

**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR**  
**OF**  
**THE LAND USE COMMITTEE**  
**FOR THE WEEK OF SEPTEMBER 7 – SEPTEMBER 11, 2009**

**MELINDA R. KATZ**, *Chair*, Land Use Committee

**TONY AVELLA**, *Chair*, Subcommittee on Zoning and Franchises

**JESSICA S. LAPPIN**, *Chair*, Subcommittee on Landmarks, Public Siting  
and Maritime Uses

**DANIEL R. GARODNICK**, *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, City Hall, New York City, New York 10007, commencing at 9:30 a.m. on Wednesday, September 9, 2009.

**PRE. L.U. NOS. 090364 AND 090365 ARE RELATED**

**PRE. L.U.**

**161<sup>ST</sup> STREET REZONING**

**CITYWIDE**

**N 090364 ZRY**

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, establishing two new zoning districts: C6-3D and R9D and modifying related regulations.

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 1**

**Title, Establishment of Controls and Interpretation of Regulations**

\* \* \*

**11-12**

**Establishment of Districts**

\* \* \*

R9 General Residence District

R9-1 General Residence District

R9A General Residence District

R9D General Residence District

R9X General Residence District

\* \* \*

C6-3 General Central Commercial District

C6-3A General Central Commercial District

C6-3D General Central Commercial District

C6-3X General Central Commercial District

\* \* \*

**ARTICLE II RESIDENCE DISTRICT REGULATIONS**

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

\* \* \*

**23-011**

**Quality Housing Program**

(a) In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #development# or #enlargement# shall comply with the applicable district #bulk# regulations as set forth in this Chapter and any #residential development#, #enlargement#, #extension# or conversion shall also comply with the requirements of Article II, Chapter 8 (Quality Housing Program). In R5D Districts, certain requirements of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

\* \* \*

**23-144**

**In designated areas where the Inclusionary Housing Program is applicable**

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-52 (In Inclusionary Housing designated areas). The locations of such districts are specified in APPENDIX F of this Resolution.

<u>Community District</u>	<u>Zoning District</u>
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
<u>Community District 4, Bronx</u>	<u>R8A R9D</u>
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R8A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

**23-145**

**For residential buildings developed or enlarged pursuant to the Quality Housing Program**

R6 R7 R8 R9 R10

In the districts indicated, the maximum #lot coverage# and the maximum #floor area ratio# for any #residential building# on a #zoning lot developed# or #enlarged# pursuant to the Quality Housing Program shall be as set forth in the following table and the maximums for #developments#, or #enlargements# where permitted, located within 100 feet of a #wide street# in R6, R7 or R8 Districts without a letter suffix outside the #Manhattan Core#, shall be as designated by the same district with an asterisk. In an R6 District inside the #Manhattan Core# located within 100 feet of a #wide street#, the maximums shall be indicated by the same district with a double asterisk.

MAXIMUM LOT COVERAGE AND FLOOR AREA RATIO  
FOR  
QUALITY HOUSING BUILDINGS  
(in percent)

<u>District</u>	<u>Maximum #Lot Coverage#</u>		<u>Maximum #Floor Area Ratio#</u>
	<u>#Corner Lot#</u>	<u>#Interior Lot# or #Through Lot#</u>	
R6	80	60	2.20

R6**	80	60	2.43
R6* R6A R7B	80	65	3.00
R6B	80	60	2.00
R7	80	65	3.44
R7* R7A	80	65	4.00
R7D	80	65	4.20
R7X	80	70	5.00
R8 R8A R8X	80	70	6.02
R8*	80	70	7.20
R8B	80	70	4.00
R9 R9A	80	70	7.52
R9X <u>R9D</u>	80	70	9.00
R10	100	70	10.00

\* \* \*

### 23-532

#### Required rear yard equivalents

\* \* \*

However, in #lower density growth management areas# and in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, on any #through lot# at least 180 feet in maximum depth from #street# to #street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

\* \* \*

### 23-621

#### Permitted obstructions in certain districts

\* \* \*

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(c) 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, the permitted obstructions set forth in Section 23-62 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback distance. Such dormer may exceed a maximum base height specified for such district provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

\* \* \*

### 23-633

#### Street wall location and height and setback regulations in certain districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

In the districts indicated, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply, except as otherwise set forth for #buildings# in R9D and R10X Districts.

(a) #Street wall# location

R6A R7A R7D R7X R9D

- (1) In the districts indicated, and for #buildings developed# or #enlarged# pursuant to the Quality Housing Program on #wide streets# in R6 or R7 Districts without a letter suffix, the #street wall# of any #development# or #enlargement# shall be located no closer to the #street line# than the closest #street wall# of an existing #building# to such #street line#, located on the same #block#, and within 150 feet of such #development# or #enlargement#. However, a #street wall# need not be located further from the #street line# than 15 feet. On #corner lots#, these #street wall# location provisions shall apply along only one #street line#.

\* \* \*

(b) Setback regulations

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

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 the table in this Section. Such setbacks shall be provided in accordance with the following regulations:

- (1) At a height not lower than the minimum base height or higher than the maximum base height specified in the table in this Section, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.
- (2) On #narrow streets#, where a #street wall# is required to be located further than 10 feet from a #street line# in accordance with paragraph (a) of this Section, the depth of the required setback above the minimum base height may be reduced one foot for every foot that the #street wall# is required to be located beyond 10 feet of the #street line#, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.
- (3) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it, in plan, would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of Section 23-621 may penetrate a required setback area.
- (4) In R9D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height between grade level and 25 feet, a setback with a depth of at least 20 feet shall be provided from the #street line# fronting on such elevated rail line. The depth of such setback may be reduced by one foot for every foot that the depth<sub>5</sub> of the #zoning lot#, measured perpendicular to the

elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided.

(c) Maximum building height

No #building or other structure# shall exceed the maximum building height specified in the table in this Section, except as otherwise provided below:

R9D R10X

In the districts indicated, any #building# or #buildings# or portions thereof which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 23-651), above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage. Such tower or towers may exceed a height limit of 85 feet above the #base plane# provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street# and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street wall#;
- (2) the base of such tower complies with the #street wall# location provisions of paragraph (a) of this Section and the setback provisions of paragraph (b) of this Section; and
- (3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.

~~Dormers permitted within a required setback area pursuant to Section 23-621 (Permitted obstructions in certain districts) shall not be included in tower coverage.~~

(4) In R9D Districts, the highest four #stories#, or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (c)(4), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(5) In R9D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(d) Additional 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, the following additional regulations shall

apply:

\* \* \*

- (5) In R9D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X  
 MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT  
 AND MAXIMUM BUILDING HEIGHT

District	Minimum Base Height	Maximum Base Height	Maximum Building Height
R6B	30	40	50
R6** <sup>[del]2</sup>	30	45	55
R6* <sup>[del]1</sup> inside Core*** <sup>[del]3</sup>	40	55	65
R6A R6* <sup>[del]1</sup> outside Core*** <sup>[del]3</sup>	40	60	70
R7B R7** <sup>[del]2</sup> R7* <sup>[del]1</sup> inside Core*** <sup>[del]3</sup>	40	60	75
R7A R7* <sup>[del]1</sup> outside Core*** <sup>[del]3</sup>	40	65	80
R7D	60	85	100
R7X	60	85	125
R8B	55	60	75
R8** <sup>[del]2</sup>	60	80	105
R8A R8* <sup>[del]1</sup>	60	85	120
R8X	60	85	150
R9A** <sup>[del]2</sup> R9** <sup>[del]2</sup>	60	95	135
R9A R9* <sup>[del]1</sup>	60	102	145
<u>R9D</u>	<u>60</u>	<u>85</u> <sup>5</sup>	**** <sup>[del]4</sup>
R9X** <sup>[del]2</sup>	60	120	160
R9X* <sup>[del]1</sup>	105	120	170
R10A** <sup>[del]2</sup> R10** <sup>[del]2</sup>	60	125	185
R10A* <sup>[del]1</sup> R10* <sup>[del]1</sup>	125	150	210
R10X	60	85	**** <sup>[del]4</sup>

\*<sup>[del]1</sup> Refers to that portion of a district which is within 100 feet of a #wide street#.

\*\*<sup>[del]2</sup> Refers to that portion of a district on a #narrow street# except within a distance of 100 feet from its intersection with a #wide street#.

\*\*\*<sup>[del]3</sup> Core refers to #Manhattan Core#.

\*\*\*<sup>[del]4</sup> #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (c) of this Section.

<sup>5</sup> For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

\* \* \*

### 23-663

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

\* \* \*

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D 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 Section 23-633 (Street wall location and height and setback regulations in certain districts) shall be nearer to a #rear yard line# than 10 feet.

In the case of a #through lot# on which a #rear yard equivalent# is provided as set forth in paragraph (a) of Section 23-533, the requirements of this Section shall apply as if such #rear yard equivalent# were two adjoining #rear yards#. If a #rear yard equivalent# is provided as set forth in paragraph (b) of Section 23-533, the requirements of this Section shall not apply.

\* \* \*

### 23-90

#### INCLUSIONARY HOUSING

\* \* \*

### 23-952

#### Floor area compensation in Inclusionary Housing designated areas

The provisions of this Section shall apply in #Inclusionary Housing designated areas# set forth in APPENDIX F of this Section.

The #residential floor area# of a #zoning lot# may not exceed the base #floor area ratio# set forth in the following table in this Section, except that such #floor area# may be increased on a #compensated zoning lot# by 1.25 square feet for each square foot of #low income floor area# provided, up to the maximum #floor area ratio# specified in the table. However, the amount of #low income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, on the #compensated zoning lot#.

