

II. REPORT

CITY-WIDE

No. 13

(CP-22308)

[Resolution to encourage office development in regional sub-centers such as Jamaica Center by establishing a new C6-1A District.]

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of the City of New York, relating to establishing a new C6-1A District.

(On April 4, 1973, Cal. No. 11, the Commission scheduled May 2, 1973, for a hearing; on May 2, 1973, Cal. No. 17, the hearing was closed; on May 30, 1973, Cal. No. 13, the matter was laid over.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

except as outlined in the proposed zoning text changes. The following are technical explanations of these proposed amendments.

Section 11-12

The new General Central Commercial District C6-1A is first introduced in this section, thereby alerting the Zoning Resolution user to its inclusion.

Section 31-36

The present description of General Central Commercial Districts (C6 Districts) fails to mention regional commercial centers as appropriate for certain C6 Districts. This addition to the C6 general description clarifies the attitude of the Zoning Resolution vis-a-vis regional commercial centers, such as Jamaica, Queens.

Section 32-15

Uses in Use Group 6D (Public Service Establishments such as electric or gas utility sub-stations, public utility stations, telephone exchanges or other communication equipment structures and water or sewage pumping stations) are not permitted in C6-1A Districts. This Use Group dictates a type of building which is usually windowless, bulky and frequently very tall and provides minimal employment opportunities. This Use Group is inappropriate for dense regional commercial centers with excellent office development potential and public transportation.

Sections 32-16 and 32-20

Uses in Use Groups 7 and 11 (home maintenance or repair services and custom manufacturing) are not permitted in C6-1A Districts. These two Use Groups, which are normally allowed in C6 Districts are not permitted in C4 Districts, the Commercial District presently zoned in regional commercial centers. These two Use Groups are inappropriate for dense commercial/office centers.

Sections 32-17 and 74-52

In C6-1A Districts public parking garages and open public parking lots are not permitted as of right. However, the City Planning Commission may permit such parking facilities, provided that applicable regulations setting forth access, surfacing, and screening are met.

Section 32-644

Illuminated flashing signs are not permitted in C6-1A Districts. These signs are out of character with the commercial/office development center concept image.

Sections 33-120.5, 33-122, and 33-123

In C6-1A Districts the floor area ratio for commercial buildings, community facility buildings and mixed commercial/community facility buildings is presently 6.0. The maximum limit on floor area ratio is 50% over the base floor area ratio permitted in C6-1A Districts, as defined in Section 33-12 (Maximum Floor Area Ratio). The inclusion of public amenities, as defined in Sections 33-13, 33-15, 74-762 and 74-82 (Floor Area Bonus for Plazas, Arcades, and Through-Block Connections), for bonus floor area allows the development potential to reach a maximum floor area ratio limit of 9.0.

Section 33-131

In C6-1A Districts the Floor Area Bonus for a Plaza, as defined in Section 12-10 of the Zoning Resolution, is six (6) square feet of bonus floor area for every one square foot of defined plaza. In no case will the total bonus floor area exceed the maximum limit on floor area ratio, as defined in Section 33-120.5.

Section 33-151

In C6-1A Districts the Floor Area Bonus for an Arcade, as defined in Section 12-10 of the Zoning Resolution, is three (3) square feet of bonus floor area for every one square foot of defined arcade. In no case will the total bonus floor area exceed the maximum limit on floor area ratio, as defined in Section 33-120.5.

Sections 34-112, 35-23, and 35-412

In C6-1A Districts the Residential Bulk Regulations which apply to Residential and Mixed Buildings are those of the R-6 Residence District. A minimum of 30 square feet for commercial use and 20 square feet for community facility use per 100 square feet of floor area is required.

Sections 36-022 and 36-232

In C6-1A Districts the parking requirements are separated into two categories. For all office uses listed in Use Group 6B of Section 32-15 (Use Group 6) one parking space per 4,000 square feet of floor area development is required. For all Commercial Uses (other than Use Group 6B) in parking requirement category A or B, if the total number of accessory off-street parking spaces required for all such uses on the Zoning Lot is less than 100, then there is no parking requirement. However, if the total number of accessory off-street parking spaces required for all such uses (parking requirement category A or B) on the Zoning Lot is greater than 100 then one parking space per 1,000 square feet of floor area development is required.

Section 74-72

In C6-1A Districts, the City Planning Commission may permit modification of the height and setback regulations for developments or enlargements located on a Zoning Lot having a minimum area of 40,000 square feet or occupying an entire block.

Section 74-762

In C6-1A Districts the City Planning Commission may permit a portion of the plaza area to be depressed more than 10 feet below the curb level of the nearest adjoining street to provide access of light and air and direct pedestrian access to a subway station mezzanine

or concours . The plaza bonus may be increased from 6 to 10 square feet of floor area for every one square foot of such depressed plaza area. Not more than 50 percent of the plaza area shall be depressed; the sunken plaza shall be kept open to the general public during normal working hours. The opportunities for appropriate direct connection between new development and subway station mezzanines are obvious and should be exploited. In the case of Jamaica, Queens, the proximity of the Office Development District and the new Parsons Boulevard Station indicate that such an opportunity is available and every effort should be directed at securing an appropriate connection via sunken plazas. In no case will the total bonus floor area exceed the maximum limit on floor area ratio, as defined in Section 33-12.05.

Section 74-82

In C6-1A Districts, the City Planning Commission may permit through block arcades, as defined in section 12-10 of the Zoning Resolution, to be located in commercial buildings or mixed buildings and receive a bonus of six (6) square feet of floor area for every square foot of through block arcade. In no case will the total bonus floor area exceed the maximum limit on floor area ratio, as defined in Section 33-12.05.

COMMERCIAL DISTRICTS

Bulk Regulations

Relevant changes to the Summary of Bulk Regulations in Commercial Districts (page 145 of the Zoning Resolution)

All other table entries are consistent with/equal to the other C6 General Commercial Districts

District	Maximum Floor Area Ratio			Minimum Required Open Space Ratio
	Commercial buildings	Community facility buildings	Residential buildings	Residential buildings
C6-1A	6.00	6.00	2.00 to 2.40	29.5 to 33.0

Public Hearing

On April 4, 1973 (Calendar #11) the Commission scheduled a PUBLIC HEARING on the proposed amendments. The hearing was duly held on May 2, 1973 (Calendar #17). At the hearing the changes were supported by the Greater Jamaica Development Corporation. The hearing was closed. Community Board #12 in Queens had voted their support for these amendments on April 18, 1973.

Consideration

At present the Zoning Resolution does not provide an appropriate Commercial District for regional centers, -- large-scale office/retail development. The amendments outlined in this report answer this zoning inadequacy by proposing specific modifications to the existing C6-1 District, thereby providing the necessary zoning for the redevelopment of regional centers such as Jamaica, Queens.

The new district has four basic objectives:

- To spur office and retail construction at a scale appropriate to regional centers;
- To stimulate provision of arcades, plazas, subway connections and other pedestrian amenities;
- To mandate more stringent land use and parking controls;
- To unify and coordinate overall development in the regional centers.

Text Changes after Public Hearing

Section 33-01

Applicability of this Chapter

Section 33-122 should not have been included in the "excepted Sections" applicability statement (Section 33-01). Section 33-122 indicates that C6-1A will have a maximum floor area ratio of 6.0, equivalent to the present C6-1 Districts. However, it is important that the C6-1A District designation read in Section 33-122.

Sections 33-131 and 74-76/74-762

Plaza Bonus/ - Sunken Plaza Bonus

The inclusion of bonuses for Sunken Plazas was removed from Section 33-131 and placed in Section 74-762, thereby necessitating City Planning Commission review and permission.

Section 36-022

Applicability of regulations of C6-1A Districts

Off-street/on-site parking requirements for uses listed in Use Group 6B (offices) of Section 32-15 (Use Group 6) were modified to read: 1 space per 4,000 square feet of floor area rather than 1 space per 3,000 square feet. This modification provides a more realistic and economically viable parking ratio for the type of large scale, back office space projected for these regional commercial centers. Furthermore, this new commercial district (C6-1A) will be proposed for areas with excellent public transportation; a fact which reinforces the more relaxed parking ratio.

Section 74-52

Parking Garages or Public Parking Lots in High Density Central Areas

This section was modified in order to clarify and to be consistent with Section 32-17 (Use Group 8, C. Automotive Service Establishments).

The Commission determined that the amendments are appropriate and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter.

RESOLVED, by the City Planning Commission that the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changes relating to various sections concerning the establishment of a new regional commercial district - C6-1A, as follows:

Matter in **Bold Type** is new;
Matter in brackets [], is old, to be omitted;
Matter in *italics* is defined in Section 12-10.

11-12

Commercial Districts

* * * *

C6-1 General Central Commercial District

C6-1A General Central Commercial District

* * * *

31-16

C6 General Central Commercial Districts

These districts are designed to provide for the wide range of retail, office, amusement service, custom manufacturing, and related uses normally found in the central business district and regional commercial centers, but to exclude nonretail uses which generate a large volume of trucking.

* * * *

32-00

GENERAL PROVISIONS

* * *

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 32-15, 32-16, 32-17, 32-20, and 32-644.

* * *

32-15

Use Group 6

* * *

D. Public Service Establishments**

* * *

** In a C6-1A District, uses in Use Group 6D are not permitted.

* * *

32-16

Use Group 7

* * *

Use Group 7 consists . . .

C6**

. . .

* * *

** In a C6-1A District, uses in Use Group 7 are not permitted.

* * *

32-17

Use Group 8

* * *

C. Automotive Service Establishments

Automobile rental establishments

Public parking garages or public parking lots with capacity of 150 spaces or less, subject to the provisions set forth for *accessory* off-street parking spaces in Section 36-53 (Location of Access to the Street), Section 36-55 (Surfacing), and Section 36-56 (Screening), and provided that such *public parking lots* are not permitted as of right in C6-1A [C7] Districts and such *public parking garages* are not permitted as of right in C2-5, C2-6, C2-7, C2-8, C4-5, C4-6, C4-7, C6, [C7], C8-4, M1-4, M1-5, M1-6, M2-3, M2-4, or M3-2 Districts.

* * *

32-20

Use Group 11

* * *

Use Group 11 consists of . . .

C6**

. . .

* * *

** In a C6-1A District, uses in Use Group 11 are not permitted.

* * *

32-644

Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts.

* * *

However, in a C6-1A District flashing signs are not permitted.

* * *

33-01

Applicability of this Chapter

* * *

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 33-120.5, [33-122] 33-123, 33-131, and 33-151.

* * *

33-120.5

Maximum limit on floor area ratio

* * *

However, in a C6-1A District, the maximum floor area ratio shall not exceed the amount set forth in Section 33-12 (Maximum Floor Area Ratio) by more than 50 percent.

* * *

33-122

Commercial buildings in all other Commercial Districts

* * *

Maximum Floor Area Ratio

6.0

* * *

C6-1A

* * *

33-123

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

* * *

Maximum Floor Area Ratio

6.0

* * *

C6-1A

* * *

Table, page 145, to reflect these text changes.

* * *

33-13

Floor Area Bonus for a Plaza

* * *

33-131

Commercial buildings in certain specified Commercial Districts

* * *

Floor Area Bonus

6

* * *

C6-1A

* * *

33-15

Floor Area Bonus for Arcades

* * *

33-151

Commercial buildings in certain specified Commercial Districts

* * *

Floor Area Bonus

3

* * *

C6-1A

34-01

Applicability of this Chapter

* * *

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Section 34-112.

* * *

34-112

Residential bulk regulations in other C1 or C2 Districts or in C3, C4, C5, C6 or C7 Districts

* * *

Applicable Residence District

R6

* * *

C6-1A

* * *

35-01

Applicability of this Chapter

* * *

All C6-1A Districts shall comply with the regulations of C6-1 Districts except as set forth in Sections 35-23 and 35-412.

* * *

35-23

Residential Bulk Regulations in Other C1 or C2 Districts or in C3, C4, C5, C6 or C7 Districts

* * *

Applicable Residence District

R6

* * *

C6-1A

* * *

35-412

In other C1 or C2 Districts or in C3, C4, C5, C6 or C7 Districts

* * *

Required Lot Area

Commercial Use	Commercial Facility Use	
30	20	C6-1A

* * *

36-022

Applicability of regulations of C6-1A Districts

In C6-1A Districts the parking requirements of C4-4 Districts as set forth in Section 36-20 (Required Accessory Off-Street Parking Spaces for Commercial or Community Facility Uses) shall apply to commercial or community facility uses. However, for all office uses listed in Use Group 6B of Section 32-15 (Use Group 6) there shall be one parking space per 3,000 square feet of floor area.

