

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, AUGUST 25, 2004  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

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

CAL NO.	ULURP NO.	CD NO	PROJECT NAME	C.P.C. ACTION
1	C 040442 HAX	3	PLAZOLETA HALL	Scheduled to be Heard 9/8/04
2	C 040199 PQK	13	CD 13 SANITATION GARAGE	Hearing Closed
3	C 040249 ZMM	4	VERIZON/WEST 43 <sup>RD</sup> STREET REZONING	" "
4	C 040250 ZMM	4	VERIZON/WEST 47 <sup>TH</sup> STREET REZONING	" "
5	C 040356 PPQ	8	QUEENS HOSPITAL/SKYLINE COMMONS	" "
6	C 040357 ZSQ	8	" "	" "
7	C 040456 HAX	3	PARKVIEW COMMONS	Favorable Report Adopted
8	C 040479 ZMX	10	THROGS NECK REZONING AND TEXT AMENDMENTS	" "
9	N 040480 ZRX	10	" "	" "
10	N 040482 ZRX	10	" "	" "
11	N 040481 ZRY	cw	" "	" "
12	C 010645 ZMK	2	WATER STREET DEVELOPMENT	" "
13	C 010646 ZSK	2	" "	" "
14	C 010647 ZSK	2	" "	" "
15	C 030492 ZSK	2	" "	" "
16	C 010384 ZMK	1	226 FRANKLIN STREET	" "
17	N 040137 ZRK	1	" "	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:														
		In Favor - Y Oppose - N Abstain - AB Recuse - R														
Calendar Numbers:		7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Amanda M. Burden, AICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Irwin Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Richard W.Eaddy	P	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Alexander Garvin	A															
Jane D. Gol	A															
Christopher Kui	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
John Merolo	A															
Karen A. Phillips	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Dolly Williams, Commissioners	P	Y	Y	Y	Y	Y	N	N	N	N	Y	Y	Y	Y	Y	

MEETING ADJOURNED AT: 12:30 P.M.







**COMPREHENSIVE  
CITY PLANNING CALENDAR  
of**

**The City of New York**

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, AUGUST 25, 2004**

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**MEETING AT 10:00 A.M. AT SPECTOR HALL**

**22 READE STREET**

**NEW YORK, NEW YORK**



**Michael R. Bloomberg, Mayor**

**City of New York**

**[No. 16]**

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

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

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**CITY PLANNING COMMISSION**

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GENERAL RULES OF PROCEDURE AS PERTAINING TO  
PUBLIC MEETINGS

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

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

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

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

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

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

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

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

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

**AMANDA M. BURDEN**, *AICP, Chair*

**KENNETH J. KNUCKLES**, *Esq., Vice Chairman*

**ANGELA M. BATTAGLIA**

**IRWIN G. CANTOR**, P.E.

**ANGELA R. CAVALUZZI**, *R.A.*

**RICHARD W. EADDY**

**ALEXANDER GARVIN**

**JANE D. GOL**

**CHRISTOPHER KUI**

**JOHN MEROLO**

**KAREN A. PHILLIPS**

**DOLLY WILLIAMS**, *Commissioners*

**YVETTE V. GRUEL**, *Calendar Officer*

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

**ORDER OF BUSINESS AND INDEX**

**WEDNESDAY, AUGUST 25, 2004**

Roll Call; approval of minutes .....	1
I. Scheduling of September 8, 2004 .....	1
II. Public Hearings .....	2
III. Reports .....	6
IV. Schedule of Meetings: July 1, 2004 - December 31, 2004 .....	71

**Community Board Public Hearing Notices are available in the  
Calendar Information Office, Room 2E, 22 Reade Street,  
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for September 8, 2004 at Spector Hall, 22 Reade Street, New York, at 10:00 a.m.

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**GENERAL INFORMATION**

**HOW TO PARTICIPATE:**

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

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

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

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

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

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

Subject \_\_\_\_\_

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

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

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

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

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

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

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

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

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



AUGUST 25, 2004

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APPROVAL OF MINUTES OF Regular Meeting of August 11, 2004

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I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE  
SCHEDULED FOR WEDNESDAY, SEPTEMBER 8, 2004  
STARTING AT 10:00 A.M.  
IN SPECTOR HALL, 22 READE STREET  
NEW YORK, NEW YORK

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BOROUGH OF THE BRONX

No. 1

*PLAZOLETA HALL*

CD 3

C 040442 HAX

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of property located at 863 Melrose Avenue and 383, 387 East 160<sup>th</sup> Street, part of Site 44 within the Melrose Commons Urban Renewal Area (Block 2407, Lots 23, 27 and 28), as an Urban Development Action; and
  - b) An Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of an eight-story building tentatively known as Plazoleta Hall, with approximately 54 units for homeless families and young adults aging out of foster care, to be developed under the HPD Supportive Housing Program.

**Resolution for adoption scheduling September 8, 2004 for a public hearing.**

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**II. PUBLIC HEARINGS**

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**BOROUGH OF BROOKLYN**

**No. 2**

***CD 13 SANITATION GARAGE***

**CD 13**

**C 040199 PQK**

**PUBLIC HEARING:**

**IN THE MATTER OF an application** submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 2012 Neptune Avenue (Block 7018, Lot 1), for continued use as a garage.

(On August 11, 2004, Cal. No. 1, the Commission scheduled August 25, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF MANHATTAN**

**No. 3**

***VERIZON /WEST 43<sup>RD</sup> STREET REZONING***

**CD 4**

**C 040249 ZMM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Verizon New York, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 8c, changing from an M2-3 District to a C6-4 District property bounded by a line midway between West 42<sup>nd</sup> Street and West 43<sup>rd</sup> Street, a line 450 feet westerly of Eleventh Avenue, West 43<sup>rd</sup> Street, and Eleventh Avenue, within the Special**

**Clinton District**, as shown on a diagram (for illustrative purposes only) dated June 7, 2004, and subject to the conditions of CEQR Declaration E-135.

(On August 11, 2004, Cal. No. 2, the Commission scheduled August 25, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 4**

***VERIZON/ WEST 47<sup>TH</sup> STREET REZONING***

**CD 4**

**C 040250 ZMM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Verizon New York, Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 8c, changing from an M2-3 district to an M1-5 District, property bounded by West 47<sup>th</sup> Street, Twelfth Avenue, West 48<sup>th</sup> Street, and Eleventh Avenue, within the Special Clinton District**, as shown on a diagram (for illustrative purposes only) dated June 7, 2004, and subject to the conditions of CEQR Declaration E-136.

(On August 11, 2004, Cal. No. 3, the Commission scheduled August 25, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**BOROUGH OF QUEENS**

**Nos. 5 and 6**

***QUEENS HOSPITAL/SKYLINE COMMONS***

**No. 5**

**CD 8**

**C 040356 PPQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the **disposition of one (1) city-owned property located at 82-68 164<sup>th</sup> Street** (Block 6858, Lot 1), pursuant to zoning.

(On August 11, 2004, Cal. No. 4, the Commission scheduled August 25, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 6**

**CD 8**

**C 040357 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York City Health and Hospitals Corporation and the Margaret Tietz Nursing and Rehabilitation Center pursuant to Sections 197-c and 201 of the New York City Charter for **the grant of a special permit** pursuant to Section 74-90 of the Zoning Resolution **to allow a 40-bed nursing home use within an existing 10-story building on a zoning lot located at 82-68 164<sup>th</sup> Street** (Block 6858, Lot 1), in an R4 District.

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

(On August 11, 2004, Cal. No. 5, the Commission scheduled August 25, 2004 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**III. REPORTS**

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**BOROUGH OF THE BRONX**

**No. 7**

***PARKVIEW COMMONS***

**CD 3**

**C 040456 HAX**

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

- 1.) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of property located at 436 East 161<sup>st</sup> Street; 867, 869, 871 and 875 Elton Avenue; 421, 425, 429 and 433 East 160<sup>th</sup> Street and a portion of the demapped street bed of East 160<sup>th</sup> Street between Elton and Melrose avenues, part of Site 43 within the Melrose Commons Urban Renewal Area (Block 2382, Lots 16, 20, 22-25, 27-28 and 30), as an Urban Development Action Area; and
  - b) An Urban Development Action Area Project for such area; and
- 2.) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a nine-story building tentatively known as Parkview Commons, with approximately 109 units of low-income housing and one unit for a superintendent, to be developed under the New York State Housing Trust Fund Program.

(On July 14, 2004, Cal. No. 1, the Commission scheduled July 28, 2004 for a public hearing. On July 28, 2004, Cal. No. 17, the hearing was closed.)

**For consideration.**

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**Nos. 8, 9, 10 and 11*****THROGS NECK REZONING AND TEXT AMENDMENTS*****No. 8****CD 10****C 040479 ZMX**

**IN THE MATTER OF** an application submitted by The Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section Nos. 4b, 4d, 7a, and 7c:**

- 1. changing from an R3-2 District to an R3-1 District property bounded by** a line 100 feet southerly of Spencer Drive, a line 100 feet southerly of Lucerne Street and its easterly prolongation, the U.S. Pierhead Line, Club Road and its easterly centerline prolongation at its intersection with Campbell Drive, and a line 100 feet easterly of Reed Place;
  
- 2. changing from an R4 District to an R3-1 District property bounded by**Throgs NeckExpressway, Throgs Neck Bridge Approach, the northwesterly centerline prolongation of Locust Point Drive, Chaffee Avenue, Longstreet Avenue, Harding Avenue, a line 100 feet southwesterly of Reynolds Avenue, Mullan Place, a line 500 feet southwesterly of Longstreet Avenue, a line 300 feet southwesterly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, the U.S. Pierhead and Bulkhead Line, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy), Pennyfield Avenue, Schurz Avenue, Kearney Avenue, Harding Avenue, Meagher Avenue, and Lawton Avenue and its northeasterly centerline prolongation;
  
- 3. changing from an R4 District to an R3-2 District property bounded by** Sampson Avenue and its westerly centerline prolongation, Swinton Avenue, a line 100 feet southerly of Sampson Avenue, Brinsmade Avenue, a line 175 feet northerly of Miles Avenue, Huntington Avenue, Miles Avenue, a line midway between Swinton Avenue and Brinsmade Avenue, Lawton Avenue, Swinton Avenue, Harding Avenue, Balcom Avenue, a line 100 feet northerly of Harding Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet southerly of Miles Avenue, Graff Avenue, Harding Avenue, Buttrick Avenue, Schurz Avenue and its westerly centerline prolongation, and the easterly boundary line of Ferry Point Park;

**4. changing from an R4 District to an R3A District property bounded by:**

- a.** Bruckner Expressway, Hollywood Avenue and its northwesterly centerline prolongation, the northeasterly centerline prolongation of Otis Avenue, Throgs Neck Expressway, a line 250 feet southeasterly of Lafayette Avenue, a line 100 feet northeasterly of Hollywood Avenue, a line 100 feet northwesterly of Philip Avenue, a line 75 feet northeasterly of Logan Avenue, Philip Avenue, a line 100 feet southwesterly of Hollywood Avenue, Randall Avenue, Logan Avenue, Schley Avenue, a line midway between Logan Avenue and Edison Avenue, a line perpendicular to the easterly street line of Edison Avenue distant 360 feet (as measure along the street line) from the point of intersection of the easterly street line of Edison Avenue and the northerly street line of Dewey Avenue, Edison Avenue and its southerly centerline prolongation, E. 177<sup>th</sup> Street, Throgs Neck Expressway Extension, a line 100 feet easterly of Logan Avenue, Miles Avenue, a line midway between Quincy Avenue and Swinton Avenue, Lawton Avenue, a line midway between Swinton Avenue and Brinsmade Avenue, Miles Avenue, Huntington Avenue, a line 175 feet northerly of Miles Avenue, Brinsmade Avenue, a line 100 feet southerly of Sampson Avenue, Swinton Avenue, Dewey Avenue, Revere Avenue, a line 300 feet southerly of Dewey Avenue, Calhoun Avenue, Sampson Avenue, Revere Avenue, a line 150 feet northerly of Sampson Avenue, East Tremont Avenue, a line 100 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 425 feet northwesterly of Philip Avenue, Swinton Avenue, Lafayette Avenue, Brinsmade Avenue, a line 100 feet northwesterly of Lafayette Avenue, a line midway between Brinsmade Avenue and Huntington Avenue, Barkley Avenue, Brinsmade Avenue, Bruckner Boulevard, Calhoun Avenue, a line perpendicular to the northeasterly street line Calhoun Avenue distant 80 feet (as measured along the street line) from the point of intersection of the southeasterly street line of Bruckner Boulevard and the northeasterly street line of Calhoun Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 100 feet northwesterly of Barkley Avenue, Revere Avenue, Barkley Avenue, and East Tremont Avenue; and
- b.** Lafayette Avenue, Dean Avenue, a line 100 feet northwesterly of Philip Avenue, Clarence Avenue, Schley Avenue, Vincent Avenue, a line 250 feet southeasterly of Schley Avenue, a line midway between Vincent Avenue and Ellsworth Avenue, a line 300 feet southeasterly of Schley Avenue, Ellsworth Avenue, the southwest-erly centerline prolongation of Schley Avenue, Throgs Neck