Maximum Residential Floor Area Ratio

District	Base #floor area ratio#	Maximum #floor area ratio#
R6B	2.00	2.20
R6*	2.20	2.42
R6** R6A R7-2*	2.70	3.60



R7A R7-2**	3.45	4.60
R7D	4.20	5.60
R7X	3.75	5.00
R8	5.40	7.20
R9	6.00	8.00
R9A	6.50	8.50
<u>R9D</u>	<u>7.5</u>	<u>10.0</u>
R10	9.00	12.00

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\* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

\*\* for #zoning lots#, or portions thereof, within 100 feet of a #wide street#

\* \* \*

**Chapter 4  
Bulk Regulations for Community Facility Buildings in Residence Districts**

\* \* \*

**24-011  
Quality Housing Program**

In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, any #residential# portion of a #building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In R5D Districts, certain provisions of Article II, Chapter 8, shall apply as set forth in Section 28-01 (Applicability of this Chapter).

\* \* \*

**24-11  
Maximum Floor Area Ratio and Percentage of Lot Coverage**

\* \* \*

In R9A, R9D, R9X, R10A and R10X Districts, the bonus provisions of Sections 24-14 (Floor Area Bonus for a Public Plaza) and 24-15 (Floor Area Bonus for Arcades) shall not apply and the maximum #floor area ratio# shall not exceed that set forth in the following table:

MAXIMUM FLOOR AREA AND MAXIMUM LOT COVERAGE  
#Lot coverage# (percent of #lot area#)

#Floor Area Ratio#	#Corner Lot#	#Interior Lot# or #Through Lot#	District
1.00	60	55	R1
1.00	60	55	R2
1.00	60	55	R3
2.00	60	55	R4
2.00	60	55	R5 R5A R5B
4.80	70	65	R6
3.00	80	60	R6A
2.00	80	60	R5D R6B
4.80	70	65	R7-1
6.50	70	65	R7-2
4.00	80	65	R7A
4.20	80	65	R7D
3.00	80	65	R7B
5.00	80	70	R7X
6.50	75	65	R8
6.50	80	70	R8A
4.00	80	70	R8B*
6.00	80	70	R8X
10.00	75	65	R9
7.50	80	70	R9A
<u>9.00</u>	<u>80</u>	<u>70</u>	<u>R9D</u>
9.00	80	70	R9X
10.00	75	65	R10
10.00	100	70	R10A R10X

\* \* \*

**24-111  
Maximum floor area ratio for certain community facility uses**

\* \* \*

R3 R4 R5 R6 R7 R8 R9

(b) In the districts indicated, for any #zoning lot# containing nursing homes, health-related facilities or domiciliary care facilities for adults, each of which have secured certification by the appropriate governmental agency, sanitariums or philanthropic or non-profit institutions with sleeping accommodations as listed in Use Group 3, the allowable #floor area ratio# shall not exceed the maximum #floor area ratio# as set forth in the following table, except where the permissible #floor area ratio# is modified pursuant to Section 74-902 (Bulk modifications for certain community facility uses).

The provisions of paragraph (b) of this Section are not applicable in R8B Districts in Community Board 8 in the Borough of Manhattan.

MAXIMUM FLOOR AREA RATIO FOR CERTAIN COMMUNITY FACILITIES

District	Maximum #Floor Area Ratio# Permitted
R3	0.50
R4	0.75
R5 R5A R5B	1.27
R5D R6B	2.00
R6	2.43
R6A R7B	3.00
R7	3.44
R7D	4.20
R7X	5.00
R7A R8B	4.00
R8 R8A	6.02
R8X	6.00
R9	7.52
R9A	7.5
<u>R9D</u>	<u>9.00</u>
R9X	9.00

\* \* \*

**24-164**

**Location of open space for residential portion**

\* \* \*

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(b) In the districts indicated, and for #buildings# in which the #residential# portion is #developed#, or #enlarged# where permitted, pursuant to the Quality Housing Program in other R6, R7, R8, R9 or R10 Districts, the provisions of Section 28-30 (RECREATION<sub>11</sub> SPACE AND PLANTING AREAS) shall apply.

\* \* \*

**24-351  
Special provisions applying along district boundaries**

R6 R7 R8 R9 R10

In the districts indicated, if the boundary of an adjoining R1, R2, R3, R4 or R5 District coincides with a #side lot line# of a #zoning lot#, a #side yard# at least eight feet wide shall be provided along such boundary within the districts indicated. In addition, the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts) shall apply to any portion of a #building# located within 25 feet of the boundary of an R1, R2, R3, R4, R5 or R6B District if the #building# that contains such portion is:

- (a) within an R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X District; or
- (b) within an R6, R7, R8, R9 or R10 District, without a letter suffix, and any portion of the #zoning lot# is #developed# pursuant to the Quality Housing Program.

\* \* \*

**24-381  
Excepted through lots**

\* \* \*

R5D R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

- (b) In the districts indicated, and in other R6, R7, R8, R9 and R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions, and such #zoning lot# occupies the entire #block# frontage of a #street#.

**24-382  
Required rear yard equivalents**

\* \* \*

However, in R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, and in other R6 through R10 Districts where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program, on any #through lot# at least 180 feet in depth from #street to street#, a #rear yard equivalent# shall be provided only as set forth in paragraph (a) of this Section.

\* \* \*

**24-522  
Front setbacks in districts where front yards are not required**

\* \* \*

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

- (b) In the districts indicated, for any #development# or #enlargement#, the provisions of this Section, Section 24-53 (Alternate Front Setbacks) and Section 24-54 (Tower Regulations) shall not apply. In lieu thereof, the provisions of Section 23-60 (HEIGHT AND SETBACK REGULATIONS) shall apply.

\* \* \*

**24-552**

## Required rear setbacks for tall buildings

\* \* \*

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

- (b) In the districts indicated, for any #development# or #enlargement#, and for #buildings# in which the #residential# portion is #developed# or #enlarged# pursuant to the Quality Housing Program in other R6 through R10 Districts, no portion of a #building# that exceeds the maximum base height specified in the table in Section 23-633 shall be nearer to a #rear yard line# than 10 feet.

\* \* \*

## Chapter 8 The Quality Housing Program

\* \* \*

### 28-01 Applicability of this Chapter

The Quality Housing Program is a specific set of standards and requirements for #buildings# containing #residences#. In R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in the equivalent #Commercial Districts# listed in Sections 34-111 and 34-112, some of these standards and requirements are mandatory for the #development#, #enlargement#, #extension# of, or conversion to any #residential use# other than #single-# or #two-family residences#. In R5D Districts, only the requirements set forth in Sections 28-12 (Street Tree Planting), 28-23 (Refuse Storage and Disposal), 28-33 (Planting Areas) and 28-53 (Location of Accessory Parking) shall apply.

\* \* \*

## ARTICLE III COMMERCIAL DISTRICT REGULATIONS

### Chapter 2 Use Regulations

\* \* \*

### 32-656 Height of signs above roof

C1 C2 C3 C4 C5 C6-1 C6-2 C6-3 C6-4 C6-6 C6-8 C6-9

In the districts indicated, no #sign# displayed from the wall of a #building or other structure# shall extend above the parapet wall or roof of such #building or other structure#, except that a vertical #sign#, the horizontal width of which, parallel to the wall, does not exceed 28 inches, may extend no higher than 15 feet above the roof level.

\* \* \*

### 32-434 Ground floor use in C4-5D and C6-3D Districts and in Certain C2 Districts

C4-5D C6-3D

In ~~all C4-5D Districts~~ the districts indicated and in C2 Districts mapped within R7D or R9D Districts, #uses# on the ground floor or within five feet of #curb level# shall be limited to non-#residential uses# which shall extend along the entire width of the #building#, and lobbies, entrances to subway stations and #accessory# parking spaces, provided such lobbies and entrances do not occupy, in total, more than 25 percent of the #street wall# width of the #building# or more than 20 linear feet of #street wall#<sup>13</sup> frontage on a #wide street# or 30 linear feet on a

#narrow street#, whichever is less. Such non-#residential uses# shall have a minimum depth of 30 feet from the #street wall# of the #building#. In C6-3D Districts, a vertical circulation core shall be permitted within such minimum 30 foot depth.

Enclosed parking spaces, or parking spaces within a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building#. However, loading berths serving any permitted #use# in the #building# may occupy up to 40 feet of such #street# frontage and, if such #building# fronts on both a #wide street# and a #narrow street#, such loading berth shall be located only on a #narrow street#.

In C6-3D Districts, each ground floor level #street wall# of a #commercial# or #community facility use# shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials. However, where the #street wall# or portion thereof fronts an elevated rail line or is located within 50 feet of a #street wall# that fronts an elevated rail line, the glazing requirement of the area of the ground floor level #street wall# may be reduced from 70 percent to 50 percent, and not less than 35 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 15 percent of such area may be glazed with translucent materials. Furthermore, all security gates installed after (date of enactment), that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#, except that this provision shall not apply to entrances or exits to parking garages.

\* \* \*

**Chapter 3**  
**Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts**

\* \* \*

**33-12**  
**Maximum Floor Area Ratio**

C1 C2 C3 C4 C5 C6 C7 C8

\* \* \*

In addition, the following limitations on maximum permitted #floor area# shall apply:

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

(a) In contextual Commercial Districts

In the districts indicated, and in C1 and C2 Districts mapped within R9A, R9D, R9X, R10A or R10X Districts, no #floor area# bonuses are permitted.

