finds:

- (a) that the spaces #accessory# to such other #uses# will remain available for #use# by persons visiting the ~~church~~ ~~or~~ place of assembly during the entire period that such ~~church~~ ~~or~~ place of assembly remains in #use#; and
- (b) that, in accordance with submitted schedules of the times of operation for all #uses# within the #building# or on the #zoning lot#, there will be no conflict in the #use# of such #accessory# off-street parking spaces, and that the provision of the full quota of required off-street parking spaces for ~~churches~~ and places of assembly is therefore not needed. The permit to reduce such spaces shall be automatically revoked whenever there is a change in the nature of the conditions upon which such reduced requirements were based, including changes in #use#, availability of spaces or hours of operation.

\*\*\*

12/15/61

**73-44**

**Reduction of Parking Spaces for Ambulatory Diagnostic or Treatment Facilities Listed in Use Group 4 and Uses in Parking Requirement Category B1**

In the districts indicated, the Board of Standards and Appeals may permit a reduction in the number of #accessory# off-street parking spaces required by the provisions of Section 36-21 or 44-21 (General Provisions) for ambulatory diagnostic or treatment facilities listed in Use Group 4 and #uses# in parking requirement category B1 in Use Group 6, 7, 8, 9, 10, 11, 14, or 16 to the applicable number of spaces specified in the table set forth at

the end of this Section, provided that the Board finds that occupancy by ambulatory diagnostic or treatment facilities listed in Use Group 4 or #uses# in parking category B1 is contemplated in good faith on the basis of evidence submitted by the applicant. In such a case the Board shall require that the certificate of occupancy issued for the #building# within which such #use# is located shall state that no certificate shall thereafter be issued if the #use# is changed to a #use# listed in parking category B unless additional #accessory# off-street parking spaces sufficient to meet such requirements are provided on the site or within the permitted off-site radius.

REDUCED ACCESSORY OFF-STREET PARKING SPACES REQUIRED FOR  
AMBULATORY DIAGNOSTIC OR TREATMENT FACILITIES LISTED IN USE  
GROUP 4 AND COMMERCIAL USES IN PARKING REQUIREMENT CATEGORY  
B1

Parking Spaces Required per Number of Square Feet of #Floor Area# *	Districts
1 per 400	C1-1 C2-1 C3 C4-1
1 per 600	C1-2 C2-2 C4-2 C8-1 M1-1 M1-2 M1-3 M2-1 M2-2 M3-1
1 per 800	C1-3 C2-3 C4-3 C7 C8-2

\* For ambulatory diagnostic or treatment facilities listed in Use Group 4, parking spaces required per number of square feet of #floor area# or #cellar# space, except #cellar# space #used# for storage

\*\*\*

73-45  
Modification of Off-Site Parking Provisions

\*\*\*

**73-454**  
**For houses of worship**

The Board of Standards and Appeals may modify, as applicable, the provision of Section 25-53 (Off-Site Spaces for Permitted Non-Residential Uses), 25-542 (Shared parking facilities for houses of worship), 36-43 (Off-Site Spaces for Commercial or Community Facility Uses), 36-442 (Shared parking facilities for houses of worship), 44-32 (Off-Site Spaces for All Permitted Uses), or 44-332 (Shared facilities for houses of worship) relating to the maximum permitted distance of the location of #accessory# off-street

parking spaces for houses of worship, provided that in such instances all such spaces shall be not further than 1,000 feet from the nearest boundary of the #zoning lot# containing such house of worship, upon finding that:

- (a) such spaces conform to all applicable regulations of the district in which they are located;
- (b) the location of such spaces will not result in undue traffic congestion in the area.

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

\*\*\*

7/22/71

73-60  
MODIFICATIONS OF BULK REGULATIONS

\*\*\*

6/27/63

73-64  
Modifications for Community Facility Uses

On a #zoning lot# occupied by any of the #community facility uses# specified herein, and in all districts where such #uses# are permitted as-of-right or by special permit, the Board of Standards and Appeals may permit #developments# or #enlargements# for such #uses#, which do not comply with certain applicable district #bulk# regulations, in accordance with the provisions of this Section.

Such specified #community facility uses# are:

~~Churches, rectories, parish houses, or seminaries~~

College or school student dormitories or fraternity ~~or~~ and sorority student houses

Colleges or universities, including professional schools, but excluding business colleges or trade schools  
Community centers

Houses of worship, rectories, parish houses, or seminaries

Libraries, museums, or non-commercial art galleries

\*\*\*

Philanthropic or non-profit institutions with or without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4

\*\*\*

6/12/96

74-844

Preservation of community facility uses within certain developments containing public open areas

For any #development# on a #zoning lot# a portion of which,...

