



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR**

**OF**

**THE LAND USE COMMITTEE**

**FOR THE WEEK OF MAY 31, 2011 - JUNE 3, 2011**

**LEROY G. COMRIE**, *Chair*, Land Use Committee

**MARK WEPRIN**, *Chair*, Subcommittee on Zoning and Franchises

**BRAD LANDER**, *Chair*, Subcommittee on Landmarks, Public Siting  
and Maritime Uses

**STEPHEN LEVIN**, *Chair*, Subcommittee on Planning, Dispositions  
and Concessions

<http://legistar.council.nyc.gov/Calendar.aspx>

## **SUBCOMMITTEE ON ZONING AND FRANCHISES**

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, **14<sup>th</sup> Floor**, 250 Broadway, New York City, New York 10007, commencing at **9:30 a.m. on Thursday, June 2, 2011:**

**Note: Location Change**

### **L.U. No. 405**

#### **OPM RESTAURANT & CLUB**

**BROOKLYN CB - 15**

**20115564 TCK**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of JVRS Group LLC, d/b/a OPM Restaurant & Club, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 3202 Emmons Avenue.

### **L.U. No. 395**

#### **SPECIAL 125<sup>TH</sup> STREET DISTRICT CAFÉ TEXT**

**MANHATTAN CB's - 9, 10 and 11**

**N 100373 ZRM**

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, concerning Article I, Chapter 4 (Sidewalk Café Regulations) and Article IX, Chapter 7 (Special 125th Street District), to modify the regulations pertaining to the location of sidewalk cafes within the Special 125th Street District.

Matter in underline is new, to be added;

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

Matter with # # is defined in Section 12-10;

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

### **Article 1 – General Provisions**

\* \* \*

## **Chapter 4**

### **Sidewalk Cafe Regulations**

\* \* \*

#### **14-43**

##### **Locations Where Only Small Sidewalk Cafes Are Permitted**

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted, pursuant to Section 14-011 (Sidewalk café locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

Manhattan:

\* \* \*

63rd Street - from Second Avenue to Fifth Avenue

86th Street - from First Avenue to a line 125 feet east of Second Avenue, south side

only 116th Street - from Malcolm X Boulevard to Frederick Douglass Boulevard

Special 125th Street District – only as set forth in Section 97-13 (Permitted Small Sidewalk Café Locations)

First Avenue - from 48th Street to 56th Street

Third Avenue - from 38th Street to 62nd Street

Lexington Avenue - from a line 100 feet south of 23rd Street to a line 100 feet north of 34<sup>th</sup> Street

\* \* \*

#### **14-44**

##### **Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within

special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
125th Street District	<del>Yes</del> <u>No</u>	<del>Yes</del> <u>No****</u>
Battery Park City District	Yes	Yes
Clinton District	Yes	Yes
Limited Commercial District	No	No*
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes**
Manhattanville Mixed Use District	No***	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes

- \* #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue
- \*\* #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway
- \*\*\* Enclosed sidewalk cafes are allowed in Subdistrict B
- \*\*\*\* #Unenclosed sidewalk cafés# are allowed on east side of Malcolm X Boulevard between West 125th and West 126th streets.

\* \* \*

# Article IX - Special Purpose Districts

## Chapter 7

### Special 125th Street District

\* \* \*

#### 97-03

##### District Plan and Maps

The regulations of this Chapter are designed to implement the #Special 125th Street District# Plan. The District Plan, including ~~the m~~Map 1 of the (#Special 125th Street District#) and Map 2 (Permitted Small Sidewalk Cafe Locations), is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

