



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF**

**THE LAND USE COMMITTEE
FOR THE WEEK OF OCTOBER 25, 2010 - OCTOBER 29, 2010**

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

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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, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **9:30 a.m. on Monday, October 25, 2010:**

L.U. No. 225

VERANDA

MANHATTAN CB - 2

20105650 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 7th Avenue Restaurant Group, LLC, d/b/a Veranda, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 130 Seventh Avenue South.

L.U. No. 229

T.G.I. FRIDAY'S AND TIM HORTON'S

MANHATTAN CB - 5

20115126 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Union Square Operating, Inc., d/b/a T.G.I. Friday's and Tim Horton's, for revocable consent to establish, maintain and operate an unenclosed small sidewalk café located at 34 Union Square East.

L.U. No. 237

SILVER SPURS EATERY

MANHATTAN CB - 2

20095547 TCM

Application pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of Andikiana Corp., d/b/a Silver Spurs Eatery, for revocable consent to construct, maintain and use an enclosed sidewalk café at 490-494 LaGuardia Place.

L.U. No. 230
AUBURNDALE - OAKLAND GARDENS
HOLLIS HILLS REZONING

QUEENS CB's - 7, 8 and 11

C 100409 ZMQ

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. 10c, 10d, 11b, 15a:

1. eliminating from within an existing R3-2 District a C1 -2 District bounded by:
 - a. a line 150 feet northerly of 46th Avenue, Utopia Parkway, 46th Avenue, 189th Street, a line 150 feet southerly of Hollis Court, Utopia Parkway, Ashby Avenue, and Auburndale Lane;
 - b. a line 150 feet northwesterly of Horace Harding Expressway, 198th Street, 58th Avenue, a line 100 feet northeasterly of 1 98th Street, a line 100 feet northwesterly of Horace Harding Expressway, 198th Street, Horace Harding Expressway, and 197th Street;
 - c. a line 220 feet northwesterly of Union Turnpike, a line 150 feet northeasterly of Springfield Boulevard, a line 150 feet northerly of Union Turnpike, a line 150 feet westerly of 226th Street, a line 100 feet northerly of Union Turnpike, and a line 125 feet northeasterly of Springfield Boulevard; and
 - d. a line 100 feet southerly of Union Turnpike, Springfield Boulevard, a line 150 feet southerly of Union Turnpike, and 222nd Street;
2. eliminating from within an existing R3-2 District a C2-2 District bounded by a line 150 feet northwesterly of the Horace Harding Expressway, 183rd Street, Booth Memorial Avenue, a line 100 feet southwesterly of 185th Street, Horace Harding Expressway, and 182nd Street;
3. changing from an R1-2 District to an R1-2A District property bounded by the southeasterly service road of Horace Harding Expressway, a line midway between 215th Street and Bell Boulevard, a line 175 feet southeasterly of Horace Harding Expressway, Bell Boulevard, 67th Avenue, and 210th Street;

4. changing from an R2 District to an R2A District property bounded by:
 - a. Station Road, 168th Street, Station Road, Auburndale Lane, a line 100 feet northeasterly of Northern Boulevard, a line midway between 169th Street and 170th Street, Northern Boulevard, 167th Street, a line 100 feet northeasterly of Northern Boulevard, and 165th Street;
 - b. a line 100 feet southwesterly of Northern Boulevard, 168th Street, 43rd Avenue, 170th Street, a line 100 feet southerly of Northern Boulevard, 171st Street, a line 100 feet southerly of Northern Boulevard, a line midway between Utopia Parkway and 172nd Street, a line perpendicular to the easterly street line of 172nd Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 172nd Street and the southerly street line of 45th Avenue, 172nd Street, a line 150 feet northerly of 46th Avenue, Auburndale Lane, 46th Avenue, a line 100 feet westerly of 166th Street, 45th Avenue, and 166th Street,
 - c. Laburnum Avenue, 156th Street, a line 100 feet northerly of Oak Avenue, 164th Street, Meadow Road, Auburndale Lane, Bagley Avenue, Utopia Parkway, 48th Avenue, Hollis Court Boulevard, 50th Avenue, Underhill Avenue, 188th Street, Peck Avenue, 192nd Street, the northwesterly service road of Horace Harding Expressway, 185th Street, 56th Avenue, a line midway between 185th Street and 186th Street, 50th Avenue, Utopia Parkway, 56th Avenue, a line midway between 175th Place and 175th Street, Booth Memorial Avenue, Fresh Meadow Lane, a northerly boundary of Kissena Park, a northeasterly boundary of Kissena Park and its northwesterly prolongation, Underhill Avenue and its northeasterly centerline prolongation, 164th Street, Oak Avenue, Rose Avenue, Parsons Boulevard, Quince Avenue, Bowne Street, a line midway between Quince Avenue and Rose Avenue, Robinson Street, a line 95 feet northwesterly of Oak Avenue, Burling Street, Negundo Avenue, and Parsons Boulevard;
 - d. 46th Avenue, 195th Street, a line 100 feet southerly of 45th Avenue, 196th Street, 45th Road, a line 100 feet easterly of 196th Place, 46th Avenue, a line midway between 196th Place and 197th Street, 47th Avenue, 194th Street, a line 100 feet northwesterly of 47th Avenue, and a line midway between 193rd Street and 194th Street;