Expressway, a line 250 feet northwesterly of Philip Avenue, a line midway between Vincent Avenue and Throgs Neck Expressway, a line 300 feet northwesterly of Philip Avenue, and Vincent Avenue;

**5. changing from an R4 District to an R4A District property bounded by:**

- a. Middletown Road, Gillespie Avenue, a line 150 feet southerly of Middletown Road, Jarvis Avenue, Middletown Road, Bruckner Expressway, Waterbury Avenue and its westerly centerline prolongation, a line 100 feet southwesterly of Stadium Avenue, Fairmount Avenue, Clarence Avenue, Layton Avenue, Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 100 feet northerly of Fairmount Avenue, a line 70 feet westerly of Vincent Avenue, Fairmount Avenue, Ellsworth Avenue, a line 100 feet southerly of Baisley Avenue and its westerly prolongation, Bruckner Boulevard, East Tremont Avenue, Ericson Place, and Hutchinson River Parkway East;
- b. Shore Drive and its northeasterly centerline prolongation at its intersection with Longstreet Avenue, the U.S. Pierhead Line, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, a line 100 feet northerly of Wissman Avenue, Longstreet Avenue and its southerly centerline prolongation, Throgs Neck Bridge Approach, Throgs Neck Expressway, Blair Avenue and its southerly centerline prolongation, a line 100 feet northerly of Throgs Neck Expressway, a line midway between Blair Avenue and Reynolds Avenue, Wissman Avenue and its southwesterly centerline prolongation, Throgs Neck Expressway, Sampson Avenue and its southwesterly centerline prolongation, and Pennyfield Avenue; and
- c. Harding Avenue, Kearney Avenue, Schurz Avenue, Pennyfield Avenue, the northwesterly boundary line of Ft. Schuyler (New York State Merchant Marine Academy) and its southerly prolongation, the U.S. Pierhead and Bulkhead Line, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, Marina Drive, East Tremont Avenue, Msgr. Halpin Place, and Hollywood Avenue;

**6. changing from an R4 District to an R4-1 District property bounded by:**

- a. Westchester Avenue, Hutchinson River Parkway East, Ericson Place, East Tremont Avenue, Waterbury Avenue, Hutchinson River Parkway, Ericson Place, East Tremont Avenue, and the westerly boundary line of Samuel H. Young Park and its northwesterly prolongation;
- b. the southerly boundary line of St. Raymonds Cemetery and its easterly and westerly prolongations, East Tremont Avenue, Barkley Avenue, Revere Avenue, a line 100 feet northeasterly of Barkley Avenue, a line midway between Revere Avenue and Calhoun Avenue, a line 80 feet southeasterly of Bruckner Boulevard, Calhoun Avenue, Bruckner Boulevard, Brinsmade Avenue, Barkley Avenue, a line 100 feet southwesterly of Huntington Avenue, Bruckner Boulevard, and Bacon Avenue;
- c. a line 100 feet northerly of Fairmount Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 200 feet southerly of Fairmount Avenue, Vincent Avenue, Layton Avenue, a line 100 feet easterly of Throg-Morton Avenue, a line 90 feet southerly of Layton Avenue, a line 75 feet easterly of Throgs Neck Expressway, Layton Avenue, and Ellsworth Avenue;
- d. Fairmount Avenue, Stadium Avenue, Shore Drive, Lafayette Avenue, Throgs Neck Expressway, Barkley Avenue, a line midway between Wilcox Avenue and Vincent Avenue, a line 80 feet southerly of Layton Avenue, a line 70 feet westerly of Dean Avenue, Layton Avenue, and Clarence Avenue;
- e. Lafayette Avenue, Swinton Avenue, a line 425 feet northwesterly of Philip Avenue, Calhoun Avenue, a line 100 feet northwesterly of Philip Avenue, East Tremont Avenue, a line 150 feet northwesterly of Sampson Avenue, Revere Avenue, Sampson Avenue, Calhoun Avenue, a line 300 feet southeasterly of Dewey Avenue, Revere Avenue, Dewey Avenue, Calhoun Avenue, and Cross Bronx Expressway; and
- f. Miles Avenue, Throgs Neck Boulevard, Lawton Avenue, a line 110 feet westerly of Kearney Avenue, a line perpendicular to the westerly street line of Kearney Avenue distant 135 feet (as measured along the street line) from the point of intersection of the westerly street line of Kearney Avenue and the northerly street line of Harding Avenue, Kearney Avenue, Harding Avenue, Hollywood Avenue, Lawton Avenue, Revere

Avenue, Marina Drive, Schurz Avenue, Buttrick Avenue, Harding Avenue, Graff Avenue, a line 100 feet southerly of Miles Avenue, a line midway between Balcom Avenue and Graff Avenue, a line 100 feet northerly of Harding Avenue, Balcom Avenue, Harding Avenue, Swinton Avenue, Lawton Avenue, and a line midway between Quincy Avenue and Swinton Avenue; and

**7. changing from a C3 District to a C3A\* District property bounded by:**

- a. the easterly prolongation of a line 450 feet northerly of Ampere Avenue, the U.S. Pierhead Line, the easterly prolongation of a line 475 feet southerly of Griswold Avenue, Outlook Avenue and its southerly centerline prolongation, a line 200 feet southerly of Griswold Avenue, and Bay Shore Avenue and its southerly centerline prolongation,
- b. the southerly property line of Country Club, the U.S. Pierhead Line, Shore Drive and its northeasterly centerline prolongation at its intersection with Longstreet Avenue, Ellsworth Avenue, a line 100 feet northwesterly of Shore Drive, Vincent Avenue, Schley Avenue, Clarence Avenue, a line 100 feet northwesterly of Philip Avenue, Dean Avenue, Lafayette Avenue, Shore Drive, and Stadium Avenue;
- c. a line 100 feet northerly of Wissman Avenue, a line perpendicular to the U.S. Pierhead Line passing through the point of intersection of the northeasterly street line of Shore Drive and a line a 100 feet northerly of Wissman Avenue, the U.S. Pierhead Line, the U.S. Bulkhead Line, the northerly boundary line of a Park, Pedestrian Street, and Longstreet Avenue;
- d. Harding Avenue, Longstreet Avenue, the U.S. Pierhead and Bulkhead Line, a line 300 feet southwesterly of Longstreet Avenue and its northwesterly prolongation at its intersection with Shore Drive, a line 500 feet southwesterly of Longstreet Avenue, Mullan Place, and a line 100 feet southwesterly of Reynolds Avenue; and
- e. Schurz Avenue and its westerly centerline prolongation, Marina Drive, a line perpendicular to the southerly street line of Marina Drive distant 245 feet (as measured along the street line) from the point of intersection of the southerly street line of Marina Drive and the easterly street line of Calhoun Avenue, the U.S. Pierhead and Bulkhead Line, the southerly terminus of Emerson Avenue, and the

easterly boundary line of Ferry Point Park;

as shown on a diagram (for illustrative purposes only) dated June 7, 2004.

\*Note: Refer to related application (N 040480 ZRX) for an amendment to the Zoning Resolution for proposed changes to several sections relating to the establishment of a C3A District.

(On July 28, 2004, Cal. No. 2, the Commission scheduled August 11, 2004 for a public hearing. On August 11, 2004, Cal. No. 7, the hearing was closed .)

**For consideration.**

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**No. 9**

**CD 10**

**N 040480 ZRX**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapter 1; Article III, Chapter 4 and Article III, Chapter 5, establishing a C3A district.

Matter underlined is new, to be added;

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

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

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

**ARTICLE 1  
GENERAL PROVISIONS**

**Chapter 1  
Title, Establishment of Controls, and Interpretation of Regulations**

\*\*\*

**11-12  
Establishment of Districts**

\*\*\*

Commercial Districts

\* \* \*

C3 Waterfront Recreation District  
C3A Waterfront Recreation District

\* \* \*

**12-10**  
**Definitions**

\* \* \*

Lower Density Growth Management Area

A "lower density growth management area" is any R1, R2, R3, R4A, R4-1 or C3A District in the following designated areas, and any #development# accessed by #private roads# in R1, R2, R3, R4, R5 or C3A Districts within such areas:

The Borough of Staten Island  
Community District 10 in the Borough of The Bronx

\* \* \*

**ARTICLE 3**  
**COMMERCIAL DISTRICT REGULATIONS**

\* \* \*

**Chapter 2**  
**Use Regulations**

\* \* \*

**32-10**  
**USES PERMITTED AS-OF-RIGHT**

**32-11**  
**Use Group 1 and 2**

C1 C2 C3 C4 C5 C6

Use groups 1 and 2, as set forth in Section 22-11 and 22-12. However in C3A Districts, Use Group 2 shall be limited to #single#-or #two-family detached# or #zero lot line residences#.

\* \* \*

**34-00  
APPLICABILITY AND DEFINITIONS**

**34-01  
Applicability of this Chapter**

The #bulk# regulations of this Chapter apply to any #residential building# located on any #zoning lot# or portion of a #zoning lot# in any #Commercial District# in which such #building# is permitted. In addition, the #bulk# regulations of this Chapter or of specified Sections thereof also apply in other provisions of this Resolution where they are incorporated by cross reference.

However, In C3A Districts, the #bulk# regulations of this Chapter shall not apply to any #residential building#. In lieu thereof, the #bulk# regulations# for R3A Districts of Article II Chapter 3 shall apply to #residential buildings#.

\* \* \*

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

\* \* \*

**35-00  
APPLICABILITY AND DEFINITIONS**

**35-01  
Applicability of this Chapter**

The #bulk# regulations of this Chapter apply to any #mixed building# located on any #zoning lot# or portion of a #zoning lot# in any #Commercial District# in which such #building# is permitted. When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed building#, the regulations set forth in Sections 35-21 to 35-23, relating to Applicability of Residence District Bulk Regulations to Mixed Buildings, in Section 35-30

(APPLICABILITY OF FLOOR AREA AND OPEN SPACE REGULATIONS TO MIXED BUILDINGS), inclusive, and in Section 35-40 (APPLICABILITY OF DENSITY REGULATIONS TO MIXED BUILDINGS), inclusive, shall apply as if such #buildings# were a single #mixed building#. In addition, the #bulk# regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross-reference.

However, in C3A Districts, except for #community facility uses# that have received tax-exempt status from the New York City Department of Finance, or its successor, pursuant to Section 420 of the New York State Real Property Tax Law, or its successor, the #bulk# regulations of this Chapter shall not apply, and the #bulk# regulations for R3A Districts of Article II, Chapter 3 shall apply to any #building# that is used partly for #community facility use# and partly for #residential use#.

\* \* \*

**35-23**

**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

- (a) 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, where the #residential# portion of a #mixed building# is #developed# or #enlarged# pursuant to the Quality Housing Program, the height and setback regulations of Sections 23-60 through 23-65, inclusive, shall not apply. In lieu thereof, Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts) shall apply to such #mixed building#.

\* \* \*

District	Applicable #Residence District#
C3	R3-2
<u>C3A</u>	<u>R3A</u>
C4-1	R5

\* \* \*

\* \* \*

**35-50  
MODIFICATION OF YARD REGULATIONS FOR MIXED BUILDINGS**

\* \* \*

**35-52  
Modification of Side Yard Requirements**

C1 C2 C3 C4 C5 C6

In the districts indicated, except as otherwise provided in Section 35-54 (Special Provisions Applying along District Boundaries), no #side yard# shall be required for any #mixed building#. ~~However,~~ although, if any open area extending along a #side lot line# is provided at any level, it shall have a width of not less than eight feet.

However, in C3A Districts, #side yard(s)# shall be provided for any #mixed building# in accordance with the regulations for R3A Districts as set forth in Section 23-461 (Side yards for single- or two-family residences).

\* \* \*

**35-60  
MODIFICATION OF HEIGHT AND SETBACK REGULATIONS FOR MIXED BUILDINGS**

**35-61  
Height and Setback Regulations**

C1 C2 C3 C4 C5 C6

In the districts indicated, except as otherwise provided in Section 35-51 (Modification of Front Yard Requirements), no #front yard# is required for any portion of a #mixed building# in a #Commercial District#. Therefore, in applying the height and setback regulations, a #sky exposure plane# (which in a #Residence District# would be measured from a point above the #front yard line#) may be measured from a point above the #street line#.

In cases where the provisions of Section 34-243 paragraph (a), apply, as set forth in Section 35-51, the #sky exposure plane# is measured from a point above the #front yard line#.



In C1 or C2 Districts mapped within R3 or R4A Districts, the height and setback regulations applicable to R4 Districts, except R4A and R4B Districts, may be used for #mixed buildings#.

In C1 or C2 Districts mapped within R4, R4B or R4-1 Districts, the height and setback regulations applicable to an R5B District may be used for #mixed buildings#.

In C3A Districts, the height and setback regulations applicable to R3A Districts shall apply to #mixed buildings#.

