

Zoning Section 132-51 Certification to Allow a Limited Increase in Street Wall Width Application Guidelines

Purpose

These guidelines provide the minimum application requirements and content parameters for the production of an application package for a certification to allow for a limited increase in street wall widths pursuant to Section 132-51. This information is necessary for the Chairperson of the City Planning Commission to make an informed decision when it comes to addressing the findings of this action.

This Chair Certification to allow a limited increase in street wall width will facilitate frontages of up to 60 feet. There is an existing Authorization for frontage expansions based on need- or vacancy-related findings, but the Chair Certification allows for a more predictable and time-efficient mechanism to allow a limited frontage expansion for an existing business. Banks are not eligible to apply for the Certification, but the Authorization remains available to them.

Certification is ministerial and requires a demonstration that the following conditions exist: 1) the presence of a business in operation at the date of application; 2) physical restrictions preventing on-site business expansion in a way that would avoid frontage in excess of 40 feet; 3) the presence of other uses with ongoing or expected occupancy within the building preventing expansion and; 4) calculations relating to the number of other establishments with more than 40 feet on, adjacent to, or across from the block on which the applicant operates, demonstrating that the multi-store character of these blocks remains intact.

This document and related documents are intended to guide an applicant through the certification process towards a storefront expansion resulting in a frontage of no greater than 60 feet.

When to Use

Please use these minimum requirements when producing an application for a certification pursuant to Section 132-51 (Certification to Allow a Limited Increase in Street Wall Width). Within the UWS Special Enhanced Commercial District 2, the maximum street wall width of any non-residential ground floor establishment, other than banks or loan offices, shall not exceed 40 feet. However, a certification from the Chairperson of the City Planning Commission may be applied for pursuant to ZR Section 132-51 to exceed the 40-foot maximum street wall width, provided the conditions set forth in the Section 132-51 are met.

Application Procedure and Order of Review

Given that only a limited number of expansions may be available for approval within a particular geographic area, and that multiple applications within a particular geographic area may be simultaneously pending, a city rule sets forth procedures to ensure that all applications are reviewed and processed in a predictable, fair and orderly manner. Specifically, the rule requires that:

1. Draft applications must be submitted for pre-filing review.

- a. Draft applications must be submitted to the specific division of the Department that is designated on the application form for receipt of an application filed pursuant to ZR Section 132-51, by delivery or by mail to: the division so named on the application form, New York City Department of City Planning, 22 Reade Street, New York, New York 10007, or by email to: RetailEC@planning.nyc.gov. Upon receipt, the Department will record the date and time of receipt.
2. Draft applications will be reviewed in order of receipt for accuracy and completeness.
3. The applicant may only formally file an application upon notification that the draft application is considered complete.
 - a. Upon determination of completeness, the applicant must file nine (9) copies of the application at the Department of City Planning, Central Intake Office, 22 Reade Street, New York, New York 10007. Applications that have not been reviewed and determined to be complete will not be accepted for filing.
4. Complete filed applications for establishments within the same set of geographic boundaries will be reviewed in order of application filing date and time.

Application Requirements

Attach-ment #	Application Requirements	Description	Sample or Template Material Location
1a	Land Use Application Form	Basic project and applicant information for action seeking approval (Zoning Certification, ZC). The description of the proposal is filled out and attached to the application as Attachment 4, listed below.	Form can be downloaded here: http://www.nyc.gov/html/dcp/html/ap/step3_prep.shtml
1b	Owner's Authorization Letter	If the owner/ applicant is not signing on page 2, include an owner's authorization letter.	Link to "fill in the blank" template
2	Supplemental Form for Zoning Certification (ZC)	Zoning Certification information is required. Action (ZC) is pursuant to Zoning Resolution Section number 132-51. The required discussion of findings is filled out and attached to the application as Attachment 5, listed below.	Form can be downloaded here: http://www.nyc.gov/html/dcp/html/ap/step3_prep.shtml
3a	Signed Affidavit	Signed and notarized affidavit attesting that at the time of application for extension, the use has existed in the building for a period of at least one year; that such existing establishment cannot extend square footage without increasing the street wall width for such establishment	Link to "fill in the blank" template
3b	Other documentation associated with affidavit	If relevant: illustration or documentation of other uses that limit expansion options; signed lease from one year prior to application	
4a	UWS Retail Certification Project Description		link to "fill in the blank" template
4b	UWS Retail Certification base map drawings	Base map drawing with existing and proposed frontages	Link to pdf of base map templates
5	Statement of Findings	Follow the general DCP format guidelines for this document and include discussion of conditions	link to "fill in the blank" template
6	"Panorama" photos of relevant blocks in project	Follow the Upper West Side photograph guidelines for this attachment and see samples of the "panorama" photos with frontage	Link to document with "how to