- e. Weeks Lane, 201st Street, a line 250 feet northwesterly of 48th Avenue, 202nd Street, a line 150 feet northwesterly of 48th Avenue, a line midway between 202nd Street and 203rd Street, a line 100 feet northwesterly of 50th Avenue, a line midway between 203rd Street and the Clearview Expressway, 53rd Avenue, the Clearview Expressway, a line 100 feet northwesterly of Horace Harding Expressway and its northeasterly prolongation, 201st Street, a line 150 feet northerly of Horace Harding Expressway, Francis Lewis Boulevard, 53rd Avenue, 201st Street, a line 140 feet northwesterly of 53rd Avenue, a line midway between 201st Street and 202nd Street, a line 100 feet southeasterly of 50th Avenue, 201st Street, 50th Avenue, and Francis Lewis Boulevard; and
 - f. 76th Avenue, Cloverdale Boulevard, the northwesterly street line of former Motor Parkway, Springfield Boulevard, a line 220 feet northwesterly of Union Turnpike, a line 100 feet southwesterly of Springfield Boulevard, Union Turnpike, 222nd Street, a line 150 feet southeasterly of Union Turnpike, Springfield Boulevard, a northwesterly service road of Grand Central Parkway, 86th Avenue, Bell Boulevard, 86th Road and its westerly centerline prolongation, the southwesterly street line of 212th Street, Hollis Hills Terrace and its southeasterly centerline prolongation, the southeasterly street line of former Motor Parkway, Oceania Street, the centerline of former Motor Parkway, a line 200 feet northeasterly of Bell Boulevard, 77th Avenue, 217th Street, a line 120 feet northwesterly of 77th Avenue, and Springfield Boulevard;
5. changing from an R3-2 District to an R2A District property bounded by:
- a. the easterly centerline prolongation of Bagley Avenue, 188th Street, 47th Avenue, a line 100 feet southwesterly of 188th Street, 48th Avenue, and Utopia Parkway;
 - b. a line 230 feet southeasterly of 47th Avenue, a line midway between 190th Street and 189th Street, 48th Avenue, and a line midway between 189th Street and 188th Street;

- c. a line 205 feet southeasterly of 56th Avenue, 185th Street, Booth Memorial Avenue, and a line midway between 185th Street and 184th Street;
- d. a line 100 feet northerly of 47th Avenue, 194th Street, 47th Avenue, and a line midway between 193rd Street and 194th Street,
- e. a line 100 feet southeasterly of 47th Avenue, 192nd Street, 47th Avenue, Hollis Court Boulevard, a line perpendicular to the northeasterly street line of Hollis Court Boulevard distant 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hollis Court Boulevard and the southwesterly street line of 194th Street, a line 100 feet northeasterly of Hollis Court Boulevard, a line midway between 193rd Street and 194th Street, a line 100 feet southerly of 47th Avenue, 195th Street, 48th Avenue, a line midway between 196th Place and 196th Street, a line 180 feet northwesterly of 48th Avenue, a line midway between 195th Street and 196th Street, 47th Avenue, 197th Street, a line 340 feet northwesterly of 48th Avenue, a line midway between 197th Street and 196th Place, 48th Avenue, 196th Place, a line midway between 48th Avenue and 49th Avenue, Weeks Lane, 49th Avenue, a line 100 feet easterly of Weeks Lane, 48th Avenue, Weeks Lane, Francis Lewis Boulevard, 50th Avenue, a line midway between 199th Street and Francis Lewis Boulevard, 53rd Avenue, Francis Lewis Boulevard, a line 100 feet southeasterly of 58th Avenue, Hollis Court Boulevard, 58th Avenue, a line 100 feet northeasterly of 198th Street, a line 100 feet northwesterly of Horace Harding Boulevard and its southwesterly prolongation, 197th Street, the northwesterly service road of Horace Harding Expressway, 192nd Street, Peck Avenue, 188th Street, Underhill Avenue, 50th Avenue, Hollis Court Boulevard, 48th Avenue, and 190th Street, and excluding the area bounded by Weeks Lane, a line perpendicular to the northwesterly street line of 53rd Avenue distant 140 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Avenue and the northeasterly street line of Hollis Court Boulevard, 53rd Avenue, Hollis Court Boulevard, a line 350 feet north-

westerly of 56th Avenue, a line 100 feet southwesterly of Hollis Court Boulevard, a line 220 feet northwesterly of 56th Avenue, 196th Street, a line 100 feet northwesterly of 56th Avenue, 194th Street, 56th Avenue, a line midway between 194th Street and 193rd Street, a line 100 feet southeasterly of 53rd Avenue, 196th Street, and Hollis Court Boulevard;

- f. the northeasterly prolongation of a line 100 feet northwesterly of Horace Harding Expressway, a northwesterly service road of Horace Harding Expressway, and 203rd Street; and
 - g. a line 100 feet southeasterly of Union Turnpike, Springfield Boulevard, a line 150 feet southeasterly of Union Turnpike, and 222nd Street;
6. changing from an R4-1 District to an R2A District property bounded by a line 130 feet northerly of 45th Avenue, 166th Street, 45th Avenue, and a line midway between 165th Street and 166th Street;
7. changing from an R2 District to an R3-1 District property bounded by:
- a. a line 150 feet northwesterly of 48th Avenue, 203rd Street, 48th Avenue, a line 100 feet northwesterly of 50th Avenue, and a line midway between 202nd Street and 203rd Street; and
 - b. 50th Avenue, 201st Street, a line 100 feet southeasterly of 50th Avenue, a line midway between 201st Street and 202nd Street, a line 140 feet northwesterly of 53rd Avenue, 201st Street, 53rd Avenue, and Francis Lewis Boulevard;
8. changing from an R3-2 District to an R3-1 District property bounded by:
- a. Holly Avenue, Parsons Boulevard, Laburnum Avenue, and Burling Street;
 - b. 50th Avenue, a line midway between 185th Street and 186th Street, 56th Avenue, 185th Street, a line 205 feet southeasterly of 56th Avenue, a line midway between 184th Street and 185th Street, a line 295 feet northwesterly

of 58th Avenue, a line 100 feet southwesterly of 184th Street, 56th Avenue, and Utopia Parkway;