4,000

* * *

36-232

In districts with very low parking requirements

* * *

- (a) Commercial Uses in parking requirement category A or B, if the total number of accessory off-street parking spaces required for all such uses on the zoning lot is less than 40 or 100 in the case of C6-1A Districts, or

* * *

74-52

Parking Garages or Public Parking Lots in High Density Central Areas

In C1-5, C1-6, C1-7, C1-8, or C1-9 Districts, the City Planning Commission may permit public parking garages or public parking lots with a capacity of not more than 100 spaces, and in C2-5, C206, C2-7, C2-8, C4-5, C4-6, C4-7, C8-4, M1-4, M1-5, M1-6, M2-3, M2-4, or M3-2 Districts, the City Planning Commission may permit public parking garages with any capacity or public parking lots with more than 150 spaces, and in C5 and C6-1A Districts the City Planning Commission may permit public parking garages or public parking lots with any capacity, provided that the applicable regulations set forth in Section 36-53 or Section 44-43 (Location of Access to the Street), Section 36-55 or Section 44-44 (Surfacing), and Section 36-56 or Section 44-45 (Screening) are met.

* * *

74-76
Plazas

74-761
Elevated Plazas

* * *

74-762
Sunken Plazas

In C6-1A Districts the City Planning Commission may permit a portion of the plaza area to be depressed more than 10 feet below the curb level of the nearest adjoining street to provide access of light and air and direct pedestrian access by stairs or escalators from an adjoining street, arcade, plaza, through block arcade, plaza-connected open space, court or yard, to a subway station, mezzanine or concourse. The plaza bonus may be increased from 6 square feet to 10 square feet of floor area for every one square foot of such depressed plaza area. Such stairs or escalators above the depressed level of the plaza are permissible obstructions, provided that they (a) do not occupy in the aggregate more than 15 percent of the plaza area, and (b) are kept open to the general public during normal working hours. Not more than 50 percent of the plaza area shall be depressed.

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

The City Planning Commission shall require, when appropriate, that the design of the building and its open areas are suitably related to developments existing or planning in adjacent areas.

* * *

74-72

Height and Setback and Yard Regulations

In C4-7, C5-2, C5-4, C6-1A, C6-4, C6-5, C6-6, C6-7 or M1-6 Districts the City Planning Commission may

* * *

74-82

Through Block Arcades

In C4-7, C5-2, C5-3, C5-4, C5-5, and C6 Districts, the City Planning Commission may permit *through block arcades* to be located in *commercial buildings* or *mixed buildings*. For each square foot of *through block arcade* located in C4-7, C5-2, C5-4, C6-1, C6-2, C6-3, C6-4, C6-5 and C6-8 Districts, a bonus of three feet of *floor area* may be permitted and for each square foot of *through block arcade* located in C5-3, C5-5, C6-1A, C6-6, C6-7 and C6-9 Districts, a bonus of six feet of *floor area* may be permitted.

* * *

In the districts with equivalent residential *floor area ratio* of 10, any *floor area bonus* earned by providing a *through block arcade* may be applied to increase the *residential bulk* of a *mixed building* provided the maximum *floor area ratio* for the *residential* portion does not exceed 1200

* * *

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

BOROUGH OF QUEENS

No. 14

CPD 12

(CP-22312)

[Proposed mapping of new C6-1A District in Jamaica Center in order to encourage new office and commercial development.]

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 14d, changing from C4-2 and M1-1 Districts to a C6-1A District property bounded by Jamaica Avenue, New York Boulevard, a line 200 feet south of Jamaica Avenue, a line 320 feet east of New York Boulevard, Archer Avenue and Parsons Boulevard, Borough of Queens, as shown on a diagram dated April 4, 1973.

(On April 4, 1973, Cal. No. 15, the Commission scheduled May 2, 1973, for a hearing; on May 2, 1973, Cal. No. 23, the hearing was closed; on May 30, 1973, Cal. No. 17, the matter was laid over.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

This zoning amendment was initiated to delineate the boundaries of a C6-1A District.

On April 4, 1973 (Cal. #15) the Commission scheduled a PUBLIC HEARING on the proposed amendment. The hearing was duly held on May 2, 1973 (Cal. #23). There were no appearances in opposition and the hearing was closed.

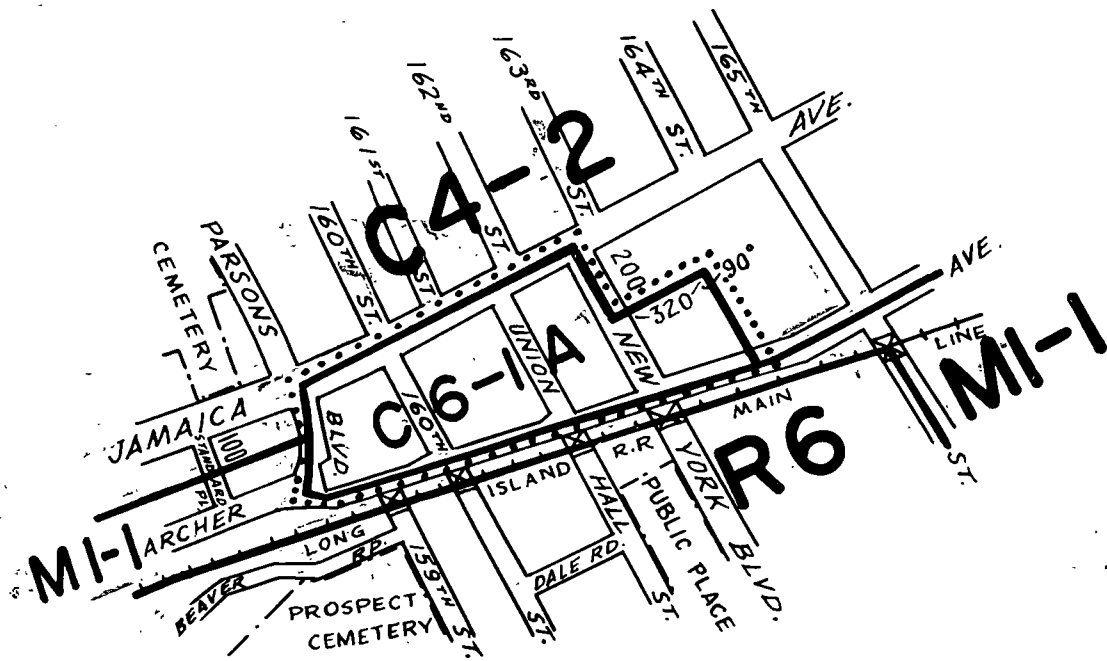
The purposes of the amendment are set forth in the related Zoning Resolution amendment report (CP-22308) establishing a new C6-1A District, which was approved by the City Planning Commission on June 13, 1973 (Cal. #13).

The Commission therefore considered the rezoning appropriate and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter:

RESOLVED, that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14d, so as to change from C4-2 and M1-1 Districts to a C6-1A District property bounded by Jamaica Avenue, New York Boulevard, a line 200 feet south of Jamaica Avenue, a line 320 feet east of New York Boulevard, Archer Avenue and Parsons Boulevard, Borough of Queens, as shown on a diagram dated April 4, 1973.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

HC:b1



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
 ZONING CHANGE
 ON SECTIONAL MAP

14 d

BOROUGH OF
 QUEENS

New York, April 4, 1973

Louis Roberti, P.E.
 Director, Division of Zoning

Jiri F. ... P.E.
 Chief Engineer



NOTE:

- indicates Zoning District boundary.
- The area enclosed by the fine dotted line is proposed to be changed from C4-2 and MI-1 Districts to a C6-1A District.

CH. *JHC*

[Proposed zoning change, requested by Community Board No. 7, from R5 to R2 of a two-and-one-quarter acre parcel of City-owned property across the street from the proposed Village Mall development.]

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 10c, changing from an R5 District to an R2 District property bounded by 26th Avenue, easterly line of Clearview Park, a line 380 feet north of 26th Avenue and the westerly side of Corporal Kennedy Street, Borough of Queens.

(On May 14, 1973, Cal. No. 1, the Commission scheduled May 30, 1973, for a hearing; on May 30, 1973, Cal. No. 21, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

The rezoning of this City-owned parcel was requested by Community Planning Board No. 7.

On May 14, 1973 (Cal. #1) the Commission scheduled a PUBLIC HEARING on the proposed amendment. The hearing was duly held on May 30, 1973 (Cal. #21). There were no appearances, and the hearing was closed.

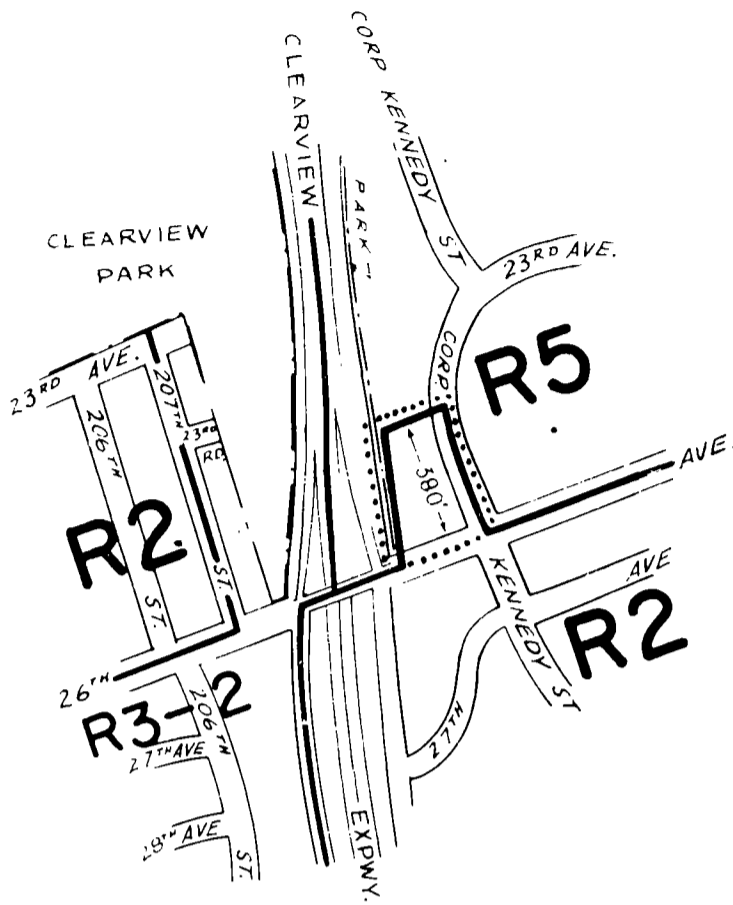
The rezoning would prevent multiple dwellings or excessive development on this parcel, if it were relinquished by the City and put up for sale.

The Commission therefore considered the rezoning appropriate and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter:

RESOLVED, that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 10c, so as to change from an R5 District to an R2 District property bounded by 26th Avenue, easterly line of Clearview Park, a line 380 feet north of 26th Avenue and the westerly side of Corporal Kennedy Street, Borough of Queens; as shown on a diagram dated May 14, 1973.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

RR:b1



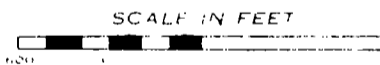
CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
 ZONING CHANGE
 ON SECTIONAL MAP

10c
 BOROUGH OF
 QUEENS

New York May 14, 1973

Richard Riegelhaupt PE
 Acting Director, Division of Zoning

Jim J. Friedman PE
 Chief Engineer



NOTE

- indicates Zoning District boundary.
- The area enclosed by the fine dotted line is proposed to be changed from an R5 District to an R2 District.

BOROUGH OF RICHMOND

(Cal. Nos. 16 and 17)

[A proposed 629-unit planned unit townhouse development planned for construction on a 49-acre site along Rossville Avenue between Barry Street and Correll Avenue on Staten Island. The development will contain two-story townhouses, a swimming pool, tennis courts and playgrounds; the design calls for 15.6 acres of open space and the preservation of an existing stream.]

No. 16

CPD 4

(CP-21294)

IN THE MATTER OF an application pursuant to Article VII, Chapter 8 of the Zoning Resolution, from Kaufman and Broad Homes, Inc., for the approval of proposed special permit authorizations involving a large-scale residential development on property within the area bounded generally by Winant Avenue, West Shore Expressway, Barry Street, Rossville Avenue, and Correll Avenue, Borough of Richmond.