\* \* \*

**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
R3-1 R3A R3X	1.00	1.00	1.00
R3-2	1.00	1.60	1.60
R4 R5	1.00	2.00	2.00
R5D R6B	2.00	2.00	2.00
R6A R7B	2.00	3.00	3.00
R7A R8B	2.00	4.00*	4.00
R7D	2.00	4.20	4.20
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	7.5	7.5
<u>R9D</u>	<u>2.00</u>	<u>9.00</u>	<u>9.00</u>
R9X	2.00	9.00	9.00
R10	2.00	10.00	10.00

\* \* \*

**33-122**

**Commercial buildings in all other Commercial Districts**

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C7 C8

In the districts indicated, the maximum #floor area ratio# for a #commercial building# shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	0.50
C4-1 C8-1	1.00

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C7 C8-2 C8-3	2.00
C4-2A C4-3A	3.00
C4-2 C4-2F C4-3 C4-4 C4-4D C4-5 C4-6	3.40
C4-4A C4-5A C4-5X C5-1	4.00
C4-5D	4.20
C8-4	5.00
C6-1 C6-2 C6-3	6.00
<u>C6-3D</u>	<u>9.00</u>
C4-7 C5-2 C5-4 C6-4 C6-5 C6-8	10.00
C5-3 C5-5 C6-6 C6-7 C6-9	15.00

\* \* \*

### 33-123

#### Community facility buildings or buildings used for both community facility and commercial uses in all other Commercial Districts

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6 C8

In the districts indicated, the maximum #floor area ratio# for a #community facility building#, or for a #building# used for both #commercial# and #community facility uses#, shall not exceed the #floor area ratio# set forth in the following table:

Districts	Maximum #Floor Area Ratio#
C3	1.00
C4-1	2.00
C8-1	2.40
C4-2A C4-3A	3.00
C1-6A C2-6A C4-4A C4-5A	4.00
C4-5D	4.20
C4-2 C4-3 C8-2	4.80
C4-5X	5.00
C6-1A	6.00
C1-6 C1-7 C2-6 C4-2F C4-4 C4-4D C4-5 C6-1 C6-2 C8-3 C8-4	6.50
C1-8A C2-7A C6-3A	7.50
C1-8X C2-7X <u>C6-3D</u> C6-3X	9.00



C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5-1 C5-2 C5-4 10.00  
C6-3 C6-4 C6-5 C6-8

C5-3 C5-5 C6-6 C6-7 C6-9 15.00

\* \* \*

### 33-283

#### Required rear yard equivalents

C1 C2 C3 C4-1 C7 C8-1 C8-2 C8-3

In the districts indicated, on any #through lot# 110 feet or more in maximum depth from #street# to #street#, one of the following #rear yard equivalents# shall be provided:

- (a) an open area with a minimum depth of 40 feet midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts. In C1-6A, C1-7A, C1-8X, C1-9A, C2-6A, C2-7X, C2-8A and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X or R10 Districts, a #rear yard equivalent# shall be provided only as set forth in this paragraph; or

\* \* \*

### 33-294

#### Other special provisions along certain district boundaries

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

In the districts indicated, and in C1 and C2 Districts mapped within R6A, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, the #development# or #enlargement# of a #building#, or portions thereof, within 25 feet of an R1, R2, R3, R4, R5 or R6B District shall comply with the requirements for R6B Districts in Section 23-633 (Street wall location and height and setback regulations in certain districts).

\* \* \*

### 33-431

#### In C1 or C2 Districts with bulk governed by surrounding Residence District

\* \* \*

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

- (b) In the districts indicated, when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R10A or R10X Districts, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply.

\* \* \*

### 33-432

#### In other Commercial 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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

- (b) In the districts indicated, the height and setback regulations of Sections 33-43 through 33-457, inclusive, shall not apply. In lieu thereof, the provisions of Section <sub>17</sub>35-24 (Special Street Wall Location and Height and

Setback Regulations in Certain Districts) shall apply.

\* \* \*

**33-492**

**Height limitations for narrow buildings or enlargements**

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

In the districts indicated, and in C1 and C2 Districts mapped within R7-2, R7D, R7X, R8, R9 and R10 Districts, if the width of the #street wall# of a new #building# or the #enlarged# portion of an existing #building# is 45 feet or less, the provisions of Section 23-692 (Height limitations for narrow buildings or enlargements) shall apply to such new or #enlarged building#.

\* \* \*

**Chapter 4**

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

\* \* \*

**34-011**

**Quality Housing Program**

In C1 and C2 Districts mapped within #Residence Districts# with a letter suffix, and in 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, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, #residential buildings# shall comply with all of the requirements of Article II, Chapter 8 (Quality Housing Program).

\* \* \*

**34-112**

**Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5 or C6 Districts**

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C3 C4 C5 C6

In the districts indicated, the applicable #bulk# regulations are the #bulk# regulations for the #Residence Districts# set forth in the following table:

Districts	Applicable #Residence District#
C3	R3-2
C4-1	R5
C4-2 C4-3 C6-1A	R6
C4-2A C4-3A	R6A
C1-6 C2-6 C4-4 C4-5 C6-1	R7
C1-6A C2-6A C4-4A C4-5A	R7A
C4-5D	R7D
C4-5X	R7X

C1-7 C4-2F C6-2	R8
C1-7A C4-4D C6-2A	R8A
C1-8 C2-7 C6-3	R9
C1-8A C2-7A C6-3A	R9A
<u>C6-3D</u>	<u>R9D</u>
C1-8X C2-7X C6-3X	R9X
C1-9 C2-8 C4-6 C4-7 C5 C6-4 C6-5 C6-6 C6-7	R10
C6-8 C6-9	
C1-9A C2-8A C4-6A C4-7A	R10A
C5-1A C5-2A C6-4A	
C6-4X	R10X

\* \* \*

**Chapter 5**  
**Bulk Regulations for Mixed Buildings in Commercial Districts**

\* \* \*

**35-011**  
**Quality Housing Program**

In C1 and C2 Districts mapped within R6 through R10 Districts with a letter suffix, and in 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, C4-5D, C4-5X, C4-6A, C4-7A, C5-1A, C5-2A, C6-2A, C6-3A, C6-3D, C6-3X, C6-4A or C6-4X Districts, any #residential# portion of a #mixed building# shall comply with all of the regulations of Article II, Chapter 8 (Quality Housing Program), and the entire #building# shall comply with the applicable provisions of Article II, Chapter 8. In C1 and C2 Districts mapped within R5D Districts, #mixed buildings# shall comply with certain regulations of Article II, Chapter 8, as set forth in Section 28-01 (Applicability of this Chapter).

\* \* \*

**35-23**  
**Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5 or C6 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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(b) In the districts indicated, the #bulk# regulations for #residential# portions of #mixed buildings# are the #bulk# regulations for the #Residence Districts# set forth in the following table. However, the height and setback regulations of Sections 23-60 through 23-65, inclusive, shall not apply. In lieu thereof, Section 35-24 shall apply to such #mixed building#.

Applicable #Residence District#	District
R6A	C4-2A C4-3A
R7A	C1-6A C2-6A C4-4A C4-5A
R7D	C4-5D
R7X	C4-5X

R8A	C1-7A C4-4D C6-2A
R9A	C1-8A C2-7A C6-3A
<u>R9D</u>	<u>C6-3D</u>
R9X	C1-8X C2-7X C6-3X
R10A	C1-9A C2-8A C4-6A C4-7A C5-1A C5-2A C6-4A
R10X	C6-4X

\* \* \*

### 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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, #street wall# location and height and setback regulations are set forth in this Section. The height of all #buildings or other structures# shall be measured from the #base plane#.

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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(a) Permitted obstructions

In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the permitted obstructions set forth in Section 33-42 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction within a required setback area. Such dormer may exceed a maximum base height specified for such district provided that, on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

\* \* \*

(b) #Street wall# location

\* \* \*

C1-7A C1-8A C1-8X C1-9A C2-7A C2-7X C2-8A C4-4D C4-5D

- (2) In the districts indicated, and in C1 or C2 Districts when mapped within R7D, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other C1 or C2 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following #street wall# location provisions shall apply along #wide streets#, and along #narrow streets# within 50 feet of their intersection with a #wide street#:

- (i) The #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in Table A of

this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts or the height of the #building#, whichever is less. 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.

In C1 or C2 Districts when mapped within R9D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

- (ii) 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 above the #base plane#, 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 to articulate the #street walls# as set forth in paragraph (b)(2)(i) of this Section.

- (iii) For #developments# that occupy the entire #block# frontage of a #street# and provide a continuous sidewalk widening along such #street line#, the boundary of the sidewalk widening shall be considered to be the #street line# for the purposes of this Section.

The preceding #street wall# provisions shall not apply along #narrow streets# beyond 50 feet of their intersection with a #wide street#, nor along any #street frontage# of a #zoning lot# occupied by existing #buildings#.

C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

- (3) In the districts indicated, and in other C4, C5 or C6 Districts with a #residential# equivalent of an R8, R9 or R10 District where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the #street wall# location requirements shall be as set forth in paragraph (b)(2), inclusive, of this Section, except that a #street wall# with a minimum height of 12 feet shall be required on a #narrow street line# beyond 50 feet of its intersection with a #wide street#, and shall extend along such entire #narrow street# frontage of the #zoning lot#.

In C6-4X Districts, #public plazas# are only permitted to front upon a #narrow street line# beyond 50 feet of its intersection with a #wide street line#. The #street wall# location provisions of this Section shall not apply along any such #street line# occupied by a #public plaza#.