\* \* \*

#### 97-10

##### SPECIAL USE AND LOCATION REGULATIONS

\* \* \*

#### 97-13

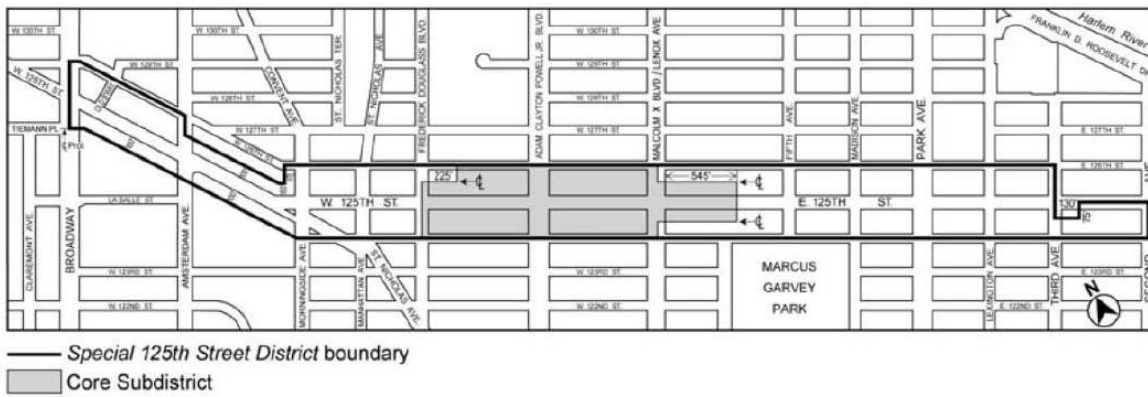
##### Permitted Small Sidewalk Cafe Locations

#Small sidewalk cafes# shall be permitted in the #Special 125th Street District# as indicated in Map 2 (Permitted Small Sidewalk Cafe Locations) in Appendix A to this Chapter, subject to all applicable regulations of Article I, Chapter 4 (Sidewalk Cafe Regulations).

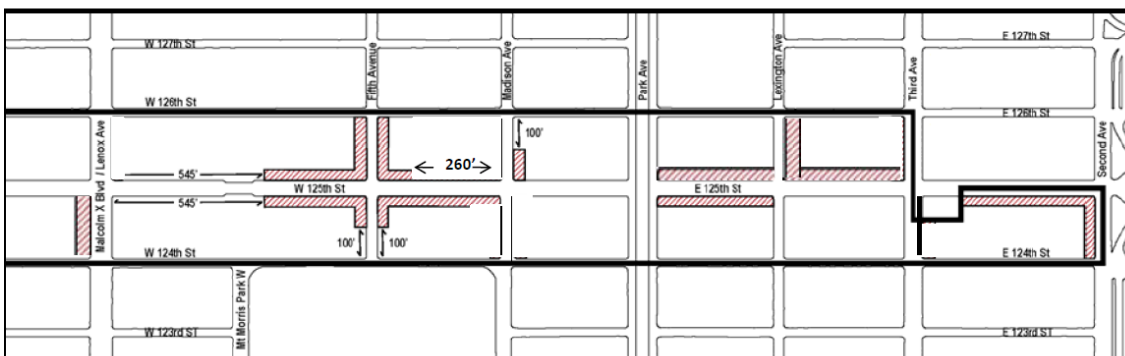
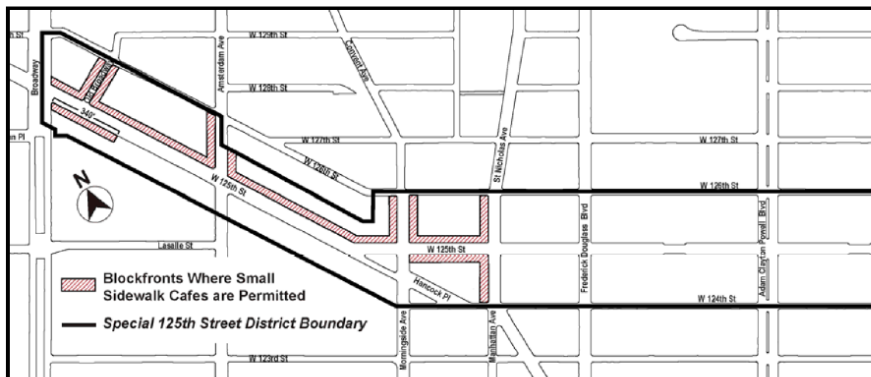
\* \* \*

# Appendix A Special 125th Street District Plan

## Map 1 – Special 125<sup>th</sup> Street District



## Map 2 – Permitted Small Sidewalk Cafe Locations



**L.U. NOS. 396 AND 397 ARE RELATED**

**L.U. No. 396**

**WEST CLINTON REZONING**

**MANHATTAN CB - 4**

**N 110176 ZRM**

Application submitted by New York City Department of City Planning and Manhattan Community Board 4 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 Article IX, Chapter 6 (Special Clinton District), Article I, Chapter 4 (Sidewalk Café Regulations), and Appendix F.