Plans for this proposed large-scale residential development are on file with the City Planning Commission and may be seen in Room 1500, 2 Lafayette Street, New York, N.Y.

(On September 9, 1970, Cal. No. 17, the Commission scheduled September 23, 1970, for a hearing; on September 23, 1970, Cal. No. 40, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

The application for the special permits and authorizations involving this large-scale residential development was filed by Kaufman and Broad Homes, Inc. The development would provide 629 single-family dwellings, including a variety of two-bedroom, three-bedroom, and four-bedroom types. The development consists of more than three principal buildings located on a site in excess of 1.5 acres, and can therefore be considered as a large-scale residential development in accordance with Section 78-02 of the Zoning Resolution.

Three related actions are needed to implement the application for special permits and authorizations involving this large-scale residential development:

1. CP-21293, approved by the Commission on June 13, 1973 (Cal. #17) establishing a C1-2 District within a portion of the existing R3-2 District, to provide for accessory shopping facilities. The proposed C1-2 District has an area of 71,670 square feet, but the commercial floor area will be limited to 40,000 square feet, pursuant to Condition No. 5 set forth in the resolution approving this application for the large-scale residential development;
2. CP-21346, approved by the Commission on October 14, 1970 (Cal. #34), establishing the lines and grades of a street system within the area, and establishing sewer easements within the area; and
3. CP-21032A, approved by the Commission on April 8, 1970 (Cal. #42) and by the Board of Estimate on May 7, 1970 (Cal. #21) granting a special permit pursuant to Section 74-731 of the Zoning Resolution for a sewage disposal plant to serve the development.

The application requests special permits and authorizations, pursuant to various Sections of Article VII, Chapter 8 of the Zoning Resolution,

as follows:

1. Section 78-32. Bonus for Good Site Plan. To find that the development qualifies for a "bonus for good site plan" by providing a significantly better arrangement of the buildings in relation to one another and to their sites from the standpoints of privacy, access of light, organization of private open spaces, and preservation of important natural features than would be possible or practical for a development comprised of similar types built in strict compliance with the applicable district regulations;
2. Section 78-33. Bonus for Common Open Space. To authorize the open space ratio otherwise required and the lot area per room to be reduced, and the permitted floor area to be increased, in accordance with the provisions of this Section, as shown in the application;
3. Section 78-41. Location of Accessory Parking Spaces. To authorize permitted or accessory off-street parking spaces to be located anywhere within the development without regard for zoning lot lines;
4. Section 78-312(a). To authorize the total floor area, dwelling units and rooms permitted for all zoning lots within the development to be distributed without regard for zoning lot lines;
5. Section 78-312(b). To authorize the total open space required for all zoning lots within the development to be distributed without regard for zoning lot lines;
6. Section 78-312(c). To authorize minor variations in the required front and rear yards on the periphery of the development, for the purpose of introducing variety, as shown on the plans submitted with and made a part of the application;
7. Section 78-312(d). To authorize minor variations in the front height and setback regulations on the periphery of the development, for the development, for the purpose of introducing variety, as shown on the plans submitted with and made part of the application;
8. Section 78-312(f). To authorize modifications of the minimum requirements for spacing between buildings, in accordance with the provisions of this Section, and consistent with the intent of the provisions of

Section 23-71, as shown on the plans submitted with and made part of the application;

9. Section 78-51. To authorize the large-scale residential development to be subdivided before, during, or after development into zoning lots conforming to a subdivision plan as shown on the plans submitted with and made a part of the application;
10. Section 78-52. To authorize a common open space, to be held in separate ownership for the use and benefit of residents occupying zoning lots as shown on the plans submitted with and made part of the application, subject to the requirements of Section 78-52;
11. Section 78-53. To authorize common off-street parking areas to be held in separate ownership for the use and benefit of residents occupying zoning lots as shown on the plans submitted with and made part of the application, subject to the requirements of Section 78-53;
12. Section 78-311(c). To authorize the minimum required lot area as set forth in Section 23-32 (Minimum Lot Area or Lot Width for Residences) to be reduced, as shown on the plans submitted with and made part of the application;
13. Section 78-311(d). To authorize the location of buildings without regard for the side yard regulation of Section 23-463 which would otherwise apply along portions of lot lines wholly within the development, as shown on the plans submitted with and made part of the application; and
14. Section 78-311(e). To authorize the location of buildings without regard for the height and setback regulations which would otherwise apply along portions of streets wholly within the development, as shown on the plans submitted with and made part of the application.

On September 9, 1970 (Cal. #17) the Commission scheduled a PUBLIC HEARING on the application. The hearing was duly held by the Commission on September 23, 1970 (Cal. #41). There was no opposition, and the hearing was closed.

The proposed development incorporates all of the important design and planning principles of the planned unit development concept. A

variety of house types are located around common open spaces which in turn lead by walkways to a large central common open space with recreation facilities for the entire community. The common open spaces, which will be owned and maintained by an association including all of the homeowners in the development, will be kept in their natural state. There will be, however, a suitable lighting system and walkways giving access to and through the common open spaces and emergency vehicle access to and around each cluster of houses.

The development will include a convenience shopping area easily accessible to all in the community. The superior architectural quality of the house types provide for the maximum use of private open space while buffering adjacent houses for maximum privacy.

The unique vehicular and pedestrian system provides for maximum efficiency and safety. The minimal street system, about 10 per cent of the entire site and a substantial decrease from the normal grid system, leads to outdoor parking areas. These eliminate the necessity for each house to be accessible directly from the street. This system makes it possible for each person to use either the large common open space or the shopping area by crossing only one or two streets. The total parking for the development is about 1.5 spaces per housing unit.

The effect of this uniquely planned development represents a major advance in suburban residential development. This improved environment will help to advance the concept of planned unit development on Staten Island and the rest of New York City.

Subsequent to the public hearing on this application, an amendment of the Zoning Resolution (CP-21966) was approved by the Board of Estimate on March 8, 1973 (Cal. #37), establishing new requirements and modifying existing requirements for large-scale residential developments.

As a result of investigation and study, the Commission has determined that the application conforms with the findings required under Sections 78-32, 78-33, 78-313, 78-41, 78-52, and 78-53 of the Zoning Resolution, as well as the newly-established Sections 78-34, 78-351, and 78-352 of the Zoning Resolution, and that the application warrants approval, subject to the conditions enumerated in the following resolution:

variety of house types are located around common open spaces which in turn lead by walkways to a large central common open space with recreation facilities for the entire community. The common open spaces, which will be owned and maintained by an association including all of the homeowners in the development, will be kept in their natural state. There will be, however, a suitable lighting system and walkways giving access to and through the common open spaces and emergency vehicle access to and around each cluster of houses.

The development will include a convenience shopping area easily accessible to all in the community. The superior architectural quality of the house types provide for the maximum use of private open space while buffering adjacent houses for maximum privacy.

The unique vehicular and pedestrian system provides for maximum efficiency and safety. The minimal street system, about 10 per cent of the entire site and a substantial decrease from the normal grid system, leads to outdoor parking areas. These eliminate the necessity for each house to be accessible directly from the street. This system makes it possible for each person to use either the large common open space or the shopping area by crossing only one or two streets. The total parking for the development is about 1.5 spaces per housing unit.

The effect of this uniquely planned development represents a major advance in suburban residential development. This improved environment will help to advance the concept of planned unit development on Staten Island and the rest of New York City.

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As a result of investigation and study, the Commission has determined that the application conforms with the findings required under Sections 78-32, 78-33, 78-313, 78-41, 78-52, and 78-53 of the Zoning Resolution, as well as the newly-established Sections 78-34, 78-351, and 78-352 of the Zoning Resolution, and that the application warrants approval, subject to the conditions enumerated in the following resolution:

RESOLVED, by the City Planning Commission, that the application of Kaufman and Broad Homes, Inc., for the approval of special permits and authorizations involving a large-scale residential development on property located within the area bounded generally by Winant Avenue, West Shore Expressway, Barry Street, Rossville Avenue, and Correll Avenue, Borough of Richmond, be and hereby is approved, pursuant to Sections 78-32, 78-33, 78-34, 78-351, 78-352, 78-41, 78-312(a), 78-312(b), 78-312(c), 78-312(d), 78-312(f), 78-51, 78-52, 78-53, 78-311(c), 78-311(d) and 78-311(e) of the Zoning Resolution, subject to the following conditions:

1. The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application;
2. The development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications herein granted as shown on the plans filed with the application. All zoning computations are subject to verification and approval by the Department of Buildings;
3. The development shall conform with all applicable laws and regulations relating to construction, operation and maintenance;
4. The approval herein granted is not transferable prior to the effectuation of the project by the applicant without permission of the City Planning Commission;
5. If CP-21293 is approved by the Board of Estimate, establishing a C1-2 District bounded by a line 170 feet south of Barry Street, Rossville Avenue, proposed new Grafe Street, and a line 250 feet west of Rossville Avenue, then any commercial uses developed within this C1-2 District shall be limited to not more than 40,000 square feet of floor area;
6. This Resolution shall be effective only if the restrictive declaration attached hereto, executed by the Developer, the owner of the property subject to this Resolution, shall have been recorded and filed with the County Clerk of the County of Richmond; and
7. Upon the failure of any party having any right, title or interest in the property or the failure of any heir, successor, or assign of such party to observe any of the covenants, restrictions, agreements, terms, or conditions of this Resolution or of the attached restrictive declaration,

whose provisions shall constitute conditions of the special permits and authorizations hereby granted, the City Planning Commission may, without the consent of any other party, revoke any or all of said special permits and authorizations and such power of revocation shall be in addition to and not in limitation of any other powers of the City Planning Commission, of any other agency of government, or of any private person or body.

The above resolution, duly adopted by the City Planning Commission on June 13, 1973 (Cal. #16) is herewith filed with the Secretary of the Board of Estimate, together with a copy of the application and plans of the proposed large-scale residential development and the attached restrictive declaration referred to above, pursuant to Section 74-10 of the Zoning Resolution.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

RR:b1

IN THE MATTER OF a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 33a:

(a) changing from an M1-1 District to an R3-2 District property bounded by Winant Avenue, East Service Road of West Shore Expressway, Barry Street, Rossville Avenue, and a line 1200 feet southeasterly of West Shore Expressway; and

(b) establishing within an R3-2 District, a C1-2 District bounded by a line 170 feet south of Barry Street, Rossville Avenue, proposed new Grafé Street, and a line 250 feet west of Rossville Avenue, Borough of Richmond, as shown on a diagram dated July 27, 1970.

(On September 9, 1970, Cal. No. 16, the Commission scheduled September 23, 1970, for a hearing; on September 23, 1970, Cal. No. 39, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

The rezoning was requested by Kaufman and Broad Homes, Inc., in connection with a proposed large-scale residential development to be located within the area bounded generally by Winant Avenue, West Shore Expressway, Barry Street, Rossville Avenue and Correll Avenue.

On September 9, 1970 (Cal. #16) the Commission scheduled a PUBLIC HEARING on the proposed amendment. The hearing was duly held on September 23, 1970 (Cal. #39). A representative of the applicant appeared in favor of the rezoning, and the hearing was closed.

A portion of the site of the proposed large-scale residential development was originally zoned M1-1, in which no residential construction is permitted. The change to R3-2 was designed to enable the construction of the proposed large-scale residential development, and to provide the basis for various special permits and authorizations, which are the subject of a separate report (CP-21294) approved by the Commission on June 13, 1973 (Cal. #16). The present change in the zoning map also establishes a C1-2 District within a portion of the area, to provide for accessory shopping facilities.