\*\*\*

- (a) that the provision of the new #community facility building# will result in the reinforcement or preservation of an existing ~~church, or other~~ house of worship, community ...

\*\*\*

74-92

Use Group 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts

74-921

Use Group 4A community facilities

In M1 Districts, except for houses of worship, the City Planning Commission may permit #uses# listed in Use Group 4A - Community Facilities.

As a condition of granting a special permit for such community facilities, the Commission shall find that:

\*\*\*

7/12/84

**79-42**

**Special Permit for Non-profit Hospital Staff Dwelling Buildings**

For #non-profit hospital staff dwellings# in #large-scale community facility develop-ments# in Manhattan Community Board 8, the City Planning Commission, may by special permit, allow:

\*\*\*

(b) ~~Medical offices~~ Ambulatory diagnostic or treatment health care facilities listed in Use Group 4 on the third floor of such #buildings# in C1 Districts, provided the following findings are made:

(1) that such ~~offices~~ facilities are used exclusively for staff of, or staff affiliated with, the non-profit or voluntary hospital;

\*\*\*

2/8/90

**81-722  
Use Group T**

The following #uses# are subject to the limitations on location and #floor area# of the underlying zoning district:

#Uses# marked with an asterisk (\*) are allowed only on #narrow street# frontages.

\*\*\*

#Use#

\*Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

Antique stores

\*\*\*

\* Catering establishments

~~\* Churches~~

Cigar stores

\*\*\*

Hardware stores

~~\* Health centers~~

Historical exhibits

\*\*\*

\* Household appliance repair shops - not permitted in C5 Districts

\* Houses of worship

Ice cream stores

\*\*\*

Luggage stores

~~\* Medical offices or group medical centers~~

\* Meeting halls

\*\*\*

10/9/69

**Article VIII - Special Purpose Districts**

**Chapter 3**

**Special Limited Commercial District**

\*\*\*

2/8/90

**83-03**

**Use Group "LC"**

Use Group "LC" comprises #residential uses# listed in Use Groups 1 and 2, and a group of specially related #uses# selected from Use Groups 3, 4, 5, 6, 8 and 9 to provide for the special needs, comfort, convenience, enjoyment, education and recreation of the residents of the surrounding communities and of the many visitors who are attracted to its activities.

A. Amusements

Theaters, limited to a capacity of not more than 300 seats

## B. Community Facilities

Ambulatory diagnostic or treatment health care facilities listed in Use Group 4

~~Churches, rectories, or parish houses~~

Clubs, except:

- (a) clubs, the chief activity of which is a service predominantly carried on as a business;
- (b) non-commercial outdoor swimming pool clubs; or
- (c) any other non-commercial clubs with outdoor swimming pools located less than 500 feet from any #lot line#

Colleges or universities, including professional schools

College or school student dormitories ~~or~~ and fraternity or sorority student houses

Community centers or settlement houses

~~Government operated health centers or independent out-of-hospital health facilities incorporated pursuant to Section 35 of the New York State Social Services Law~~

Houses of worship, rectories, or parish houses

Libraries, museums, or non-commercial art galleries

~~Medical offices or group medical centers, including the practice of dentistry or osteopathy, limited to a location below the level of the first #story# ceiling, except that in multiple dwellings such #uses# may be located on the second floor, if separate access to the outside is provided or such #use# existed on January 1, 1948~~

Monasteries, convents, or novitiates used only for living purposes, provided that such #use# is to be part of a group of #buildings# accommodating church house of worship activities, #schools# or other church house of worship facilities which existed on December 15, 1961, or any applicable subsequent amendment thereto, and that such #use# is to be located on the same #zoning lot# with one or more #buildings# in such group of #buildings# or on a #zoning lot# which is contiguous thereto or directly across the #street# on which such #buildings# face

\*\*\*

3/18/76

**97-10  
SPECIAL PROVISIONS FOR R(M) SPECIAL NORTHSIDE MIXED USE  
DISTRICT**

\*\*\*

3/18/76

**97-111  
Use Group M**

A. Apparel and Textile Manufacturing Establishments

Statuary, mannequins, figurines, or religious or church art, excluding foundry operations

Steel, structural products, including bars, girders, rails, wire rope or similar products