In C6-3D Districts, to allow articulation of #street walls# at the intersection of two #street lines#, up to 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# may be unoccupied by a #building#. However, where one such #street line# fronts an elevated rail line, a minimum of 25 percent and a maximum of 50 percent of the area bounded by the two #street lines# and lines parallel to and 50 feet from such #street lines# shall be unoccupied by a #building#.

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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, all #developments# or #enlargements# shall comply with the following provisions:

- (1) At a height not lower than the minimum base height or higher than the maximum base height specified in Table A of this Section for #buildings# in contextual districts, and Table B for #buildings# in non-contextual districts, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street#, and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.
- (2) These setback provisions are optional for any building wall that is either located beyond 50 feet of a #street line# or oriented so that lines drawn perpendicular to it in plan would intersect a #street line# at an angle of 65 degrees or less. In the case of an irregular #street line#, the line connecting the most extreme points of intersection shall be deemed to be the #street line#. Furthermore, dormers provided in accordance with the provisions of paragraph (a) of this Section may penetrate a required setback area.
- (3) In C6-3D Districts, for #developments# or #enlargements# that front upon an elevated rail line, at a height not lower than 15 feet or higher than 25 feet, a setback with a depth of at least 20 feet shall be provided from any #street wall# fronting on such elevated rail line, except that such dimensions may include the depth of any permitted recesses in the #street wall# and the depth of such setback may be reduced by one foot for every foot that the depth of the #zoning lot#, measured perpendicular to the elevated rail line, is less than 110 feet, but in no event shall a setback less than 10 feet in depth be provided above the minimum base height.
  - (i) The setback provisions of paragraph (c) of this Section are optional for such #developments# or #enlargements# where a building wall is within the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#.
  - (ii) Where such #development# or #enlargement# is adjacent to a #public park#, such setback may be provided at grade for all portions of #buildings# outside of the area bounded by two intersecting #street lines# and lines parallel to and 70 feet from such #street lines#, provided that any area unoccupied by a #building# shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

(d) Maximum building height

No #building or other structure# shall exceed the maximum building height specified in Table A of this Section for #buildings# in contextual districts, or Table B for #buildings# in non-contextual districts, except as provided in this paragraph, (d), inclusive:

C6-3D C6-4X

In the districts indicated, any #building# or #buildings#, or portions thereof, which in the aggregate occupy not more than 40 percent of the #lot area# of a #zoning lot# (or, for #zoning lots# of less than 20,000 square feet, the percentage set forth in the table in Section 33-454) above a height of 85 feet above the #base plane#, is hereinafter referred to as a tower. Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#. Such tower or towers may exceed a height limit of 85 feet above the #base plane#, provided:

- (1) at all levels, such tower is set back from the #street wall# of a base at least 15 feet along a #narrow street#, and at least 10 feet along a #wide street#, except such dimensions may include the depth of any permitted recesses in the #street<sub>22</sub> wall#;

- (2) the base of such tower complies with the #street wall# location provisions of paragraph (b) of this Section, and the setback provisions of paragraph (c) of this Section; and
- (3) the minimum coverage of such tower above a height of 85 feet above the #base plane# is at least 33 percent of the #lot area# of the #zoning lot#; however, such minimum coverage requirement shall not apply to the highest 40 feet of such tower.
- (4) In C6-3D Districts, the highest four #stories#, or as many #stories# as are located entirely above a height of 165 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.
- (5) In C6-3D Districts, for towers fronting on elevated rail lines, the outermost walls of each #story# located entirely above a height of 85 feet shall be inscribed within a rectangle. The maximum length of any side of such rectangle that is parallel or within 45 degrees of being parallel to such elevated rail line shall be 125 feet, or 75 percent of the frontage of the #zoning lot# along such elevated rail line, whichever is less.

~~Dormers permitted within a required setback area pursuant to paragraph (a) of this Section shall not be included in tower #lot coverage#.~~

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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

(e) Additional regulations

In the districts indicated, and in C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and in other #Commercial Districts# where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the following additional provisions shall apply to all #developments# or #enlargements#:

\* \* \*

- (5) In C6-3D Districts, where a #building# on an adjacent #zoning lot# has #dwelling unit# windows located within 30 feet of a #side lot line# of the #development# or #enlargement#, an open area extending along the entire length of such #side lot line# with a minimum width of 15 feet shall be provided. Such open area may be obstructed only by the permitted obstructions set forth in Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

TABLE A  
HEIGHT AND SETBACK FOR BUILDINGS  
IN CONTEXTUAL DISTRICTS

District	Minimum Base Height	Maximum Base Height	Maximum Building Height
C1 or C2 mapped in R6B	30	40	50
C1 or C2 mapped in R6A C4-2A C4-3A	40	60	70
C1 or C2 mapped in R7B	40	60	75
C1 or C2 mapped in R7A C1-6A C2-6A C4-4A C4-5A	40	65	80
C1 or C2 mapped in R7D C4-5D	60	85	100
C1 or C2 mapped in R7X C4-5X	60	85	125
C1 or C2 mapped in R8B	55	60	75
C1 or C2 mapped in R8A C1-7A C4-4D C6-2A	60	85	120
C1 or C2 mapped in R8X	60	85	150
C1 or C2 mapped in R9A** C1-8A** C2-7A** C6-3A**	60	95	135
C1 or C2 mapped in R9A* C1-8A* C2-7A* C6-3A*	60	102	145
<u>C1 or C2 mapped in R9D</u> <u>C6-3D</u>	<u>60</u>	<u>85****</u>	<u>***</u>
C1 or C2 mapped in R9X** C1-8X** C2-7X** C6-3X**	60	120	160
C1 or C2 mapped in R9X* C1-8X* C2-7X* C6-3X*	105	120	170
C1 or C2 mapped in R10A** C1- 9A** C2-8A** C4-6A** C4-7A** C5-1A** C5-2A** C6-4A**	60	125	185
C1 or C2 mapped in R10A* C1-9A* C2-8A* C4-6A* C4-7A* C5-1A* C5-2A* C6-4A*	125	150	210
C1 or C2 mapped in R10X C6-4X	60	85	***

-----

\* Refers to that portion of a district which is within 100 feet of a #wide street#

\*\* Refers to that portion of a district on a #narrow street#, except within a distance of 100 feet from its intersection with a #wide street#



\*\*\* #Buildings# may exceed a maximum base height of 85 feet in accordance with paragraph (d) of this Section

\*\*\*\* For #developments# or #enlargements# that front upon an elevated rail line, the maximum base height shall be 25 feet.

\* \* \*

**35-31  
Maximum Floor Area Ratio for Mixed Buildings**

C1 C2 C3 C4 C5 C6

In all districts, except as set forth in Section 35-311, the provisions of this Section shall apply to any #zoning lot# containing a #mixed building#.

The maximum #floor area ratio# permitted for a #commercial# or #community facility use# shall be as set forth in Article III, Chapter 3, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#. However, in C4-7 Districts within Community District 7 in the Borough of Manhattan, such maximum #residential floor area ratio# may be increased pursuant to the provisions of Section 23-90 (INCLUSIONARY HOUSING).

~~In the designated areas set forth in Section 23-922 (#Inclusionary Housing designated areas#),~~ except within Waterfront Access Plan BK-1, and in Community District 1, Brooklyn, in R6 Districts without a letter suffix, the maximum #floor area ratio# permitted for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be the base #floor area ratio# set forth in Section 23-942 for the applicable district. However, in #Inclusionary Housing designated areas# mapped within C4-7, C5-4, C6-3D and C6-4 districts, the maximum base #floor area ratio# for #zoning lots# containing #residential# and #commercial# or #community facility uses# shall be either the base #floor area ratio# set forth in Section 23-942 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, or the maximum #floor area ratio# for #commercial uses# in such district, whichever is lesser.

~~Such~~ The maximum base #floor area ratio# in #Inclusionary Housing designated areas# may be increased to the maximum #floor area ratio# set forth in such Section 23-942 only through the provision of #lower income housing# pursuant to Section 23-90 (INCLUSIONARY HOUSING).

A non-#residential use# occupying a portion of a #building# that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations on maximum #floor area ratio# shall not apply to such change of #use#.

\* \* \*

**Article III  
Chapter 6  
Accessory Off-Street Parking and Loading Regulations**

\* \* \*

**36-52  
Size and Location of Spaces**

\* \* \*

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 C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-4A C6-4X

(b) Location of parking spaces in certain districts

In the districts indicated, and in C1 and C2 Districts mapped within R5D, R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A and R10X Districts, #accessory# off-street parking spaces shall not be located between the #street wall# of a #building# and any #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront. Where a #zoning lot# is bounded by more than one #street line# that is coincident with the boundary of a #Commercial District# mapped along an entire blockfront, this provision need not apply along more than one #street line#.

\* \* \*

**Article III**  
**Chapter 7**  
**Special Urban Design Regulations**

\* \* \*

**37-38**  
**Sidewalk Widening in Certain Districts**

**C6-3D**

In the district indicated, and in C1 or C2 districts mapped within an R9D district, for #developments# or #enlargements# on #zoning lots# fronting upon #wide streets#, or fronting upon #narrow streets# that include an elevated rail line, sidewalks, with a minimum depth of 20 feet measured perpendicular to the curb of the #street#, shall be provided along such entire #street# frontages of the #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 20 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 20 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times. In addition, the provisions of paragraph (f) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces), subparagraphs (2) through (5) shall apply.