**35-62  
Maximum Height of Front Wall in Initial Setback Distance**

C1 C2 C3 C4 C5 C6

In the districts indicated, ~~except in C3A Districts, as otherwise provided in Sections 82-37 (Street Walls along Certain Street Lines) and 85-04 (Modifications of Bulk Regulations);~~ the maximum height of a front wall of a #mixed building# within the #initial setback distance# shall be the maximum height of a front wall permitted in the applicable district for a #residential#, #commercial# or #community facility building#, whichever permits the greatest maximum height.

\* \* \*

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

\* \* \*

**36-30  
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES  
WHEN PERMITTED IN COMMERCIAL DISTRICTS**

\* \* \*

**36-322  
In C3 or C4 Districts**

C3 C4-1 C4-2 C4-3

In the districts indicated, where group parking facilities are not provided, one accessory off-street parking space, open or enclosed, shall be provided for each #dwelling unit#, except that in C3A Districts, the provisions applicable to R3 Districts in Sections 25-22

(Requirements Where Individual Parking Facilities Are Provided), and 25-60 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES) shall apply.

\* \* \*

**36-332**

**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 number of required #accessory# off-street parking spaces is as set forth in the following table:

**REQUIRED PARKING SPACES AS A PERCENT OF TOTAL DWELLING UNITS**

District	Percent
C3*	100
C4-1	85
C4-2 C4-2A C4-3 C4-3A	70
C1-6 C2-6 C4-4 C4-5 C6-1	50
C1-7 C1-8 C1-9 C2-7 C2-8 C4-6 C4-7 C5 C6-2 C6-3 C6-4 C6-5 C6-6 C6-7 C6-8 C6-9	40

\* In C3A Districts the provisions applicable to R3 Districts in Sections 25-22 (Requirements Where Individual Parking Facilities Are Provided), and 25-60 (ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES) shall apply.

**Chapter VII  
Special Regulations**

\* \* \*

**37-10**

**Applicability of Article II, Chapter 6, to Developments with Private Roads**

In C1 or C2 Districts mapped within R3, R4 or R5 Districts, and in C3 Districts, the provisions of Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS) shall apply to any #development# containing #private roads#, except where such #developments# contain #private roads# constructed prior to February 6, 2002. In addition, the open area between #buildings# and sidewalks required pursuant to Section 26-25 need not be planted where such open areas front upon #commercial uses#.

However, in C3A Districts located within #lower density growth management areas#, the provisions of 26-30 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS) shall apply.

\* \* \*

(On July 28, 2004, Cal. No. 3, the Commission scheduled August 11, 2004 for a public hearing. On August 11, 2004, Cal. No. 8, the hearing was closed)

**For consideration.**

---

**No. 10**

**CD 10**

**N 040482 ZRX**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter; for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapter 2; Article II, Chapter 5; Article II, Chapter 6; Article V Chapter 3 and Article XI, Chapter 2, establishing Community District 10 in the Borough of the Bronx as a Lower Density Growth Management Area..

Matter in underline is new, to be added;

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

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

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

\* \* \*

**ARTICLE 1  
GENERAL PROVISIONS**

**Chapter 1  
Title, Establishment of Controls, and Interpretation of Regulations**

\* \* \*

**11-40  
EXCEPTIONS, VARIANCES, AUTHORIZATIONS OR PERMITS**

\* \* \*

**11-44  
Authorizations or Permits in Lower Density Growth Management Areas**

The provisions of this Section 11-44 shall apply within #lower density growth management areas#.

(a) Notwithstanding the provisions of N040414ZRY (Lower Density Growth Management Area Text Amendments) and subject to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT) with respect to amendments of this Resolution other than N040414ZRY, Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and Section 11-43 (Renewal of Authorization or Special Permit), the following provisions shall apply with respect to special permits and authorizations granted by the City Planning Commission or for which certification or referral for public review has been made prior to (effective date of amendment):

1. Any #development# or #enlargement#, including minor modifications thereto, granted a special permit or authorization by the City Planning Commission and, where applicable, the City Council, prior to (the effective date of amendment) may be #developed# or #enlarged# pursuant to the terms of such permit or authorization and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such permit or authorization was granted.
2. Any application for a special permit certified by the Department of City Planning or application for an authorization referred by the Department of City Planning for public review prior to May 24, 2004 may be continued pursuant

to the regulations in effect at the time of certification or referral and, if granted by the City Planning Commission, and, where applicable, the City Council, may be #developed# or #enlarged# pursuant to the terms of such permit or authorization, including minor modifications thereto, and, to the extent not modified under the terms of such permit or authorization, in accordance with the regulations in effect at the time such application was certified or referred for public review.

(b) Notwithstanding the provisions of N040414ZRY (LowerDensity Growth Management Area Text Amendments), the following provisions shall apply to certain #developments# within the #Special South Richmond Development District#:

1. #Developments#, including minor modifications thereto, within the #Special South Richmond Development District# that contain #designated open space# and a portion of the #waterfront esplanade#, where such #development# is conditioned upon a restrictive declaration that includes a site plan for such #development#, including provisions for public access to such #designated open space# and #waterfront esplanade#, may be #developed# in accordance with the regulations in effect prior to (effective date of amendment).
2. #Developments# within the #Special South Richmond Development District# accessed by in part by #private roads# and consisting in part of construction within #streets# that are unimproved, and for which a conservation easement has been granted to the City, and for which the Board of Standards and Appeals has granted a permit pursuant to Section 35 of the General City Law, and an application for an authorization for such #development# has been filed pursuant to paragraph (a) of Section 26-27 prior to May 1, 2004, may be #developed# in accordance with the regulations in effect prior to (effective date of amendment).

\* \* \*

**12-10  
Definitions**

\* \* \*

Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of

walls separating two #buildings#. In particular, #floor area# includes:

\* \* \*

- (i) floorspace used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:
  - (1) within #detached# or #semi-detached single-# or #two-family residences# in R2X, R3, R4 or R5 Districts, except that in R3, R4A and R4-1 Districts in #lower density growth management areas#, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces;
  - (2) within #residential buildings developed# or #enlarged# pursuant to the optional regulations applicable in a #predominantly built-up area#;
  - (3) in excess of 100 square feet per required space in individual garages within other #residential buildings# (#attached residential buildings#, rowhouses or multiple dwellings) in R3-2, R4 or R5 Districts, except that in R3-2 Districts within #lower density growth management areas#, #floor area# shall only include floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces. However, all of the floor space within any #story# in individual garages shall be considered #floor area# where, subsequent to June 7, 1989, the level of any #yard# except that portion of a #yard# in front of a garage on the #zoning lot# is lowered below the lower of:
    - (i) #curb level#; or
    - (ii) grade existing on June 7, 1989.

\* \* \*

However, the #floor area# of a #building# shall not include:

\* \* \*

- (6) floorspace used for #accessory# off-street parking spaces provided in any #story#:
  - (i) up to 200 square feet per required space existing on June 30, 1989 within #residential buildings# in R3, R4 or R5 Districts, except that for #detached# or #semi-detached single-# or #two-family residences# in R3, R4A and R4-1 Districts within #lower density growth management areas#, #floor area# shall not include up to 300 square feet for one required space and up to 500 square

feet for two required spaces:

- (ii) up to 100 square feet per required space in individual garages in #attached residential buildings#, rowhouses or multiple dwellings in R3, R4, or R5 Districts except that in R3-2 Districts within #lower density growth management areas#, up to 300 square feet for one such space and up to 500 square feet for two such spaces. except for:
- (1) #residential buildings developed# or #enlarged# after June 30, 1989 pursuant to the optional regulations applicable in a #predominantly built-up area#;
  - (2) #residential buildings# where, subsequent to June 7, 1989, the level of any #yard#, except that portion of a #yard# in front of a garage on the #zoning lot# is lowered below the lower of #curb level# or grade existing on June 7, 1989.

\* \* \*

Lower density growth management area

A "lower density growth management area" is any R1, R2, R3, R4A or R4-1 District in the following designated areas, and any #development# accessed by #private roads# in R1 through R5 Districts within such areas:

The Borough of Staten Island  
Community District 10 in the Borough of the Bronx

\* \* \*

## Private road

Except in #lower density growth management areas#, ~~A~~ a private road is a right-of-way, other than a #street#, that provides vehicular access from a #street# to any #dwelling unit# within a #development# where five or more #dwelling units# are within #buildings# or #building segments# that are located wholly beyond 50 feet of a #street line# or #street setback line#.

An individual driveway serving fewer than five parking spaces shall not be considered a #private road#.

In #lower density growth management areas#, a private road is a right-of-way, other than a #street#, that provides vehicular access from a #street# to:

- (a) three or more #buildings# or #building segments# located wholly beyond 50 feet

of a #street line# or #street setback line#; or

- (b) one or two #buildings# or #building segments# located wholly beyond 50 feet of
- a #street line# or #street setback line# that contain five or more #dwelling units#.

\* \* \*

**Chapter 2**  
**Use Regulations**

\* \* \*

**22-40**  
**SUPPLEMENTAL USE REGULATIONS**

\* \* \*

**22-43**  
**Detached and Semi-Detached Two-Family Residences**

~~R3-1 R3A R3X~~ R3 R4-1 R4A

In R3A, R3X or R4A Districts, and in R3-2 Districts within #lower density growth management areas#, a #detached two-family residence# shall be designed so that at least 75 percent of the #floor area# of one #dwelling unit# is located directly above or directly below the other, and in R3-1 or R4-1 Districts, a #semi-detached two-family residence# shall be designed so that at least 75 percent of the #floor area# of one #dwelling unit# is located directly above or directly below the other.

The City Planning Commission may, upon application, authorize the waiver of these requirements provided that the Commission finds that:

- (a) the #development# is compatible with the scale and character of the surrounding area; and
- (b) the design of:
  - (1) the #detached building# does not give the appearance of a #semi-detached building#; or
  - (2) the #semi-detached building# does not give the appearance of an #attached building#; and each #dwelling unit# has a perimeter wall with windows facing a #side yard#.



Applications for authorizations shall be referred to the affected Community Board for a period of at least 30 days for comment. The City Planning Commission shall grant in whole or in part or deny the application within 60 days of the completion of the Community Board review period.

\* \* \*

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

\* \* \*

**23-00  
APPLICABILITY AND GENERAL PURPOSES**

\* \* \*

**23-012  
Lower Density Growth Management Areas**

For areas designated as #lower density growth management areas# pursuant to Section 12-10 (DEFINITIONS), the underlying district regulations shall apply to all #residential developments# or #enlargements#. Such regulations are superceded or supplemented as set forth in the following Sections:

- 11-44            Authorizations or Permits in Lower Density Growth Management Areas
- 12-10            (DEFINITIONS) “floor area”; “lower density growth management area”;  
and ‘private road”
- 22-43            (Detached and Semi-Detached Two-Family Residences)
- 23-141           (Open space and floor area regulations in R1, R2, R3 R4 or R5 Districts)
- 23-32            (Minimum Lot Area or Lot Width for Residences)
- 23-44            (Permitted Obstructions in Required Yards or Rear Yard Equivalents)
- 23-461           (Side yards for single-or two-family residences)
- 23-462           (Side yards for all other residential buildings)
- 23-533           (Required rear yard equivalents)
- 23-541           (Within 100 feet of corners)
- 23-542           (Along short dimension of block)
- 23-544           (For portions of through lots)
- 23-631           (Height and setback in R1, R2, R3, R4 and R5 Districts)
- 23-711           (Standard minimum distance between buildings)
- 23-88            (Minimum Distance Between Lot Lines and Building Walls in Lower  
Density                    Growth Management Areas)
- 25-22            (Requirements Where Individual parking Facilities Are Provided)
- 25-23            (Requirements Where Group parking Facilities Are Provided)

- 25-621 (Location of parking spaces in certain districts)
- 25-622 (Location of parking spaces in lower density growth management areas)
- 25-631 (Location and width of curb cuts in certain districts)
- 25-632 (Driveway and curb cut regulations in lower density growth management areas)
- 25-64 (Restrictions on Use of Open Space for Parking)
- 25-66 (Screening)
- 26-30 (SPECIAL REGULATIONS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS), inclusive
- 26-40 (STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH MANAGEMENT AREAS)
- 105-702 (Applicability of lower density growth management area regulations)
- 119-05 (Applicability of Parking Location Regulations)
- 119-214 (Tier II requirements for driveways, private roads and location of parking spaces)

\* \* \*

**23-10**  
**OPEN SPACE AND FLOOR AREA REGULATIONS**

\* \* \*

**23-141**  
**In R1, R2, R3, R4 or R5 Districts**

R1 R2 R3 R4 R5

Except as otherwise provided in Section 23-144 (For non-profit residences for the elderly in R3, R4, R5, R6 and R7 Districts), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

\* \* \*

(b)

District	Maximum #Lot Coverage# (in percent)	Minimum Required #Open Space# (in percent)	Maximum #Floor Area Ratio#
R3A R3X		governed by #yard# requirements	.50*
R4A R4-1		governed by #yard# requirements	.75*
R2X		governed by #yard# requirements	.85*
R3-1			
R3-2**	35	65	.50*
R4**	45	55	.75*
R4B	55	45	.90
R5**	55	45	1.25
R5B	55	45	1.35

\*—the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof which rises at least 3 and 1/2 inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor area# is between 5 and 8 feet.