- c. Booth Memorial Avenue, 185th Street, the northwesterly service road of Horace Harding Expressway, and Utopia Parkway;
- d. 50th Avenue, Francis Lewis Boulevard, 53rd Avenue, a line midway between 199th Street and Francis Lewis Boulevard;
- e. Rocky Hill Road, 48th Avenue, a line midway between 207th Street and 208th Street, 53rd Avenue, 207th Street, 56th Avenue, 208th Street, 58th Avenue, a line midway between 207th Street and 208th Street, the northwesterly service road of Horace Harding Expressway, a line midway between 206th Street and 207th Street, 56th Avenue, the Clearview Expressway, 53rd Avenue, a line midway between 203rd Street and Clearview Expressway, 48th Avenue, 203rd Street, a line 150 feet northwesterly of 48th Avenue, 202nd Street, a line 250 feet northwesterly of 48th Avenue, and 201st Street; and
- f. 67th Avenue, Bell Boulevard, 69th Avenue, and 210th Street;

9. changing from an R2 District to an R3X District property bounded by:

- a. a line midway between 172nd Street and Utopia Parkway, a line 150 feet northerly of 48th Avenue, 172nd Street, and a line perpendicular to the to the easterly street line of 172nd Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 172nd Street and the southerly street line of 45th Avenue; and
- b. 45th Avenue, Francis Lewis Boulevard, 47th Avenue, a line midway between 196th Place and 197th Street, 46th Avenue, a line 100 feet easterly of 196th Place, 45th Road, 196th Street, a line 100 feet northerly of 45th Avenue, and 196th Street;

10. changing from an R3-1 District to an R3X District property bounded by Horace Harding Expressway, a service exit of Horace Harding Expressway, 233rd Street, Lee Goldman Lane, 67th Avenue, and a line 100 feet southwesterly of Cloverdale Boulevard;
11. changing from an R3 -2 District to an R3X District property bounded by:
 - a. Station Road, 190th Street, 42nd Avenue, 194th Street, a line 100 feet southerly of
Station Road, 196th Street, 42nd Avenue, Francis Lewis Boulevard, a line 140 feet southerly of 42nd Road, 196th Street, a line 100 feet southerly of 42nd Avenue, 194th Street, a line 100 feet northerly of Northern Boulevard, 192nd Street, a line 270 feet southerly of 42nd Avenue, 191st Street, a line 100 feet northerly of Northern Boulevard, and a line 80 feet easterly of 172nd Avenue;
 - b. a line 100 feet southerly of 46th Avenue, a line 100 feet southerly of Hollis Court Boulevard, a line midway between 188th Street and 189th Street, a line 565 feet northwesterly of 47th Avenue, 189th Street, a line 440 feet northwesterly of 47th Avenue, a line midway between 189th Street and 190th Street, a line 340 feet northwesterly of 47th Avenue, 190th Street, a line 100 feet southwesterly of Hollis Court Boulevard, a line 100 feet southwesterly of 192nd Street, 47th Avenue, 188th Street, Bagley Avenue and its easterly centerline prolongation, and Auburndale Lane;
 - c. a line 100 feet southerly of Northern Boulevard, a line midway between 193rd Street and 194th Street, a line 100 feet northerly of 45th Avenue, 195th Street, a line 280 feet northerly of 45th Avenue, 196th Street, a line 100 feet northwesterly of 44th Avenue, a line 100 feet southwesterly of Francis Lewis Boulevard, 44th Avenue, Francis Lewis Boulevard, 45th Avenue, 195th Street, 46th Avenue, a line midway between 194th Street and 195th Street, a line 370 feet northerly of 46th Avenue, a line midway between 192nd Street and 193rd Street, Hollis Court Boulevard, a line 220 feet westerly of 192nd Street, a line midway between 46th Avenue and 46th Road, a line 100 feet westerly of 192nd Street, a line midway between 45th Drive and 46th Avenue,

a line 100 feet easterly of 189th Street, 46th Avenue, Utopia Parkway, a line perpendicular to the westerly street line of Utopia Parkway distant 360 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of Utopia Parkway and the southerly street line of 45th Avenue, and a line midway between 172nd Street and Utopia Parkway;

- d. 57th Avenue, East Hampton Boulevard, West Alley Place, a service exit of Horace Harding Expressway, Horace Harding Expressway, 229th Street and its southerly centerline prolongation, 57th Road, and the westerly boundary line of a park and its northerly and southerly prolongation; and
- e. 69th Avenue, 230th Street, 73rd Avenue, and a line midway between 223rd Street and 222nd Street; and

12. changing from an R5 District to an R3X District property bounded by:

- a. a line 100 feet southerly of Station Road, a line midway between 190th Street and 191st Street, a line 215 feet northerly of 42nd Avenue, 191st Street, 42nd Avenue, and 190th Street; and
- b. a line 240 feet northerly of 42nd Avenue, 194th Street, 42nd Avenue, and 193rd Street;

13. changing from an R5 District to an R4 District property bounded by Station Road, 194th Street, a line 240 feet northerly of 42nd Avenue, 193rd Street, 42nd Avenue, 191st Street, a line 215 feet northerly of 42nd Avenue, a line midway between 191st Street and 190th Street, a line 100 feet southerly of Station Road, and 190th Street;

14. changing from an R1-2 District to an R4-1 District property bounded by the southeasterly service road of Horace Harding Expressway, Bell Boulevard, a line 175 feet southeasterly of Horace Harding Expressway, and a line midway between Bell Boulevard and 215th Street;