Subsequent to the public hearing on the proposed change in the zoning map (CP-21293), another change (CP-21663) was approved by the Commission on August 11, 1971 (Cal. #31) and by the Board of Estimate on September 16, 1971 (Cal. #28), to provide appropriate zoning in connection with the shifting of the lines of the West Shore Expressway. This latter rezoning (CP-21663) extended an existing R3-2 District to include all of the former M1-1 District within the boundaries of the present rezoning

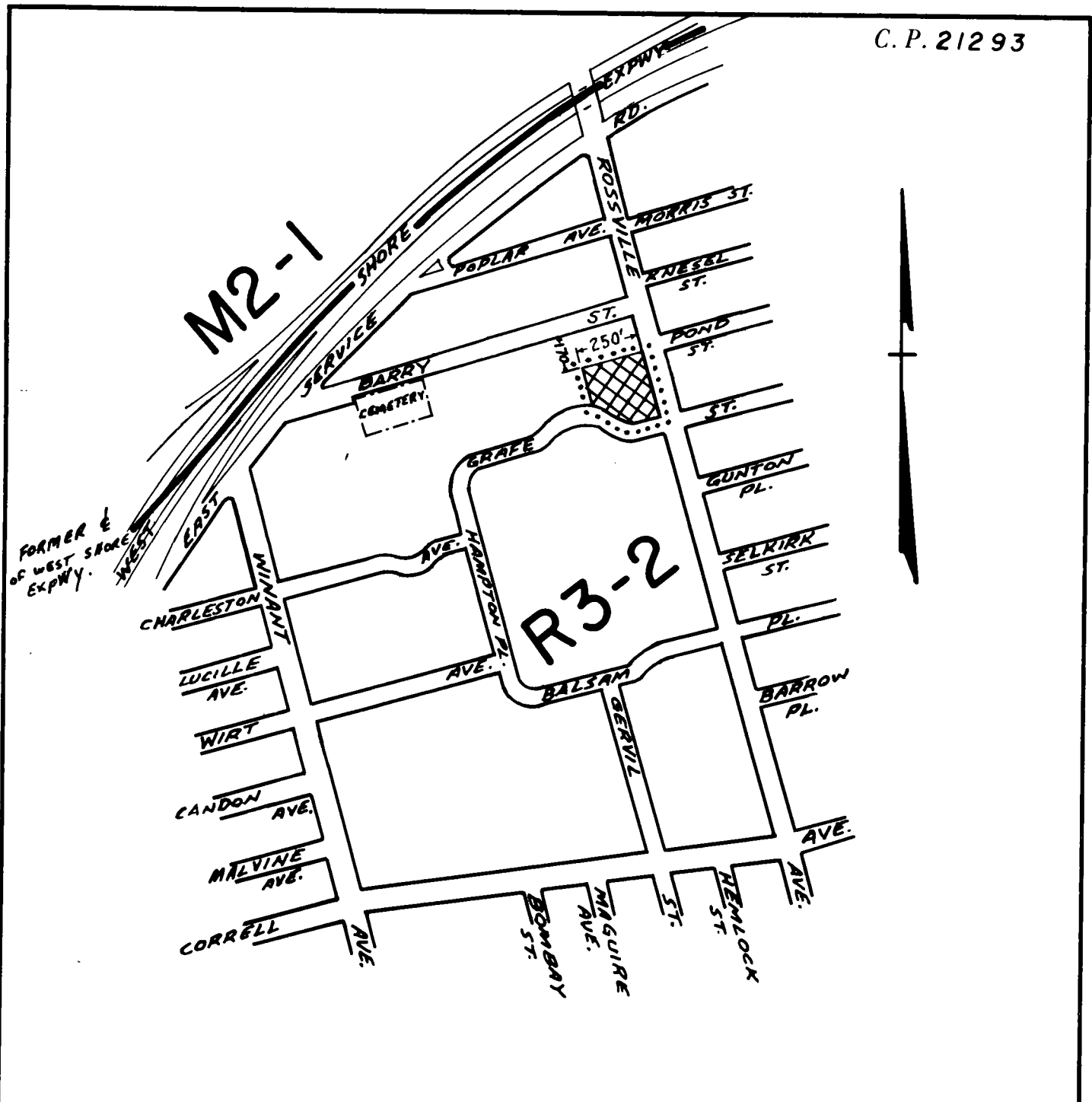
(CP-21293), thereby enacting the change from M1-1 to R3-2 which was part of the subject of the hearing (CP-21293) held on September 23, 1970 (Cal. #39), and eliminating the need for any rezoning from M1-1 to R3-2 in this zoning map amendment (CP-21293). Consequently, the Commission modified the rezoning (CP-21293), so as to exclude therefrom the originally proposed change from M1-1 to R3-2, and limiting the scope of the rezoning to the proposed establishment of a C1-2 District within the R3-2 District.

The Commission therefore considered the rezoning, as modified, appropriate, and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter:

RESOLVED, that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 33a, establishing within an R3-2 District, a C1-2 District bounded by a line 170 feet south of Barry Street, Rossville Avenue, proposed new Grafe Street, and a line 250 feet west of Rossville Avenue, Borough of Richmond, as shown on a diagram dated July 27, 1970 and modified June 13, 1973.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

RR:b1



CITY PLANNING COMMISSION
 CITY OF NEW YORK
 DIAGRAM SHOWING PROPOSED
 ZONING CHANGE
 ON SECTIONAL MAP

33a

BOROUGH OF
 RICHMOND

Modified June 13, 1973
 New York, September 9, 1970

Richard Riegelhaupt P.E.
 Acting Director, Division of Zoning

John J. ... P.E.
 Chief Engineer



NOTE:

- indicates Zoning District boundary.
- The area enclosed by the fine dotted line is proposed to be changed by establishing a C1-2 District within an existing R3-2 District.

 indicates a C1-2 District.

—

BOROUGH OF BROOKLYN

—

No. 18

CPD 6

(CP-22357)

[Approval of landmark designation for the Carroll Gardens Historic District located in the area generally bounded by Union Street, Hoyt Street, the eastern property lines of 327-361 Hoyt Street, Second Street and Smith Street, Brooklyn. The historic district includes over 160 two- and three-story houses constructed between the late 1860's and the early 1880's. The pleasant residential neighborhood has tree-lined streets and homes with carefully tended gardens and lawns.]

COMMUNICATION, dated May 7, 1973 from the Landmarks Preservation Commission forwarding pursuant to Section 207-2.0 of the Administrative Code one historic district designated by the Landmarks Preservation Commission in the Borough of Brooklyn,

The historic district was referred by the Board of Estimate on May 24, 1973, Cal. No. 357.

On motion, the following report was adopted, receiving five affirmative votes, John E. Zuccotti, Chairman, abstaining:

June 13, 1973

On May 7, 1973 the Secretary of the Board of Estimate transmitted to the City Planning Commission for report pursuant to Section 207-2.0f(1) of the Administrative Code, a communication dated May 7, 1973 from the Landmarks Preservation Commission submitting one Historic District designated on May 1, 1973, by the Landmarks Preservation Commission.

Under Section 207-2.0f(1) of the Administrative Code the City Planning Commission is required to report to the Board of Estimate with respect to the relation of designations by the Landmarks Preservation Commission to the Master Plan, the Zoning Resolution, projected public improvements and any plans for the renewal of the area involved.

The following is the report of the City Planning Commission on the historic district designated by the Landmarks Preservation Commission on May 1, 1973:

CARROLL GARDENS HISTORIC DISTRICT, Borough of Brooklyn
(LP-0696).

The property bounded by the southern property line of 353 Smith Street, the southern property lines of 256 through 302 Carroll Street, the southern property line of 356 Hoyt Street, Hoyt Street, First Street, First Street, the eastern property lines of 361 through 355 Hoyt Street, part of the southern property line of 353 Hoyt Street, the eastern property lines of 353 through 347 Hoyt Street, Carroll Street, the eastern property lines of 345 through 335 Hoyt Street, the eastern property line of 356 President Street, President Street, Hoyt Street, the northern property lines of 355 through 297 President Street, the northern property line of 315 Smith Street and Smith Street to the southern property line of 353 Smith Street.

This site is not affected by the Master Plan so far as adopted, projected public improvements or any plans for the renewal of the area involved.

The Carroll Gardens Historic District is located within an R6 zoning district.

This report on the Carroll Gardens Historic District designated by the Landmarks Preservation Commission on May 1, 1973 is hereby submitted to the Board of Estimate pursuant to Section 207-2.0f of the Administrative Code.

MARTIN GALLENT, Vice-Chairman
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

JOHN E. ZUCCOTTI, Chairman, "ABSTAINING".

LK:mb

BOROUGH OF THE BRONX

(Cal. Nos. 19 and 20)

[Readoption after reconsideration of two zoning matters—a city wide text change relating to development over narrow streets in R6 and R7-1 Districts for Large Scale Community Facility Developments and a Special Permit for a 504 bed long-term nursing care facility for Montefiore Hospital Nursing Home Company to be built over Barker Avenue in The Bronx. These matters were previously adopted by the City Planning Commission on April 4, 1973 but were subsequently denied without prejudice by the Board of Estimate on May 24, 1973.]

No. 19

CITY-WIDE

(CP-22213)

IN THE MATTER OF amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of The City of New York, relating to Article VII, Chapter 9, concerning development over streets in large-scale community facility developments.

(On November 29, 1972, Cal. No. 18, the Commission scheduled December 13, 1972, for a hearing; on December 13, 1972, Cal. No. 41, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

The proposed amendments allow by special permit of the Planning Commission the extension of certain large-scale community facility developments in the air space above certain streets. This text change together with a related City Map change (CP-22198) provides the basis for a special permit application (CP-22215) by Beth Abraham Hospital to construct a nursing home extension over Barker Avenue in the Borough of The Bronx.

On November 29, 1972 (Cal. #18) the Commission scheduled a PUBLIC HEARING on the proposed amendments. The public hearing was duly held on December 13, 1972 (Cal. #41).

Representatives of the City Wide - Save Our Homes Committee, and of several homeowners in the vicinity of Beth Abraham appeared in opposition. A member of Bronx Community Planning Board #7 and a homeowner in the area also appeared in opposition.

Representatives of Beth Abraham Hospital appeared in favor and the hearing was closed.

The proposed amendments would allow by special permit construction of schools or hospitals or functionally related hospital facilities over a narrow street. Such new facility must be a necessary expansion of an existing hospital or school within a large-scale community facility development located in R6 or R7-1 Districts. The purpose of the text change is to permit expansion of existing facilities with minimum residential relocation and to provide an alternative to closing the street to vehicular traffic.

Special permits for such expansion could be granted after public notice and hearing subject to action by the City Planning Commission and the Board of Estimate. Permits would be granted only to institutional parcels in the same ownership with common frontage on both sides of the street. The applicant must submit a Master Plan for institutional development which demonstrates that the expansion is necessary, and that development above the street bed would avoid or minimize the demolition of existing residential buildings. No floor area credit (FAR) would be given for the demapped air space over the street -- only unused floor area from adjoining lots owned by the institution could be utilized over the demapped air space.

The demapped air space will be considered to constitute part of a single zoning lot together with the adjoining zoning lots on both sides of the demapped air space. However, the area of the demapped air space will not count as lot area for any bulk computations (e.g. floor area ratio, lot coverage, lot area per room, open space ratio) as defined in Section 12-10 (Definitions) of the Zoning Resolution which, in effect does not result in an increase in permitted bulk for the property involved. Since the air rights building must meet special design requirements including height and setback and coverage provisions, the air rights building coverage will be excluded in determining the percent of lot coverage that may be permitted on the new zoning lot created by the demapping.

Except for the demapped portion of the new single zoning lot, the remaining portions of the zoning lot shall be subject to the applicable district regulations on the same basis that existed prior to the demapping. If a zoning lot or a portion thereof was an interior lot

before the demapping it will be treated as an interior lot after the demapping for all zoning purposes except that the front height and setback regulations do not apply along any portion of the street under the air rights building.

The Commission must make findings that the air rights building will not impair the character of the surrounding residential neighborhood, and that the building conforms with special height and setback regulations similar to those that apply in R6 and R7-1 Districts. Also an amount of open space equal to the street area covered by the air rights building accessible to the public must be developed and maintained by the institution within 1,000 feet of the air rights building.

After review of the text, the Commission determined to make minor modifications of the text as follows:

- (a) Technical modification of the regulations clarifying the definitions of air space plane and buildable area, and the sky exposure plane regulations.
- (b) Technical modifications of Illustration 1: Required Setback for the Buildable Area (Section 79-402) and Illustration 2: Required Sky Exposure Plane (Section 79-402).

It is the policy of the City Planning Commission to recommend that any interest in the former street area conveyed pursuant to the demapping shall be for a limited term consistent with the ownership requirements of the Zoning Resolution.

This matter was previously adopted by the City Planning Commission on April 4, 1973 but was subsequently Denied Without Prejudice by the Board of Estimate on May 24, 1973.

The Commission determined that the amendments as modified are appropriate and readopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter:

RESOLVED, by the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changes relating to Sections 79-40 and 79-401 concerning development over streets in large-scale community facility developments as follows:

Matter in **Bold Type** is new;

Matter in *italics* is defined in Section 12-10

79-40

Special Permit Provisions

79-401

Special Permit

For *large-scale community facility developments* for which *development* is authorized in accordance with the provisions of Section 79-402 (Special permit for development over streets) the City Planning Commission may after public notice and hearing and subject to Board of Estimate action, grant special permits for such *development* in accordance with the applicable provisions of such section and may prescribe appropriate conditions and safeguards thereon. Within five days after the Commission approves an application for such special permit, the resolution of approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate, and the Board of Estimate shall act upon such resolution in accordance with the provisions of Section 200 of the New York City Charter.