\*\*—The permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after June 30, 1989 may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).

In addition, the following rules shall apply:

- (1) In R2X, R3, R4, R4A and R4-1 Districts, except R3, R4A and R4-1 Districts within #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof which rises at least 3 and 1/2 inches in vertical distance for each foot of horizontal distance and the structural headroom of such #floor

area# is between 5 and 8 feet.

- (2) In R3, R4A and R4-1 Districts in #lower density growth management areas#, the #floor area ratio# in this table may be increased by up to 20 percent provided that any such increase in #floor area# is located in a portion of a #building# covered by a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance.
  
- (3) In R3-2, R4 and R5 Districts, except R4A, R4B, R4-1 and R5B Districts, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after June 30, 1989 may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).
  
- (4) In R3, R4A and R4-1 Districts within #lower density growth management areas#, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located in the #side lot ribbon# pursuant to Section 23-12 (f) (Permitted Obstructions in Open Space), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots).

\* \* \*

**23-30  
LOT AREA AND LOT WIDTH REGULATIONS**

\* \* \*

**23-32  
Minimum Lot Area or Lot Width for Residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

**REQUIRED MINIMUM LOT AREA AND LOT WIDTH**

Type of #Residence#	Minimum #Lot Area# (in sq. ft.)	Minimum #Lot Width# (in feet)	District
#Single-family detached#	9,500	100	R1-1
	5,700	60	R1-2
	3,800	40	R2
	2,850	30	R2X
#Single-# or #two-family detached# or #zero lot line# where permitted	3,800	40	R3-1 R3-2 R4-R10
	3,325	35	R3X
	2,850	30	R4A_
	2,375	25	R3A*_R4B R4-1*_R5B
Any other permitted	1,700	18	R3-R10*

\* In #lower density growth management areas#, for #two-family detached# and #two-family zero lot line residences#, where permitted, in R3A, R4A and R4-1 Districts, and for #two-family semi-detached residences# in R3-1, R3-2 and R4-1 Districts, the minimum #lot area# shall be 3,135 square feet and the minimum #lot width# shall be 33 feet.

**23-40  
YARD REGULATIONS**

\* \* \*

**23-44  
Permitted Obstructions in Required Yards or Rear Yard Equivalents**

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

- (a) In any #yard# or #rear yard equivalent#:

\* \* \*

~~Parking spaces, off-street, open, #accessory#, except such spaces located within a #front yard#, that are:~~

- ~~(1) #accessory# to any #residential use# in R4B or R5B Districts;~~
- ~~(2) #accessory# to a #residential building# where no more than two parking spaces are required in R1 or R2 Districts, except R2X Districts; or in R2X, R3, R4 or R5 Districts, unless such spaces are located in a permitted #side lot ribbon#;~~
- ~~(3) #accessory# to a #residential building# where more than two parking spaces are required in R3, R4 or R5 Districts unless such spaces or~~
- ~~(4) not screened from #zoning lots# situated across the #street# in the manner specified in Section 25-66 (Screening);~~

Parking spaces, off-street, open, #accessory#, within a #side # or #rear yard#;

Parking spaces, off-street, open, within a #front yard# that are #accessory# to a #residential building# where:

- (1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;
- (2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts), and the screening requirements of Section 25-66.

However, no such parking spaces shall be permitted in any #front yard# within R4B or R5B Districts, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

Steps and ramps for access by the handicapped;

\* \* \*

**23-461  
Side yards for single- or two-family residences**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided as set forth in the following table, except that on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

Number Re- quired	Required To- tal Width (in feet)	Required Minimum Width of any #Side Yard# (in feet)	District
2	35	15	R1-1
2	20	8	R1-2
2	13	5	R2 R3-1 R3-2 R4-R10
2	10	2*	R2X R3X R4A
1	8	0*	R3A R4-1 R4B R5B

\* \* \*

R3-1 R3-2 R4 R4-1 R4B R5

- (b) In the districts indicated, for #single-# or #two-family semi-detached residences#, a #side yard# shall be provided as set forth in the following table, except that on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width.

MINIMUM REQUIRED SIDE YARD

Feet	District
8	R3-1 R3-2 R4 R5
4*	R4-1 R4B R5B

\* \* \*

**23-462**

**Side yards for all other residential buildings**

R3-2 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, for all other #residential buildings#, #side yards# shall be provided as follows:

R3-2 R4 R5

- (a) In the districts indicated, except R4B or R5B Districts, two #side yards#, each with a minimum required width of eight feet, shall be provided. However, if a #detached residential building# has an #aggregate width of street walls# of more than 80 feet, two #side yards# shall be provided, each equal to not less than 10 percent of such #aggregate width of street walls#. For #residential buildings# not exceeding two #stories# and a #basement# in height, no such #side yard# need be more than 15 feet wide. However, on #corner lots# in #lower density growth management areas#, one #side yard# shall be at least 20 feet in width.

\* \* \*

### 23-533

#### Required rear yard equivalents

R4 R5 R6 R7 R8 R9 R10

In the districts indicated, and in R1, R2 and R3 Districts within #lower density growth management areas#, on any #through lot# that is 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 60 feet, linking adjoining #rear yards# or, if no such #rear yards# exist, an open area with a minimum depth of 60 feet, midway (or within five feet of being midway) between the two #street lines# upon which such #through lot# fronts; or
- (b) two open areas, each adjoining and extending along the full length of a #street line# and each with a minimum depth of 30 feet measured from such #street line#, except that in R6, R7, R8, R9 or R10 Districts, the depth of such required open area along one #street line# may be decreased, provided that:
- (1) a corresponding increase of the depth of the open area along the other #street line# is made; and
  - (2) any required front setback areas are maintained; or



- (c) an open area adjoining and extending along the full length of each #side lot line# with a minimum width of 30 feet measured from each such #side lot line#.

However, in #lower density growth management areas# and in R6A, R6B, R7A, R7B, R7X, R8A, R8B, R8X, R9A, 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.

Any such #rear yard equivalent# shall be unobstructed from its lowest level to the sky, except as provided in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

#### **23-54**

##### **Other Special Provisions for Rear Yards**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the #rear yard# requirements set forth in Section 23-47 (Minimum Required Rear Yards) shall be modified as set forth in this Section.

#### **23-541**

##### **Within one hundred feet of corners**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less.

#### **23-542**

##### **Along short dimension of block**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except within #lower density growth management areas#, whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#.

\* \* \*

**23-60  
HEIGHT AND SETBACK REGULATIONS**

\* \* \*

**23-631  
Height and setback in R1, R2, R3, R4 and R5 Districts**

\* \* \*

R2X R3 R4 R4A R4-1

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs (g) and (h) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may be considered to be separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure# at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

21 feet	R2X R3 R4A
25 feet	R4 R4-1
<u>26 feet*</u>	<u>R3 R4A R4-1</u> <u>within #lower density growth management</u> <u>areas#</u>

\* In R3, R4A and R4-1 Districts within #lower density growth management areas#, where a #base plane# is established at a #base flood elevation# higher than grade, the maximum perimeter wall height shall be 21 feet above such base flood

elevation or 26 feet above grade, whichever is more.

\* \* \*

**23-70**

**MINIMUM REQUIRED DISTANCE BETWEEN TWO OR MORE BUILDINGS ON A SINGLE ZONING LOT**

\* \* \*

**23-711**

**Standard minimum distance between buildings**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the required minimum distance between a #residential building# and any other #building# on the same #zoning lot# shall vary according to the height of such #buildings# and the presence of #legally required windows# in facing building walls. Such minimum distance shall be, in feet, as indicated in the following table:

Wall Condition*	Maximum Building Height above #Base Plane# or #Curb Level#, as Applicable (in feet)				
	25	35	40	50	Over 50
Wall to Wall	20	25	30	35	40
Wall to Window	30	35	40	45	50
Window to Window	40	45	50	55	60

\* Wall condition shall be defined as:

"wall to wall" is a condition where two walls of #buildings# face each other, and neither wall contains a #legally required window#;

"wall to window" is a condition where two walls of #buildings# face each other, and one wall contains a #legally required window# and the other wall

does not contain a #legally required window#;

"window to window" is a condition where two walls of #buildings# face each other, and both walls contain a #legally required window#.

In addition, the following rules shall apply:

- (a) the minimum distances set forth in this table shall be provided at the closest point between #buildings#;
- (b) any portion of a #building# that qualifies as a #building segment# may be treated as a separate #building# for the purposes of determining the minimum distance required between such #building segment# and another #building# or #building segment#;
- (c) where #buildings# of different heights face each other, the average of the heights of such #buildings# shall determine the minimum distance required between them;
- (d) projections having a maximum height of 25 feet above adjoining grade, a maximum depth of five feet, and an aggregate width not exceeding 25 percent of the building wall from which they project, may penetrate the minimum spacing requirements; and
- (e) portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart.
- (f) in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this paragraph (f) shall apply to any #zoning lot# with two or more #buildings#, where at least one #building# is located wholly beyond 50 feet of a #street line# and the #private road# provisions do not apply. For the purposes of this paragraph, any #residential building# with no #residential building# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other #residential building# shall be considered a "front building", and any #residential building# located wholly beyond the #rear wall line#, or prolongation thereof, of a "front building" shall be considered a "rear building". The minimum distances set forth in the table above shall apply, except that a minimum distance of 45 feet shall be provided between any such front and rear #buildings#.

\* \* \*

23-88

**Minimum Distance between Lot Lines and Building Walls in Lower Density Growth**

**Management Areas**

- (a) On #corner lots# in #lower density growth management areas#, for #zoning lots# with multiple #buildings# or #building segments#, an open area at least 30 feet in depth shall be provided between the #side lot line# and the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# in its entirety.
  
- (b) In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this paragraph (b) shall apply to any #zoning lot# with two or more #buildings#, where at least one #building# is located wholly beyond 50 feet of a #street line# and the #private road# provisions do not apply. For the purposes of this paragraph, any #residential building# with no #residential building# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other #residential building# shall be considered a “front building”, and any #residential building# located wholly beyond the #rear wall line#, or prolongation thereof, of a “front building” shall be considered a “rear building”. An open area with a minimum width of 15 feet shall be provided between any such rear building and the #side lot line# of an adjoining #zoning lot#, and an open area with a minimum width of 30 feet shall be provided between any such rear building and the #rear lot line# of an adjoining #zoning lot#. The permitted obstruction provisions of Sections 23-44 for #side yards# shall apply where such open areas adjoin a #side lot line#, and the permitted obstruction provisions of Section 23-44 for #rear yards# shall apply where such open areas adjoin a #rear lot line#.

\* \* \*

**Chapter 5**  
**Accessory Off-Street Parking and Loading Regulations**

\* \* \*

**25-20**  
**REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES**

\* \* \*

**25-22**  
**Requirements Where Individual Parking Facilities Are Provided**

- (a) R1 R2 R3 R4 R5 R6 R7-1

In the districts indicated, except in R1, R2, R3, R4A and R4-1 Districts within

#lower density growth management areas#, where #group parking facilities# are not provided, one #accessory# off-street parking space, open or enclosed, shall be provided for each #dwelling unit#, except in the case of two- or three-family #residential buildings# in a #predominantly built-up area#, two #accessory# parking spaces per #building# shall be provided.

(b) R1 R2 R3 R4A R4-1

In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, 1.5 #accessory# off-street parking spaces shall be provided for each #dwelling unit#. However, in such districts in the Borough of Staten Island, two #accessory# off-street parking spaces shall be provided for each #single-family residence#, three #accessory# off-street parking spaces shall be provided for each #two-family residence#, and for all other #residences#, #accessory# off-street parking space shall be provided for at least 150 percent of the total number of #dwelling units# within such #residences#

**25-23  
Requirements Where Group Parking Facilities Are Provided**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for all new #residences developed# under single ownership or control where #group parking facilities# are provided, #accessory# off-street parking spaces shall be provided for at least that percentage of the total number of #dwelling units# set forth in the following table. Such spaces shall be kept available to the residents of the #building# or #development#, in accordance with the provisions of Section 25-41 (Purpose of Spaces and Rental to Non-Residents).

PARKING SPACES REQUIRED WHERE  
GROUP PARKING FACILITIES ARE PROVIDED

Percent of Total #Dwell- ing Units#	District
100*	R1 R2 R3 <u>R4A R4-1</u>
<u>100</u>	<u>R4 R4B</u>
85	R5

70	R6
66	R5B
60	R7-1
50** _	R6A R6B R7-2 R7A R7B R7X R8B*** _
40	R8 R9 R10

\* In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, 1.5 #accessory# off-street parking spaces shall be provided for each #dwelling unit#. However, in such districts in the Borough of Staten Island, two #accessory# off-street parking spaces shall be provided for each #single-family residence#, three #accessory# off-street parking spaces shall be provided for each #two-family residence#, and for all other #residences#, #accessory# off-street parking space shall be provided for at least 150 percent of the total number of #dwelling units# within such #residences#.