**37-40**  
**OFF-STREET RELOCATION OR RENOVATION OF A SUBWAY STAIR**

Where a #development# or #enlargement# is constructed on a #zoning lot# of 5,000 square feet or more of #lot area# that fronts on a portion of a sidewalk containing a stairway entrance or entrances into a subway station located within the #Special Midtown District# as listed in Section 81-46, the #Special Lower Manhattan District# as listed in Section 91-43, the #Special Downtown Brooklyn District# as listed in Section 101-43, the #Special Union Square District# as listed in Section 118-60 and those stations listed in the following table, the existing entrance or entrances shall be relocated from the #street# onto the #zoning lot#. The new entrance or entrances\* shall be provided in accordance with the provisions of this Section.

A relocated subway stair or a subway stair that has been renovated in accordance with the provisions of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE) may be counted as pedestrian circulation space pursuant to Section 37-50.

Station	Line
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8th Street	BMT-Broadway
23rd Street	BMT-Broadway
23rd Street	IRT-Lexington Ave.
28th Street	IRT-Lexington Ave.
33rd Street	IRT-Lexington Ave.
34th Street	IND-8th Avenue
59th Street	IRT-Lexington Ave.
Lexington Avenue-60th St.	BMT-Broadway
<u>161st Street</u>	<u>IND-6th Avenue</u>

\* Provision of a new subway entrance or entrances pursuant to the requirements of this Section may also require satisfaction of additional obligations under the Americans with Disabilities Act of 1990 (ADA), including the ADA Accessibility Guidelines. The New York City Transit Authority should be consulted with regard to any such obligations.

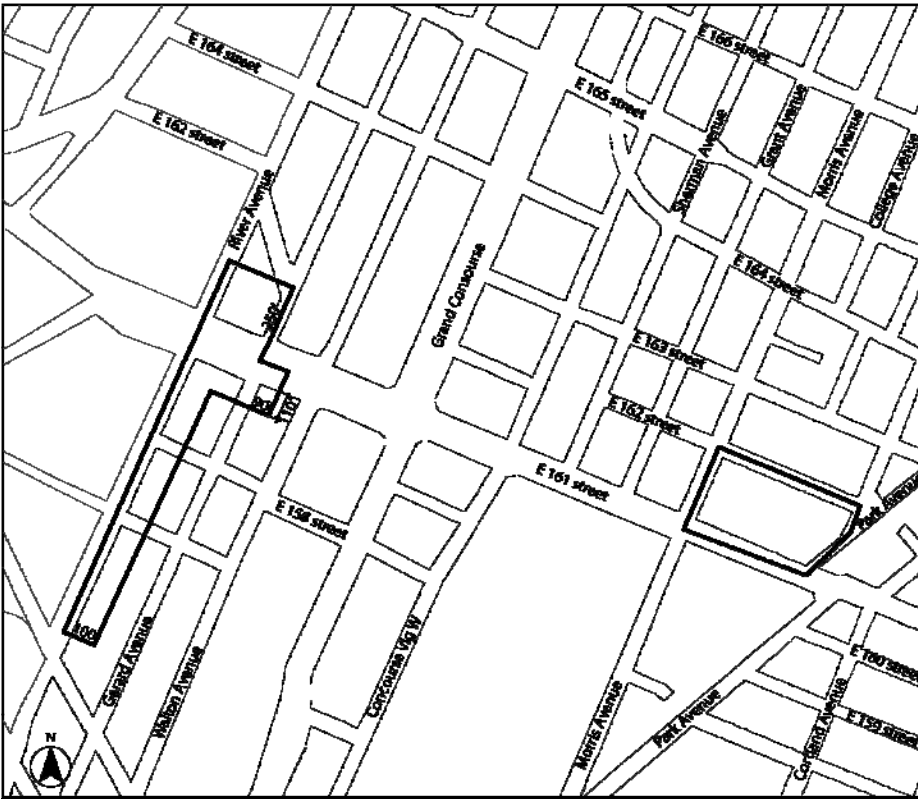
\* \* \*

**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 #bulk# regulations of such #residence districts#.

\* \* \*

In the R8A and R9D Districts within the areas shown on the following Map 2:



Portion of Community District 4, The Bronx

\* \* \*

**PRE. L.U.**  
**161<sup>ST</sup> STREET REZONING**

**BRONX CB - 4**

**C 090365 ZMX**

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. 3b and 6a:

amended by changing the Zoning Map. Section Nos.3b and 6a:

1. eliminating from within an existing R7-1 District a C1-4 District bounded by Morris Avenue a line 100 feet northeasterly of East 161st Street, a line 100 feet southeasterly of Morris Avenue, and East 161st Street;
2. eliminating from within an existing R8 District a C1-4 District bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 100 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street;
3. changing from an R7-1 District to an R8A District property bounded by East 162nd Street and its southeasterly prolongation, Park Avenue, East 161st Street, and Morris Avenue;
4. changing from an R8 District to a C6-2 District property bounded by East 161<sup>st</sup> Street, Concourse Village West, a line 50 feet northeasterly of East 159th Street, and a line 100 feet northwesterly of Concourse Village West;
5. changing from a C4-6 District to a C6-2 District property bounded by a line 140 feet northeasterly of East 161st Street, Sheridan Avenue, East 161st Street, and a line 100 feet northwesterly of Sheridan Avenue;
6. changing from a C8-3 District to a C6-2 District property bounded by East 161<sup>st</sup> Street, Concourse Village East, a line 150 feet southwesterly of East 161st Street, and Concourse Village West;
7. changing from an R8 District to a C6-3D District property bounded by River Avenue, a line 250 feet northeasterly of East 161st Street, East 162nd Street, Gerard Avenue, East 161st Street, a line midway between Gerard Avenue and Walton Avenue, a line 110 feet southwesterly of East 161st Street, a line midway between River Avenue and Gerard Avenue, and a line 150 feet northeasterly of East 158th Street
8. changing from a C8-3 District to a C6-3D District property bounded by River Avenue, a line 150 feet northeasterly of East 158th Street, a line midway between River Avenue and Gerard Avenue, and a line perpendicular to the southeasterly street line of River Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of River Avenue and the northeasterly street line of East 153rd Street; and
9. establishing within the proposed R8A district a C2-4 District bounded by East 162nd Street, a line 100 feet southeasterly of Morris Avenue, a line midway between East 161st Street and East 162nd Street, a line 100 feet northwesterly of Park Avenue, a line 100 feet northeasterly of East 161st Street, a line perpendicular to the northeasterly street line of East 161st Street distant 100 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 161st Street and the northwesterly street line of Park Avenue, East 161st Street, and Morris Avenue;

as shown on a diagram (for illustrative purposes only) dated March 30, 2009 and which includes CEQR Designation E-225.

**L.U. NOS. 1190 AND 1191 ARE**

**RELATED**

**L.U. No. 1190**  
**SUNSET PARK REZONING**

**BROOKLYN CB - 7**

**N 090386 ZRK**

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 Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts.

Matter in underline is new, to be added;

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

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

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

\* \* \*

11/19/08

**23-144**

**In designated areas where the Inclusionary Housing Program is applicable**

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	<u>R7A</u> R8A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

\* \* \*

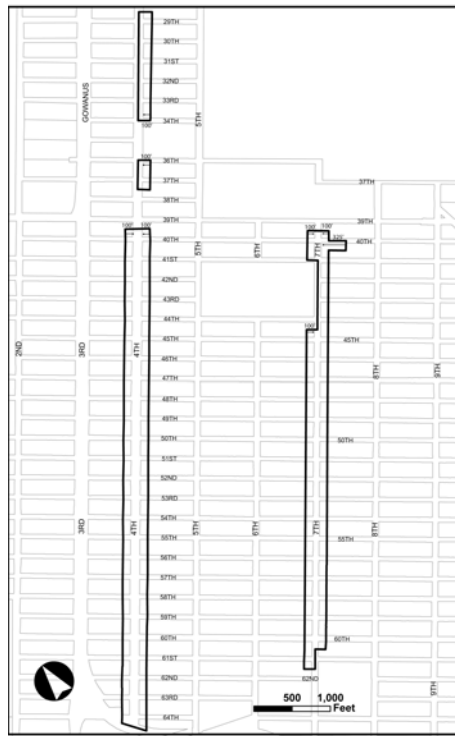
**23-922**

**Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in the following areas:

\* \* \*

(x) In Community District 7, in the Borough of Brooklyn, in the R7A Districts within the areas shown on the following Map X1:



Map X1. Portion of Community District 7, Brooklyn

\* \* \*

**L.U. No. 1191**  
**SUNSET PARK REZONING**

**BROOKLYN CB - 7**

**C 090387 ZMK**

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. 16b, 16d, 22a and 22c:

1. eliminating from within an existing R6 District a C1-3 District bounded by:
  - a. a line 150 feet northwesterly of Fourth Avenue, 41<sup>st</sup> Street, Fourth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 150 feet southeasterly of Fourth Avenue, and 42<sup>nd</sup> Street;
  - b. a line 150 feet northwesterly of Fourth Avenue, 44<sup>th</sup> Street, a line 150 feet southeasterly of Fourth Avenue, a line midway between 45<sup>th</sup> Street and 46<sup>th</sup> Street, Fourth Avenue, and 45<sup>th</sup> Street;
  - c. a line 150 feet northwesterly of Fourth Avenue, 47<sup>th</sup> Street, Fourth Avenue, 46<sup>th</sup> Street, a line 150 feet southeasterly of Fourth Avenue, 61<sup>st</sup> Street, a line 150 feet northwesterly of Fourth Avenue, 58<sup>th</sup> Street, Fourth Avenue, and 57<sup>th</sup> Street;
  - d. a line 150 feet northwesterly of Fifth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue, and 41<sup>st</sup> Street;
  - e. a line 150 feet northwesterly of Fifth Avenue, 43<sup>rd</sup> Street, Fifth Avenue, 44<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue and 50<sup>th</sup> Street;
  - f. a line 150 feet northwesterly of Fifth Avenue, 56<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue, 59<sup>th</sup> Street, Fifth Avenue, and 60<sup>th</sup> Street;