The requirements for findings as set forth in Section 79-402 (Special permit for development over streets) shall constitute a condition precedent to the grant of any special permit. The decision or determination of the Commission shall set forth each required finding in each grant of a special permit for a *large-scale community facility development*. Each finding shall be supported by substantial evidence or data considered by the Commission in reaching its final decision.

79-402

Special permit for development over streets

In a *large-scale community facility development* containing schools, hospitals or functionally related facilities in R6 or R7-1 Districts, in C1 or C2 Districts mapped within such Residence Districts, when the air-space above a *narrow street* or portion thereof is closed and demapped by the Board of Estimate, the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action allow the demapped air space to be considered as part of the adjoining *zoning lots* constituting a single *zoning lot*, and may allow on such demapped air space the *development* or *enlargement* of a *building* which is a necessary expansion of an existing *school*, hospital or functionally related facility located on adjoining *zoning lots*. As a condition for granting a permit for such air rights building on the demapped air space, the Commission shall find:

(a) That there is a Master Plan for institutional development which demonstrates that the air rights building over the street is necessary to avoid or minimize demolition of existing facilities, or *buildings designed for residential use*, and expansion on existing *zoning lots* owned by the *community facility* is not feasible to meet its expansion needs.

(b) That the location of such air rights building will not impair the existing residential character of the area.

(c) That the air rights building on that portion of the *zoning lot* above the *street* bed utilizes only unused *floor area* from adjoining *zoning lots* and no *floor area* credit is received from the demapped air space, and the air rights building complies with the off-street parking and loading requirements of the underlying district or districts.

(d) That the air rights building is contained entirely within the buildable area of the air space plane as defined in this section and conforms with the height and setback regulations set forth in this section. That the air rights building is no more than 200 feet in length and there is no more than one such air rights building on a *block* front.

(e) That the air rights building links the *zoning lots* across the *street*, in the same ownership, with adequate clearance above the *street* bed, and there is no intrusion on the existing *street*, including column supports.

(f) That all *street* frontages of the *zoning lots* under the air rights building are provided with fenestration or natural light along at least 75 percent of such frontages, and such street frontages when developed with uses other than open area, contain only uses requiring human occupancy such as amusement, education, dining, shopping and other similar uses permitted by the underlying district regulations. That the main entrance for principal pedestrian access to the development is located along the street frontages under the air rights building. That no storage rooms, mechanical equipment rooms, parking and loading facilities or curb cuts are located along such *street* frontage unless authorized by the Commission.

(g) That a satisfactory lighting and ventilation plan consistent with current environmental standards is provided for the *development*.

(h) That an additional amount of open space for public use at street level, linked with the pedestrian circulation system of the area, equivalent to the street area covered by the air rights building is provided within 1,000 feet of the air rights building and such open space maintained as usable public area in the ownership of the applicant.

Curb levels of the pre-existing zoning lots shall not be affected by the closing and demapping of air space over such street.

The Commission may impose additional conditions and safeguards to improve the quality of the *development* and minimize adverse effects on the character of the surrounding area.

For the purposes of paragraph (d) of the Section:

(i) air space plane is a plane above a narrow street located at the same elevation as the lower limiting plane of a volume of street eliminated, discontinued and closed by the Board of Estimate. The length "l," of such air space plane is the length of the common lot frontage of two zoning lots opposite and across the street in the same ownership and its width is the width of the narrow street "sw" (Illustration 1).

(ii) the buildable area "C" is the lower limiting plane of the volume of street eliminated, discontinued and closed by the Board of Estimate except that in no case shall the edge of the buildable area be closer to the edge of the air space plane by a distance equal to one half the street width "SW/2" (Illustration 1).

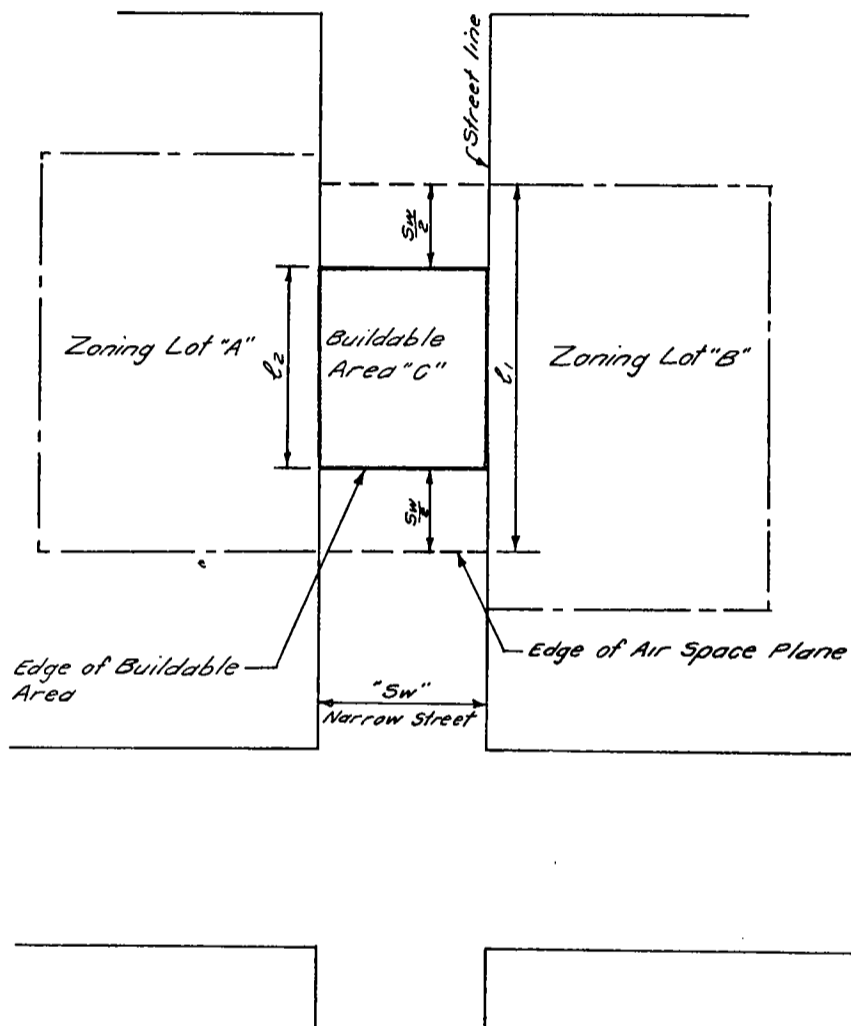
The air rights building shall comply with the height and setback regulations of this section and the buildable area shall be completely covered by the air rights building, except that an air rights building may be set back from the edge of the buildable area which traverses the street provided that such setback area is open and obstructed from the lowest level of the street to the sky.

The *development or enlargement* of an air rights building on the buildable area of the air space plane shall comply with the following *sky exposure plane regulations* (Illustration 2):

(a) The height of the vertical wall or any other portion of an air rights building which traverses the street, shall not penetrate the sky exposure plane.

(b) The *sky exposure plane* shall be measured from a point above the edge of the buildable area which traverses the street.

Illustration 1: Required Setback for the Buildable Area (Section 79-402)



Notations:

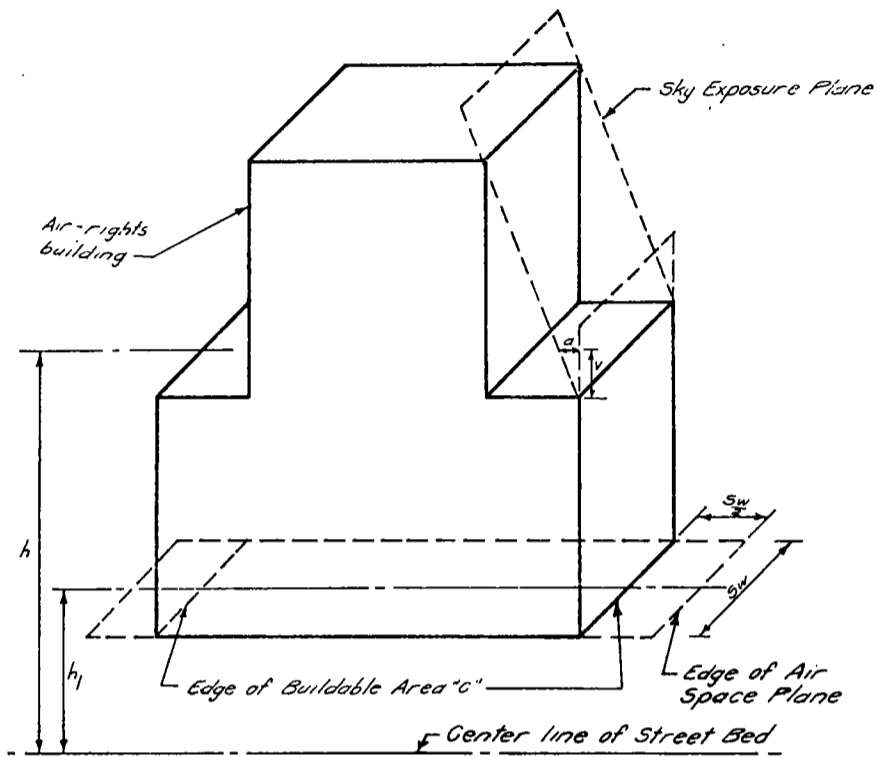
SW is the width of a *narrow street*.

SW/2 is the minimum required set back for the "buildable area" from the edge of air space plane.

l_1 is the length of common lot frontage of two *zoning lots* across a *narrow street*.

l_2 is the permissible length of the buildable area for an air-rights *building*.

Illustration 2: Required Sky Exposure Plane (Section 79-402)



Sky Exposure Plane

Height above Street Bed (h)	Slope over Buildable Area (expressed as a ratio of vertical distance "v" to horizontal distance "a")		Equivalent Districts
	Vertical Distance	Horizontal Distance	
60'	2.7	to 1	R6, R7-1, C1, C2

h is the height of *Sky Exposure plane* above center line of *street bed*.
 h₁ is the required clearance above center line of *street bed* for an air rights building.
 v is the vertical distance.
 a is the horizontal distance.
 h-h₁ is the maximum permissible height of vertical wall for air-rights building along the edge of a buildable area.

JOHN E. ZUCCOTTI, Chairman;
 MARTIN GALLEN, Vice-Chairman,
 GERALD R. COLEMAN, GORDON J. DAVIS,
 SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

GG:b1

IN THE MATTER OF an application, pursuant to Section 79-402 of the Zoning Resolution, from Montefiore Hospital Nursing Home Co. Inc., for the grant of a special permit involving a large-scale community facility development over a street located in air space over Barker Avenue between Allerton Avenue and Mace Avenue, Borough of The Bronx.

Plans for this proposed development are on file with the City Planning Commission and may be seen in Room 1500, 2 Lafayette Street, New York, N. Y.

(On November 29, 1972, Cal. No. 26, the Commission scheduled December 13, 1972, for a hearing; on December 13, 1972, Cal. No. 55, the hearing was closed.)

On motion, the following favorable report was unanimously adopted:

June 13, 1973

The application for the special permit was filed by Montefiore Hospital Nursing Home Company, Inc., also known as Beth Abraham Hospital, a voluntary non-profit facility for long-term nursing care. The applicant proposes to erect a nine-story structure containing 318 nursing beds in the air space over Barker Avenue. The new structure will be connected to the present 504-bed facility to make efficient use of common supporting services. Also provided will be an open landscaped space for public use at street level linked with the pedestrian circulation system of the area.

Two actions related to this application for the special permit are the subject of separate reports:

1. CP-22213, approved by the Commission on June 13, 1973 (Cal. #19), amending Section 79-40 of the Zoning Resolution concerning development over streets in large-scale community facility developments; and

2. CP-22198, approved by the Commission on April 4, 1973 (Cal. #19) eliminating, discontinuing and closing a volume over a portion of Barker Avenue, between Allerton and Mace Avenues, The Bronx.

The application seeks a special permit pursuant to the following section:

Section 79-402. Permission to allow the demapped air space to be considered as part of the adjoining lots constituting a single zoning lot, and to allow development of a building in the demapped space.