15. changing from an R3-2 District to an R4-1 District property bounded by:
 - a. a line midway between 45th Drive and 46th Avenue, a line 100 feet westerly of 192nd Street, a line midway between 46th Avenue and 46th Road, a line 220 feet westerly of 192nd Street, Hollis Court Boulevard, 190th Street, a line 340 feet northwesterly of 47th Avenue, a line midway between 189th Street and 190th Street, a line 440 feet northwesterly of 47th Avenue, 189th Street, 46th Avenue, and a line 100 feet easterly of 189th Street,
 - b. 64th Avenue, 219th Street, 67th Avenue, and Bell Boulevard; and
 - c. 57th Road, 229th Street, a southeasterly service exit of Horace Harding Expressway, and a line 100 feet southwesterly of 229th Street;
16. changing from an R4 District to an R4-1 District property bounded by:
 - a. 56th Avenue, 226th Street, a line 470 feet northwesterly of 57th Road, Cloverdale Boulevard, 57th Avenue, the westerly boundary line of a park and its northerly and southerly prolongations, 57th Road, a line 100 feet southwesterly of 229th Street, a southeasterly service exit of Horace Harding Expressway, Horace Harding Expressway, Springfield Boulevard, 58th Avenue, and 223rd Street; and
 - b. the southeasterly service road of Horace Harding Boulevard, a line midway between Bell Boulevard and 217th Street, a line 100 feet northwesterly of 64th Avenue, 218th Street, 64th Avenue, and Bell Boulevard;
17. changing from an R3-2 District to an R4B District property bounded by:
 - a. Station Road, a line 80 feet easterly of 172nd Street, a line 100 feet northerly of Northern Boulevard, Auburndale Lane, 42nd Avenue, and 172nd Street; and
 - b. Station Road, 195th Street, a line 100 feet southerly of Station Road, and 194th Street;

18. changing from an R5 District to an R4B District property bounded by the southerly railroad right-of-way of the Long Island Rail Road (Northside Division), Francis Lewis Boulevard, Station Road, the northerly prolongation of the westerly street line of 193rd Street;
19. changing from an R3-2 District to an R5D District property bounded by a line 220 feet northwesterly of Union Turnpike, a line 125 feet northeasterly of Springfield Boulevard, a line 100 feet northwesterly of Union Turnpike, a line 150 feet southwesterly of 226th Street, Union Turnpike, a northwesterly service road of Grand Central Parkway, Springfield Boulevard, a line 100 feet southeasterly of Union Turnpike, 222nd Street, Union Turnpike, and a line 100 feet southwesterly of Springfield Boulevard;
20. establishing within a proposed R3-1 District a C1-2 District bounded by a line 150 feet northwesterly of the Long Island Expressway, 183rd Street, Booth Memorial Avenue, a line 100 feet southwesterly of 185th Street, a northwesterly service road of Long Island Expressway, and 182nd Street; and
21. establishing within an existing R3 -2 District a C 1-3 District bounded by a line 150 feet northerly of 46th Avenue, Utopia Parkway, 46th Avenue, a line 70 feet westerly of 189th Street, Hollis Court Boulevard, a line midway between 189th Street and Utopia Parkway, a line 100 southerly of Hollis Court Boulevard, a line 100 feet southerly of 46th Avenue, Auburndale Lane, 46th Avenue, and Auburndale Lane;

as shown on a diagram (for illustrative purposes only) dated May 24, 2010, modified by the City Planning Commission on September 29, 2010, and subject to the conditions of CEQR Declaration E-253.

L.U. NOS. 231 AND 232 ARE RELATED

L.U. No. 231

3RD AVENUE CORRIDOR

MANHATTAN CB - 3

N 100419 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 Appendix F (Inclusionary housing designated areas), relating to the extension of the Inclusionary Housing Program to the proposed C6-2A district.

Matter in underline is new, to be added

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

Matter within # # is defined in 12-10 or

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

Appendix F (3/3/10)

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#.

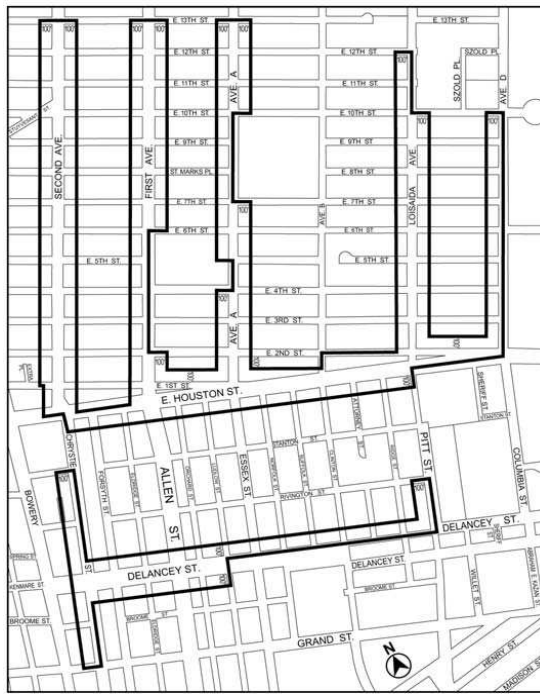
* * *

Manhattan

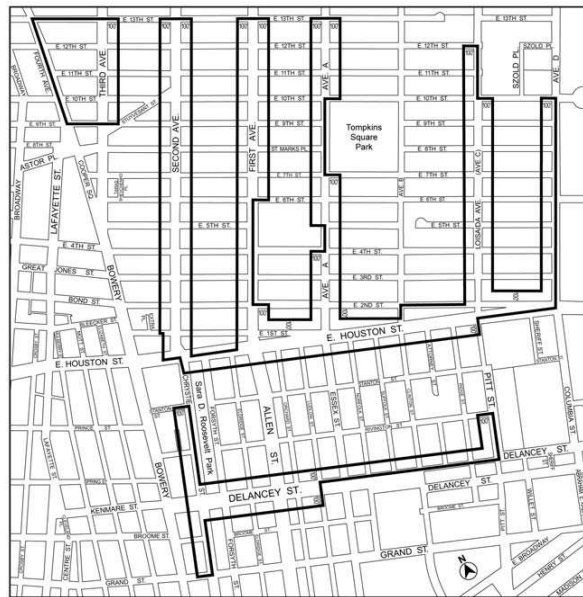
Manhattan Community District 3

In the R7A, R8A and R9A Districts within the areas shown on the following Map 1:

Map 1 - (11/19/08)



Portion of Community District 3, Manhattan
Existing Map 1: to be deleted



Portion of Community District 3, Manhattan
Amended Map 1: To be added

L.U. No. 232
3RD AVENUE CORRIDOR

MANHATTAN CB - 3

C 100420 ZMM

Application submitted by the NYC 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 No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Avenue, East 9th Street, and Fourth Avenue, Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated May 24, 2010, and subject to the conditions of CEQR Declaration E-254.

