Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

122-10 - SPECIAL USE REGULATIONS

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LAST AMENDED
6/6/2024

In order to preserve the residential character of the Special District, the applicable #use# regulations of the underlying districts are modified, as follows:

(a) Within the Limited Commercial Areas, #uses# listed under Use Group VI that would be permitted in a C2 District, or #uses# included under Offices in Use Group VII, shall be permitted, provided they are located only on the ground floor of an existing or new #building# containing #residential# or #community facility uses#. All existing or new #commercial# #uses# shall be directly accessible only from the #street#. Any existing #commercial# #use# which fails to provide direct access from a #street# shall be terminated one year after September 28, 1989.

(b) On a cross-street within the Commercial Extension Areas, #uses# listed under Use Group VI that would be permitted in a C2 District, or #uses# included under Offices in Use Group VII shall be permitted to occupy the ground floor of an existing or new #building# containing #residential# or #community facility uses#. Such ground floor #commercial# #uses# may be permitted to #extend# up to the Grand Concourse on the #basement# level of a #building#, provided that such #commercial# #uses# are accessible only from a cross-street which intersects the Grand Concourse. No direct or indirect access to such #commercial# #uses# is permitted from the Grand Concourse.

(c) Any #commercial# #use# which lawfully existed on or before July 1, 1981, on any Commercial Infill Site listed in Table A, shall be considered conforming and may be changed to a #use# listed under Use Group VI that would be permitted in a C2 District, or #uses# included under Offices in Use Group VII, or to a #use# which previously occupied the space lawfully on or before July 1, 1981, except that expansion or re-occupancy of #floor area# to a retail #use#

listed under Use Group VI shall be restricted to the ground floor of the #building#.

However, if a #building# on a Commercial Infill Site contains an entrance from the Grand Concourse as well as from the cross-street running underneath the Concourse, such entrance floors at both #street# levels may be occupied by retail #uses# listed under Use Group VI if they were in existence prior to July 1, 1981, as a lawful #use#. In those cases, the #use# of the remaining #stories# of such #building# shall be limited to #uses# included under Offices in Use Group VII.

TABLE A

COMMERCIAL INFILL SITES

Tax Block Number	Tax Lot Number	Address	Type of #Building#
2468	1	851 Grand Concourse	Courthouse
2821	11	1526 Grand Concourse	1 #story# #commercial#
2821	13	1540 Grand Concourse	Vacant lot
2822	27	1775 Grand Concourse	Telephone Co. #building#
2795	14	1780 Grand Concourse	Office #building#/garage
2805	23	1845 Grand Concourse	1 #story# #commercial#

2801	7	1850 Grand Concourse	2 #story# #commercial#
2808	44	1963 Grand Concourse	Funeral home
2808	82	2029-2043 Grand Concourse	1 #story# #commercial#
3161	25	2101 Grand Concourse	1 #story# #commercial#
3157	32	2202-2206 Grand Concourse	1 #story# #commercial#
3163	40	2231-2233 Grand Concourse	1 #story# #commercial#
3158	16	2262-2268 Grand Concourse	1 #story# #commercial#
3163	38	2235-2239 Grand Concourse	1 #story# #commercial#
3307	68	3000 Grand Concourse	Funeral home
3315	51	2833-2843 Grand Concourse	1 #story# #commercial#
2808	82	148 E. Burnside Avenue	1 #story# #commercial#

(d) For the purposes of this Chapter, any non-#residential uses# permitted pursuant to paragraphs (a) through (c) of this Section shall be located only on a #story# below the lowest #story# occupied by a #residential use#, except that this limitation shall not preclude the location of any such non-#residential use# below the level of the first #story# ceiling.