On November 29, 1972 (Cal. #26), the City Planning Commission scheduled a PUBLIC HEARING on this application. The hearing was duly held on December 13, 1972 (Cal. #55), in conjunction with the related hearings on the Zoning Resolution amendment (CP-22213) and the Zoning Map amendment (CP-22198).

Representatives of the City Wide - Save Our Homes Committee, and of several homeowners in the vicinity of Beth Abraham appeared in opposition. A member of Bronx Community Planning Board #7 and a homeowner in the area also appeared in opposition.

Representatives of Beth Abraham Hospital appeared in favor and the hearing was closed.

Community Planning Board #11 is in favor of granting this special permit.

The hospital has requested the conveyance of air rights for the nursing home. This is the first stage of a contemplated master development plan. The second stage would include a geriatric day care center attached to the nursing home on the east side of Barker Avenue, and a parking garage on the south end of the site. The master plan would require the total closing of Barker Avenue.

It is the policy of the City Planning Commission to recommend that any interest in the former street area conveyed pursuant to the de-mapping shall be for a limited term consistent with the ownership requirements of the Zoning Resolution.

This matter was previously adopted by the City Planning Commission on April 4, 1973 but was subsequently Denied Without Prejudice by the Board of Estimate on May 24, 1973.

The Commission hereby makes all the required findings pursuant to Section 79-402 of the Zoning Resolution and has determined that the application warrants reapproval subject to the conditions stated in the following resolution:

RESOLVED, by the City Planning Commission that the application of the Beth Abraham Hospital for the grant of a special permit involving a large-scale community facility development located in air space over Barker Avenue between Allerton Avenue and Mace Avenue, Borough of The Bronx, be and hereby is approved pursuant to Section 79-40 of the Zoning Resolution subject to the following conditions:

1. The premises shall be developed in size and arrangement substantially as proposed and as indicated on plans filed with the application;

2. Open space for public use shall be developed and maintained as a passive recreational area with lighting, plantings, landscaping, pedestrian walkways, sitting areas, and drainage all subject to the approval of the Department of Parks. The open space shall be open to the public at least from 6:00 A.M. to 10:00 P.M. daily;

3. The development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications herein granted as shown on the plans filed with the application. All zoning computations are subject to verification and approval by the Department of Buildings;

4. The development shall conform with all applicable laws and regulations relating to construction, operation and maintenance; and

5. The approval herein granted is not transferable prior to the effectuation of the project by the applicant without permission of the City Planning Commission.

Any alteration in the premises or in the manner of operation which departs from any of the hereinbefore specified conditions, unless authorized by the City Planning Commission shall cause an immediate termination of the Special Permit herein granted.

The above resolution duly readopted by the City Planning Commission on June 13, 1973 (Cal. # 20) is herewith filed with the Secretary of the Board of Estimate, together with a copy of the application and plans of the development, pursuant to Section 79-401 of the Zoning Resolution.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

GF:b1

III. PUBLIC HEARINGS

CITY-WIDE

No. 21

(CP-22354)

[Text change proposed to clarify lot area per room requirements in R3-2 Districts in conformance with previous modifications of the text relating to Planned Unit Developments and Infill Zoning provisions.]

PUBLIC HEARING in the matter of amendments, pursuant to Section 200 of the New York City Charter, of the Zoning Resolution of The City of New York, relating to Sections 78-34 and 78-35 concerning large-scale residential development.

(On May 30, 1973, Cal. No. 2, the Commission scheduled this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

May 13, 1973

The proposed amendments will clarify lot area per room requirements in R3-2 Districts in conformance with previous modifications of the text relating to Planned Unit Development and Infill Zoning provisions.

Several architects have advised the Commission that they would be unable to design Planned Unit Development projects in the R3-2 District unless the bulk requirements of lot area per room were reinstated in the regulations concerning large-scale residential developments. The omission was a result of removing all changes to the R3-2 District from the Infill Zoning amendment (CP-21965A) just prior to its approval by the Board of Estimate on March 8, 1973 (Cal. #35). Inadvertently, these same changes were not made in the Large-Scale Residential Development amendment (CP-21966) relating to Section 78-34 (Special Permit Provisions for Certain Large-Scale Developments) and Section 78-35 (Special Bonus Provisions) which were also approved on the same day by the Board of Estimate (Cal. #37).

On May 30, 1973 (Cal. #2) the Commission scheduled a PUBLIC HEARING on the proposed amendments. The public hearing was held on June 13, 1973 (Cal. #21). There were no appearances, and the hearing was closed.

The Commission determined that the amendments are appropriate and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter.

RESOLVED, by the City Planning Commission that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changes relating to Article VII, Chapter 8, Sections 78-34 and 78-35 concerning large-scale residential developments, as follows:

Matter in **Bold Type** is new;

Matter in brackets [], is old, to be omitted;

Matter in *italics* is defined in Section 12-10.

78-34

Special Permit Provisions for Certain Large-Scale Developments

In R3-2, R4 or R5 Districts, for any *large-scale residential development*, the Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may make modifications in the *open space ratio*, [and] *floor area ratio*, and *lot area per room* requirement pursuant to the provisions of Section 78-35 (Special Bonus Provisions) if the Commission finds:

* * *

Any *large-scale residential development* which qualifies for a bonus in accordance with this section and the applicable provisions of Section 78-35 (Special Bonus Provisions) shall be eligible for any modifications permitted under Section 78-311 (Authorizations by the Planning Commission) or Section 78-312 (Special permit authorizations) provided the findings of Section 78-313 (Findings) are satisfied.

78-35

Special Bonus Provisions

78-351

[Bonus for] Common open space and good site plan

The provisions of this section shall not apply to any *zoning lot* subdivided for *development* to under 4 acres after January 1, 1972, nor to any *large-scale residential development* for which authorization has been granted by the Commission prior to July 31, 1972.

In R3-2[,] or R4 [or R5] District for any *large-scale residential development* which complies with the requirements of Section 78-34 (Special Permit Provisions for Certain Large-Scale Developments), the permitted *floor area ratio*, [and] required *open space ratio* and required *lot area per room* for the *development* as a whole may be modified as set forth in this section[, provided]. At least 25 percent of the total required *open space* is to be provided in common areas meeting the requirements of Section 78-52 (Common Open Space). [and] No portion of such common *open space* is to be used for driveways or off-street parking. [and provided that] The findings required in paragraph (e) of Section 78-313 (Findings) are to be satisfied.

District	Maximum Floor Area Ratio	Minimum Open Space Ratio
R3-2	.60	125.0
R4	1.00	66.5
[R5	1.25	48.7]

The required *lot area per room* of an R3-2 District may be reduced to not less than 325 square feet.

In R5 Districts, at least 25 percent of the total required *open space* is to be provided in common areas that meet the requirements of Section 78-52 (Common Open Space). No portion of such common *open space* is to be used for driveways or off-street parking. All findings required in paragraph (c) of Section 78-313 (Findings) are to be satisfied.

78-352

Bonus for community facility space

In R3-2, R4 and R5 Districts for any *large-scale residential development* which complies with the provisions of Section 78-34 (Special Permit Provisions for Certain Large-Scale Developments), the permitted *floor area ratio*, [and] required *open space ratio*, and required *lot area per room* for the development as a whole may be modified as set forth in this section, provided floor space for *community facility* use and/or a program for improvement and maintenance for parks not included in the City capital budget is provided as required in paragraph (b) of this section.

(a) Permitted Floor Area Ratio and Required Open Space Ratio

District	Maximum Floor Area Ratio	Minimum Open Space Ratio
R3-2	.70	102.0
R4	1.15	54.7
R5	1.45	37.7

The required *lot area per room* of an R3-2 District may be reduced to not less than 275 square feet.

* * *

78-354

Bonus for increased room size

In R3, R4, or R5 Districts for any *large-scale residential development* which complies with the provisions of Section 78-34 (Special Permit Provisions for Certain Large-Scale Developments), the permitted *floor area ratio* may be increased over the amount earned by other provisions of Section 78-35 (Special Bonus Provisions) and the required open space ratio for the development as a

whole decreased correspondingly as set forth in this section provided that the *floor area per room* requirement is increased in accordance with the provision of this section.

District	Increase in <i>Floor Area Ratio</i>	Decrease in <i>Open Space Ratio</i>	[Required] <i>Floor Area per Room</i> (in square feet)
R3-2	.10	20.4	[215] 220
R4	.20	11.0	225
R5	.20	6.0	235
	* * * * *		

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.

JS:b1

BOROUGH OF RICHMOND

No. 30

CPD 3

(CP-22346)

[Elimination of a street to allow a mini-school addition (300 seats) to P.S. 48.]

PUBLIC HEARING in the matter of communication dated April 16, 1973, from the President Borough of Richmond, transmitting Map No. 3870, eliminating the lines and grades of Venice Street from Stanwich Street to its westerly terminus, Borough of Richmond, signed by the Borough President and dated April 13, 1973

(On May 3, 1973, Cal. No. 131, the Board of Estimate referred this matter to the Commission; on May 30, 1973, Cal. No. 11, the Commission scheduled this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

JUNE
April 13, 1973

The map provides for the elimination, ~~of Venice Street and closing~~ of Venice Street from Stanwich Street to a point 375 feet westerly therefrom at its westerly terminus, in order to facilitate the construction of a mini-school addition to P.S.48. Multiple temporary classrooms will be constructed with a capacity of 300 seats to relieve overcrowding in Community District #31 of Richmond.

Venice Street from Stanwich Street to its westerly terminus, (where it terminates in a cul-de-sac immediately east of the main plant of P.S.48) is mapped at a width of 60 feet and in City ownership for street purposes, but neither improved nor in use. In fact, it is being used as part of the football field for P.S.48. The street is less than one block in length and is not required for traffic or frontage purposes. Its elimination from the City Map ~~and subsequent closing~~ does not appear to be objectionable.

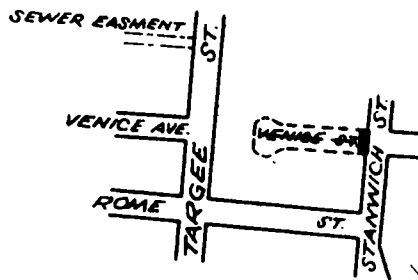
On May 30, 1973 (Calendar No.11) the City Planning Commission scheduled a PUBLIC HEARING on the map change. The hearing was duly held on June 13, 1973 (Calendar No.30). No opposition developed and the hearing was closed.

The Commission considers that the map change designed to facilitate construction of a mini-school addition to P.S.48 to relieve overcrowding in Community School District #31, Borough of Richmond, constitutes an appropriate modification of the City Map.

The City Planning Commission recommends to the Board of Estimate that the map change under consideration be approved.

JOHN E. ZUCCOTTI, Chairman;
MARTIN CALLENT, Vice-Chairman;
GERALD R. COLEMAN, GORDON J. DAVIS, SYLVIA DEUTSCH,
JAQUELIN T. ROBERTSON, Commissioners.

JÈ:eg



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP
27

BOROUGH OF
RICHMOND

New York, May 30, 1973

Herbert Gallon
Director, Division of Mapping
John Smith PE
Chief Engineer



NOTE:

- indicates line of street legally adopted.
- indicates line of street proposed to be established.
- - - - indicates line of street proposed to be eliminated.

Bronx-Lebanon Hospital Staff Housing

No. 34

CPD 4

(CP-22334)

[A 155-unit limited-profit staff housing complex for the Bronx-Lebanon Hospital. The 20-story building is planned for construction on Selwyn Avenue between East 173rd Street and Mount Eden Parkway in The Bronx.]

PUBLIC HEARING in the matter of a State-Aided, Limited Profit Rental Staff Housing Project, pursuant to Article 2 of the Private Housing Finance Law of the State of New York, to be developed by The Bronx-Lebanon Hospital Center on the easterly side of Selwyn Avenue between East 173rd Street and Mount Eden Parkway (Block 2824, Lots 5 and 9), Borough of The Bronx.

(On May 30, 1973, Cal. No. 3, the Commission scheduled this day for a hearing, which has been duly advertised.)

This Project was submitted by the attorneys for the Bronx-Lebanon Hospital Center Housing Corporation on April 16, 1973 and referred by the Board of Estimate on May 3, 1973 (Cal. No. 114).

Appearance: Henry Berliss, representing Bronx-Lebanon Hospital Center.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

June 13, 1973

The proposed rental housing project would provide 155 apartments in a single 20-story building. In addition there would be a four-level garage structure to provide parking for 69 cars. The site, slightly less than 1/2 acre in area, is owned by the sponsor and is located directly across the street from the Hospital Center.