Matter in underline is new, to be added;

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

Matter with # # is defined in Section 12-10;

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

**Article 1 – General Provisions**

\* \* \*

**Chapter 4**

**Sidewalk Cafe Regulations**

\* \* \*

**14-44**

**Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Manhattan		
125th Street District	Yes	Yes
Battery Park City District	Yes	Yes
Clinton District	<del>Yes</del> No	Yes

Limited Commercial District	No	No*
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes**
Manhattanville Mixed Use District	No***	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes

- \* #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue
- \*\* #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway
- \*\*\* Enclosed sidewalk cafes are allowed in Subdistrict B

## Article IX - Special Purpose Districts

### Chapter 6

#### Special Clinton District

\* \* \*

#### 96-10

#### PRESERVATION AREA

\* \* \*

#### 96-104

#### Height and setback regulations

The underlying height and setback regulations shall not apply, except as set forth in Sections 23-62 or 33-42 (Permitted Obstructions), as applicable. In lieu thereof, the height and setback provisions of this Section shall apply. All height shall be measured from #curb level#.

#### (a) Street wall location

For #zoning lots# with #wide street# frontage, ~~the #street walls# of a #building or other structure#~~ shall be located on the #wide street line# and extend along the entire #wide street# frontage of the #zoning lot#. For #corner lots# with #narrow street# frontage, ~~the #street walls# of the #building#~~ shall be located on and extend along the #narrow street line# within 50 feet of the #wide street#.

For #zoning lots# with #narrow street# frontage, #street walls# shall be located



on the #street line# and extend along the entire #narrow street# frontage of the #zoning lot# beyond 50 feet of a #wide street#. However, where the #street wall# of an adjacent #building# fronting on the same #narrow street line# is located within 10 feet of the #street line#, the #street wall# of the #building# may be aligned with the #street wall# of the adjacent #building# for a distance of not less than 20 feet measured horizontally from the side wall of such #building#. The portion of a #zoning lot# that is located between a #street wall# and the #street line#, pursuant to the optional #street wall# location provisions of this paragraph (a), shall be maintained at the same elevation as the adjoining sidewalk. In addition, such portion of a #zoning lot# shall be planted, except at the entrances to and exits from the #building#, or adjacent to #commercial uses# fronting on the #street#.

(b) Permitted recesses

Ground floor recesses up to three feet deep shall be permitted for access to building entrances. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no such recesses are within 30 feet of the intersection of two #street lines#.

(c) Building height

Within 100 feet of a #wide street#, the #street wall# of a #building or other structure# shall rise without setback to a minimum height of 50 feet or the height of the #building#, whichever is less, and a maximum height of 66 feet. A setback shall be provided for all portions of #buildings# that exceed a height of 66 feet. Such setbacks shall be provided at a height not lower than 50 feet and not higher than 66 feet, and shall have a minimum depth of 10 feet, measured from any #street wall# facing a #wide street#, and a minimum depth of 15 feet, measured from any #street wall# facing a #narrow street#. No #building or other structure# shall exceed a height of 85 feet. Beyond 100 feet of a #wide street#, no #building or other structure# shall exceed a height of seven #stories# or 66 feet, whichever is less.

However, the City Planning Commission, by special permit, may modify the special height and setback regulations ~~restrictions~~ set forth in this Section ~~for any #development# or #enlargement#~~.

In order to grant such special permit, the Commission shall find that the distribution

of ~~the #bulk# of the #development# or #enlargement#~~ permits adequate access of light and air to surrounding ~~#streets#~~ and properties and that the maximum height ~~of such #development# or #enlargement#~~ does not exceed 99 feet beyond 100 feet of a ~~#wide street#~~, and 115 feet within 100 feet of a ~~#wide street#~~.