L.U. No. 233

WASHINGTON-GREENWICH STREETS REZONING

MANHATTAN CB - 2

C 100437 ZMM

Application submitted by the NYC 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 No. 12a, changing from a C6-1 District to a C1-6A District property bounded by 12th Street, a line 100 feet easterly of Washington Street, a line midway between West 11th Street and Perry Street, Greenwich Street, West 10th Street, a line 150 feet easterly of Washington Street, a line 125 feet northerly of West 10th Street, and Washington Street, as shown on a diagram (for illustrative purposes only) dated June 7, 2010.

L.U. No. 234

HUDSON YARDS/WEST CHELSEA

MANHATTAN CB - 4

N 100424 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 IX, Chapter 3 (Special Hudson Yards District), Article IX, Chapter 6 (Special Clinton District), Article IX, Chapter 8 (Special West Chelsea District), and Article XII, Chapter 1 (Special Garment Center District).

Matter in underline is new, to be added;

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

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

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

Article IX - Special Purpose Districts

Chapter 3

Special Hudson Yards District

* * *

93-03

District Plan and Maps

* * *

Map 5 – Transit Facilities ~~Easements and Subway Entrances~~

* * *

93-14

Ground Floor Level Requirements

The following provisions shall apply to all Subdistricts in the #Special Hudson Yards District#, except that the provisions of this Section shall not apply along the northern #street# frontage of West 35th through West 39th Streets within 100 feet of Eleventh Avenue, as shown on Map 2 (Mandatory Ground Floor Retail) in Appendix A of this Chapter. However, any #zoning lot# fronting on such #streets# and partially within 100 feet of Eleventh Avenue may, as an alternative, apply the provisions of this Section to the entire West 35th, West 36th, West 37th, West 38th or West 39th Street frontage of the #zoning lot#.

- (a) Retail continuity along designated streets in Subdistricts A, B, C, D and E

Map 2 in Appendix A of this Chapter specifies locations where the special ground floor #use# and transparency requirements of this Section apply. Such regulations shall apply along either 100 percent or 50 percent of the building's #street# frontage, as indicated on Map 2.

#Uses# located on the ground floor level or within five feet of #curb level#, and within 50 feet of the #street line# shall be limited to #commercial uses# permitted by the underlying district, but not including #uses# listed in Use Groups 6B, 6E, 7C, 7D, 8C, 8D, 9B, 10B, 11 or 12D.

A building's #street# frontage shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations, or other subway-related #uses# as described in Section 93-65 (Transit Facilities). In no event shall the length of #street# frontage (exclusive of any portion of such #street# frontage allocated to entrances to subway stations and other subway-related #uses#) occupied by lobby space or entryways exceed, in total, 40 feet or 25 percent of the building's total #street# frontage, whichever is less, except that the width of a lobby need not be less than 20 feet.

For any new #development# or #enlargement# on such designated #streets#, glazing shall be provided in accordance with the provisions set forth in paragraph (c) of this Section.

* * *

93-65

Transit Facilities

(a) Any #development# or #enlargement# on a #zoning lot# that includes the ~~locations listed below~~ southwest corner of West 40th Street and Eighth Avenue shall provide an easement for ~~subway related #use# and~~ public access to the subway mezzanine or station as illustrated on Map 5 (Transit Facilities) in Appendix A of this Chapter. The easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.

~~(a) The area bounded by Tenth Avenue, West 41st Street, a line 190 feet east of and parallel to Tenth Avenue, and a line 55 feet south of and parallel to West 41st Street. The entrance shall be accessed from Tenth Avenue.~~

~~(b) For any #development# or #enlargement# on a #zoning lot# that includes the southwest corner of West 40th Street and Eighth Avenue, the transit easement shall accommodate a relocated subway entrance from the adjoining sidewalk to a location within the #development# or #enlargement#.~~

~~These locations are illustrated on Map 5 (Transit Easements and Subway Entrances) in Appendix A of this Chapter.~~

The Chairperson of the City Planning Commission shall certify that a plan has been submitted indicating the volume of the easement necessary for future construction of a subway entrance. Such plan shall be developed in consultation with and the approval of the Transit Authority. The Chairperson may alternately certify that a plan has been submitted whereby the applicant agrees to provide the required easement, at the applicant's expense, within two years of request by the Transit Authority or by its designee.

An instrument establishing such transit easement, or agreement to provide one within two years of request by the Transit Authority, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing

notice of such certification. Such filing and recording of the instrument shall be a precondition for the filing for or issuance of any building permit for any #development# or #enlargement# on the #zoning lot#. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

Floor space within ~~such~~ ~~any required~~ transit easement shall be excluded from the definition of #floor area#, and may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the easement area is required. A minimum notice of six months in writing shall be given by the Transit Authority to the owner of the #zoning lot# in order to vacate the tenants of such temporary #uses#.

(b) For the locations listed in this paragraph (b), floor space devoted to subway-related #uses# consisting of ventilation facilities and other facilities or services used or required in connection with the operation of a subway line or station, which are established pursuant to easement or other agreement, shall be excluded from the definition of #floor area#:

- (1) The volume bounded by Eleventh Avenue, a line 52 feet north of and parallel to West 33rd Street, the western boundary of the #public park#, and West 33rd Street, up to a height of 82 feet, as illustrated on Map 5.
- (2) The volume bounded by Eleventh Avenue, West 36th Street, a line 95 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 36th Street, up to a height of 129 feet, as illustrated on Map 5.
- (3) The tax lot located at Block 1051, Lot 2, existing on DATE OF ENACTMENT, up to a height of 73 feet, as illustrated on the District Map in Appendix A of the #Special Clinton District#.
- (4) The volume bounded by a line 37 feet east of and parallel to Eleventh Avenue, West 26th Street, a line 100 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 26th Street, up to a height of 60 feet, as illustrated on the District Map in Appendix A of the #Special West Chelsea District#

Any transit easement or other agreement for such subway-related #use# shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, and indexed against the property.