Attach- ment #	Application Requirements	Description	Sample or Template Material Location
	area	measurements	measure frontages" and sample final product

Application Section 1a: Land Use Application Form

Provide web link or screen shot of LR pages required from
http://www.nyc.gov/html/dcp/html/ap/step3_prep.shtml

Basic Form LR

Land Use Review Application

Department of City Planning 22 Reade Street, New York, NY 10007-1216

City Planning will assign and stamp reference numbers here

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

APPLICANT NUMBER _____ APPLICATION NUMBER _____

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) * _____ APPLICANT'S PRIMARY REPRESENTATIVE _____

STREET ADDRESS _____ REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION _____

CITY _____ STATE _____ ZIP _____ STREET ADDRESS _____

AREA CODE TELEPHONE # FAX# _____ CITY _____ STATE _____ ZIP _____

* List additional applicants below

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) _____

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) * _____ ADDITIONAL APPLICANT REPRESENTATIVE _____

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX # _____

STREET ADDRESS _____ PROJECT NAME (IF ANY) _____

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS _____

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY) _____ ZONING SECTIONAL MAP NO(S) _____

TAX BLOCK AND LOT NUMBER _____ BOROUGH _____ COMM. DIST. _____

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY) _____

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO YES IF YES, IDENTIFY _____

2. SITE DATA
(If the site contains more than one property complete the "LR Item 2, Site Data Attachment Sheet.")

3. DESCRIPTION OF PROPOSAL
(If the entire project description does not fit in this space, enter "see attached descriptor" below and submit description on a separate sheet, identified as "LR Item 3, Description of Proposal")

4. ACTIONS REQUESTED AND FEES
(Check appropriate action(s) and attach supplemental form)

<input type="checkbox"/> CHANGE IN CITY MAP.....MM	\$ _____	<input type="checkbox"/> MODIFICATION _____	\$ _____
<input type="checkbox"/> ZONING MAP AMENDMENT.....ZM	\$ _____	<input type="checkbox"/> FOLLOW-UP _____	\$ _____
<input type="checkbox"/> ZONING TEXT AMENDMENT.....ZR	\$ _____	APPLICATION NO. _____	\$ _____
<input type="checkbox"/> ZONING SPECIAL PERMIT.....ZS	\$ _____	<input type="checkbox"/> RENEWAL _____	\$ _____
<input type="checkbox"/> ZONING AUTHORIZATION.....ZA	\$ _____	APPLICATION NO. _____	\$ _____
<input type="checkbox"/> ZONING CERTIFICATION.....ZC	\$ _____	<input type="checkbox"/> OTHER _____	\$ _____
<input type="checkbox"/> PUBLIC FACILITY, SEL. I.A.C.O.....PF	\$ _____	SPECIFY _____	\$ _____
<input type="checkbox"/> DISPOSITION OF REAL PROP.....PD	\$ _____	TOTAL FEE (For all actions)	\$ _____
<input type="checkbox"/> URBAN DEVELOP. ACTION.....HA	\$ _____		
<input type="checkbox"/> URBAN RENEWAL PROJECT.....*	\$ _____		
<input type="checkbox"/> HOUSING PLAN & PROJECT.....*	\$ _____	Make Check or Money Order payable to Department of City Planning.	
<input type="checkbox"/> FRANCHISE.....*	\$ _____	If fee exemption is claimed check box below and explain	
<input type="checkbox"/> REVOCABLE CONSENT.....*	\$ _____	<input type="checkbox"/>	
<input type="checkbox"/> CONCESSION.....*	\$ _____	Has pre-application meeting been held? NO <input type="checkbox"/> YES <input type="checkbox"/>	
<input type="checkbox"/> LANDFILL.....*	\$ _____	If yes _____	
<input type="checkbox"/> OTHER (Describe) _____	\$ _____	DCP Office/Representative _____	Date of meeting _____

Basic Form LR - continued

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCY _____ CEQR NUMBER _____

TYPE OF CEQR ACTION:

TYPE II Type II category: _____ Date determination was made: _____

TYPE I } Has EAS been filed? Yes No

UNLISTED } If yes, Date EAS filed: _____

Has CEQR determination been made? Yes No

If yes, what was determination? Negative Declaration Date determination made: _____ (Attach Copy)

CND

Positive Declaration

If Positive Declaration, has PDEIS been filed? _____

Has Notice of Completion (NOC) for DEIS been issued? _____ If yes, attach copy _____

If PDEIS has not been filed, has final scope been issued? _____ If yes, date issued: _____

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? NO YES

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL NO.	DATE

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL NO.	DATE

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT
(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE	SIGNATURE OF APPLICANT	DATE

APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY) _____

11. CO-APPLICANTS
(Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE	SIGNATURE OF CO-APPLICANT	DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION _____

STREET ADDRESS _____ CITY _____ STATE _____ ZIP _____ TEL. NO. _____ FAX _____

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE _____ SIGNATURE OF CO-APPLICANT _____ DATE _____

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION _____

STREET ADDRESS _____ CITY _____ STATE _____ ZIP _____ TEL. NO. _____ FAX _____

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

Application Section 1b: Land Use Application Form – Owner’s Authorization Letter

[Letterhead]

[Date]

Hon. Amanda Burden, Chair
City Planning Commission
22 Reade Street
New York, NY 10007-1216

Re: [Project Name]
Application No(s):
Block____, Lot(s)____

Dear Chair Burden:

I am the fee owner of certain real property known as Block ____, Lot(s)____ on the Tax Map of the City of New York. (OR: I am the [position] of [Corporation]. [Corporation] is the fee owner of certain real property...). I hereby authorize [Name of Applicant] to file the above-referenced application for [brief description of application] at the New York City Department of City Planning.

Sincerely,

By: _____
Name:
Title:

Application Section 2: Supplemental Form for Zoning Certification (ZC)

Provide web link or screen shot of LR pages required from http://www.nyc.gov/html/dcp/html/ap/step3_prep.shtml

New York City Department of City Planning
Land Use Review Application

Supplemental Form

Special Permit/Authorization/Certification. . . .ZS/ZA/ZC

----- APPLICATION NO. -----

----- APPLICATION NO. -----

----- APPLICATION NO. -----

(If more than five actions are being requested, enter "see attached" below, and list ALL PROPOSED ACTIONS in the same format as below on a separate sheet titled "Proposed Zoning Special Permits/ Authorization/ Certifications.")

Action(s) requested pursuant to ZR <small>(Check one box for each proposed action)</small>	Special Permit (ZS)	Authorization (ZA)	Certification (ZC)	<u>PURSUANT TO:</u> ZONING RESOLUTION SECTION NUMBER	ZONING RESOLUTION SECTION TITLE	<u>TO MODIFY:</u> SECTION NO. (If applicable)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

HAS A DRAFT RESTRICTIVE DECLARATION BEEN INCLUDED WITH THIS APPLICATION? YES NO

WILL ALL PARTIES IN INTEREST TO THE PROPERTY AGREE TO A RESTRICTIVE DECLARATION IF REQUIRED? YES NO

Property ownership/ interest

CHECK APPLICABLE BOX(ES) (If more than one box is checked in the left column, please explain below).

<p>APPLICANT:</p> <p><input type="checkbox"/> IS OWNER OF SUBJECT PROPERTY</p> <p><input type="checkbox"/> IS LESSEE OF SUBJECT PROPERTY</p> <p><input type="checkbox"/> HAS CONTRACT TO LEASE/BUY SUBJECT PROPERTY</p> <p><input type="checkbox"/> IS OTHER (explain real property interest below)</p>	<p>APPLICANT:</p> <p><input type="checkbox"/> IS A CITY AGENCY</p> <p><input type="checkbox"/> IS A STATE OR FEDERAL AGENCY</p>
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Discussion of findings

STATEMENT IN SUPPORT OF REQUIRED ZONING RESOLUTION FINDINGS/DECLARATION OF COMPLIANCE
(This is the same discussion/statement as in Attachment #11. If it fits below, it may be put here instead of in a separate attachment. If Attachment #11 has been completed, you may leave this area blank).



Application Section 3a: Signed Affidavit

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CERTIFICATION PURSUANT TO SECTION 132-51 of the New York City Zoning Resolution

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

_____, being duly sworn, deposes and says:

1. I am the Vice [title] of [entity] (the "Applicant"), which entity is the [relationship to property, ie: owner, lessee, sublessee] of the property designated as Tax Block _____, Lot ____ in Manhattan, and known by the street address _____ (the "Property").