\* \* \*

## 96-30

### OTHER AREAS

In Area C, the regulations of the underlying districts shall apply, except as otherwise set forth in this ~~Chapter~~ Section 96-30, inclusive.

## 96-31

### Special Regulations in R8 Districts

(a) In R8 Districts, other than R8A Districts, in ~~Other Areas west of Tenth Avenue~~ Western Subarea C2, including #Commercial Districts# mapped within such R8 Districts, the following special regulations shall apply:

(a) (1) the provisions of Sections 96-101 (Floor area regulations) and 96-104 (Height and setback regulations) shall apply; and

(b) (2) the provisions of Section 96-102 (Lot coverage regulations) shall apply, except that for all portions of a ~~#zoning lot#~~ located in ~~an~~ Other Areas and more than 100 feet from the ~~#street line#~~ of a ~~#wide street#~~, the maximum ~~#lot coverage#~~ shall not exceed 70 percent of the portion of the ~~#zoning lot#~~ in ~~the~~ Other Areas.

(b) In R8A Districts in Western Subarea C2, including #Commercial Districts# mapped within such R8A Districts, the following special regulations shall apply:

(1) Inclusionary Housing Program

R8A Districts in Other Areas, west of Tenth Avenue, shall be #Inclusionary Housing designated areas# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

(2) Maximum #floor area ratio#

Within such #Inclusionary Housing designated areas#, the maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed a base #floor area ratio# of 5.4, except that such base #floor area ratio# may be increased to a maximum #floor area ratio# of 7.2, through the provision of #affordable housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90. However, any units for which a #floor area# increase has been earned, pursuant to Section 23-90 shall be located within the #Special Clinton District#.

(3) Special Use and Bulk Regulations for Existing Electrical Utility Substations

Electrical utility substations, operated for public utility purposes, existing on (effective date) and located wholly or partially within the portion of Western Subarea C2 east of 11th Avenue, shall be considered conforming #uses# that are subject to the #bulk# regulations of the underlying district and the #use# regulations of an M1-5 District. Any change of #use# on a #zoning lot# occupied by any such electrical utility substation shall be permitted only pursuant to the regulations of the underlying district. In the event any such electrical utility substation is damaged or destroyed, in whole or in part, by any means, including demolition, the provisions of Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS) shall not apply and such electrical utility substation may be reconstructed, provided that such reconstruction shall not create a new #non-compliance# nor increase the degree of #non-compliance# with the applicable #bulk# regulations. However, in the event there is a complete cessation of #use# of the #zoning lot# as an electrical utility substation for a continuous period of five years, such electrical utility substation shall no longer be considered a conforming #use# on such #zoning lot#.

**96-32**

**Special Regulations in R9 Districts**

In R9 Districts in Western Subarea C2, the provisions of Section 23-633 (Street wall location and height and setback regulations in certain districts) for R9A Districts shall apply to all #buildings or other structures#. In #commercial districts# mapped within R9 Districts in Western Subarea C2, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) for C2-7A

Districts shall apply to all #buildings or<sub>10</sub> other structures#. Notwithstanding the

provisions of paragraph (c) of Section 23-011 (Quality Housing Program), in all such R9 Districts and #commercial districts# mapped within such R9 Districts, the provisions of paragraph (b) of Section 23-011 shall apply.

(a) Inclusionary Housing Program

R9 Districts in Other Areas, west of Tenth Avenue, shall be #Inclusionary Housing designated areas# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.

(b) Maximum #floor area ratio#

Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed a base #floor area ratio# of 6.0, except that such base #floor area ratio# may be increased to a maximum #floor area ratio# of 8.0, through the provision of #affordable housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90. However, any units for which a #floor area# increase has been earned pursuant to Section 23-90 shall be located within the #Special Clinton District#.

**96-33**

**Special Regulations in M2-4 Districts**

**96-331**

**Adult establishments**

The provisions of Section 52-77 (Termination of Adult Use Establishments) shall not apply to any #adult establishment# that located within the #Special Clinton District# after October 25, 1995 and prior to [Date of CPC Approval], and which, as of [Date of CPC Approval] and [Date of City Council Approval], was an existing #use# and conformed to all provisions of Section 42-01 (Special Provisions for Adult Establishments) applicable to M2-4 Districts.