The apartment distribution is to be as follows:

<u>Apartment Type</u>	<u>No. of Units</u>
1 Bedroom	116
2 Bedrooms	<u>39*</u>
	155

* Includes one superintendent's apartment.

The average monthly rental per room is estimated to be \$70.70, exclusive of utilities.

The Project is to be constructed in accordance with the provisions for the existing R-8 zoning.

Community Facilities

Transportation

The East 174th Street Station of the IND Concourse Line is three blocks from the project site and the Mount Eden Avenue Station of the IRT Jerome Avenue Line is 1/4 mile away. In addition there are several bus lines including the Grand Concourse, the Jerome Avenue, the Morris Avenue and the 170th Street Crosstown Lines in the vicinity.

Schools

It is anticipated that the small number of children expected from the project would not affect the school utilization in this area.

Shopping

The major retail shopping area is along Mount Eden Avenue west of the Grand Concourse, three blocks from the site. A smaller area is located along the southern part of the Cross Bronx Expressway, two blocks away.

Parks and Recreation

Claremont Park is situated two blocks from the site.

PUBLIC HEARING

On May 30, 1973, the City Planning Commission scheduled June 13, 1973 as the date for a PUBLIC HEARING on this project. The hearing was duly held on June 13, 1973. A representative of the sponsor spoke in favor of the project. There were no further appearances and the hearing was closed.

Community Planning Board #4 is in favor of the project.

FINDINGS AND APPROVAL

The proposed site is an appropriate location for hospital staff housing.

The City of New York, through its Board of Estimate and City Planning Commission, has enacted, or will enact regulations or appropriate restrictions protecting the project against future uses likely to depreciate unduly the value of the project.

On April 22, 1959, the City Planning Commission, after public hearings, adopted the Amended Master Plan of Sections Containing Areas Suitable for Development and Redevelopment. Some of these areas are designated as Substandard and Insanitary Areas Suitable for Redevelopment with housing accommodations for all income groups, including housing for persons of low income. The project under consideration will, by increasing the supply of housing, facilitate the clearance of these substandard areas and thus is in conformity with an overall plan for providing housing facilities for persons of low income and for the clearance, replanning, reconstruction and rehabilitation of substandard and insanitary areas throughout the City.

The City Planning Commission hereby approves, pursuant to Article II of the New York State Private Housing Finance Law, the proposed project to be developed by The Bronx-Lebanon Hospital Center Housing Corporation and sponsored by The Bronx-Lebanon Hospital Center on the site hereinbefore described, Borough of The Bronx.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman
GERALD R. COLEMAN, GORDON J. DAVIS, SYLVIA DEUTSCH,
JAQUELIN T. ROBERTSON, Commissioners.

MD:mb

Fordham Plaza Urban Renewal Area

No. 35

CPD 6 & 7

(CP-22366)

[Proposed minor additions of property to Urban Renewal Area previously approved by the City Planning Commission on May 2, 1973.]

PUBLIC HEARING in the matter of an Amended Urban Renewal Plan, pursuant to Article 15 of the General Municipal Law (Urban Renewal Law) of the State of New York, for the Fordham Road Plaza Commercial Development Urban Renewal Area, Borough of The Bronx.

The Amended Urban Renewal Plan was submitted by the Housing and Development Administration on May 24, 1973.

(On May 30, 1973, Cal. No. 25, the Commission scheduled this day for a hearing, which has been duly advertised.)

Appearance: Charles D. Bishop, representing New York City Transit Authority.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

June 13, 1973

The Fordham Road Plaza Commercial Development Urban Renewal Plan as previously approved, provides for the redevelopment of a deteriorating area in the vicinity of East Fordham Road and Third Avenue in the Borough of The Bronx. The area is generally bounded by Bedford Park Boulevard, the Penn Central Railroad tracks, East Fordham Road, Washington Avenue, Third Avenue, East 188th Street and Webster Avenue. Redevelopment of the area would be primarily for commercial public and semi-public uses, including a postal facility, a storage site for postal vehicles, a parking garage for 1,000 cars and a public place to be partly used as a transportation node for buses. A redesign of the pedestrian and vehicular circulation system in the portion of the renewal area south of East Fordham Road is also contemplated. These proposed circulation changes would be subject to review by various agencies.

The proposed Amendment to the Fordham Road Plaza Urban Renewal Plan provides for acquisition of the following properties:

Property east of Webster Avenue between East Fordham Road and Bedford Park Boulevard (Lots 801, 802 and part of 100 in Block 3273); and

Property comprising Air Rights over the Penn Central Railroad on East 189th Street between the easterly and westerly lines of Park Avenue; and

Property comprising Air Rights over the Penn Central Railroad on East Fordham Road between the westerly line of Park Avenue and the easterly line of Third Avenue; and

The beds of Park and Third Avenues between East 188th Street and East Fordham Road.

These properties are being added to the list of properties to be acquired in order to expedite the development of the project.

PUBLIC HEARING

On May 30, 1973, the City Planning Commission scheduled June 13, 1973 as the date for a PUBLIC HEARING on the proposed Urban Renewal Plan. On June 13, 1973 the hearing was duly held. A representative of the Transit Authority urged that the design of the Urban Renewal Area accommodate the buses now replacing the Third Avenue "El". There were no further appearances and the hearing was closed.

Community Planning Board 6 is in favor of the concept for the Fordham Road Plaza Urban Renewal Area.

FINDINGS AND APPROVAL

The City Planning Commission finds that the proposed Amended Urban Renewal Plan is an appropriate plan for the area involved.

The City Planning Commission hereby certifies that the Amended Urban Renewal Plan for the Fordham Road Plaza Commercial Development Urban Renewal Area complies with the provisions of Section 502, Article 15 of the General Municipal Law of the State of New York and conforms to the Comprehensive Community Plan for the development of the municipality as a whole and is consistent with local objectives.

The Commission hereby certifies that the Amended Urban Renewal Plan, is in conformity with the findings and designation of the Fordham Road Plaza Commercial Development Urban Renewal Area under Section 504, Article 15 of the General Municipal Law as adopted by the City Planning Commission on May 2, 1973 (CP-22314).

The City Planning Commission hereby certifies its unqualified approval of the Amended Urban Renewal Plan for the Fordham Road Plaza Commercial Development Renewal Area pursuant to Section 505, Article 15 of the General Municipal Law of the State of New York.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman
GERALD R. COLEMAN, GORDON J. DAVIS, SYLVIA DEUTSCH,
JAQUELIN T. ROBERTSON, Commissioners.

JC:mb

[Mapping of two new streets, 92nd Road and 164th Street, connecting Archer Avenue and 165th Street. The new streets would provide a "lay-up" area for buses and reduce traffic congestion in Jamaica Center.]

PUBLIC HEARING in the matter of communication dated April 3, 1973, from the President, Borough of Queens, submitting Map No. 4585 dated April 3, 1973 and signed by the Borough President, showing a change in the street system heretofore laid out within the territory bounded by New York Boulevard, Jamaica Avenue, 165th Street and Archer Avenue, Borough of Queens.

(On April 12, 1973, Cal. No. 310, the Board of Estimate referred this matter to the Commission; on May 30, 1973, Cal. No. 8, the Commission scheduled this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

June 13, 1973

The map which relates to the area bounded by New York Boulevard, Jamaica Avenue, 165th Street and Archer Avenue in the Jamaica Section of the Borough, provides for laying out the lines and grades of:

- a) 92nd Road, at a width of 42 feet for a length of 179.21 feet and at an irregular maximum width of approximately 22 feet for a length of 119.17 feet, and of:
- b) 164th Street, perpendicular to 92nd Road, at a width of 47.50 feet for a length of 302.86 feet,

with transitions at their intersection.

The map also delineates a 9-foot wide Sidewalk Easement immediately adjacent to the southwesterly street line of 164th Street.

The genesis of this proposal goes back to 1969 when the City acquired Gertz's customer parking lot, employee parking lot, retail outlet store and auto service center as part of the York College site. The Gertz family and Allied Department Stores (owner of Gertz-Long Island) purchased a parcel at Archer Avenue and New York Boulevard as a relocation site for the above facilities. This site included the former Green Bus Lines depot which was then demolished when the site was cleared to make way for a series of developments. These include a 730 space parking garage and retail stores, which have already been completed; and an office complex which will be under construction by this summer.

It is now necessary to provide a suitable bus lay up area for Green Bus Lines. Presently, Green Bus Lines is laying up their buses on Archer Avenue and the standing buses create congestion. The situation is expected to become more severe in the future when the redevelopment of Jamaica Center and the reconstruction of Archer Avenue are completed.

92nd Road and 164th Street under consideration, connecting 165th Street and Archer Avenue, are to be public streets designed with the intent to provide a lay up area for the buses which are presently impeding traffic circulation in existing streets. Moreover, the new streets will provide for truck loading and access to the adjacent stores and will relieve Jamaica Avenue's truck congestion.

The delineated sidewalk easement will be granted by the Gertz Company to the City through an appropriate agreement between the two parties. It is understood that such an agreement has been prepared.

Special roadway and sidewalk treatment in the two streets will include terminal stalls and special guard rails. Proper signs for one-way, buses only traffic are also required. Acquisition proceedings are necessary, and it is understood that the Transportation Administration has HW-1 and HW-61 funds available for acquisition, treatment and maintenance of the two streets.

It is understood that the Green Bus Lines is in the process of amending their franchise privilege with the City so as to operate in the two streets. The amended franchise will provide for Green Bus Lines to pay the City a consideration for the use of the streets for lay up and related purposes.

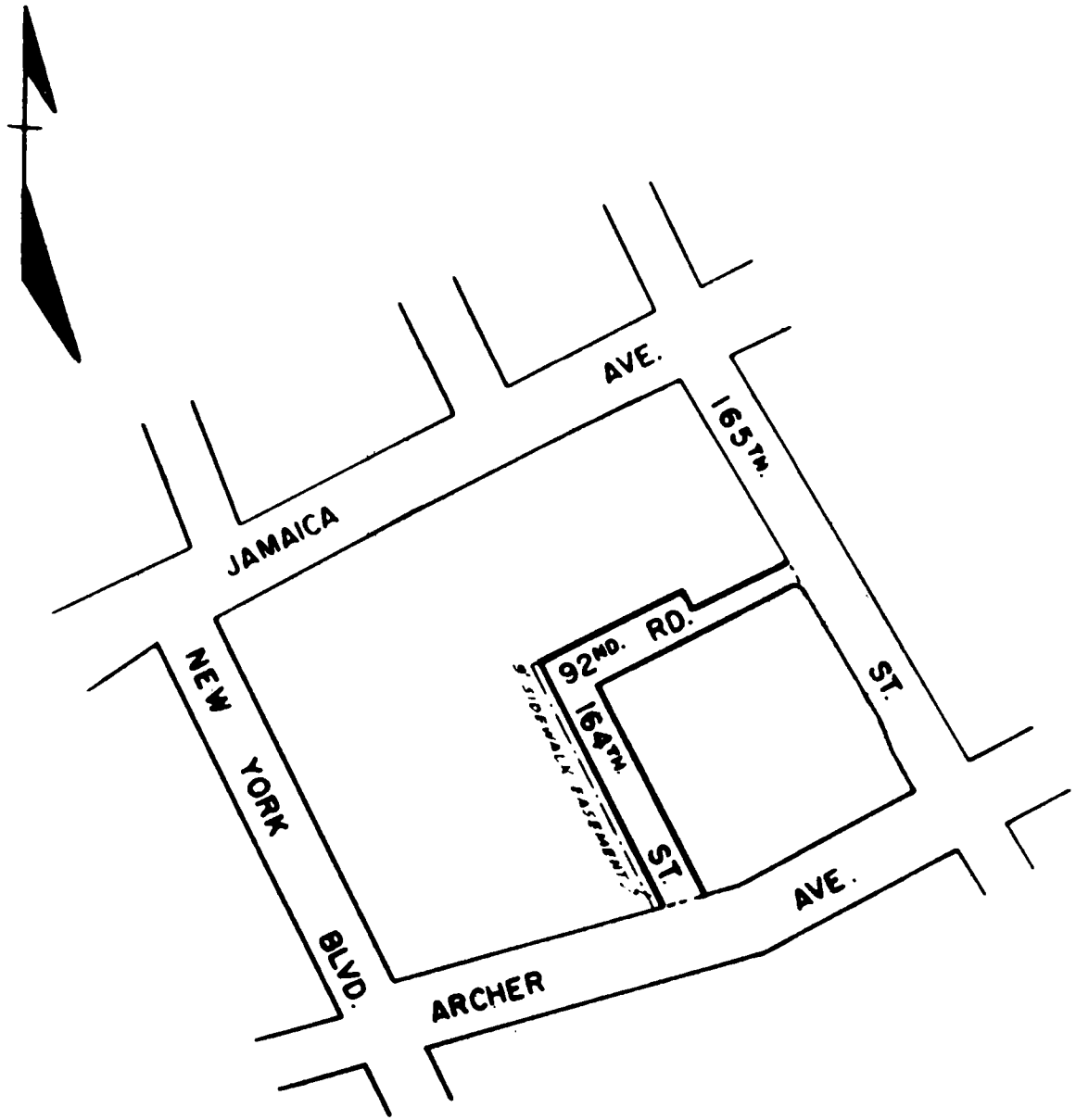
On May 30, 1973 (Cal. No. 8) the City Planning Commission scheduled a PUBLIC HEARING on the map change. The hearing was duly held on June 13, 1973 (Cal. No. 41). There were no appearances and the hearing was closed.