2. The fee owner of the Property is _____.

3. Applicant has complete day-to-day control of the Property, in accordance with the terms of its lease/sublease with _____.

4. This Affidavit is being submitted to the Department of City Planning of the City of New York in connection with application No. _____, submitted on _____, 201_, seeking a certification from the Chairperson of the City Planning Commission pursuant to Section 132-51 of the Zoning Resolution of the City of New York (the "Application") to "extend" an establishment, thereby exceeding the maximum "street wall" width for non-"residential" establishments set forth in Section 132-24(b), and reduce the number of establishments required pursuant to Section 132-23.

5. At the time of Application to for an extension pursuant to Section 132-51 the use for which the extension has been applied for has existed within the Property for a period of one year (the "Existing Establishment").

6. Such Existing Establishment cannot extend without increasing the street wall width for such establishment because (i) the physical restrictions created by the building design, included, but not limited to, the location of existing structural walls and vertical circulation cores; (ii) the presence of other uses with ongoing expected occupancy within such building; or (iii) regulatory limitations.

By: _____

Print:

STATE OF NEW YORK)
COUNTY OF _____) ss:

On this ___ day of _____ 201_, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person on behalf of which they individual(s) acted, executed the instrument.

Notary

Application Section 4a: UWS Retail Certification Project Description

Please use this template and fill in the appropriate information in any bracketed [] area.

It is strongly suggested that the applicant follow this outline. The Project Description must be written in narrative form, using full sentences and paragraphs.

Project Name
Project Address
Date

1. Introduction

My name is [NAME] and I am proposing a project at [ADDRESS], on the [EAST/WEST] side of [AVENUE] between [STREET] and [STREET]. The site is located on tax block [BLOCK] and lot [LOT]. The current zoning is [ZONING] in the EC-2 Special District.

The proposal requires the Certification to Allow a Limited Increase in Street Wall Width (132-51) from [CURRENT FRONTAGE] to [PROPOSED FRONTAGE UP TO 60']. The existing frontage is currently for the [NAME OF BUSINESS], a [TYPE OF BUSINESS] that has existed at this location since [YEAR]. In order to achieve the expansion, the establishment would extend into [ADJACENT ADDRESS], which currently contains [PRESENT USE] and which is expected to be [VACANT/ABSORBED INTO NEW USE/OTHER] at the time of expansion. No other City Planning actions are required.

If the project is in a Landmarked District or a Landmarked Building: The project is within the [LANDMARKED DISTRICTS] and thus also requires approval from the Landmarks Preservation Commission in order to proceed.

If the project requires other actions: The project also requires [BSA VARIANCE/OTHER] in order to proceed, to address [REASON FOR OTHER ACTION].

2. Prior and Current Unrelated Actions (if applicable)

The certification to allow a limited increase in street wall width requires demonstration that not more than one other establishment (including vacant frontages) exceeds 40 feet in frontage on, across from, or adjacent to the block on which this project is proposed. Additionally, the certification requires verification that at the time of this application, no other approved applications exist for certifications or authorizations under Section 132-50 in the geographic boundaries defined by this project area.

If a certification or authorization application has been approved in the project area but no other establishment in the area exceeds 40', describe the details of the approved application with project name, date, address.

[Since no other applications exist] [OR] [Since one application exists but no other establishment in the project area exceeds 40 feet in frontage], I understand I meet the condition of 132-51(c) of this certification.

3. Description of the Surrounding Area and Project Area

Surrounding Area

The project is located in Manhattan Community Board 7. The area is known as the Upper West Side. The project falls within [LANDMARK DISTRICT/BID/OTHER].

The neighborhood is characterized by a diversity of retail and commercial options with multiple storefronts per block. Buildings typically have narrow footprints, with commercial uses on the ground floor and occasionally on the second floor, with generally 4-10 residential stories above. It is a dense, active neighborhood, close to numerous public transportation options including the 1/2/3 subway line on Broadway and the A/C/B/D subway line on Central Park West. The commercial neighborhood is defined by Broadway, with larger building footprints and a mix of ground floor commercial frontages, and by Amsterdam and Columbus avenues, which generally have narrower building footprints and smaller commercial frontages. No other avenues and only a small number of side streets are zoned for commercial uses in this neighborhood, resulting in an unusually high demand for commercial square footage.