\*\*\*

1/9/75

**Article X - Special Purpose Districts**

**Chapter 6  
Special Coney Island Mixed Use District**

\*\*\*

1/9/75

**106-311  
Use Group M**

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

\*\*\*

Statuary, mannequins, figurines, or religious ~~or church~~ art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

\*\*\*

9/11/75

**Article X - Special Purpose Districts**

**Chapter 8  
Special Franklin Street Mixed Use District**

\*\*\*

9/11/75

**108-111  
Use Group M**

A. #Manufacturing uses#

Apparel or other textile products from textiles or other materials, including hat bodies or similar products

\*\*\*

Statuary, mannequins, figurines or religious ~~or church~~ art, excluding foundry operations

Textiles, spinning, weaving, manufacturing, printing, knit goods, yarn, thread or cordage, but not dyeing

\*\*\*

1/20/77

**Article XI - Special Purpose Districts**

**Chapter 2  
Special City Island District**

\*\*\*

3/6/86

**112-121**

**Accessory parking and floor area requirements for eating or drinking establishments**

\*\*\*

For eating or drinking establishments, the provisions of Sections 36-23 or 44-23 (Waiver of Requirements for Spaces below Minimum Number) or Sections 52-41 (General Provisions) with respect only to #enlargements# or #extensions# to provide off-street parking spaces, 73-43 (Reduction of Parking Spaces for ~~Churches~~ Houses of Worship or Places of Assembly) and 73-45 (Modification of Off-Site Parking Provisions) are hereby made inapplicable.

\*\*\*

3/26/92

**122-10**

**SPECIAL USE REGULATIONS**

In order to preserve the residential character of the Special District, the applicable #use# regulations of the underlying districts are modified as follows:

\*\*\*

However, if a #building# on a Commercial Infill Site contains an entrance from the Grand Concourse as well as from the cross-street running underneath the Concourse, such entrance floors at both #street# levels may be occupied by retail #uses# listed in Use Group 6 if they were in existence prior to July 1, 1981 as a lawful #use#. In those cases, the #use# of the remaining #stories# of such #building# shall be limited to business, professional, ~~medical~~ or governmental offices or to ambulatory diagnostic or treatment health care facilities as set forth in Use Group 4A and/or Use Group 6B, regardless of the locational restrictions in Use Group 4.

\*\*\*

12/10/97

**Article XII - Special Purpose Districts**

**Chapter 3**  
**Special Mixed Use District**

\*\*\*

12/10/97

**123-21**  
**Modification of Use Groups 2, 3 and 4**

The #uses# listed in Use Group 2, and the following #uses# listed in Use Groups 3 and 4: college or school student dormitories ~~or~~ and fraternity or sorority student houses, domiciliary care facilities for adults, nursing homes and health-related facilities, philanthropic or non-profit institutions with sleeping accommodations, monasteries, convents or novitiates, #non-profit hospital staff dwellings# without restriction on location, and non-profit or voluntary hospitals, may only locate in the same #building# as, or share a common wall with a #building# containing, an existing #manufacturing# or #commercial use#, upon certification by a licensed architect or engineer to the Department of Buildings that such #manufacturing# or #commercial use#: ...

\*\*\*

12/10/97

**123-222**  
**Uses permitted with restrictions**

The following #uses# from Use Groups 16 and 17 are permitted in #Special Mixed Use Districts# subject to the certification requirements and locational restrictions of this Section:

\*\*\*

From Use Group 17B (Manufacturing Establishments):

Adhesives, excluding manufacture of basic components

\*\*\*

Statuary, mannequins, figurines, or religious ~~or church~~ art goods, excluding foundry operations

Steel products, miscellaneous fabrication or assembly, including steel cabinets, doors, fencing, metal furniture, or similar products

\*\*\*

**Resolution for adoption scheduling May 26, 2004 for a public hearing.**

**NOTICE**

**On Wednesday, May 26, 2004, at 10:00 a.m., at the City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a proposal to modify and replace existing zoning text, add new zoning text, and reorganize and renumber various sections of the *Zoning Resolution (ZR)*, that would affect zoning regulations on a citywide basis, and would result in changes to the use, bulk and parking regulations in the *Zoning Resolution* regarding community facilities.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 04DCP025Y.**

**II. PUBLIC HEARINGS**

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**BOROUGH OF THE BRONX**

**No. 13**

**RAIN APARTMENTS**

**CD 12**

**C 040274 HAX**

**PUBLIC HEARING:**

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

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of property located at 3377 White Plains Road (Block 4624, Lot 37), as an Urban Development Action Area; and
  - b) An Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a seven-story building tentatively known as RAIN Apartments for the Elderly, with approximately 72 units of low-income housing for senior citizens, one unit for a superintendent, and a senior citizens center to be developed under the New York State Housing Trust Fund Program.