* * *

93-91 **Demolition**

The Department of Buildings shall not issue a permit for the demolition of a #multiple dwelling#, as defined in Section 93-90 (HARASSMENT), paragraph (a)(14), located within Subareas D4 or D5 in the Hell's Kitchen Subdistrict D or within Preservation Area P-2 of the #Special Garment Center District#, or an alteration permit for the partial demolition of a #multiple dwelling# located within Subareas D4 and D5 or within Preservation Area P-2 of the #Special Garment Center District#, where such partial demolition would decrease the amount of residential #floor area# in such #multiple dwelling# by 20 percent or more, unless:

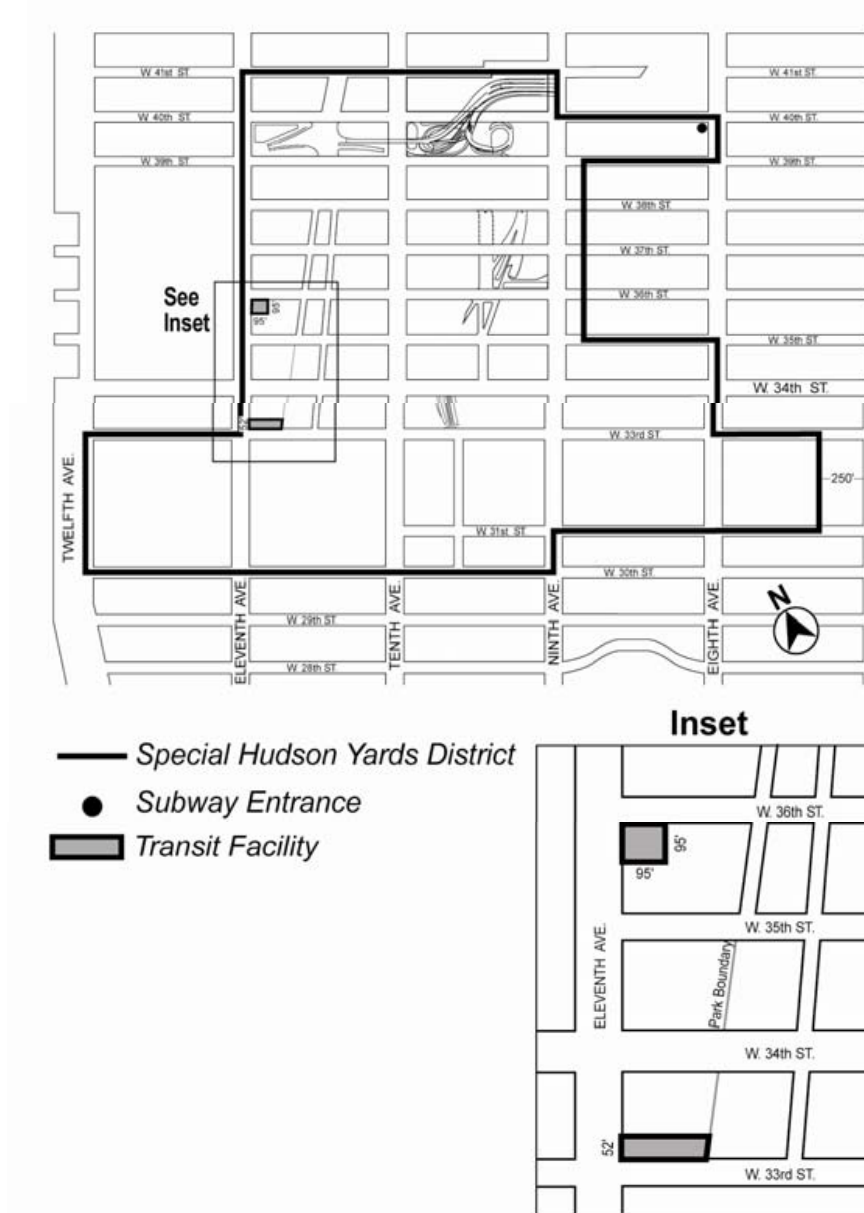
- (a) such #multiple dwelling# is an unsafe #building# and demolition is required pursuant to the provisions of Title 28, Chapter 2, Article 216, of the New York City Administrative Code; or

- (b) the Commissioner of the Department of Housing Preservation and Development, after providing sixty days notice and opportunity to comment to the local Community Board, has certified:
- (1) if such #multiple dwelling# is to be substantially preserved, that an alteration permit is required to allow the removal and replacement of 20 percent or more of the #floor area#;
 - (2) if such #multiple dwelling# is not to be substantially preserved, that the Department of Housing Preservation and Development has determined that the rehabilitation of such #multiple dwelling# is not feasible under any active governmentally-funded program; and
 - (3) that the Department of Housing Preservation and Development has issued a #certification of no harassment# pursuant to Section 93-90, paragraph (c), or has certified compliance with the cure provisions of Section 93-90, paragraph (d).
- (c) the following structures shall be exempt from the provisions of this Section:
- (1) any city-owned #multiple dwellings#;
 - (2) any #multiple dwelling# which is the subject of a program approved by the Department of Housing Preservation and Development for the provision of housing for persons of low or moderate income and has been exempted from the provisions of this Section by written determination of the Department of Housing Preservation and Development;
 - (3) any #multiple dwelling# initially occupied for residential purposes after January 1, 1974, except for #buildings# which are or have been interim #multiple dwellings#, pursuant to Article 7C of the Multiple Dwelling Law;
 - (4) any #exempt hotel# as defined in Section 93-90;
 - (5) any #multiple dwelling# in which occupancy is restricted to clubhouse or school dormitory #use# and occupancy was restricted to clubhouse or school dormitory #use# on June 21, 2004; or

(6) any #exempt institutional residence#, as defined in Section 93-90.