Project Area

The specific blocks comprising the project area, [LIST BLOCKS "AVENUE between STREETS and STREETS"], generally resemble blocks throughout EC-2. They are characterized by multiple stores per block, with a mix of retail and commercial services on the ground floor and residential units above. The [NUMBER OF BLOCKS IN PROJECT AREA] have a combined [NUMBER OF STOREFRONTS], with [NUMBER OF STOREFRONTS] on the block for which establishment represented by this application is on, averaging [FEET] in frontage. The retail and commercial uses on this block include [NAME USES] and [NUMBER] residential entries. The number of storefronts on this block will be reduced to [PROPOSED NUMBER] upon completion of the expansion proposed by this application.

If relevant: The project area is near [SIGNIFICANT PARK/MUSEUM/COMMUNITY FACILITY/SCHOOL/OTHER].

The project is located in [ZONING DISTRICT]. The project area is also zoned [OTHER ZONING DISTRICTS].

4. Description of Proposed Development Site (if different than the Project Area)

The project site is located in Manhattan CB7 on tax block [BLOCK] and lot [LOT]. The site has an existing frontage of [FEET] along [AVENUE].

5. Description of the Proposed Development

As illustrated in the attached Base Map, the project site includes frontage currently occupied by [APPLICANT ESTABLISHMENT] with [FRONTAGE] along the [EAST/WEST] side of [AVENUE] between [STREET] and [STREET], and adjacent frontage to be expanded into, currently occupied by [ESTABLISHMENT/USE/VACANT/OTHER] with [FRONTAGE] along [AVENUE].

[APPLICANT] is applying for the certification for a limited increase in street wall width in order to accommodate the existing establishment's expansion. [USE] has been at this location for [TIME] and wishes to expand in order to [IMPROVE/EXPAND/OTHER] operations. This use cannot extend its square footage without increase the street wall width because of ["physical restrictions created by the building design, including [RESTRICTION]" OR "the presence of other uses with ongoing or expected occupancy within the building" OR "regulatory limitations that prevent expansion to the second floor"].

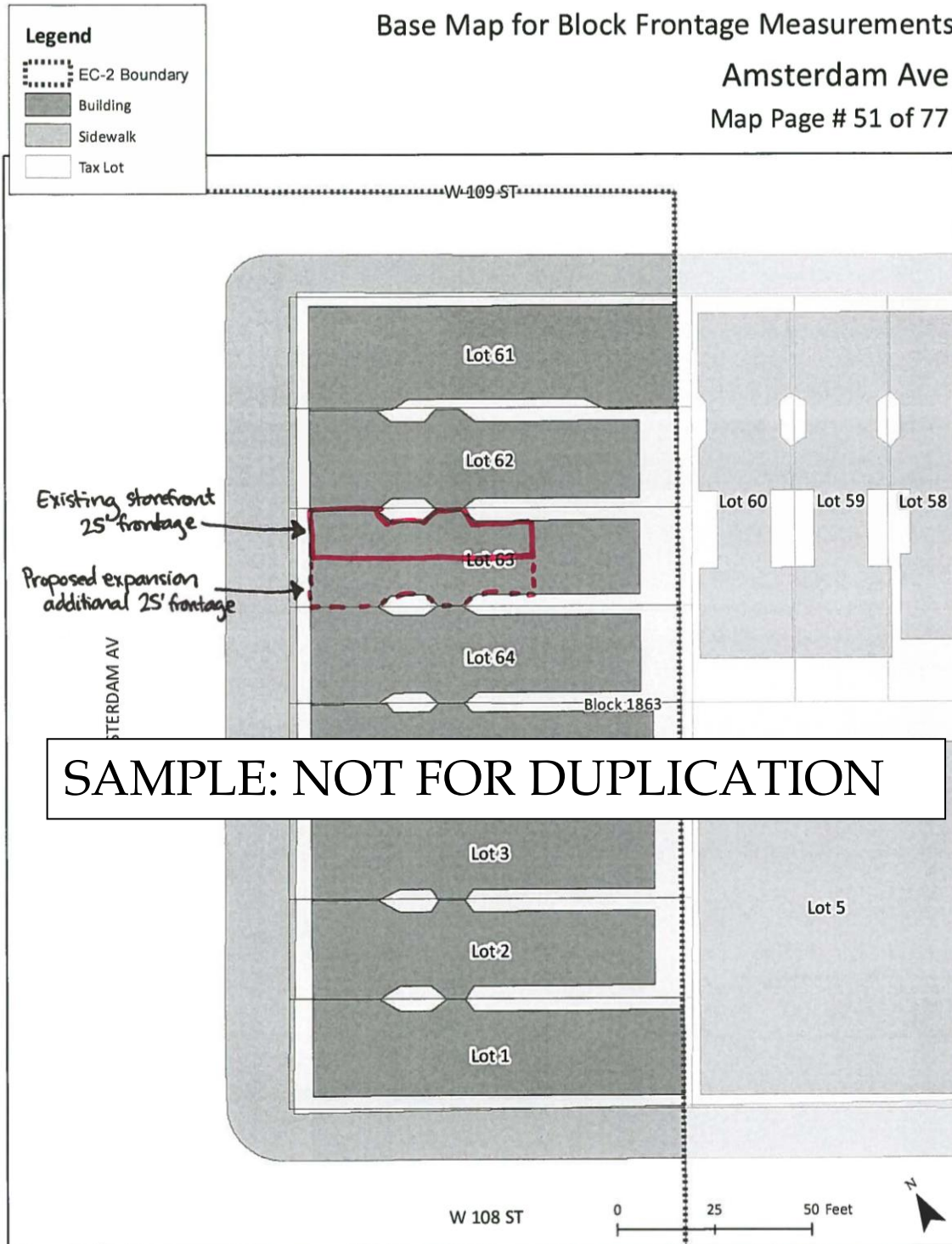
6. Action(s) Necessary to Facilitate the Project