## **96-332**

### **Height and setback**

In M2-4 Districts in Western Subarea C2, the underlying height and setback regulations shall apply as modified by the following special bulk regulations.

For all #buildings or other structures#, the #street wall# of a #building# shall rise without setback to a minimum base height of 50 feet, or the height of the #building#, whichever is less, and a maximum base height of 95 feet. No portion of a #building# shall exceed a height of 135 feet and no #sky exposure plane# shall apply.

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height.

On #narrow street# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height.

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

\* \* \*

## **96-80**

### **EXCLUDED AREAS**

Except as provided in this Section, the regulations set forth in this Chapter shall not apply to the following areas:

- (a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue, provided that in this area the provisions of Sections 96-40 (MODIFICATION OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS), 96-51 (Mandatory Tree Planting Provisions) and 96-81~~2~~ (C6-3X ~~Designated Districts~~) shall apply.

\* \* \*

- (c) property bounded by West 45th Street, the easterly right-of-way of the Amtrak Empire Line, West 44th Street and Eleventh Avenue, provided that in this area the provisions of Section 96-82~~1~~ (R10 ~~Districts~~ ~~Inclusionary Housing Designated Area~~) shall apply;

**96-81**

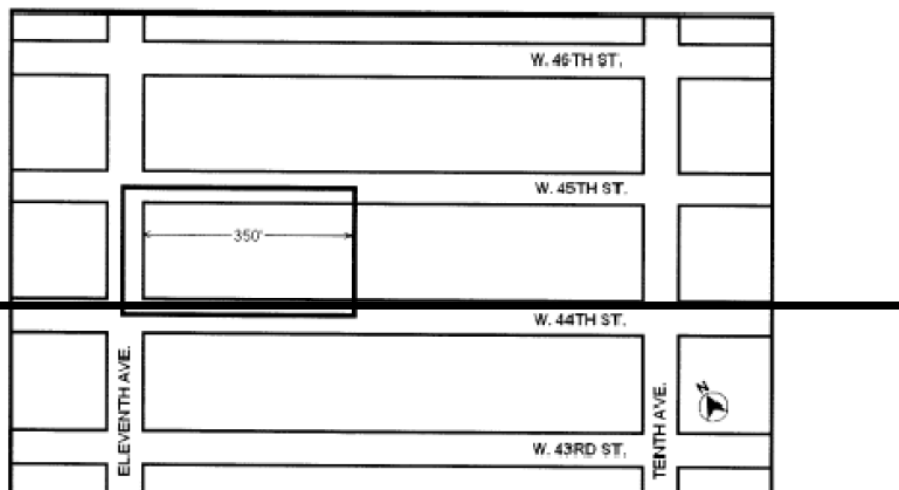
**R10 Districts**

**~~96-82~~**

**~~R10 Inclusionary Housing Designated Area~~**

The R10 ~~Districts~~ in Excluded Areas ~~the area shown on the map in this Section~~ shall be an ~~#Inclusionary Housing designated areas#~~ pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District. The provisions of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply.

**<DELETE MAP. No IZ map required>**



**C6-3X Designated Districts**

(a) Inclusionary Housing Program

~~Where the designated district is C6-3X Districts within the Excluded Areas, such district shall be an #Inclusionary Housing designated areas# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District.~~

(b) Maximum #floor area ratio#

Within such #Inclusionary Housing designated areas#, the maximum #floor area ratio# for any #zoning lot# containing a #residential use# shall not exceed the base #floor area ratio# of 6.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 9.0, through the provision of #affordable housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90.