* * *

Appendix A Map 5. Transit Facilities



* * *

Article IX - Special Purpose Districts

Chapter 6 Special Clinton District

* * *

96-108

Demolition of buildings

No demolition permit or alteration permit for partial demolition involving a decrease of more than 20 percent in the amount of #residential floor area# in a #building# shall be issued by the Department of Buildings for any #building# containing #dwelling units# within the Preservation Area, unless it is an unsafe #building# and demolition is required pursuant to the provisions of Title 28, Chapter 2, Article 216, Title 26, Subchapter 3, Article 8 of the New York City Administrative Code.

* * *

96-21

Special Regulations for 42nd Street Perimeter Area

* * *

(b) Floor area regulations

* * *

(2) Floor area regulations in Subarea 2

In Subarea 2 of the 42nd Street Perimeter Area, as shown in Appendix A of this Chapter, the basic #floor area ratio# of any #development# or #enlargement# shall be 10.0. However, the #floor area ratio# of any #development# or #enlargement# containing #residential use# may exceed 10.0 to a maximum of 12.0 only in accordance with the provisions of Section 23-90, except that any units for which a #floor area# increase has been earned pursuant to Section 23-90 shall be within the #Special Clinton District#. For #developments# or #enlargements# that have fully utilized the Inclusionary Housing Program, the maximum permitted #floor area ratio# may be increased from 12.0 to 15.0 for new legitimate theater use in accordance with the provisions of Section 96-25 (Floor Area Bonus for New Theater Use).

Any #development# or #enlargement# on a #zoning lot# that includes the area bounded by a line 129 feet east of and parallel to Tenth Avenue, West 42nd Street, a line 184 feet east of and parallel to Tenth Avenue, and a line 50 feet south of and parallel to West 42nd Street shall provide an easement

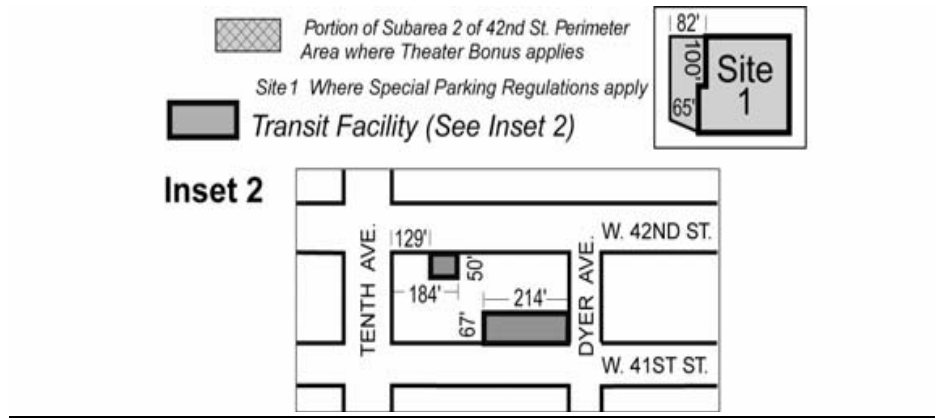
or other agreement for public access to the subway mezzanine or station, as illustrated on the District Map in Appendix A of this Chapter

An instrument establishing such transit easement or other agreement shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, and indexed against the property.

Floor space within the volume governed by such transit easement or other agreement shall be excluded from the definition of #floor area#, and may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Improvements or construction of a temporary nature within the volume governed by such transit easement or other agreement for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the volume area is required. A minimum notice of six months in writing shall be given by the Transit Authority to the owner of the #zoning lot# in order to vacate the tenants of such temporary #uses#.

The provisions of paragraph (b) of Section 93-65 (Transit Facilities) shall apply to any subway-related #uses# consisting of ventilation facilities and other facilities or services used or required in connection with the operation of a subway line or station on the tax lot located at Block 1051, Lot 2, existing on DATE OF ENACTMENT, up to a height of 73 feet, as illustrated on the District Map in Appendix A of this Chapter.

~~Where a transit easement volume is required on a #zoning lot# in Subarea 2, such easement volume may be temporarily used by the owner of the #zoning lot# for any permitted #uses# until such time as required by the Transit Authority or by its designee for subway purposes. Any such floor spaces occupied by such transit easement volume shall not count as #floor area#. Improvements or construction of a temporary nature within the easement volume for such temporary #uses# shall be removed by the owner of the #zoning lot# prior to the time at which public #use# of the easement~~



* * *

Article IX - Special Purpose Districts

Chapter 8

Special West Chelsea District

* * *

98-23

Special Floor Area and Lot Coverage Rules for Zoning Lots Over Which the High Line Passes

That portion of the #zoning lot# that lies directly beneath the #High Line# shall be exempt from #lot coverage# requirements below the level of the #High Line bed#. The remaining portion of the #zoning lot# shall be considered a separate #zoning lot# for the purposes of calculating maximum #lot coverage#. Easement volumes provided in accordance with the provisions of Section 98-60 (SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS) and access structures constructed therein, as well as any structure required pursuant to Appendix D or E in relation to an increase in the basic maximum #floor area ratio# of a #zoning lot# pursuant to Section 98-25 (High Line Improvement Bonus), shall not be considered #floor area# or #lot coverage#.

* * *

98-33

Transfer of Development Rights from the High Line Transfer Corridor

* * *

(d) Stairway easement requirement

As a condition for the transfer of #floor area#, an easement volume to facilitate pedestrian access to the #High Line# via stairway shall be provided in accordance with the provisions of Sections 98-60 (SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS) and 98-63 (Recording of the High Line Access Easement Volume).

* * *

98-60

SPECIAL ACCESS REGULATIONS FOR CERTAIN ZONING LOTS

* * *

98-65

Transit Facilities

The provisions of paragraph (b) of Section 93-65 (Transit Facilities) shall apply to any subway related #use# on a #zoning lot# that includes the volume bounded by a line 37 feet east of and parallel to Eleventh Avenue, West 26th Street, a line 100 feet east of and parallel to Eleventh Avenue, and a line 95 feet south of and parallel to West 26th Street, up to a height of 60 feet, as illustrated on the District Map in Appendix A of this Chapter.