The Commission considers that the new streets, designed to provide a lay up area for buses and reduce traffic congestion in Jamaica Center, constitutes an appropriate modification of the City map.

The Commission recommends to the Board of Estimate that the map change under consideration be approved, after approval of the appropriate easement agreement by the Corporation Counsel and its acceptance by the Board of Estimate.

2 Spaces
JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman;
GERALD R. COLEMAN, GORDON J. DAVIS, SYLVIA DEUTSCH,
JAQUELIN T. ROBERTSON, Commissioners.

TT:as



CITY PLANNING COMMISSION
 CITY OF NEW YORK
**DIAGRAM SHOWING PROPOSED
 MAP CHANGE
 ON SECTIONAL MAP
 14**

BOROUGH OF
 QUEENS

New York, May 30, 1973

Herbert Gallon
 Director, Division of Mapping
J. J. Smith PE
 Chief Engineer



NOTE:

- indicates line of street legally adopted.
- indicates line of street proposed to be established.
- indicates line of street proposed to be eliminated.

[Demapping of an unimproved portion of 120th Avenue to consolidate two small parks.]

PUBLIC HEARING in the matter of communication dated April 18, 1973, from the President, Borough of Queens, submitting Map No. 4643, signed by the Commissioner of Parks and the Borough President and dated April 10, 1973, eliminating, discontinuing and closing 120th Avenue along with the layout of a Park Addition, and a minor adjustment in the boundary line of the presently mapped Park, from Merrick Boulevard to Baisley Boulevard, Borough of Queens.

(On May 3, 1973, Cal. No. 130, the Board of Estimate referred this matter to the Commission; on May 30, 1973, Cal. No. 9, the Commission scheduled this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

June 13, 1973

The map relates to an area within the St. Albans section of the Borough, and provides primarily for the elimination, discontinuance and closing of 120th Avenue between Merrick Boulevard and Baisley Boulevard.

This street is in City ownership and is mapped at a width of 80 feet. However, it is neither improved nor in use and apparently not necessary for traffic purposes.

The map also provides for the layout of a Park Addition in lieu of the eliminated street area, so as to consolidate and enlarge two abutting mapped Parks. This will enable the Parks, Recreation and Cultural Affairs Administration to develop, with available Federal Funds, one continuous Park area.

The map also provides for the demapping of a small portion of the Park at the intersection of Merrick and Baisley Boulevard, and mapping it as street, so as to accommodate the rounding of the intersection to a 20 foot radius. This will facilitate easier and safer traffic turning movements at this intersection.

The area under consideration is located within Queens Community Planning District No. 12. On March 21, 1973, the Community Planning Board voted on this proposal and approved it unanimously.

On May 30, 1973 (Calendar No. 9), the City Planning Commission scheduled a PUBLIC HEARING on the map change. The hearing was duly held

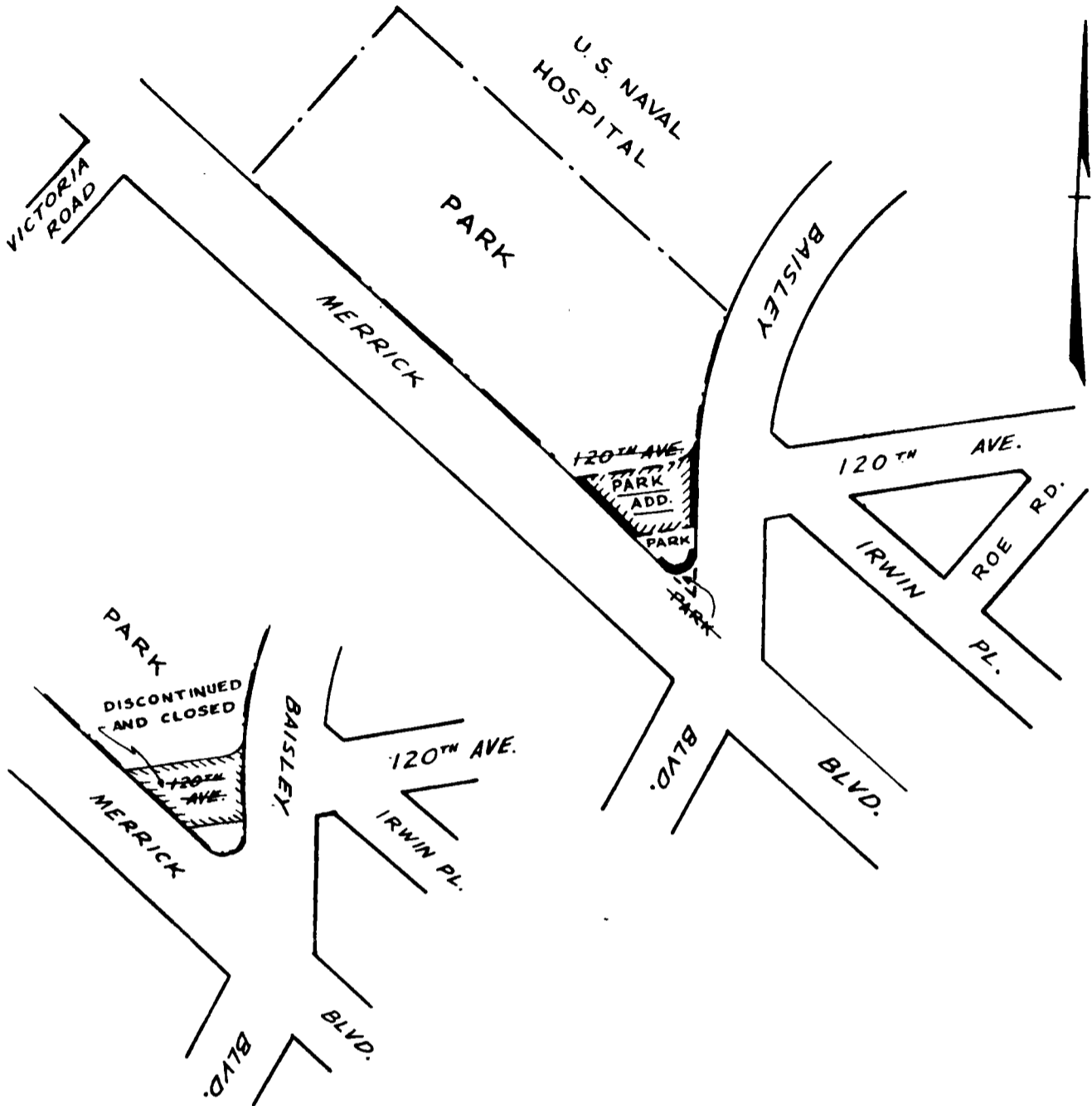
on June 13, 1973 (Calendar No. 42). There were no appearances and the hearing was closed.

The Commission considers the map change, designed to eliminate unnecessary street area for consolidation with abutting mapped park areas, to be an appropriate modification of the City Map.

The Commission, therefore, recommends to the Board of Estimate that the map change, under consideration, be adopted.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLEN, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS, SYLVIA DEUTSCH,
JAQUELIN T. ROBERTSON, Commissioners.

GNS:as



CITY PLANNING COMMISSION
 CITY OF NEW YORK
**DIAGRAM SHOWING PROPOSED
 MAP CHANGE AND STREET CLOSING
 ON SECTIONAL MAP**



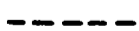



19
 BOROUGH OF
 QUEENS

New York, May 30, 1973

Herbert Ballou
 Director, Division of Mapping
John Frank
 Chief Engineer



NOTE:

-  indicates line of street legally adopted.
-  indicates line of street proposed to be established.
-  indicates line of street proposed to be eliminated.
-  indicates Park addition proposed to be established.
-  indicates Park proposed to be eliminated.
-  indicates area of street proposed to be discontinued and closed.

[*Reconsideration of portion of Kew Gardens rezoning (CP-22295) excluded by Board of Estimate on May 24, 1973.*]

PUBLIC HEARING in the matter of a zoning change, pursuant to Section 200 of the New York City Charter, involving an amendment of the Zoning Map, Section No. 14b, **changing from an R7-1 District to an R3-1 District** property bounded by Beverly Road, a line 90 degrees to Beverly Road passing through a point 115 feet easterly of the northeast corner of Beverly Road and Lefferts Boulevard, a line midway between Beverly Road and Cuthbert Road, and a line 270 feet westerly of Brevoort Street, Borough of Queens, as shown on a diagram dated May 30, 1973.

(On May 30, 1973, Cal. No. 34, the Commission scheduled this day for a hearing, which has been duly advertised.)

There were no appearances.

On motion, it was unanimously voted to close the hearing.

On motion, Rule 105 was waived and the following favorable report was unanimously adopted:

June 13, 1973

On May 7, 1973 (Cal. #2), the Commission approved a report (CP-22295) rezoning a larger area of Kew Gardens from R7-1 and R5 to R3-1.

On May 24, 1973 (Cal. #222) the Board of Estimate modified the Commission's action by deleting a smaller area from the scope of that rezoning (CP-22295), thereby retaining the R7-1 designation of the smaller area, which is the subject of this report (CP-22374).

On May 30, 1973 (Cal. #34) the Commission scheduled a PUBLIC HEARING on the proposed amendment. The hearing was duly held on June 13, 1973 (Cal. # 44).

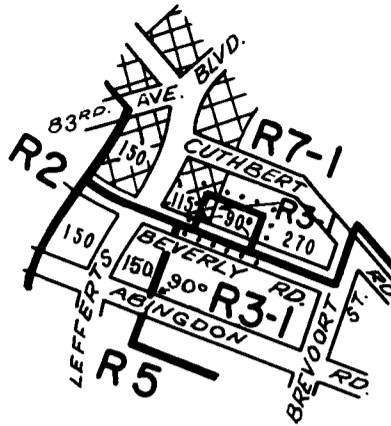
There were no appearances and the hearing was closed.

This rezoning would provide suitable and harmonious zoning for all homeowners in the area. The unique value of this diversified and aesthetically pleasing neighborhood would be preserved.

The Commission therefore considered the rezoning appropriate and adopted the following resolution, which is duly filed with the Secretary of the Board of Estimate, pursuant to Section 200 of the New York City Charter:

RESOLVED, that the Zoning Resolution of The City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14b, so as to change from an R7-1 District to an R3-1 District property bounded by Beverly Road, a line 90 degrees to Beverly Road passing through a point 115 feet easterly of the northeast corner of Beverly Road and Lefferts Boulevard, a line midway between Beverly Road and Cuthbert Road, and a line 270 feet westerly of Brevoort Street, Borough of Queens, as shown on a diagram dated May 30, 1973.

JOHN E. ZUCCOTTI, Chairman;
MARTIN GALLENT, Vice-Chairman,
GERALD R. COLEMAN, GORDON J. DAVIS,
SYLVIA DEUTSCH, JAQUELIN T. ROBERTSON, Commissioners.



CITY PLANNING COMMISSION
CITY OF NEW YORK
**DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAP
14b**




BOROUGH OF
QUEENS

New York, **May 30, 1973**

Richard Riegelhaupt, P.E.
Acting Director, Division of Zoning
James Fruchman, P.E.
Chief, Office of Technical Controls



NOTE:

-  indicates Zoning District boundary.
-  The area enclosed by the fine dotted line is proposed to be changed from an R7-1 District to an R3-1 District.
-  indicates a C1-2 District.