\* \* \*

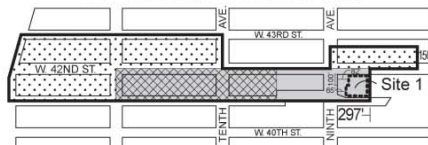
# Appendix A SPECIAL CLINTON DISTRICT MAP (REVISED MAP)

Special Clinton District Map



- Special Clinton District Boundary
- Area Boundary
- Subarea Boundary
- A** Preservation Area
- B** Perimeter Area
  - Portion of Perimeter Area B also subject to additional 42nd Street Perimeter Area regulations. (See map below)
  - Portion of Perimeter Area B also subject to Article VIII, Chapter I (Special Midtown District)
- C** Other Area
  - Northern Subarea C1
  - Western Subarea C2
- Excluded Area

### 42nd Street Perimeter Area



- Subarea 1 of 42nd St. Perimeter Area
- Subarea 2 of 42nd St. Perimeter Area
  - Portion of Subarea 2 of 42nd St. Perimeter Area where Theater Bonus applies
- Site 1, for which Special Parking Regulations apply



## APPENDIX F

### Inclusionary Housing Designated Areas

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#.

\* \* \*

In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within the special purpose district:

Special 125th Street District – see Section 97-421 (Inclusionary Housing)

Special Clinton District – see Sections ~~96-81 (C6-3X Designated District) and 96-82 (R10 Inclusionary Housing Designated Area)~~ 96-31 (Special Regulations in R8 Districts) paragraph (b), 96-32 (Special Regulations in R9 Districts), 96-81 (R10 Districts) and 96-82 (C6-3X Districts)

Special Coney Island District – see Section 131-321 (Special floor area regulations for residential uses)

Special Downtown Jamaica District – see Section 115-211 (Special Inclusionary Housing Regulations)

Special Garment Center District – see Section 93-23 (Modifications of Inclusionary Housing Program)

**L.U. No. 397**

**WEST CLINTON REZONING**

**MANHATTAN CB - 4**

**C 110177 ZMM**

Application submitted by the NYC Department of City Planning and Manhattan Community Board 4 pursuant to Sections 197-c and 200 of the New York city Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 8c:

1. changing from an M1-5 District to an R8 District property bounded by:
  - a. West 52<sup>nd</sup> Street, a line 200 feet easterly of Eleventh Avenue, West 51<sup>st</sup> Street, a line 175 feet easterly of Eleventh Avenue, West 48<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, a line midway between West 46<sup>th</sup> Street and West 47<sup>th</sup> Street, a line 500 feet westerly of Tenth Avenue, West 47<sup>th</sup> Street, and a line 100 feet easterly of Eleventh Avenue; and
  - b. West 46<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 45<sup>th</sup> Street, and a line 100 feet easterly of Eleventh Avenue,
2. changing from an M1-5 District to an R8A District property bounded by:
  - a. West 52<sup>nd</sup> Street, a line 100 feet easterly of Eleventh Avenue, West 47<sup>th</sup> Street, and Eleventh Avenue; and
  - b. West 46<sup>th</sup> Street, a line 100 feet easterly of Eleventh Avenue, West 45<sup>th</sup> Street, and Eleventh Avenue;
3. changing from an M1-5 District to an R9 District property bounded by West 44<sup>th</sup> Street, the easterly boundary line of a railroad right-of-way, West 43<sup>rd</sup> Street, and Eleventh Avenue;
4. changing from an M1-5 District to an M2-4 District property bounded by:
  - a. West 52<sup>nd</sup> Street, Eleventh Avenue, West 51<sup>st</sup> Street, and a line 150 feet westerly of Eleventh Avenue;