* * *

98-70

Supplemental Regulations

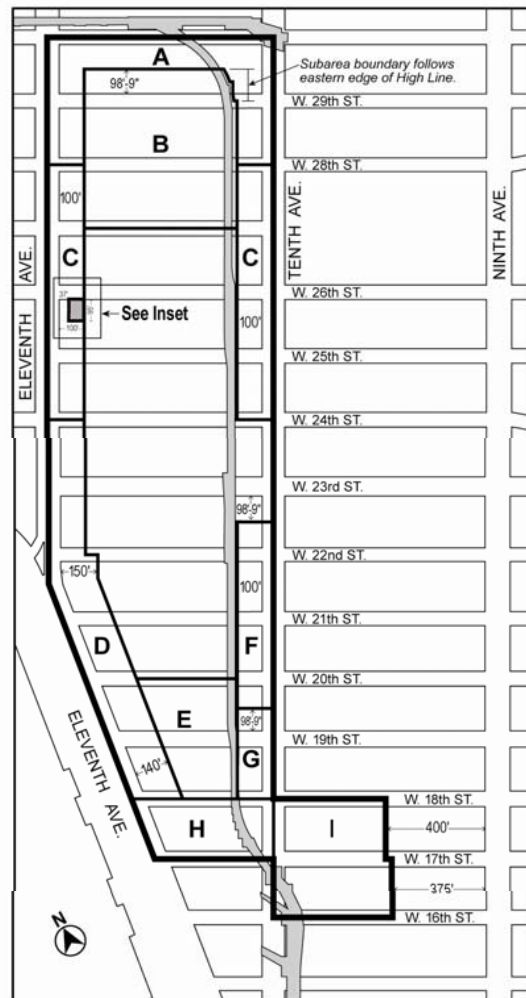
(a) In the #Special West Chelsea District#, the provisions of paragraphs (a) through (d), inclusive, of Section 93-90 (HARASSMENT) shall apply as modified in this Section.





(b) In the #Special West Chelsea District#, the provisions of Section 93-91 (Demolition) shall apply.

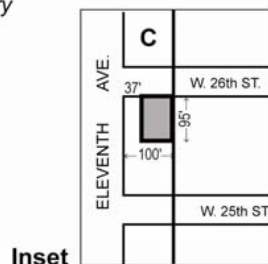
For the purposes of this Section, the following definitions in Section 93-90 shall be modified:

* * *

Appendix A Special West Chelsea District and Subareas



-  Special West Chelsea District boundary
-  Subarea boundary
-  High Line
-  Transit Facility



* * *

Article XII - Special Purpose Districts

Chapter 1

Special Garment Center District

* * *

121-50

Supplemental Regulations in Preservation Area P-2

In Preservation Area P-2, the provisions of Section 93-90 (HARASSMENT) and Section 93-91 (Demolition), inclusive, shall apply.

* * *



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, 250 Broadway, 16th Floor, New York City, New York, 10007, commencing at **11:00 a.m. on Monday, October 25, 2010:**

PRECONSIDERED L.U. No. ____

470 VANDERBILT AVENUE

BROOKLYN CB - 2

20105756 PXX (N 110074 PXX)

A Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 470 Vanderbilt Avenue (Block 2009, Lot 1) (Human Resources Administration).

L.U. No. 235

THE LOOK BUILDING

MANHATTAN CB - 5

20115154 HKM (N 110035 HKM)

Designation (List No. 431/LP-2376) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Look Building, located at 488 Madison Avenue (Block 1287, Lot 14), as an historic landmark.

L.U. No. 236

THE BURRILL HOUSE

MANHATTAN CB - 6

20115155 HKM (N 110036 HKM)

Designation (List No. 431/LP-2326) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Middleton S. and Emilie Neilson Burrill House, located at 36 East 38th Street (Block 867, Lot 45), 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, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **1:00 p.m. on Monday, October 25, 2010:**

L.U. NOS. 146 AND 147 ARE RELATED

L.U. No. 146

PROVIDENCE HOUSE 1

BROOKLYN CB - 9

C 100325 ZSK

Application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio) to apply to a proposed 6-story non-profit institution with sleeping accommodations, on property located at 329 Lincoln Road (Block 1329, Lot 59), in an R6 District.

L.U. No. 147

PROVIDENCE HOUSE 1

BROOKLYN CB - 9

C 100326 HAK

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 329 Lincoln Road (Block 1329, Lot 59) 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 to be selected by HPD;

to facilitate development of a 6-story building, tentatively known as Providence House I, with approximately 26 units to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

L.U. No. 239

MORRIS HEIGHTS MEWS APARTMENTS

BRONX CB -5

20115268 HAX

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for approval of a tax exemption, termination of the prior exemption and consent to the voluntary dissolution of a redevelopment company for property located at Block 2866/Lots 45, 80 and 86, Council District 16, Borough of the Bronx.

L.U. NOS. 208, 217 AND 238

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 requirement 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 an exemption of the projects from real property taxes pursuant to Section 696 of the General Municipal Law for L.U. Nos. 208 and 238.

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
208	20115156 HAK	760 Jefferson Avenue Brooklyn	1657/44	Asset Control Area	03	Section 696
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on September 13, 2010, September 21, 2010 and October 5, 2010.</i>						
217	20115198 HAX	190 Brown Place Bronx	2264/01	Neighborhood Redevelopment	01	
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on October 5, 2010.</i>						
238	20115223 HAK	824 Monroe Street Brooklyn	1481/14	Asset Control Area	03	Section 696



LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at **10:00 a.m. on Tuesday, October 26, 2010**, and will consider all items reported out of the Subcommittees at the meetings held on Monday, October 25, 2010, and conduct such other business as may be necessary.