(On April 28, 2004, Cal. No. 1, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**BOROUGH OF BROOKLYN**

**No. 14**

***PSCH DEWITT RESIDENCE***

**CD 5**

**C 040203 HAK**

**PUBLIC HEARING:**

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

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 433-439 DeWitt Avenue (Block 4318, Lots 31-34), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of 433, 437 and 439 DeWitt Avenue (Block 4318, Lots 31-32 and 34) to a developer selected by HPD;

to facilitate development of a four-story building tentatively known as the PSCH DeWitt Residence, with approximately 19 apartments for low income persons with mental illness, to be developed under the HUD Section 811 Supportive Housing for Persons with Disabilities Program.

(On April 28, 2004, Cal. No. 2, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 15**

***MYRTLE AVENUE BROOKLYN BID***

**CD 2**

**N 040395 BDK**

**PUBLIC HEARING:**

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

(On April 28, 2004, Cal. No. 3, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN**

**No. 16**

***PATHMARK GARAGE***

**CD 3**

**C 030387 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Central Parking System of New York, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Sections 13-562 and 74-52 of the Zoning Resolution **to allow an unattended public parking garage with a maximum capacity of 90 spaces in the cellar of an existing commercial building located at 227 Cherry Street** (Block 248, Lot 1), in a C6-4 District.

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

(On April 28, 2004, Cal. No. 4, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

**Nos. 17, 18 and 19**

***WEST 145<sup>TH</sup> STREET CORNERSTONE PROJECTS***

**No. 17**

**CD 10**

**C 040269 HUM**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the 1<sup>st</sup> amendment to the Bradhurst Urban Renewal Plan for the Bradhurst Urban Renewal Area.

The proposed plan:

1. Changes the land use designation of Site 21A from Residential to Residential/ Commercial.
2. Imposes supplementary controls on Sites 21A, 21B and 21C that limit commercial development to no more than two stories and an FAR of 2.
3. Has been modified to conform to the current HPD language, terminology and methodology for urban renewal plans.
4. Updates the timetable for the implementation of the Plan.

These changes would facilitate development of an eleven story mixed-use building with 185 units of cooperative housing and retail space to be developed through HPD's Cornerstone Program.

(On April 28, 2004, Cal. No. 5, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 18****CD 10****C 040270 ZMM**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 6a:**

1. **eliminating from an existing R7-2 District a C1-4 District** bounded by West 146<sup>th</sup> Street, Frederick Douglass Boulevard, West 145<sup>th</sup> Street, and a line 100 feet westerly of Frederick Douglass Boulevard;
2. **changing from an R7-2 District to a C4-4D District** property bounded by West 146<sup>th</sup> Street, Frederick Douglass Boulevard, West 145<sup>th</sup> Street, and a line 100 feet westerly of Frederick Douglass Boulevard ; and
3. **changing from an R8 District to a C4-4D District** property bounded by West 146<sup>th</sup> Street, a line 100 feet westerly of Frederick Douglass Boulevard, West 145<sup>th</sup> Street, and Bradhurst Avenue;

as shown on a diagram (for illustrative purposes only) dated February 9, 2004

(On April 28, 2004, Cal. No. 6, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 19**
**CD 10****C 040271 HAM**

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

1. pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 301, 303, 305, 307-311, 313,

315 and 317 West 145<sup>th</sup> Street, 2731 Frederick Douglas Boulevard, 304-306 West 146<sup>th</sup> Street and 68 Bradhurst Avenue (Block 2045, Lots 1-4, 7-10, 18, 21 and 110) as an Urban Development Action Area;

b) an Urban Development Action Area Project for such area; and

2. pursuant to Section 197-c of the New York City Charter for the disposition of 307-311, 313, 315 West 145<sup>th</sup> Street, 2731 Frederick Douglas Boulevard, 304-306 West 146<sup>th</sup> Street and 68 Bradhurst Avenue (Block 2045, Lots 110, 21, 18, 10, 2-4) to a developer selected by HPD;

to facilitate development of an eleven story mixed-used building with 185 units of cooperative housing and retail space to be developed through HPD's Cornerstone Program.