- g. a line 150 feet northwesterly of Sixth Avenue, a line midway between 48<sup>th</sup> Street and Sunset Terrace, a line 150 feet southeasterly of Sixth Avenue, a line midway between 54<sup>th</sup> Street and 55<sup>th</sup> Street, Sixth Avenue, a line midway between 52<sup>nd</sup> Street and 53<sup>rd</sup> Street, a line 150 feet northwesterly of Sixth Avenue, 51<sup>st</sup> Street, Sixth Avenue, and 50<sup>th</sup> Street;
  - h. a line 150 feet northwesterly of Sixth Avenue, 56<sup>th</sup> Street, a line 150 feet southeasterly of Sixth Avenue, and a line midway between 58<sup>th</sup> Street and 59<sup>th</sup> Street;
  - i. a line 150 feet northwesterly of Seventh Avenue, 58<sup>th</sup> Street, a line 150 feet southeasterly of Seventh Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street, Seventh Avenue, and a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street; and
  - j. a line 150 feet northwesterly of Eighth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street/Finlandia Street, a line 150 feet southeasterly of Eighth Avenue, and a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street;
2. eliminating from within an existing R6 District a C2-3 District bounded by:
- a. Fourth Avenue, 30<sup>th</sup> Street, a line 150 feet southeasterly of Fourth Avenue, and 34<sup>th</sup> Street;
  - b. a line 150 feet northwesterly of Fourth Avenue, 61<sup>st</sup> Street, a line 150 feet southeasterly of Fourth Avenue, the northeasterly service road of the Gowanus Expressway, Fourth Avenue, 64<sup>th</sup> Street, a southeasterly boundary line of a Park and its southwesterly prolongation, and a northeasterly boundary line of a Park; and
  - c. a line 150 feet northwesterly of Fifth Avenue, 60<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue, a line midway between 62<sup>nd</sup> Street and 63<sup>rd</sup> Street, a line 100 feet southeasterly of Fifth Avenue, and 63<sup>rd</sup> Street;
3. changing from an R6 District to an R4-1 District property bounded by Gowanus Expressway, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 62<sup>nd</sup> Street and 63<sup>rd</sup> Street;
4. changing from an R6 District to an R4A District property bounded by the northwesterly street line of Second Avenue, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street and its northwesterly prolongation, a line 380 feet southeasterly of Second Avenue, 62<sup>nd</sup> Street, a north westerly service road of the Gowanus Expressway, and a line midway between 62<sup>nd</sup> Street and 63<sup>rd</sup> Street and its northwesterly prolongation;
5. changing from an R6 District to an R6A District property bounded by:
- a. Gowanus Expressway, a line midway between 57<sup>th</sup> Street and 58<sup>th</sup> Street, a line 100 feet northwesterly of Fourth Avenue, and 60<sup>th</sup> Street;
  - b. a line 100 feet northwesterly of Gowanus Expressway, 61<sup>st</sup> Street, a line 100 feet northwesterly of Fourth Avenue, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street, Gowanus Expressway, a line midway between 62<sup>nd</sup> and 63<sup>rd</sup> Street, a line 100 feet northwesterly of Fourth Avenue, Gowanus Expressway, 64<sup>th</sup> Street, Third Avenue (Northwesterly portion), a north westerly service road of the Gowanus Expressway, and 62<sup>nd</sup> Street;
  - c. a line 100 feet southeasterly of Fourth Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street, a line 100 feet northwesterly of Fifth Avenue, 57<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, 63<sup>rd</sup> Street, Fifth Avenue, 64<sup>th</sup> Street, a line 100 feet northwesterly of Fifth Avenue, and a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> street;
  - d. a line 100 feet northwesterly of Fifth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, the northeasterly, northwesterly and southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Fifth Avenue, and 47<sup>th</sup> Street;
  - e. a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40<sup>th</sup> Street, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park; and
  - f. a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, the



southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the northeasterly, northwesterly and southwesterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue, and 61<sup>st</sup> Street;

6. changing from an R6 District to an R6B District property bounded by:

- a. a line 100 feet southeasterly of Fourth Avenue, a line midway between 28<sup>th</sup> Street and 29<sup>th</sup> Street, Fifth Avenue, 35<sup>th</sup> Street, a line 200 feet northwesterly of Fifth Avenue, a line midway between 37<sup>th</sup> Street and 38<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, 36<sup>th</sup> Street, Fourth Avenue, and 34<sup>th</sup> Street;
- b. Gowanus Expressway, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet northwesterly of Fourth Avenue, and a line midway between 57<sup>th</sup> Street and 58<sup>th</sup> Street;
- c. the northwesterly street line of Second Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street and its northwesterly prolongation, a line 350 feet southeasterly of Second Avenue, a line midway between 59<sup>th</sup> Street and 60<sup>th</sup> Street, a line 100 feet northwesterly of Third Avenue, 60<sup>th</sup> Street, a line 100 feet northwesterly of Fourth Avenue, 61<sup>st</sup> Street, a line 100 feet northwesterly of Third Avenue, 62<sup>nd</sup> Street, a line 380 feet southeasterly of Second Avenue, and a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street and its northwesterly prolongation;
- d. a line 100 feet southeasterly of Fourth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet northwesterly of Fifth Avenue, 50<sup>th</sup> Street, a line 150 feet northwesterly of Fifth Avenue, 56<sup>th</sup> Street, a line 100 feet northwesterly of Fifth Avenue, and a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street;
- e. a line 100 feet southeasterly of Fourth Avenue, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street, a line 100 feet northwesterly of Fifth Avenue, 64<sup>th</sup> Street, Fifth Avenue, and the northeasterly service road of Gowanus Expressway;
- f. a line 100 feet southeasterly of Fifth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet northwesterly of Seventh Avenue, the northeasterly boundary line of Sunset Park, a line 155 feet northwesterly of Sixth Avenue and its southwesterly prolongation, 40<sup>th</sup> Street, a line 505 feet northwesterly of Sixth Avenue and its southwesterly prolongation, and the northeasterly boundary line of Sunset Park;
- g. a line 100 feet southeasterly of Fifth Avenue, the southwesterly boundary line of Sunset Park, a line 100 feet northwesterly of Sixth Avenue and its northeasterly prolongation, 61<sup>st</sup> Street, a line 100 feet southeasterly of Sixth Avenue, the southwesterly, northwesterly and northeasterly boundary line of Rainbow Park, a line 100 feet southeasterly of Sixth Avenue and its northeasterly prolongation, the southwesterly boundary line of Sunset Park and its southeasterly prolongation, Seventh Avenue, a line midway between 44<sup>th</sup> Street and 45<sup>th</sup> Street, a line 100 feet northwesterly of Seventh Avenue, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street, a line 100 feet northwesterly of Sixth Avenue, a line midway between 62<sup>nd</sup> Street and 63<sup>rd</sup> Street, a line 100 feet southeasterly of Fifth Avenue, 56<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue, and 50<sup>th</sup> Street; and
- h. a line 100 feet southeasterly of Seventh Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street/Finlandia Street, a line 100 feet northwesterly of Eighth Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street, a line 100 feet southeasterly of Seventh Avenue, a line midway between 40<sup>th</sup> Street/Finlandia Street and 41<sup>st</sup> Street, a line 325 feet southeasterly of Seventh Avenue, and 40<sup>th</sup> Street/Finlandia Street;

7. changing from a C4-3 District to an R6B District property bounded by:

- a. a line 150 feet northwesterly of Fifth Avenue, 50<sup>th</sup> Street, a line 100 feet northwesterly of Fifth Avenue, and 56<sup>th</sup> Street; and
- b. a line 100 feet southeasterly of Fifth Avenue, 50<sup>th</sup> Street, a line 150 feet southeasterly of Fifth Avenue, and 56<sup>th</sup> Street;

8. changing from an R6 District to an R7A District property bounded by:

- a. Fourth Avenue, a line midway between 28<sup>th</sup> Street and 29<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, and 34<sup>th</sup> Street;
  - b. Fourth Avenue, 36<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, and a line midway between 37<sup>th</sup> Street and 38<sup>th</sup> Street;
  - c. a line 100 feet northwesterly of Fourth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, and the north easterly service road of Gowanus Expressway, Fourth Avenue, and Gowanus Expressway; and
  - d. a line 100 feet northwesterly of Seventh Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet southeasterly of Seventh Avenue, 40<sup>th</sup> Street/ Finlandia Street, a line 325 feet southeasterly of Seventh Avenue, a line midway between 40<sup>th</sup> Street/ Finlandia Street and 41<sup>st</sup> Street, a line 100 feet southeasterly of Seventh Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street, Seventh Avenue, a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street, a line 100 feet northwesterly of Seventh Avenue, a line midway between 44<sup>th</sup> Street and 45<sup>th</sup> Street, Seventh Avenue, the southeasterly prolongation of the southwesterly boundary line of Sunset Park, and the southeasterly and northeasterly boundary line of Sunset Park;
9. changing from an R6 District to a C4-3A District property bounded by:
- a. a line 100 feet northwesterly of Fifth Avenue, 47<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, and 50<sup>th</sup> Street; and
  - b. a line 100 feet northwesterly of Fifth Avenue, 56<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue and 57<sup>th</sup> Street;
10. changing from a C4-3 District to an C4-3A District property bounded by a line 100 feet northwesterly of Fifth Avenue, 50<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, and 56<sup>th</sup> Street;
11. establishing within an existing R6 District a C2-4 District bounded by a line 100 feet northwesterly of Eighth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street/ Finlandia Street, Eighth Avenue, and a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street;
12. establishing within a proposed R6A District a C2-4 District bounded by:
- a. a line 100 feet northwesterly of Third Avenue, 61<sup>st</sup> Street, Third Avenue, and 62<sup>nd</sup> Street;
  - b. a line 100 feet northwesterly of Fifth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, the northeasterly, northwesterly and southwesterly boundary line of Sunset Park, a line 100 feet southeasterly of Fifth Avenue, and 47<sup>th</sup> Street;
  - c. a line 100 feet northwesterly of Fifth Avenue, 57<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, 59<sup>th</sup> Street, Fifth Avenue, 60<sup>th</sup> Street, a line 100 feet southeasterly of Fifth Avenue, 63<sup>rd</sup> Street, Fifth Avenue, and 64<sup>th</sup> Street;
  - d. Sixth Avenue, 50<sup>th</sup> Street, a line 100 feet southeasterly of Sixth Avenue and 51<sup>st</sup> Street;
  - e. a line 100 feet northwesterly of Sixth Avenue, 51<sup>st</sup> Street, Sixth Avenue, 52<sup>nd</sup> Street, a line 100 feet southeasterly of Sixth Avenue, 53<sup>rd</sup> Street, Sixth Avenue, and a line midway between 52<sup>nd</sup> Street and 53<sup>rd</sup> Street;
  - f. a line 100 feet northwesterly of Sixth Avenue, 56<sup>th</sup> Street, Sixth Avenue, and 57<sup>th</sup> Street;
  - g. Sixth Avenue, 57<sup>th</sup> Street, a line 100 feet southeasterly of Sixth Avenue, and 58<sup>th</sup> Street; and
  - h. a line 100 feet northwesterly of Sixth Avenue, 58<sup>th</sup> Street, Sixth Avenue, and a line midway between 58<sup>th</sup> Street and 59<sup>th</sup> Street;
13. establishing within a proposed R7A a C2-4 District bounded by:
- a. Fourth Avenue, a line midway between 34<sup>th</sup> Street and 29<sup>th</sup> Street, a line 100 feet southeasterly

- of Fourth Avenue, and 34<sup>th</sup> Street;
- b. Fourth Avenue, 36<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, and 37<sup>th</sup> Street;
- c. a line 100 feet northwesterly of Fourth Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, a line 100 feet southeasterly of Fourth Avenue, the northeasterly service road of Gowanus Expressway, Fourth Avenue, and 64<sup>th</sup> Street; and
- d. a line 100 feet northwesterly of Seventh Avenue, a line midway between 45<sup>th</sup> Street and 46<sup>th</sup> Street, Seventh Avenue, Sunset Terrace, a line 100 feet southeasterly of Seventh Avenue, a line midway between 60<sup>th</sup> Street and 61<sup>st</sup> Street, Seventh Avenue, and a line midway between 61<sup>st</sup> Street and 62<sup>nd</sup> Street;

as shown on a diagram (for illustrative purposes only) dated April 20, 2009, and which includes CEQR Designation E-236.

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**L.U. NOS. 1192 AND 1193 ARE RELATED**

**L.U. No. 1192**

**SOCIAL SECURITY ADMINISTRATION PARKING**

**BRONX CB - 6**

**C 090342 ZMX**

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. 3d by:

1. eliminating within an R7-1 District a C1-4 District bounded by a line 100 feet northwesterly of Southern Boulevard, a line 70 feet southwesterly of East 176th Street, and a line 80 feet southeasterly of Trafalgar Place; and
2. establishing within an existing R7-1 District a C1-4 District bounded by:
  - a. Trafalgar Place, East 176th Street, a line 100 feet northwesterly of Southern Boulevard, and a line 70 feet southwesterly of East 176th Street; and
  - b. a line 80 feet southeasterly of Trafalgar Place, a line 100 feet northwesterly of Southern Boulevard, and East 175th Street;

as shown on the diagram (for illustrative purposes only) dated April 20, 2009.

**L.U. No. 1193**

**SOCIAL SECURITY ADMINISTRATION PARKING**

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 906 and 916 East 176th Street (Block 2958, p/o Lots 106 and 109) and 907 East 175th Street (Block 2958, Lot 120) as an Urban Development Action Area; and
    - b. an Urban Development Action Area Project for such an area;
- to facilitate accessory parking, in Community District 6.

**L.U. No. 1194  
HARBOUR**

**MANHATTAN CB - 2****20095598 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of RRBV Associates, LLC, d/b/a Harbour, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café at 290 Hudson Street.

**L.U. No. 1195  
AGED BAR & GRILL**

**QUEENS CB - 6****20095695 TCQ**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of A & A Food Enterprises, LLC, d/b/a Aged Bar & Grill, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café at 107-02 70<sup>th</sup> Road.

**L.U. No. 1196  
THE GREEK KITCHEN**

**MANHATTAN CB - 4****20095133 TCM**

Application pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of the Greek Kitchen, Inc., d/b/a The Greek Kitchen, for a revocable consent to construct, maintain and operate an enclosed sidewalk café at 885-889 Tenth Avenue.

**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, City Hall, New York City, New York 10007, commencing at 11:00 a.m. on Wednesday, September 9, 2009.

**PRE. L.U.**

**JOHN PEIRCE RESIDENCE**

**MANHATTAN CB - 5**

**20105018 HKM (N 100003 HKM)**

Designation (List No. 414/LP- 2327) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the John Peirce Residence located at 11 East 51<sup>st</sup> Street (Block 1287, Lot 10), as an historic landmark.

**PRE. L.U.**

**MOUNT OLIVE FIRE BAPTIZED HOLINESS CHURCH**

**MANHATTAN CB - 10**

**20105019 HKM (N 100004 HKM)**

Designation (List No. 414/LP- 2320) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Mount Olive Fire Baptized Holiness Church located at 308 West 122<sup>nd</sup> Street (aka 304-308 West 122<sup>nd</sup> Street), as an historic landmark.

**PRE. L.U.**

**94 GREENWICH STREET HOUSE**

**MANHATTAN CB - 1**

**20105020 HKM (N 100001 HKM)**

Designation (List No. 414/LP- 2218) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of 94 Greenwich Street (aka 14-18 Rector Street) (Block 53, Lot 41), as an historic landmark.

**PRE. L.U.**

**PROSPECT HEIGHTS HISTORIC DISTRICT**

**BROOKLYN CB - 8**

**20105021 HKK (N 100002)**

## **HKK)**

Designation (List No. 414/LP- 2314) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of Prospect Heights Historic District. The district boundaries are: property bounded by a line beginning at the southwest corner of Underhill Avenue and Prospect Place, extending southerly along the western curbline of Underhill Avenue to a point in said curbline formed by its intersection with a line extending westerly from the northern property line of 349-351 Park Place, aka 147-151 Underhill Avenue (Block 1160, Lot 1), easterly across Underhill Avenue and along said property line, northerly along the western property line of 369 Park Place, easterly along the northern Property lines of 369 to 411 Park Place and a portion of the northern property line of 413 Park Place, easterly along the angled northern property lines of 413 to 421 Park Place, southerly along the eastern property line of 421 Park Place across Park Place to its southern curbline, easterly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 426 Park Place, southerly along said property line, easterly along the northern property lines of 423 to 429 Sterling Place, southerly along a portion of the eastern property line of 429 Sterling Place, easterly along the northern property line of 431 Sterling Place, southerly along the eastern property line of 431 Sterling Place, across Sterling Place to its southern curbline, easterly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 446 Sterling Place, southerly along said property line, westerly along the southern property lines of 446 to 364 Sterling Place, northerly along a portion of the western property line of 364 Sterling Place, westerly along the southern property line of 346 Sterling Place, aka 185 Underhill Avenue and across Underhill Avenue to its western curbline, southerly along said curbline to the northwest corner of Underhill Avenue and St. John's Place, westerly along the northern curbline of St. John's Place to a point formed by its intersection with a line extending southerly from the western property line of 323 St. John's Place, aka 200 Underhill Avenue, northerly along the angled property lines of 323 St. John's Place, aka 200 Underhill Avenue, and 198 to 188 Underhill Avenue, easterly along a portion of the northern property line of 188 Underhill Avenue, northerly along the western property lines of 186 Underhill Avenue (aka 186A Underhill Avenue) to 176 Underhill Avenue, aka 340-344 Sterling Place, and across Sterling Place to its northern curbline, westerly along said curbline to a point formed by its intersection with a line extending northerly across Sterling Place from a portion of the eastern property line of 288 Sterling Place, aka 29 Butler Place, southerly across Sterling Place and said property line, following its eastward angle to the northern curbline of Butler Place, westerly along said curbline to a point formed by its intersection with a line extending southerly from a portion of the

westerly property line of 286 Sterling Place, aka 27 Butler Place, northerly along said property line, westerly along the angled southern property lines of 284 and 282 Sterling Place, continuing westerly along the southern property lines of 280 to 276 Sterling Place,