\*\*  
\_ In R6 or R7 Districts for #residences developed# or #enlarged# pursuant to the Quality Housing Program, #accessory# off-street parking spaces shall be provided for at least 50 percent of the total number of #dwelling units#.

\*\*\*  
\_ In the Borough of Brooklyn, R8B Districts are subject to the parking requirements applicable in R8 Districts.

\* \* \*

**25-60  
ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED ACCESSORY OFF-STREET PARKING SPACES**

\* \* \*

**25-621  
Location of parking spaces in certain districts**

All #accessory# off-street parking spaces shall be located in accordance with the provisions of this Section, except that in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of Section 25-622 shall apply. In

addition, all such parking spaces shall be subject to the curb cut requirements of Section 25-63 (Location of Access to the Street).

\* \* \*

**25-622**

**Location of parking spaces in lower density growth management areas**

The provisions of this Section 25-622 shall apply in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#.

Required #accessory# off-street parking spaces shall be permitted only within a #building# or in any open area on the #zoning lot# that is not between the #street line# and the #street wall# or prolongation thereof of the #building#.

For #zoning lots# with less than 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a single driveway no more than 10 feet in width.

For #zoning lots# with at least 33 feet of #street# frontage, access to all parking spaces through a #front yard# shall be only through a driveway no more than 20 feet in width.

No more than two unenclosed required parking spaces may be located in tandem (one behind the other), except that no tandem parking shall be permitted in any #group parking facility# with more than four spaces.

\* \* \*

**25-631**

**Location and width of curb cuts in certain districts**

All curb cuts shall comply with the provisions of this Section, except that in #lower density growth management areas#, the provisions of Section 25-632 shall apply.

\* \* \*

**25-632**

**Driveway, curb cut and screening regulations in lower density growth management areas**

The provisions of this Section shall apply within all #lower density growth management areas#, except that these provisions shall not apply to any #zoning lot# occupied by only



one #single-family detached residence# with at least 60 feet of frontage along one #street# and, for such residences on #corner lots#, with at least 60 feet of frontage along two #streets#.

- (a) For #zoning lots# with less than 33 feet of frontage along a #street#, only one curb cut, having a maximum width, including splays, of ten feet, shall be permitted.
- (b) For #zoning lots# with at least 33 feet of frontage along a #street#, multiple curb cuts are permitted. The maximum width of a curb cut serving a driveway 12 feet or less in width shall be 10 feet, including splays. Driveways wider than 12 feet at any point within a #front yard# shall be accessed by a single curb cut with a minimum width of 17 feet and a maximum width, including splays, of 18 feet.
- (c) The center line of each curb cut shall be coincident with the centerline of the driveway that it serves;
- (d) All driveways shall be located at least 13 feet from any other driveway on the same or adjoining #zoning lots#. However, driveways may be paired with other driveways on adjoining #zoning lots# provided the aggregate width of such paired driveways, including any space between them, does not exceed 20 feet.
- (e) All #residential developments# shall maintain a minimum distance of 16 feet of uninterrupted curb space between all curb cuts constructed after June 30, 1989.
- (f) The requirements of paragraphs (f) and (g) of this Section may be waived where the Commissioner of Buildings certifies that, due to the location of driveways and curb cuts on adjacent #zoning lots#, there is no way to locate the driveways and curb cuts in compliance with this requirement of this Section, and that at least 16 feet of uninterrupted curb space is maintained along the #street# in front of the #zoning lot#;
- (g) The maximum grade of a driveway shall not exceed 11 percent.
- (h) For multiple #buildings# on a single #zoning lot#, access to all parking spaces shall be provided entirely on the same #zoning lot#.

#### **25-632 25-633**

#### **Prohibition of curb cuts in certain districts**

\* \* \*

#### **25-64**

**Restrictions on Use of Required Open Space for Parking**

Restrictions on the use of open space for parking and driveways are set forth in this Section. For #zoning lots# in #lower density growth management areas#, the provisions of paragraph (b) shall apply.

- (a) In accordance with the provisions of Section 23-12 (Permitted Obstructions in Open Space), driveways, private streets, open #accessory# off-street parking spaces, or open #accessory# off-street loading berths may not use more of the required #open space# on any #zoning lot# than the percent set forth in the following table:

Percent	District
50	R1 R2 R3 R6 R7 R8 R9 R10
66	R4 R5

- (b) In #lower density growth management areas#, the following regulations shall apply:

- (1) Driveways, #private roads# and open #accessory# off-street parking spaces may occupy no more than 50 percent of the #lot area# not covered by #residential buildings# in R1, R2 and R3 Districts, and may occupy no more than 66 percent of the #lot area# not covered by #residential buildings# in R4 and R5 Districts, and
- (2) The area within 30 feet and perpendicular to the #rear wall line# of any #building# or #building segment# that does not front upon two #streets# parking in its entirety shall not be occupied by driveways or off-street spaces, except that this provision shall not apply to any #zoning lot# occupied by only one #single# or #two-family detached# or #semi-detached residence#.

\* \* \*

**25-66  
Screening**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, except where such districts are located in #lower density growth management areas#, all open off-street parking areas or groups

of individual garages with 10 spaces or more, which are located either at natural grade or on a roof, shall be screened from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, by either:

- (a)(1) a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b)(2) a wall or barrier or uniformly painted fence of fire-resistant material at least six feet high, but not more than eight feet above finished grade (or above the roof level, if on a roof). Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

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

- (b) In #lower density growth management areas#, all open parking areas with five or more spaces shall be screened from adjoining #zoning lots# by a landscaped strip at least four feet wide densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year round dense screen six feet high within three years. Such screening shall be maintained in good condition at all times.

\* \* \*

**Chapter 6**  
**Special Urban Design Guidelines - Streetscape**  
**Special Requirements for Developments in R9 and R10 Districts, and**  
**~~Special Requirements for~~ Developments with Private Roads, and Street Tree Planting**

**26-00**  
**Applicability of this Chapter**

The regulations of this Chapter shall apply to:

- (a) #developments# in R9 and R10 Districts, as set forth in Section 26-10 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS IN R9 AND R10 DISTRICTS).

However, the provisions of Section 26-10 shall not apply within any Special Purpose District or to any #building developed# or #enlarged# pursuant to the Quality Housing Program;

- (b) #developments# in R3, R4 and R5 Districts accessed by #private roads#, as set forth in Section 26-20 (SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS), except where such #developments#:
  - (1) consist entirely of #single-family detached residences#; or
  - (2) where such #developments# are accessed by #private roads# that existed on February 6, 2002; or
  - (3) are located within #lower density growth management areas#, in which case the provisions of paragraph (c) of this Section shall apply;
- (c) #developments# in #lower density growth management areas# accessed by #private roads#, as set forth in Section 26-30.(SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS , and
- (d) #developments# in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, as set forth in Section 26-40 (SPECIAL REQUIREMENTS FOR STREET TREE PLANTING)

\* \* \*

### **26-30**

#### **SPECIAL REQUIREMENTS FOR DEVELOPMENTS WITH PRIVATE ROADS IN LOWER DENSITY GROWTH MANAGEMENT AREAS**

For all #developments# accessed by #private roads# in #lower density growth management areas#, the provisions of Section 26-20 through 26-27, inclusive, shall apply. In addition, such regulations are supplemented or superceded in accordance with the provisions of this Section.

### **26-31**

#### **Yards**

For the purposes of this Section, a #private road# shall be considered to be a #street#, and a line seven feet from and parallel to the required curb of the #private road# shall be considered to be a #street line#, and the applicable #yard# regulations of Section 23-40,

inclusive, and 23-50, inclusive, shall be applied accordingly. However no #yard# shall be required along that side of a #private road#, or portion thereof, that does not have a building wall facing it. Furthermore, where a #building# on a #through lot# fronts upon a #street# and a #private road#, one #front yard# shall have a depth of at least 30 feet. Where such 30 foot #front yard# adjoins a #street#, such #yard# shall include a landscaped strip at least eight feet wide to screen the #yard# from such #street#, densely planted with evergreen shrubs at least four feet high at time of planting, and of a type expected to form a year round dense screen at least six feet high within three years.

### **26-32**

#### **Minimum Distance Between Buildings, Walls and Lot Lines**

- (a) Except in the Borough of Staten Island, the minimum distances set forth in Section 23-711 (Standard minimum distance between buildings) shall not apply between two #buildings# where each such #building# faces a #front yard# required pursuant to Section 26-31. In lieu thereof, such #buildings# shall be at least 13 feet apart.
- (b) For the purposes of applying the provisions of Section 23-88 (Minimum Distance Between Lot Lines and Building Walls in Lower Density Growth Management Areas), the required curb of the #private road# shall be considered to be a #street line#.

### **26-33**

#### **Entrances, Parking Location and Curb Cuts**

The entrances and exits of all #private roads# shall be located not less than 50 feet from the intersection of any two #street lines#.

No required #accessory# off-street parking spaces shall be located between the required curbs of a #private road#, except where such spaces:

- (a) are perpendicular to the road bed, and
- (b) are located on only one side of a #private road# or portion of a #private road#, so that no such spaces are located on opposite sides of the road bed, or within 20 feet of being opposite to one another, and
- (c) are within rows of not more than 10 adjacent spaces. Such rows shall be separated one from another by a planting strip at least 18 feet deep and 8 feet wide, within which a tree of at least three inch caliper is planted.

All #accessory# off-street parking spaces shall comply with the parking location and curb cut regulations set forth in Section 25-632. For the purposes of applying such regulations, the #private road# shall be considered to be a #street#. In addition, the provisions of Section 25-64 (Restrictions on Use of Open Space) and Section 25-66 (Screening) shall apply.

#### **26-34**

##### **Lighting, Signage and Crosswalks**

All #private roads# shall be #developed# with street lighting, street signage and crosswalks to minimum Department of Transportation standards for public #streets#.

#### **26-35**

##### **Screening**

All #private roads# shall be screened from adjoining #zoning lots# by a landscaped strip at least eight feet wide, and all open off-street parking areas with five or more spaces shall be screened from adjoining #zoning lots# by a landscaped strip at least four feet wide. Such landscaped strips shall be densely planted with evergreen shrubs at least four feet high at time of planting, and of a type that may be expected to form a year-round dense screen at least six feet high within three years. Such screening shall be maintained in good condition at all times.

#### **26-36**

##### **Modification and Waiver Provisions**

Except in the Borough of Staten Island, the City Planning Commission may, by authorization, allow modifications to, or waivers of, the requirements of Sections 26-30 through 26-35, inclusive, provided that the depth of a #rear yard# shall not be less than 15 feet and the depth of a #front yard# shall not be less than five feet. In order to authorize such modifications or waivers, the Commission shall find that:

- (a) Such modifications result in a site plan that provides sufficient open areas for the residents of the #development#;
- (b) Any reduction in open areas shall be permitted only where the Commission finds that a good site plan has been provided that includes a superior landscaping plan, and
- (c) Such modifications will not impair the essential character of the surrounding area.

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

**26-40  
STREET TREE PLANTING REQUIREMENTS FOR LOWER DENSITY GROWTH  
MANAGEMENT AREAS**

In R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, all #developments# shall provide and maintain along the entire #street# length of the #zoning lot#, one street tree for every 25 feet of #street# frontage of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals, except where the Commissioner of Buildings determines that such tree planting would be unfeasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks.

\* \* \*

**ARTICLE V  
NON-CONFORMING USES AND NON-COMPLYING BUILDINGS**

\* \* \*

**Chapter 4  
Non-Complying Buildings**

\* \* \*

**54-313  
Single or two-family residences with non-complying front yards or side yards**

(a) In R4 Districts, except R4A, R4-1 and R4B Districts, and in R5 Districts other than R5B Districts, f For an existing #single# or #two-family residence# in R4 Districts, except R4A, R4-1 and R4B Districts, and R5 Districts, except R5B Districts, with a #non-complying front yard#, an #enlargement# involving a vertical extension of existing building walls facing such #non-complying front yard# is permitted, provided the following conditions are met:

- (1) the portion of the #building# which is being vertically extended complies with the height and setback regulations specified for the district in which it is located; and

- (2) the #non-complying front yard# where the building wall is being vertically extended is at least 10 feet in depth.
- (b) In all districts, fFor an existing #single# or #two-family residence# with a #non-complying side yard#, an #enlargement# involving a vertical extension of existing building walls facing such #non-complying side yard# is permitted, provide the following conditions are met:

\* \* \*

**ARTICLE X - SPECIAL PURPOSE DISTRICTS**

\* \* \*

**Chapter 5  
Special Natural Area District**

\* \* \*

**105-70  
SPECIAL REGULATIONS FOR RESIDENTIAL DEVELOPMENT**

In order to carry out the purposes of this Chapter, all #developments# used predominantly for #residential use# shall be subject to the provisions of this Section.