- b. West 49<sup>th</sup> Street, Eleventh Avenue, West 47<sup>th</sup> Street, and Twelfth Avenue; and
  - c. West 47<sup>th</sup> Street, a line 500 feet westerly of Tenth Avenue, a line midway between West 46<sup>th</sup> Street and West 47<sup>th</sup> Street, a line 450 feet westerly of Tenth Avenue, West 46<sup>th</sup> Street and Eleventh Avenue;
5. changing from an M2-3 District to an M2-4 District property bounded by:
- a. West 55<sup>th</sup> Street, Eleventh Avenue, West 52<sup>nd</sup> Street, a line 150 feet westerly of Eleventh Avenue, West 51<sup>st</sup> Street, Eleventh Avenue, West 49<sup>th</sup> Street, and Twelfth Avenue; and
  - b. West 47<sup>th</sup> Street, Eleventh Avenue, West 43<sup>rd</sup> Street, Twelfth Avenue, West 45<sup>th</sup> Street, a line perpendicular to the southerly street line of West 46<sup>th</sup> Street distant 250 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of West 46<sup>th</sup> Street and the easterly street line of Twelfth Avenue, West 46<sup>th</sup> Street, and Twelfth Avenue;
6. changing from an M3-2 District to an M2-4 District property bounded by West 46<sup>th</sup> Street, a line perpendicular to the southerly street line of West 46<sup>th</sup> Street distant 250 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of West 46<sup>th</sup> Street and the easterly street line of Twelfth Avenue, West 45<sup>th</sup> Street, and Twelfth Avenue;
7. establishing within a proposed R8A District a C2-5 District bounded by:
- a. West 52<sup>nd</sup> Street, a line 100 feet easterly of Eleventh Avenue, West 47<sup>th</sup> Street, and Eleventh Avenue; and
  - b. West 46<sup>th</sup> Street, a line 100 feet easterly of Eleventh Avenue, West 45<sup>th</sup> Street, and Eleventh Avenue;
8. establishing within a proposed R9 District a C2-5 District bounded by West 44<sup>th</sup> Street, a line 100 feet easterly of Eleventh Avenue, West 43<sup>rd</sup> Street, and Eleventh Avenue; and

9. establishing a Special Clinton District bounded by the northerly street line of West 47<sup>th</sup> Street and its westerly and easterly prolongations, the easterly street line of Eleventh Avenue and its northerly and southerly prolongations, the southerly street line of West 45<sup>th</sup> Street and its easterly prolongation, a line 100 feet westerly of Eleventh Avenue, the southerly street line of West 44<sup>th</sup> Street, a line perpendicular to the southerly street line of West 45<sup>th</sup> Street distant 150 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of West 45<sup>th</sup> Street and the easterly street line of Twelfth Avenue, the southerly street line of West 45<sup>th</sup> Street, the easterly street line of Twelfth Avenue, West 43<sup>rd</sup> Street, and Twelfth Avenue;

as shown on a diagram (for illustrative purposes only) dated January 3, 2011, and subject to the CEQR Declaration E-268.

**L.U. NOS. 398 AND 399 ARE RELATED**

**L.U. No. 398**

**HANAC PARKING GARAGE**

**QUEENS CB - 1**

**C 110166 ZMQ**

Application submitted by HANAC, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, establishing within an existing R6 District a C1-3 District bounded by a line 150 feet northeasterly of Astoria Boulevard, 29<sup>th</sup> Street, a line 100 feet northeasterly of Astoria Boulevard, and a line perpendicular to the northeasterly street line of Astoria Boulevard distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the northwesterly street line of 29<sup>th</sup> Street, as shown on a diagram (for illustrative purposes only) dated January 24, 2011.

**L.U. No. 399**

**HANAC PARKING GARAGE**

**QUEENS CB - 1**

**C 110031 ZSQ**

Application submitted by HANAC, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-511 of the Zoning Resolution to allow an unattended public parking garage with a maximum capacity of 59 spaces on portions of the ground floor and cellar of an existing mixed use development on property located at 25-03 29<sup>th</sup> Street (Block 839, Lot 1), in R6, R6/C1-3\* and R6A/C1-3 Districts.

**L.U. No. 400**  
**10-24 154<sup>TH</sup> STREET**

**QUEENS CB - 7**

**C 100457 ZMQ**

Application submitted by 10-24 Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7d:

1. changing from an R2A District to an R3-1 district property bounded by 10th Avenue, 154th Street, 11th Avenue and a line 100 feet westerly of 154th Street; and
2. establishing within an existing and proposed R3-1 District a C2-2 District bounded by a line 140 feet northerly of 11th Avenue, 154th Street, 11th Avenue and a line 135 feet easterly of 154th Street;

as shown on a diagram (for illustrative purposes only) dated December 13, 2010, modified by the City Planning Commission on May 11, 2011, and subject to the conditions of CEQR Declaration E-267.