southerly along a portion of the eastern property line of 274 Sterling Place, westerly along the southern property line of 274 Sterling Place, northerly along a portion of the western property line of 274 Sterling Place, westerly along the southern property line of 272 Sterling Place and the angled southern property lines of 270 and 268 Sterling Place, northerly along the western property line of 268 Sterling Place and across Sterling Place to its northern curbline, westerly along said curbline to the northeast corner of Sterling Place and Vanderbilt Avenue, northerly along the eastern curbline of Vanderbilt Avenue and across Park Place to a point in said curbline formed by its intersection with a line extending eastward from the southern property line of 630A Vanderbilt Avenue, westerly across Vanderbilt Avenue and along said property line, southerly along a portion of the eastern property line of 210A-220 Prospect Place and the eastern property line of 233-235 Park Place, across Park Place and continuing southerly along the eastern property line of 248 Park Place, westerly along the southern property line of 248 Park Place, southerly along a portion of the eastern property line of 226-246 Park Place, westerly along the southern property line of 226-246 Park Place, southerly along the eastern property line of 213 Sterling Place to the northern curbline of Sterling Place, westerly along said curbline northerly along the eastern curbline of Flatbush Avenue, easterly along the northern property line of 375 Flatbush Avenue, easterly along the northern property lines of 375 Flatbush Avenue and 183 to 187 Sterling Place, northerly along portions of the western property lines of 189-191 Sterling Place and 200 Park Place, westerly along a portion of the southern property line of 200 Park Place and the southern property lines of 196 to 188 Park Place and the angled southern property lines of 186 to 180 Park Place, northerly along the western property line of 180 Park Place and across Park Place to its northern curbline, westerly along said curbline, northerly along the eastern curbline of Carlton Avenue to a point in said curbline formed by its intersection with a line extending easterly from the southern property line of 632A Carlton Avenue, westerly across Carlton Avenue and along said property line to a point formed by its intersection with a line extending southerly from the western property line of 632 Carlton Avenue, northerly along said line and the western property line of 632 Carlton Avenue, easterly along a portion of the northern property line of 632 Carlton Avenue, northerly along the western property lines of 628-630 and 626 Carlton Avenue, westerly along the angled southern property lines of 140 and 138 Prospect Place, northerly along a portion of the western property line of 138 Prospect Place, westerly along the southern property line of 321 Flatbush Avenue to the eastern curbline of Flatbush Avenue, northerly along the eastern curbline of Flatbush Avenue to the northern curbline of Prospect Place, westerly along said curbline to a point formed by its intersection with a line extending southward from the western property line of 115 Prospect Place, northerly along said property line and the angled western property lines of 112 to 102 St. Mark's Avenue, westerly along the southern property line of 283 Flatbush Avenue to the eastern curbline of Flatbush Avenue, northerly along said curbline to the northern curbline of St. Mark's Avenue, westerly along the northern curbline of Saint Mark's Avenue to a point formed by its intersection with a line extending southward from the western property line of 75 St. Mark's Avenue, northerly along said property

line, easterly along the northern property line of 75 St. Mark's Avenue, northerly along a portion of the western property line of 77 St. Mark's Avenue, easterly along the northern property lines of 77 to 107 St. Mark's Avenue and a portion of the northern property line of 109 St. Mark's Avenue, northerly along the western property line of Block 1143, Lot 140 (an interior lot), westerly along a portion of the southern property line of 538 Bergen Street and the southern property lines of 536 and 534 Bergen Street, northerly along the western property line of 534 Bergen Street and across Bergen Street to the northern curblines of Bergen Street, westerly along said curblines to a point formed by its intersection with a line extending southward from the western property line of 531 Bergen Street, northerly along said property line, easterly along the northern property lines of 531 to 535 Bergen Street and a portion of the northern property line of 537 Bergen Street, northerly along the western property line of 546 Dean Street to the southern curblines of Dean Street, easterly along the southern curblines of Dean Street to a point formed by its intersection with a line extending southerly from the western property line of 536 Carlton Avenue, aka 561-565 Dean Street, northerly across Dean Street and along the western property lines of 536 to 522 Carlton Avenue, easterly along a portion of the northern property line of 522 Carlton Avenue, northerly along the western property lines of 520 to 516 Carlton Avenue, aka 734-738 Pacific Street, to the southern curblines of Pacific Street, easterly along said curblines to the southwest corner of Pacific Street and Carlton Avenue, southerly along the western curblines of Carlton Avenue and across Dean Street to the southwest corner of Dean Street and Carlton Avenue, easterly across Carlton Avenue and along the southern curblines of Dean Street to a point formed by its intersection with a line extending northerly from the eastern property line of 555 Carlton Avenue, aka 574 Dean Street, southerly along the eastern property lines of 555 to 565A Carlton Avenue and a portion of the eastern property line of 567 Carlton Avenue, easterly along the northern property lines of 573 to 585 Bergen Street, southerly along the eastern property line of 585 Bergen Street and across Bergen Street to the southern curblines of Bergen Street, easterly along said curblines to a point formed by its intersection with a line extending southward and across Bergen Street from the western property line of 570 Vanderbilt Avenue, aka 635 Bergen Street, northerly across Bergen Street and along the western property lines of 570 to 566 Vanderbilt Avenue and a portion of the western property line of 564 Vanderbilt Avenue, westerly along a portion of the southern property line of 564 Vanderbilt Avenue, northerly along portions of the western property lines of 564 and 560 Vanderbilt Avenue, easterly along a portion of the northern property line of 560 Vanderbilt Avenue, northerly along a portion of the western property line of 560 Vanderbilt Avenue and the western property lines of 558 to 552 Vanderbilt Avenue, aka 662 Dean Street to the southern curblines of Dean Street, easterly along said curblines and across Vanderbilt Avenue to the southeast corner of Vanderbilt Avenue and Dean Street, northerly across Dean Street and along the eastern curblines of Vanderbilt Avenue to the southeast corner of Vanderbilt Avenue and Pacific Street, easterly along the southern curblines of Pacific Street to a point formed by its intersection with a line extending northward from the eastern property line of 565 Vanderbilt Avenue, aka 820-826 Pacific



Street, southerly along the eastern property lines of 565 to 583 Vanderbilt Avenue and across Dean Street to its southern curbline, easterly along said curbline to a point formed by its intersection with a line extending northward from the eastern property line of 680 Dean Street, southerly along the eastern property line of 680 Dean Street and the angled eastern property line of 589 Vanderbilt Avenue, easterly along a portion of the northern property line of 591 Vanderbilt Avenue, southerly along the eastern property line of 591 Vanderbilt Avenue and a portion of the eastern property line of 593 Vanderbilt Avenue, easterly along a portion of the northern property line of 593 Vanderbilt Avenue, southerly along a portion of the eastern property line of 593 Vanderbilt Avenue and the eastern property lines of 593½ to 601 Vanderbilt Avenue, aka 651 Bergen Street, continuing southerly across Bergen Street to its southern curbline, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 603 Vanderbilt Avenue, aka 640 Bergen Street, southerly along the eastern property lines of 603 to 623 Vanderbilt Avenue to the northern curbline of St. Mark's Avenue, westerly along said curbline to a point formed by its intersection with a line extending northerly and across St. Mark's Avenue from the eastern property line of 625 Vanderbilt Avenue, aka 236 St. Mark's Avenue, southerly across St. Mark's Avenue and along the eastern property lines of 625 to 633 Vanderbilt Avenue and a portion of the eastern property line of 635 Vanderbilt Avenue, easterly along the northern property lines of 239 to 277 Prospect Place, northerly along a portion of the western property line of 281 Prospect Place, easterly along a portion of the northern property line of 281 Prospect Place, southerly along a portion of the eastern property line of 281 Prospect Place, easterly along a portion of the northern property line of 281 Prospect Place and the northern property lines of 287 and 289 Prospect Place, southerly along the angled portion of the eastern property lines of 289 and 291 Prospect Place, easterly along the angled northern property lines of 293 to 297 Prospect Place, southerly along a portion of the eastern property line of 297 Prospect Place, easterly along the northern property lines of 299 to 307 Prospect Place, southerly along a portion of the eastern property line of 307 Prospect Place, easterly along the northern property line of 309 Prospect Place, southerly along the eastern property line of 309 Prospect Place and across Prospect Place to its southern curbline, and easterly along said curbline to the point of the beginning.

## **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, City Hall, New York City, New York 10007, commencing at 1:00 p.m. on Wednesday, September 9, 2009.

## L.U. Nos. 1109, 1188 AND 1189

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 422 of the Real Property Tax Law for Non-ULURP No. 20105030 HAX and pursuant to Section 696 of the General Municipal Law for Non-ULURP No. 20105031 HAQ.

<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>1109</b>	20095572 HAM	63 Thompson Street Manhattan	489/35	Substantial Rehabilitation	02	
<i>Laid over from meeting of Subcommittee on Planning, Disposition and Concessions on June 2, 2009, June 23, 3009, July 27, 2009 and August 18, 2009.</i>						
<b>1188</b>	20105030 HAX	2228 Givan Avenue Bronx	5141/260	Section 202 Supportive Housing	10	Sect. 422
<i>Laid over from meeting of Subcommittee on Planning, Disposition and Concessions on August 18, 2009.</i>						
<b>1189</b>	20105031 HAQ	69-21 Bayfield Ave. 69-30 Elizabeth Ave. Queens	16045/21 16049/43	Asset Control Area	14	Sect. 696
<i>Laid over from meeting of Subcommittee on Planning, Disposition and Concessions on August 18, 2009.</i>						

### LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the Council Committee Room, City Hall, New York City, New York, commencing at 10:00 a.m. on Thursday, September 10, 2009, and will consider all items reported out of the Subcommittees at the meetings held on Wednesday,<sup>42</sup> September 9, 2009 and conduct such other

business as may be necessary.