\* \* \*

**105-702  
Applicability of lower density growth management area regulations**

The regulations for #developments# or #enlargements# within #lower density growth management areas# are modified as follows:

- (a) Parking location regulations  
#Accessory# parking spaces shall be permitted within a #front yard#, and
- (b) Private road regulations

The provisions of paragraph (b) of Section 119-214 (Tier II requirements for driveways and private roads) shall apply to all #developments# or #enlarge-



ments# accessed by #private roads#.

\* \* \*

**Article X - Special Purpose Districts**

**Chapter 7**

**Special South Richmond Development District**

\* \* \*

**107-251**

**Special provisions for arterials**

\* \* \*

(b) Building setback

Along portions of the #arterials#, as indicated on the District Plan, a 20 foot #building# setback shall be provided for the full length of the #front lot line# abutting such #arterial#. The front #building# setback area shall be unobstructed from its lowest level to the sky except as permitted by this Section. ~~The front #building# setback area may be used for #accessory# off-street parking or loading facilities provided the depth of the setback area is at least 35 feet.~~ Where a front #building# setback area at least 35 feet in depth is provided, such setback area may be used for required #accessory# off-street parking or loading facilities. No portion of such required setback area may be used for open storage.

In the case of the service roads of the West Shore Expressway, a 30 foot #building# setback shall be provided and required off-street parking and loading facilities are permitted within such setback. Within the required front #building# setback, there shall be provided one tree of three-inch caliper or more, pre-existing or newly planted, for each 400 square feet of such front open area. The trees shall be selected in accordance with the table set forth in APPENDIX B.

\* \* \*

**107-30**

**TOPOGRAPHIC AND TREE REGULATIONS**

\* \* \*

**107-321  
Tree preservation**

\* \* \*

Replacement trees to be planted shall be of a caliper no less than ~~six~~ three inches and be of a species listed in Appendix B and the sum of whose calipers shall be at least equivalent to that of the trees removed.

\* \* \*

**107-322  
Tree requirements**

\* \* \*

(b) Sidewalk trees

All ~~developments~~ and ~~site alterations~~ in the Special District shall preserve existing trees or provide and maintain trees of three-inch caliper or more at the time of planting along the entire length of the ~~street~~ frontage of the ~~zoning lot~~. The trees shall be located between the ~~front lot line~~ and the curb line, and ~~20~~25 feet on center or one tree per ~~20~~25 feet of frontage. ~~On private streets, trees shall be planted between the curb and a line parallel to, and 10 feet from, the curb, and 20 feet on center or one tree per 20 feet of frontage.~~ These trees shall be planted in accordance with the requirements of the ~~Department of Transportation and the~~ Department of Parks and Recreation, except where the Commissioner of Buildings determines that such tree planting would be infeasible.

\* \* \*

**107-33  
Preservation of Natural Features**

For any ~~development~~ or ~~enlargement~~, the Chairperson of the City Planning Commission may modify the applicable regulations governing the location of required parking spaces, driveways and curb cuts where the Chairperson certifies to the Commissioner of Buildings that such modifications are necessary so as to avoid the destruction of existing topography and trees of six inch caliper or more.

\* \* \*

**107-40  
SPECIAL USE, BULK AND PARKING REGULATIONS**

\* \* \*

**~~107-421~~  
Special provisions for existing detached residences**

In R3X Districts, a ~~one-story or two-story detached residence~~, existing prior to September 9, 1999, may be enlarged to no more than three ~~stories~~, provided that:

- (a) ~~it is located on a zoning lot having a minimum lot area of 3,800 square feet and a minimum lot width of 40 feet;~~
- (b) ~~such enlargement does not exceed a maximum perimeter wall height of 21 feet and a maximum building height of 35 feet; and~~
- (c) ~~such enlargement complies with all other applicable district regulations.~~

**107-43  
Height and Setback Regulations**

**~~107-431~~  
Maximum height of perimeter walls**

In R3X Districts, a ~~detached residence~~ may have a maximum perimeter wall height of 25 feet, provided that:

- (a) ~~it is located on a zoning lot having a minimum lot area of 5,700 square feet and a minimum lot width of 60 feet; and~~
- (b) ~~the development complies with all other applicable district height and setback regulations.~~

**~~107-432~~  
Maximum height for buildings or structures**

**107-43  
Maximum Height for Buildings or Structures**

Subject to the requirements for maximum height of walls and required setbacks in

Sections 23-63, 24-52 or 33-43, and Section 107-431, no #building# shall exceed a height of four #stories# and no structure other than #buildings# shall exceed a height of 50 feet, unless modified by a special permit of the City Planning Commission, pursuant to Section 107-73 (Exceptions to Height Limit).

\* \* \*

#### **107-45 Required Open Space for Residences**

Any required #open space# on a #zoning lot# which includes #designated open space# is subject to the special regulations set forth in Section 107-22 (Designated Open Space).

~~For #residential developments# which include #designated open space#, not more than 50 percent of the required #open space# not within the #designated open space# may be occupied by driveways, private streets, open #accessory# parking spaces or open #accessory# off-street loading berths, except that a greater percentage may be so occupied if authorized by the City Planning Commission in accordance with the provisions of Section 107-661 (Modification of Permitted Obstructions):~~

For #residential developments# which include #designated open space#, driveways, private streets, open #accessory# parking spaces or open #accessory# off-street loading berths may occupy not more than the area set forth below:

- (a) In R1, R2, R3-1, R3-2 and R4 Districts, not more than 50 percent of the required #open space# not within the #designated open space#.
- (b) In R3A and R3X Districts, not more than 50 percent of the #lot area# not occupied by #residential buildings# and not within the #designated open space#.
- (c) In R4A and R4-1 Districts, not more than 50 percent of the #lot area# not occupied by #residential buildings# and not within the #designated open space#.

However, in all districts, a greater percentage may be so occupied if authorized by the City Planning Commission in accordance with the provisions of Section 107-661 (Modification of Permitted Obstructions).

#### **107-46 Yard and Court Regulations**

\* \* \*

**107-462**  
**Side yards**

In all districts, except R1 Districts, for all #single-# or #two-family detached# and #semi-detached residences#, the #side yards# shall relate to the height of the #building# as set forth in the following table, except that in R1, R2, R3, R4A and R4-1 Districts, on a #corner lot#, one #side yard# shall be at least 20 feet in width:

REQUIRED SIDE YARDS

District	Type of #Residence#	Height (in #stories#)	Number of #Side Yards# Required	Required Total Width	Required Minimum Width of any #Side Yard#
R2 R3-1	#detached#	1-2	2	15	5
R3-2	#detached#	3-4	2	20	5
	#semi-detached#	1-2	1	9	9
	#semi-detached#	3-4	1	15	15
R3A R4A	#detached#	1-4	2	15	5
R3X	#detached#	1-2	2	15	5
	#detached#	3	2	20	8
	#detached#	4	2	25	10
R4-1	#detached#	1-4	2	15	5
	#semi-detached#	1-4	1	9	9

In R1 Districts, the #side yard# regulations of Section 23-46 shall apply.

\* \* \*

**107-60**  
**AUTHORIZATIONS**

\* \* \*

**107-62**  
**Yard and Court Regulations**

For any #development#, the City Planning Commission may authorize variations in the #yard# or #court# regulations as set forth in Section 107-46 (Yard and Court Regulations) or in the location of parking, driveway, or curb cut regulations as set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), Section 25-621 (Location of parking spaces in certain districts), Section 25-622 (Location of parking spaces in lower density growth management areas), and Section 25-631 (Location and width of curb cuts in certain districts) for the purpose of allowing proper arrangements of #buildings#, driveways or required parking areas so as to avoid the destruction of existing topography and individual trees of six inch caliper or more. #Rear yard#, #side yard# or #side yard# equivalent variations shall not be authorized on the periphery of a #development# unless acceptable agreements are jointly submitted for #development# of two or more adjacent #zoning lots# by the owners thereof, incorporating the proposed #yard# or #side yard# equivalent variations along their common #lot lines#.

As a condition for granting such authorizations, the Commission shall find that the proposed placement of #buildings# and arrangement of #open spaces# will not have adverse effects upon light, air and privacy on adjacent #zoning lots#.

\* \* \*

**107-465**  
**Rear yards**

~~In all underlying districts, except R1 Districts, for permitted #single# or #two family residences#, the required #rear yard# shall have a depth of at least 20 feet and there shall be a 10 foot rear setback above the first #story#~~

\* \* \*

**107-467**  
**Modifications of special yard regulations for certain zoning districts**

On application, the City Planning Commission may, by certification, modify the underlying #rear yard# regulations and the requirements of Section ~~107-465 (Rear yards)~~ and 107-466 (Special yard regulations for certain zoning lots) and thereby allow #single# or #two-family residences# to be built on the #side# or #rear lot line#, provided the following conditions are satisfied:

\* \* \*

**Article XI - Special Purpose Districts**

\* \* \*

**Chapter 2  
Special City Island District**

\* \* \*

**112-101  
Special open space; and lot coverage and floor area ratio regulations**

In R3A Districts, and in C1 and C2 Districts mapped within R3A Districts, and in C3 Districts, the provisions of Section 23-141 (In R1, R2, R3, R4 and R5 Districts) shall not apply. In lieu thereof, the maximum #floor area ratio# for a #residential use# shall be 0.5. Such #floor area ratio# may be increased by up to 20 percent provided that any such increase in #floor area# is located under a sloping roof that rises at least seven inches in vertical distance for each foot of horizontal distance. In addition, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence developed# after September 30, 2003 may be increased by 100 square feet if at least one enclosed #accessory# off-street parking space is provided in a garage located in the #side lot ribbon# pursuant to Sections 23-12 (Permitted Obstructions in Open Space), paragraph (f), 23-441 (Location of garages in side yards of corner lots) or 23-442 (Location of garages in side yards of other zoning lots):

In C3 Districts, for a #residential use#, the maximum #lot coverage# shall be 65 percent and the minimum required #open space# shall be 35 percent.

\* \* \*

**112-105  
Authorization for multiple buildings on a single zoning lot**

On #zoning lots# of 25,000 square feet or more, the City Planning Commission may authorize modifications to the provisions of Section 23-711 (Standard minimum distance between buildings), provided:

- (a) ~~such modifications reduce the required distance between a building wall containing a #legally required window# and any other building wall to not less than 20 feet;~~
- (b) ~~such modifications reduce the required distance between two building walls;~~

~~neither of which contains a #legally required window#, to not less than 13 feet; and~~

- ~~(c) — at least 50 percent of the #zoning lot# not covered by #buildings# has a minimum dimension of 12 feet and is not used for driveways, #private streets# or parking spaces.~~

~~The Commission shall find that such modifications enhance the quality of the #open spaces# on the #zoning lot# and results in an improved site plan. The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.~~

\* \* \*

**Chapter 9  
Special Hillside Preservation District**

\* \* \*

**119-05**  
**Applicability of Parking Location Regulations**

The regulations for #developments# in #lower density growth management areas# are modified to allow required #accessory# parking spaces to be located in a #front yard#.

\* \* \*

**119-214**  
**Tier II requirements for driveways and private roads**

The provisions set forth in this Section and Section 119-213 (Grading controls) shall apply to driveways and to #private roads# that provide access to #buildings developed# after December 11, 1999. The provisions for #private roads# set forth in ~~Article II, Chapter 6, Section 26-20, inclusive,~~ shall not apply. However, the provisions for #private roads# in #lower density growth management areas# of Sections 26-31 through 26-34 shall apply.

- (a) Driveways
  - (1) the maximum grade of a driveway shall not exceed 10 percent;
  - (2) the paved width of a driveway shall not exceed 18 feet; and
  - (3) the maximum length of a driveway from a #private road# or #street# to an



#accessory# parking space shall not exceed 80 feet.

- (b) #Private roads#
- (1) the maximum grade of a #private road# shall not exceed 10 percent;
  - (2) the width of the graded section beyond the curb back or edge of pavement of a #private road# shall extend no more than three feet beyond the curb back or edge of pavement on both the cut and the fill sides of the roadway. If a sidewalk is to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus no more than one foot beyond the curb back;
  - (3) the paved width of a #private road# shall not exceed 30 feet;
  - (4) curbs shall be provided along each side of the entire length of a #private road# and #accessory# parking spaces may be located between the required roadbed and curb;
  - (5) a curb cut, excluding splays, from a #street# to a #private road# may be as wide as such #private road#;
  - (6) curb cuts providing access from #private roads# to parking spaces shall not exceed the width of the driveway served and in no event shall exceed a width of 18 feet, including splays;
  - (7) a minimum distance of 16 feet of uninterrupted curb space shall be maintained between all curb cuts;
  - (8) along the entire length of a #private road#, trees shall be provided and maintained at the rate of one tree for every 25 feet of #private road# frontage and shall comply with the requirements set forth in Section 119-216 (Tier II tree planting requirements); and
  - (9) no building permit shall be issued by the Department of Buildings without approval by the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety. Such approval may include the modification of #private road# width as set forth in paragraph (b)(3) of this Section.
- (10) For the purposes of applying the #yard# regulations of Section 26-31, the curb of the #private road# shall be considered to be the #street line#.