(On April 28, 2004, Cal. No. 7, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF STATEN ISLAND**

**No. 20**

***FOREST AVENUE BID***

**CD 1**

**N 040359 BDR**

**PUBLIC HEARING:**

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

(On April 28, 2004, Cal. No. 8, the Commission scheduled May 12, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**III. REPORTS**

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**BOROUGH OF BROOKLYN**

**Nos. 21 and 22**

***AM & G WATERPROOFING***

**No. 21**

**CD 16**

**C 040124 ZMK**

**IN THE MATTER OF** an application submitted by ERMA Realty, LLC, the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section No. 17a:**

1. eliminating from an existing R6 District a C2-3 District bounded by the southerly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), Saratoga Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 150 feet westerly of Saratoga Avenue; and
2. changing from an R6 District to an M1-1 District property bounded by the southerly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), Saratoga Avenue, a line midway between Atlantic Avenue and Pacific Street, and Howard Avenue,

as shown on a diagram (for illustrative purposes only) dated January 26, 2004 and subject to the conditions of CEQR Declaration E-127.

(On March 24, 2004, Cal. No. 2, the Commission scheduled April 14, 2004 for a public hearing . On April 14, 2004, Cal. No. 11, the hearing was closed.)

**For consideration.**

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**No. 22****CD 16****C 040125PPK**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, **for the disposition of five (5) city-owned properties** pursuant to zoning.

<b>Block</b>	<b>Lot</b>	<b>Address/Location</b>
1432	5	2076 Atlantic Avenue
1432	6	2078 Atlantic Avenue
1432	7	2080 Atlantic Avenue
1432	9	2084 Atlantic Avenue
1432	10	2088 Atlantic Avenue

(On March 24, 2004, Cal. No. 3, the Commission scheduled April 14, 2004 for a public hearing. On April 14, Cal. No. 12, the hearing was closed.)

**For consideration.**

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**BOROUGH OF MANHATTAN**

**No. 23*****WEST 57<sup>TH</sup> STREET GARAGE*****CD 5****C030470 ZSM**

**IN THE MATTER OF** an application submitted by Carnegie House Tenants Corporation pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Sections 13-562 and 74-52 of the Zoning Resolution **to allow the continued use of an attended public parking garage with a maximum capacity of 214 spaces including 65 accessory spaces on portions of the ground floor, cellar and sub-cellar of an existing mixed use building on property located at 100 West 57<sup>th</sup> Street** (Block 1009, Lot 29), in C5-3 and C6-6 Districts, within the Special Midtown District.

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

(On March 24, 2004, Cal. No. 4, the Commission scheduled April 14, 2004 for a public hearing. On April 14, 2004, Cal. No. 13, the hearing was closed.)

**For consideration.**

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**No. 24**

***505 WEST 47<sup>TH</sup> STREET***

**CD 4**

**C 040116 ZSM**

**IN THE MATTER OF** an application submitted by West 47<sup>th</sup> St. Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to permit portions of a railroad right-of-way that will be completely covered over by a permanent platform to be included in the lot area for a residential development of two seven-story buildings on a through lot located west of Tenth Avenue with frontage on West 47<sup>th</sup> Street and West 48<sup>th</sup> Street** (Block 1076, Lot 24) in an R8 District, within the Special Clinton District (Area A).

(On March 10, 2004, Cal. No. 22 the Commission scheduled March 24, 2004 for a public hearing. On March 24, 2004, Cal. No. 7, the hearing was closed.)

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 25**

**VAISHNAV TEMPLE**

**CD 8**

**C 020146 ZSQ**

**IN THE MATTER OF** an application submitted by the Vaishnav Temple of New York pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-901 of the Zoning Resolution **to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage) to apply to a proposed 2-story and cellar approximately 4,420 square foot enlargement of an existing church on property located at 196-43 Foothill Avenue** (Block 10509, Lot 221), in an R1-2 District.

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

(On March 24, 2004, Cal. No. 5, the Commission scheduled April 14, 2004 for a public hearing. On April 14, 2004, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 26**

***H.H. RICHARDSON HOUSE***

**CD 2**

**N 040397 HKR**

**IN THE MATTER OF** a communication dated April 7, 2004, from the Executive Director of the Landmarks Preservation Commission regarding **the landmark designation of the H.H. Richardson House**, 45 McClean Avenue, (Block 3105, Lot 1), by the Landmarks Preservation Commission on March 30, 2004 (List 352/LP2141), Borough of Staten Island, Community District 2.

**For consideration.**

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