Certification to Allow a Limited Increase in Street Wall Width (Section 132-51). The certification would allow the extension of [AMOUNT] feet of street frontage to the existing establishment at [ADDRESS], which currently has [AMOUNT] feet of street frontage. The approved certification would result in a total street frontage of [AMOUNT<=60 feet] feet along the [EAST/WEST] side of [AVENUE] between [STREET] and [STREET]

7. Conclusion

Approval of the certification to allow a limited increase in street wall width (132-51) will allow the project site to extend the frontage of [ADDRESS] from [AMOUNT] feet to [AMOUNT] feet. As demonstrated in the findings, the project site has been in existence for at least a year, and also meets the land use criteria that not more than one other establishment with frontage greater than 40 feet exists on the block on which the project site is located, adjacent to, or directly across the street within EC-2. The certification is necessary to allow the project site to [EXPAND OPERATIONS/IMPROVE/OTHER] in a way that is consistent with the land use character and retail environment of this Special District.

Application Section 4b: UWS Retail Certification Project Description Template – Base Map Drawing with Existing and Proposed Frontages



Application Section 5: Statement of Findings

When the Chair of the City Planning Commission must make findings in order to grant a certification, the applicant must submit an analysis which states specifically how the proposed development will satisfy each of the findings.

Use the Discussion of Findings template below to fill in the brackets [] the appropriate information pertaining to your project.

Finding (c)(2) below refers to the LUCATS database. In order to demonstrate this finding, please visit the web site http://a030-lucats.nyc.gov/lucats/ULURP_Search.aspx, and enter in the Zoning Resolution Section: 132-51 where asked. A search of this information will yield all approved certifications under this zoning section. If any approved certifications fall within the area relevant to your project, you do not meet this finding.

CERTIFICATIONS AND AUTHORIZATIONS

(6/28/12)

132-51

Certification to Allow a Limited Increase in Street Wall Width

In #Special Enhanced Commercial District# 2, an establishment may #extend#, thereby exceeding the maximum #street wall# width for non-#residential# establishments set forth in paragraph (b) of Section 132-24, and may reduce the number of establishments required pursuant to 132-23 upon certification by the Chairperson of the City Planning Commission to the Department of Buildings that:

(a) the proposed establishment does not exceed a maximum #street wall# width of 60 feet; and

As illustrated in the application attachment, the proposed establishment would expand from [EXISTING FRONTAGE] to [PROPOSED FRONTAGE NOT GREATER THAN 60 FEET].