## **SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES**

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, **14<sup>th</sup> Floor**, 250 Broadway, New York City, New York 10007, commencing at **11:00 a.m. on Thursday, June 2, 2011:**

### **L.U. No. 385**

#### **CANARSIE CEMETERY**

**BROOKLYN CB -18**

**20115618 CCK**

Application by the Department of Citywide Administrative Services pursuant to Chapter 485 of the Laws of New York of 1998 for the transfer and conveyance of the land known as Canarsie Cemetery, Council District No. 46.

### **L.U. No. 401**

#### **THE NEIGHBORHOOD PLAYHOUSE**

**MANHATTAN CB - 3**

**20115596 HKM (N 110276 HKM)**

Designation (List No. 440/LP-2433) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Neighborhood Playhouse (later Henry Street Playhouse, now Harry De Jur Playhouse) located at 466 Grand Street a.k.a. 466-470 Grand Street, 8 Pitt Street (Tax Map Block 336, Lot 28 in part), as an historic landmark.

### **L.U. No. 402**

#### **THE ENGINEERS' CLUB BUILDING**

**MANHATTAN CB - 5**

**20115597 HKM (N 110277 HKM)**

Designation (List No. 440/LP-2429) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Engineers' Club Building located at 32<sup>nd</sup> West 40<sup>th</sup> Street a.k.a. 32-24 West 40<sup>th</sup> Street (Tax Map Block 841, Lot 69), as an historic landmark.

**L.U. No. 403**

**JAPAN SOCIETY HEADQUARTERS**

**MANHATTAN CB - 6**

**20115598 HKM (N 110278 HKM)**

Designation (List No. 440/LP-2420) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Japan Society Headquarters located at 333 East 47<sup>th</sup> Street a.k.a. 327-333 East 47<sup>th</sup> Street (Tax Map Block 1340, Lot 16), as an historic landmark.

**L.U. No. 404**

**GREYSTON GATEHOUSE**

**BRONX CB - 8**

**20115599 HKX (N 110279 HKX)**

Designation (List No. 440/LP-2396) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Greyston (William E. and Sarah T. Hoadley Dodge, Jr., Estate) Gatehouse located at 4695 Independence Avenue (Tax Map Block 5924, Lot 480), as an historic landmark.



## **SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS**

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, **14<sup>th</sup> Floor**, 250 Broadway, New York City, New York 10007, commencing at **1:00 p.m. on Thursday, June 2, 2011:**

### **L.U. No. 407**

#### **MANHATTAN WEST PLAN AND PROJECT**

**MANHATTAN CB - 7**

**20115753 HAM**

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for approval of a modification to a Plan and Project for property located at Block 1861/Lot 10, Council District 8, Borough of Manhattan.

### **L.U. No. 408**

#### **MANHATTAN WEST CONVEYANCE**

**MANHATTAN CB - 7**

**20115754 HAM**

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for the approval of a conveyance from the current owner to the new owner for property located at Block 1861/ Lot 10, Council District 8, Borough of Manhattan.

### **L.U. NOS. 387 AND 388**

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation<sub>23</sub>requirements of Section 693 of the



General Municipal Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve exemption of the projects from real property taxes pursuant to Section 696 of the General Municipal for L.U. Nos. 387 and 388.

<b>L.U. No.</b>	<b>Non-ULURP No.</b>	<b>Address</b>	<b>Block/Lot</b>	<b>Program</b>	<b>CB</b>	<b>Tax Exemption</b>
<b>387</b>	20115746 HAK	1413 Pitkin Avenue Brooklyn	1475/78	Asset Control Area	16	Section 696
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on May 24, 2011.</i>						
<b>388</b>	20115747 HAK	1690 St. Marks Avenue Brooklyn	1461/12	Asset Control Area	16	Section 696
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on May 24, 2011.</i>						



## **LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the Council Committee Room, **16th Floor**, 250 Broadway, New York City, New York 10007, commencing at **10:00 A.M. on Tuesday, June 7, 2011**, and will consider all items reported out of the Subcommittees at the meetings held on Thursday, June 2, 2011, and conduct such other business as may be necessary.