The City Planning Commission may by authorization or special permit, as applicable, pursuant to Section 119-30 (SPECIAL REVIEW PROVISIONS), allow modifications to, or waivers of, the requirements of this Section. The approval of the Fire Department regarding the adequacy of vehicular access to and within the #development# for fire safety shall be a condition precedent for any modification or waiver.

(On July 28, 2004, Cal. No. 4, the Commission scheduled August 11, 2004 for a public hearing. On August 11, 2004, Cal. No. 9 the hearing was closed.)

**For consideration.**

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**No. 11**

**Citywide**

**N 040481 ZRY**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VI, Chapter 2, concerning the definition of a waterfront block and waterfront zoning lot.

Matter underlined is new, to be added;

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

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

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

\*\*\*

**Article VI**

**Special Regulations Applicable to Certain Areas**

**Chapter 2**

**Special Regulations Applying in the Waterfront Area**

\*\*\*

**62-11**

**Definitions**

Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

\* \* \*

**Waterfront block, waterfront public park or waterfront zoning lot**

A "waterfront block", "waterfront public park" or "waterfront zoning lot" is a #block#, #public park# or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter;

- (a) a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#;
- (b) a #block# within the #waterfront area# that abuts a #waterfront public park# shall be part of a #waterfront block#-; and
- (c) a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

~~For the purposes of this Chapter, a~~ Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not abut a #waterfront public park#, shall be deemed outside of the #waterfront block#.

\* \* \*

**62-711****Waterfront public access and visual corridors**

No excavation or building permit shall be issued for any #development# on a #waterfront block#, or any other #block# included within a Waterfront Access Plan, until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Business Services, as applicable, that:

- (a) there is no waterfront public access or #visual corridor# requirement for the #development# due to the following:
  - (1) the #development# is exempt pursuant to Sections 62-41 (Requirements for Waterfront Public Access) or 62-42 (Requirements for Visual Corridors); or
  - (2) the waterfront public access or #visual corridor# requirement has been waived pursuant to Section 62-80 (WATERFRONT ACCESS PLANS); or
- (b) a site plan has been submitted showing compliance with the provisions of

Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA); or

- (c) a site plan has been submitted showing compliance with the provisions of Section 62-80; or
- (d) for #developments# listed in Section 62-40, paragraph (a)(1), on a #zoning lot# containing a public access area established prior to October 25, 1993 meeting the terms of Section 62-415, paragraph (c) by restrictive declaration, lease agreement, maintenance and operation agreement or other agreement with a public entity, which public access area is required to be provided for a period not less than the anticipated life of the new #development#, a copy of such restrictive declaration or agreement and a site plan indicating the location, area and design of the required public access area and showing substantial compliance with the provisions of the first paragraph of Section 62-415 (Requirements for supplemental public access areas), paragraph (b), have been submitted; or
- (e) for the #development# of a park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 (Special regulations for zoning lots that include parks).

A certification pursuant to paragraphs (b) or (c) of this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed pursuant to Section 62-14 (Requirements for Recordation).

~~No waterfront public access is required for any #development# on a #zoning lot# that is separated from the #shoreline# by a #street#, #public park# or other tract of land constituting the boundary of a #block#.~~

Within 45 days of receipt of a complete application, the Chairperson shall either certify that the proposed #development# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply. Failure to certify or disapprove such application within the 45 day period will release the Department of Buildings or the Development of Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

(On July 28, 2004, Cal. No. 5, the Commission scheduled August 11, 2004 for a public hearing. On August 11, 2004, Cal. No. 10, the hearing was closed.)

**For consideration.**

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**BOROUGH OF BROOKLYN**

**Nos. 12, 13, 14 and 15**

***WATER STREET DEVELOPMENT***

**No. 12**

**CD 2**

**C 010645 ZMK**

**IN THE MATTER OF** an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 12d:**

- 1. changing from an M1-2 District to an M1-2/R8 District property bounded by** Water Street, a line 230 feet westerly of Main Street, Front Street, and Dock Street; and
- 2. establishing a Special Mixed Use District (MX-2) within the area bounded by** Water Street, a line 230 feet westerly of Main Street, Front Street, and Dock Street;

as shown on a diagram (for illustrative purposes only) dated March 24, 2004, and subject to the conditions of CEQR Declaration E-132.

(On June 23, 2004, Cal. No. 1, the Commission scheduled July 14, 2004 for a public hearing. On July 14, 2004, Cal. No. 19, the hearing was closed.)

**For consideration.**

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**No. 13**

**CD 2**

**C 010646 ZSK**

**IN THE MATTER OF** an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-743(a)(2) of the Zoning Resolution **to allow the location of a proposed 16-story mixed use building without regard for the applicable yard, court and height and setback regulations, on a zoning lot located at 38-64 Water Street a.k.a. 9-43 Dock Street** (Block 36, Lots 1, 3, and 14), within a General Large Scale

Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8\*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)\*, partially within the Fulton Ferry Historic District.

\* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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

(On June 23, 2004, Cal. No. 2, the Commission scheduled July 14, 2004 for a public hearing. On July 14, 2004, Cal. No. 20, the hearing was closed.)

**For consideration.**

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**No. 14**

**CD 2**

**C 010647 ZSK**

**IN THE MATTER OF** an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-512 of the Zoning Resolution **to allow an attended public parking garage with a maximum capacity of 327 spaces on portions of the cellar floor, ground floor and second floor, and to allow floor space up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), in a proposed 16-story mixed use building on a zoning lot located at 38-64 Water Street a.k.a. 9-43 Dock Street** (Block 36, Lots 1, 3, and 14), within a General Large Scale Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8\*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)\*, partially within the Fulton Ferry Historic District.

\* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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

(On June 23, 2004, Cal. No. 3, the Commission scheduled July 14, 2004 for a public hearing. On July 14, 2004, Cal. No. 21, the hearing was closed.)

**For consideration.**

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**No. 15****CD 2****C 030492 ZSK**

**IN THE MATTER OF** an application submitted by the Two Trees Management Co. pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-711 of the Zoning Resolution **to modify the use regulations of Section 42-00 (Use Regulations) to allow residential use (Use Group 2 uses) on the 2<sup>nd</sup> floor, 3<sup>rd</sup> floor and 4<sup>th</sup> floor of an existing 4-story building on a zoning lot located at 85 Water Street** (Block 26, Lots 33 and 38), in an M3-1 District, within a General Large Scale Development (Block 36, Lots 1, 3, 14, 16, and 116, Block 26, Lots 33 and 38), within M1-2/R8\*, M1-2/R8A and M3-1 Districts, partially within a Special Mixed Use District (MX-2)\*, partially within the Fulton Ferry Historic District.

\* Note: A portion of the site is proposed to be rezoned by changing an M1-2 District to an M1-2/R8 District, and by establishing a Special Mixed Use District (MX-2), under a related application (C 010645 ZMK) for a change in the Zoning Map.

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

(On June 23, 2004, Cal. No. 4, the Commission scheduled July 14, 2004 for a public hearing. On July 14, 2004, Cal. No. 22, the hearing was closed.)

**For consideration.**

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**Nos. 16 and 17**
**226 FRANKLIN STREET****No. 16****CD 1****C 010384 ZMK**

**IN THE MATTER OF** an application submitted by the American Package Company Inc. pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 12c:**

1. **changing from an M1-1 District to an M1-2/R6A District property bounded by Freeman Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street; and**
2. **establishing a Special Mixed Use District (MX-8) bounded by Freeman**

Street, a line 320 feet easterly of Franklin Street, Green Street, and Franklin Street;

as shown on a diagram (for illustrative purposes only) dated April 12, 2004.

(On July 14, 2004, Cal. No. 2, the Commission scheduled July 28, 2004 for a public hearing. On July 28, 2004, Cal. No. 24, the hearing was closed.)

**For consideration.**

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**No. 17**

**CD 1**

**N 040137 ZRK**

**IN THE MATTER OF** an application submitted by the American Package Company., Inc. 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 XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-8) in Greenpoint, Community District 1, Brooklyn.

Matter in underline is new, to be added;  
Matter within # # is defined in Section 12-10;  
\* \* \* indicates where unchanged text appears in the Zoning Resolution.

\* \* \*

**Article XII - Special Purpose Districts**

**Chapter 3  
Special Mixed Use District**

\* \* \*

**123-90  
SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:

\* \* \*

#Special Mixed-Use District# - 8:



Greenpoint, Brooklyn

The #Special Mixed-Use District# - 8 is established in Greenpoint in Brooklyn as indicated on the #zoning maps#.

\* \* \*

(On July 14, 2004, Cal. No. 3, the Commission scheduled July 28, 2004 for a public hearing. On July 28, 2004, Cal. No. 25, the hearing was closed.)

**For consideration.**

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**No. 18**

***1063 FLUSHING AVENUE***

**CD 1**

**C 040096 PPK**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for **the disposition of one (1) city-owned property located at 1063 Flushing Avenue** (Block 3013, Lot 30), pursuant to zoning.

(On July 14, 2004, Cal. No. 4, the Commission scheduled July 28, 2004 for a public hearing. On July 28, 2004, Cal. No. 26, the hearing was closed.)

**For consideration.**

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**BOROUGH OF QUEENS**

**No. 19**

***BROOKVILLE REZONING***

**CD 13**

**C 040446 ZMQ**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning Map, Section No. 19b:**

1. **eliminating within an existing R3-2 District a C2-2 District** bounded by South Conduit Avenue, 224<sup>th</sup> Street, 144<sup>th</sup> Avenue, 223<sup>rd</sup> Street, a

line 150 feet southerly of South Conduit Avenue and its easterly prolongation, and Springfield Boulevard;

2. **changing from an R3-2 District to an R3-1 District property bounded by** South Conduit Avenue, Lansing Avenue, 230<sup>th</sup> Place, the northerly street line of 143<sup>rd</sup> Road and its westerly and easterly prolongations, the westerly boundary line of Brookville Park, and its southerly prolongation, 149<sup>th</sup> Avenue, a line midway between Springfield Boulevard and Springfield Lane, 147<sup>th</sup> Avenue, a line 100 feet southwesterly of Springfield Lane, and Springfield Boulevard, **and excluding the property bounded by** 145<sup>th</sup> Road, 228<sup>th</sup> Street, 146<sup>th</sup> Avenue, 227<sup>th</sup> Street, a line 75 feet northerly of 146<sup>th</sup> Avenue, and 226<sup>th</sup> Street;
3. **changing from an R3-2 District to an R4B District property bounded by** South Conduit Avenue, the westerly boundary line of Brookville Park, the northerly street line of 143<sup>rd</sup> Road and its easterly and westerly prolongations, 230<sup>th</sup> Place, and Lansing Avenue;
4. **establishing within the proposed R3-1 District a C1-3 District bounded by:**
  - a. South Conduit Avenue, 224<sup>th</sup> Street, 144<sup>th</sup> Avenue, 223<sup>rd</sup> Street, a line 150 feet southerly of 144<sup>th</sup> Avenue, a line 150 feet southerly of South Conduit Avenue, and Springfield Boulevard;
  - b. a line 400 feet northerly of 146<sup>th</sup> Avenue, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, a line 200 feet northerly of 146<sup>th</sup> Avenue, and 228<sup>th</sup> Street; and
  - c. the easterly prolongation of the southerly street line of 146<sup>th</sup> Avenue, a line midway between 228<sup>th</sup> Street and 229<sup>th</sup> Street, 147<sup>th</sup> Avenue, and 228<sup>th</sup> Street; and
5. **establishing within the proposed R4B District a C1-3 District bounded by** South Conduit Avenue, a line 100 feet westerly of 230<sup>th</sup> Place, and Lansing Avenue;

as shown on a diagram (for illustrative purposes only) dated May 10, 2004.