(b) the applicant has submitted an affidavit attesting to and including information that:

(1) at the time of application for #extension#, the #use# has existed within such #building# for a period of one year; and

The affidavit included in the application attachment attests to the establishment's existence within the building for [NUMBER OF MONTHS/YEARS]

(2) such existing establishment cannot #extend# without increasing the #street wall# width for such establishment because of:

(i) physical restrictions created by the #building# design, including, but not limited to, the location of existing structural walls and vertical circulation cores;

(ii) the presence of other #uses# with ongoing or expected occupancy within such #building#; or

(iii) regulatory limitations; and

The affidavit included in the application attachment attests to the establishment's inability to extend without increasing the street wall width because of [EXPLAIN CONDITION OF i, ii, or iii]

(c) the applicant has demonstrated that at the time of application not more than one non-#residential# establishment has a #street wall# width exceeding 40 feet on either the same #block# frontage containing the applicant's establishment, or on the #block# frontage directly across the #street# from the #block# containing such establishment, or on the #blocks# fronting on the #commercial street# immediately adjacent to the north and south of the #block# containing such applicant's establishment. In order to demonstrate such conditions, the applicant shall:

(1) submit photographs or dimensioned elevation drawings to verify compliance with the conditions specified in this paragraph, (c); and

The annotated photographic attachment to this application demonstrates that [NO or NOT MORE THAN ONE] other establishment on my block, the blocks immediately adjacent, or the block directly across the street has a street wall width exceeding 40 feet.

(2) verify that at the time of application, no other approved applications exist for certifications or authorizations under Section 132-50 in the geographic boundaries set forth in this paragraph, (c).

A search was completed using the LUCATS database to verify that no other approved applications exist for certifications or authorizations under Section 132-40 in the geographic boundaries set forth in this paragraph, which would affect the accuracy of the demonstrated findings.

A copy of an application for certification pursuant to this Section shall be sent by the Department of City Planning to the affected Community Board, which may review such proposal and submit comments to the Chairperson of the City Planning Commission. If the Community Board elects to comment on such application the Chairperson will not act on such application until the Community Board's comments have been received, or the 30 day comment period has expired, whichever is earlier.

A certification granted pursuant to this Section shall automatically lapse if substantial construction in accordance with the plans for which such certification was granted, has not been completed within one year from the effective date of such certification.

Application Section 6: “Panorama” Photos

Purpose

The objective of the Project Area Photographs and Key Map standard is to ensure the inclusion of photographs that aid in the understanding of a proposed project and eligibility. Photographs clearly and easily show the existing conditions within and surrounding a proposed Development Site. The Project Area Photographs will allow stakeholders to have both a written and visual description of the context of the proposed land use actions and enable a clear understanding of the Development Site’s eligibility for store frontage expansion.

How to Measure Establishment Frontages

Frontage is defined as the portion of a ground floor level of a building containing an establishment – either a commercial use or residential lobby.

Measurements may be taken with the help of a measuring wheel, measuring tape, or other tool that records linear feet and inches. Visual estimates will work for most frontages except for those close to 40 feet. For the purposes of the certification application, only notation indicating a frontage’s width as less than or equal to 40 feet, or greater than 40 feet, is required, as shown on the sample. The Department of City Planning will verify all measurements near or greater than 40 feet.

Individual establishments usually have separate awnings or signage and separate entrances. There is usually an interior wall defining the space, with or without an interior passageway connecting it to the space next door.

In some cases, the portion of ground floor level that contains the use is not obvious, because a windowless wall makes it impossible to know where one storefront ends and the adjacent storefront begins. When this happens, the applicant should make an effort to record the length of the frontage by entering the establishment and observing where interior walls define the use.

The average Manhattan city block has 200 feet of frontage; 40 feet therefore represents about one-fifth of a standard blockfront throughout most of EC-2.

Format Requirements:

Color: Original photographs must be in color; application may include black and white.

Photo Size: Photographs must be taken at least a 3 megapixel resolution.

Photo Scale: Photographs must be scaled identically and stitched together for a width of no less than 20” per block front.

Page Layout: Minimum page size of 8.5” x 14”

Date: Photographs must be labeled with the date that they were taken and should be taken mid-day or afternoon for maximum storefront visibility.