(On July 28, 2004, Cal. No. 15, the Commission scheduled August 11, 2004 for a public hearing. On August 11, 2004, Cal. No. 20, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND****No. 20*****ST. PAUL'S AVENUE STAPLETON HEIGHTS HISTORIC DISTRICT*****CD 1****N 050011 HKR**

**IN THE MATTER OF** a communication dated July 9, 2004, from the Executive Director of the Landmarks Preservation Commission **regarding landmark designation of the St. Paul's Avenue-Stapleton Heights Historic District** which consists of the property bounded by a line beginning at a point on the eastern curb line of St. Paul's Avenue, then extending easterly to and along the northern property line of 169 St. Paul's Avenue, southerly along the eastern property line of 169 St. Paul's Avenue and part of the eastern property line of 173 St. Paul's Avenue, westerly along part of the southern property line of 173 St. Paul's Avenue, southerly along part of the western property line of 173 St. Paul's Avenue and the western property lines of 185 St. Paul's and 189 St. Paul's Avenue and a line extending to the northern curb line of Clinton Street, southerly across Clinton Street to the southern curb line of Clinton Street, easterly along the southern curb line of Clinton Street to a point on a line extending northerly from the eastern property line of 203 St. Paul's Avenue, southerly along said line and the eastern property lines of 203 St. Paul's Avenue and 207 St. Paul's Avenue, easterly along part of the northern property line of 211 St. Paul's Avenue, southerly along the eastern property lines of 211 through 231 St. Paul's Avenue, westerly along part of the southern property line of 231 St. Paul's Avenue, southerly along the eastern property lines of 239 and 241 St. Paul's Avenue, westerly along part of the southern property line of 241 St. Paul's Avenue, southerly along the eastern property lines of 249 through 257 St. Paul's Avenue and 15 Taxter Place and a line extending to the northern curb line of Taxter Place, across Taxter Place to the southern curb line of Taxter Place, southerly along said line and the eastern property lines of 277 (aka 271-277) St. Paul's Avenue through 291 St. Paul's Avenue and part of the eastern property line of 309 St. Paul's Avenue (aka 295-339 St. Paul's Avenue, 175-185 Beach Street), westerly along part of the southern property line of 309 St. Paul's Avenue (aka 295-339 St. Paul's Avenue, 175-185 Beach Street), southerly along part of the eastern property line of 309 (aka 295-339 St. Paul's Avenue, 175-185 Beach Street) and a line extending to the northern curb line of Beach Street, southerly across Beach Street to the southern curb line of Beach Street, westerly along the southern curb line of Beach Street to a point on a line extending northerly from the eastern property line of 347 (aka 341-347) St. Paul's Avenue, southerly along said line and along the eastern property line of 347 (aka 341-347) St. Paul's Avenue and part of the eastern property line of 351 St. Paul's Avenue, easterly along part on the northern property line of 351 St. Paul's Avenue, southerly along part of the eastern property line of 351 St. Paul's Avenue, easterly along part of the northern property line of 353 St. Paul's Avenue, southerly along the eastern property lines of 353 through 357 St. Paul's Avenue and part of the eastern property line of 369 St. Paul's Avenue, easterly along part of the southern property line of 369 St. Paul's Avenue, southerly along part of the eastern property line of 369 St. Paul's Avenue, westerly along part of the southern property line of 369 St. Paul's Avenue, southerly along the eastern property line of 377 and 387 St. Paul's Avenue, southeasterly along the eastern property line of 393 St. Paul's Avenue and part of the eastern property line of 399

St. Paul's Avenue, southwesterly along part of the eastern property line of 399 St. Paul's Avenue, southerly along part of eastern property line of 403 St. Paul's Avenue, part of the eastern property line of 413 St. Paul's Avenue, and a line extending to the northern curb line of Willow Street, westerly along the northern curb line of Willow Street to the northwestern curb line of Stone Street and Willow Street, southerly across Willow Street to the northeastern curb line of Willow Street and Stone Street, easterly along part of the northern curb line of Stone Street to a point on a line extending northerly from the eastern property line of 447 St. Paul's Avenue, southerly across Stone Street to the southern curb line of Stone Street, southerly along said line and part of the eastern property line of 447 St. Paul's Avenue to a point on a line between 447 and 449 St. Paul's Avenue, northwesterly along said line and a line extending to the eastern curb line of St. Paul's Avenue, southerly along the eastern curb line of St. Paul's Avenue to a point on a line extending easterly from the southern property line of 94 Trossach Road (aka 94-98 Trossach Road, 446-458 St. Paul's Avenue), westerly across St. Paul's Avenue to the western curb line of St. Paul's Avenue, westerly along said line and the southern property line of 94 Trossach Road (aka 94-98 Trossach Road, 446-458 St. Paul's Avenue), northerly along the western property line of 94 Trossach Road (aka 94-98 Trossach Road, 446-458 St. Paul's Avenue) and a line extending to the southern curb line of Trossach Road, easterly along the southern curb line of Trossach Road to the southwest corner of Trossach Road and St. Paul's Avenue, northerly across Trossach Road to the northwest corner of Trossach Road and St. Paul's Avenue, northerly along the western curb line of St. Paul's Avenue to a point on a line extending easterly from the southern property line of 400 St. Paul's Avenue (aka 76 Occident Avenue), westerly along said line and the southern property line of 400 St. Paul's Avenue (aka 76 Occident Avenue), southerly along part of the eastern property line of 107 Marion Avenue, westerly along the southern property line of 107 Marion Avenue and part of the southern property line of 131 Marion Avenue (aka 131-141 Marion Avenue), northerly along part of the western property line of 131 Marion Avenue (aka 131-141 Marion Avenue), westerly along part of the southern property line of 131 Marion Avenue (aka 131-141 Marion Avenue), northerly along part of the western property line of 131 Marion Avenue (aka 131-141 Marion Avenue) and a line extending to the southern curb line of Marion Avenue, easterly along the southern curb line of Marion Avenue following its northward curve to the southeast corner of Marion Avenue and Occident Avenue, northerly across Occident Avenue to the northeast corner of Occident Avenue and Marion Avenue, westerly across Marion Avenue to the northwest corner of Occident Avenue and Marion Avenue and along the northern curb line of Occident Avenue to a point on a line extending southerly from the western property line of 37 Occident Avenue (aka 31-37 Occident Avenue), northerly along said line and the western property lines of 37 Occident Avenue (aka 31-37 Occident Avenue), 62 through 56 Marion Avenue and 44 Pommer Avenue (aka 50 Marion Avenue) and a line extending to the southern curb line of Pommer Avenue, northerly across Pommer Avenue to the northern curb line of Pommer Avenue, northerly along said line to the northwestern property line of 45 Pommer Avenue (aka 48 Marion Avenue), northerly along the western property line of 45 Pommer Avenue (aka 48 Marion Avenue) and 36 through 14 Marion Avenue and part of the western property line of 168 Cebra Avenue (aka 154-178 Cebra Avenue, 1-9 Catlin Street, 2 Marion Avenue), westerly along part of the southern property line of 168 Cebra Avenue (aka 154-178 Cebra Avenue, 1-9 Catlin Street, 2 Marion Avenue) and a line extending to the eastern curb line of Catlin Avenue, northerly along the western curb line

of Catlin Avenue to the southeast corner of Catlin Avenue and Cebra Avenue, northerly across Cebra Avenue to the northern curb line of Cebra Avenue, northwesterly along the northern curb line of Cebra Avenue to a point on a line extending southerly from the western property line of 147 Cebra Avenue (aka 141-147 Cebra Avenue), northerly along said line and the western property line of 147 Cebra Avenue (aka 141-147 Cebra Avenue), easterly along part of the northern property line of 147 Cebra Avenue (aka 141-147 Cebra Avenue), northerly along part of the western property line of 147 Cebra Avenue (aka 141-147 Cebra Avenue), easterly along part of the northern property line of 147 Cebra Avenue (aka 141-147 Cebra Avenue) and the northern property lines of 151 through 169 Cebra Avenue, southerly along part of the eastern property line of 169 Cebra Avenue to a point on a line extending westerly from the northern property line of 173 Cebra Avenue, easterly along the northern property lines of 173 and 175 Cebra Avenue (aka 2 Dyson Street) and a line extending to the western curb line of Dyson Street, southwestly along the western curb line of Dyson Street to a point on a line extending westerly from the northern property line of 1 Dyson Street (aka 1-1A Dyson Street, 181 Cebra Avenue), easterly across Dyson Street to the eastern curb line of Dyson Street, easterly along said line and part of the northern property line of 1 Dyson Street (aka 1-1A Dyson Street, 181 Cebra Avenue), northerly along part of the western property line of 1 Dyson Street (aka 1-1A Dyson Street, 181 Cebra Avenue), easterly along part of the northern property line of 1 Dyson Street (aka 1-1A Dyson Street, 181 Cebra Avenue) and the northern property line of 189 Cebra Avenue, northerly along the western property line of 298 St. Paul's Avenue, easterly along the northern property line of 298 St. Paul's Avenue and a line extending to the western curb line of St. Paul's Avenue, easterly across St. Paul's Avenue to the eastern curb line of St. Paul's Avenue, northerly along the eastern curb line of St. Paul's Avenue to the southeast corner of Taxter Place, northerly across Taxter Place to the northern curb line of Taxter Place, northerly along said line and the eastern curb line of St. Paul's Avenue to a point on a line extending easterly from the southern property line of 218 St. Paul's Avenue, westerly across St. Paul's Avenue to the western curb line of St. Paul's Avenue, westerly along said line and the southern property line of 218 St. Paul's Avenue, northerly along the western property line of 218 and 210-212 St. Paul's Avenue, easterly along part of the northern property line of 210-212 St. Paul's Avenue, northerly along the eastern property line of 208 St. Paul's Avenue, westerly along the southern property line of 204 St. Paul's Avenue, northerly along part of the western property line of 204 St. Paul's Avenue, easterly along part of the northern property line of 204 St. Paul's Avenue, northerly along part of the western property line of 204 St. Paul's Avenue and the western property lines of 202 through 192 St. Paul's Avenue, and a line extending to the southern curb line of Paxton Street, northerly across Paxton Street to the northern curb line of Paxton Street, northerly along said line and the western property line of 172 St. Paul's Avenue (aka 168-172 St. Paul's Avenue), easterly along the northern property line of 172 St. Paul's Avenue (aka 168-172 St. Paul's Avenue) and a line extending to the western curb line of St. Paul's Avenue, easterly across St. Paul's Avenue to the eastern curb line of St. Paul's Avenue, northerly along the curb line of St. Paul's Avenue to the point of beginning, by the Landmarks Preservation Commission on June 29, 2004 (List No. 355, LP 2147).

(On July 21, 2004, the Commission scheduled August 11, 2004, for a public hearing. On August 11, 2004, Cal. No. 22, the hearing was closed.)

**For consideration.**

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**No. 21**

***SWEETWATER ESTATES***

**CD 3**

**N 980408 RAR**

**IN THE MATTER OF** an application submitted by M.S.B. Development Corp. for the grant of authorizations pursuant to Sections 107-64 and 107-65 of the Zoning Resolution for the removal of trees and modification of existing topography and for grant of certifications pursuant Sections 107-08, 107-22, 107-221, 107-223 and 107-323 for future subdivision, lots with designated open space (DOS), and active recreational facilities and permitted obstruction in DOS and substitution of other plant materials **to allow development of 10 one-family detached homes and 47 one-family and 33 two-family attached homes on 10 zoning lots at Sweetwater and Nelson avenues and Tennyson Drive (Block 5299, Lots 1, 7, 9, 12 and 13; Block 5300, Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19 and Block 5303, Lot 1) within in the Special South Richmond Development District.**

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6<sup>th</sup> Floor, Staten Island, New York 10301.

**For consideration.**

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**No. 22**

***ST. JAMES PLACE***

**CD 2**

**N 040253 ZAR**

**IN THE MATTER OF** an application submitted by Ceasar and Marian Rodriguez **for the grant of authorizations** pursuant to Sections 105-421, 105-423 and 105-424 of the Zoning Resolution involving the modification of existing topography, the alteration of botanic environment including removal of trees and alteration of other natural features (steep slopes) **to allow the construction of a two story detached one family residence, with a garage, driveway and an in-ground swimming pool located at St. James Place (Block 868, Lot 35) within the Special Natural Area District (NA-1).**

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

**For consideration.**

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**IV. CITY PLANNING COMMISSION 2004 SCHEDULE OF MEETINGS  
July 1 to December 31**

	SUN	MON	TUE	WED	THU	FRI	SAT	Notes
<b>JULY</b>					1	2	3	
	4	5	6	7	8	9	10	
	11	12	13	14	15	16	17	
	18	19	20	21	22	23	24	
	25	26	27	28	29	30	31	
<b>AUGUST</b>	1	2	3	4	5	6	7	
	8	9	10	11	12	13	14	
	15	16	17	18	19	20	21	
	22	23	24	25	26	27	28	
	29	30	31					
<b>SEPTEMBER</b>				1	2	3	4	
	5	6	7	8	9	10	11	*Review Session will be held on Tuesday, September 7 <sup>th</sup>
	12	13	14	15	16	17	18	
	19	20	21	22	23	24	25	
	26	27	28	29	30			
<b>OCTOBER</b>						1	2	
	3	4	5	6	7	8	9	
	10	11	12	13	14	15	16	
	17	18	19	20	21	22	23	
	24	25	26	27	28	29	30	
31								
<b>NOVEMBER</b>		1	2	3	4	5	6	
	7	8	9	10	11	12	13	
	14	15	16	17	18	19	20	
	21	22	23	24	25	26	27	
	28	29	30					
<b>DECEMBER</b>				1	2	3	4	
	5	6	7	8	9	10	11	
	12	13	14	15	16	17	18	
	19	20	21	22	23	24	25	
	26	27	28	29	30	31		

*Review Sessions are held in Spector Hall at 22 Reade Street starting at 6:00 P.M.  
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.*