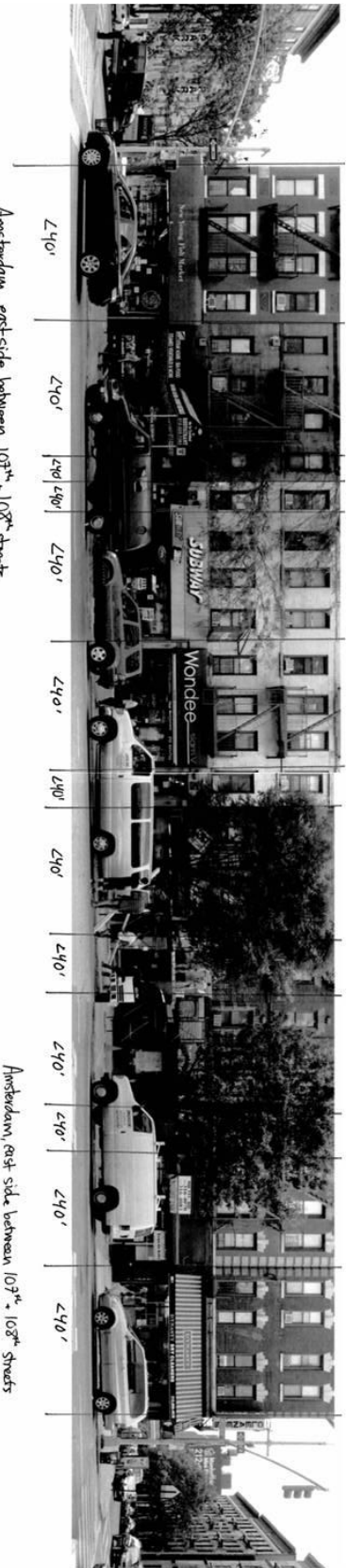
Location/Direction: Photographs must identify the avenue and cross streets bounding the avenue, and the E/W direction (for example: “East side of Amsterdam between 85th and 86th streets)

Frontage Measurements: Photographs must have captions clearly identifying each store front on the block as having less than or equal to 40 feet of ground floor street frontage, or greater than 40 feet of ground floor street frontage.

Required Views: Direct view of the full frontage of the Development Site’s entire block front. This will require at least 2 photos to capture entire blockfront. These photos may be manually or digitally stitched together). A thorough attempt to document the existing conditions of the proposed Project Area during active daylight hours should be made. The intent is to demonstrate store frontages surrounding the Development Site and this is best accomplished when metal gates are up and establishments are open.

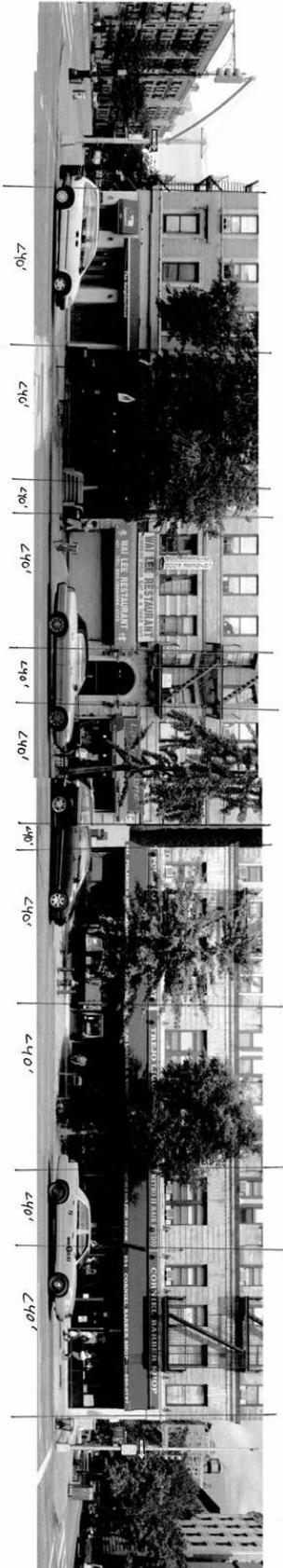
- Direct view of the full frontage of the proposed Development Site
- Context views of blocks surrounding the Development Site:
 - Direct view of the full frontage of the block directly opposite the Development Site’s block (if mapped within the EC)
 - Showing adjoining conditions on each side of the Project Area
 - Direct view of the full frontage of the blocks immediately adjacent to the Development Site’s block (if mapped within the EC)

Application Section 6: "Panorama" Photos



Amsterdam, east side between 103rd + 108th streets
Photo taken 7/30/12

Amsterdam, east side between 103rd + 108th streets



Amsterdam, west side between 106th + 107th streets
Photo taken 7/30/12

Amsterdam, west side between 106th + 107th streets

Application Section 6: "Panorama" Photos

