



Zoning Resolution

THE CITY OF NEW YORK

Bill de Blasio, Mayor

CITY PLANNING COMMISSION

Anita Laremont, Chair

117-50 - QUEENS PLAZA SUBDISTRICT

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117-50 - QUEENS PLAZA SUBDISTRICT

LAST AMENDED
6/30/2009

117-501 - General provisions

LAST AMENDED
7/26/2001

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#, as indicated on Map 1 in Appendix C of this Chapter. For the purposes of this Chapter, such #Residence# and M1 Districts are referred to as the "designated districts."

For the purposes of this Chapter, in the Queens Plaza Subdistrict, the area referred to as the "Sunnyside Yard" shall include: Yard A, the Arch Street Yard and the Sunnyside Yard, which are located generally between Crane Street, Jackson Avenue, 21st Street, 49th Avenue, Skillman Avenue, 43rd Street and the North Railroad property line.

117-502 - Queens Plaza Subdistrict Plan

LAST AMENDED
8/13/2015

The Queens Plaza Subdistrict Plan partly consists of the following three maps located within Appendix C of this Chapter:

Map 1 (Designated Districts within the Queens Plaza Subdistrict) of the Queens Plaza Subdistrict Plan identifies special areas comprising the Queens Plaza Subdistrict in which an M1 District is paired with a #Residence District# as indicated on the Subdistrict Map. These areas are as follows:

Area	Designated Districts
A-1 A-2	M1-6/R10
B	M1-5/R9
C	M1-5/R7-3

Map 2 (Ground Floor Use and Frontage) of the Queens Plaza Subdistrict Plan specifies locations where the special ground floor #use# and frontage regulations, as set forth in Section 117-512, apply.

Map 3 (Sidewalk Widening and Street Wall Location) of the Queens Plaza Subdistrict Plan specifies the locations where special #street wall# and mandatory sidewalk widening regulations, as set forth in Section 117-531, apply.

117-503 - Definitions

LAST AMENDED

Definitions specifically applicable to the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District# are set forth in this Section. Other defined terms are set forth in Section 117-01 (Definitions) of the #Special Long Island City Mixed Use District# and Section 12-10 (DEFINITIONS).

Accessory use

In addition to those #accessory uses# listed in Section 12-10, for the purposes of this Section, an #accessory use# shall also include a #dwelling unit# in connection with any #commercial#, #manufacturing# or #community facility# establishment permitted in the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, pursuant to Section 117-51 (Queens Plaza Subdistrict Special Use Regulations), provided that no more than one such unit shall be permitted in connection with any establishment, and provided further that each such unit shall not exceed a gross area of 1,200 square feet or contain more than one kitchen.

Home occupation

Within the Queens Plaza Subdistrict, the #home occupation# provisions of Section 12-10 shall apply, except that:

- (a) up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#;
- (b) such #home occupation# may occupy more than 500 square feet of #floor area#; and
- (c) businesses operated as #home occupations# may have up to three employees not residing in the #dwelling unit#.

117-51 - Queens Plaza Subdistrict Special Use Regulations

LAST AMENDED

7/26/2001

The special #use# provisions of Sections 123-20 through 123-50, inclusive, of the #Special Mixed Use District# shall apply in the Queens Plaza Subdistrict except where modified by the provisions of this Section and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

117-511 - Large retail establishments

LAST AMENDED

7/26/2001

The following #uses# as listed in Section 42-30 (USES PERMITTED BY SPECIAL PERMIT) shall be permitted as-of-right in the Queens Plaza Subdistrict with no limitation on #floor area# per establishment:

Carpet, rug, linoleum or other floor covering stores;

Clothing or clothing accessory stores;

Department stores;

Dry goods or fabric stores;

Food stores;

Furniture stores;

Television, radio, phonograph or household appliance stores;

Variety stores.

117-512 - Ground floor use and frontage regulations

LAST AMENDED

2/2/2011

On designated #streets# in the Queens Plaza Subdistrict, as shown on Map 2 in Appendix C of this Chapter, the special ground floor #use# and frontage regulations of this Section shall apply to any #building# or other structure# fronting on such #streets#.

#Uses# within #stories# on the ground floor or with a floor level within five feet of #curb level# shall be limited exclusively to permitted #commercial#, #manufacturing# or #community facility uses# as modified by the special #use# provisions of Sections 117-51 and 117-511, except for lobby space or entrance space.

In no event shall the length of #street# frontage occupied by lobby space, entrance space and/or a #building# entrance recess exceed in total 50 percent of the #building's# total #street# frontage or 30 feet, whichever is less. However, the total length of #street# frontage occupied by lobby space and/or entrance space need not be less than 25 feet.

117-513 - Transparency requirement

LAST AMENDED

2/2/2011

Within the Queens Plaza Subdistrict, the transparency requirements of Section 37-34 (Minimum Transparency Requirements) shall apply to all #developments# and to #enlargements# where the #enlarged# portion of the ground floor of the #building# is within eight feet of the #street line#. However, the provisions establishing the maximum width of ground floor level #street wall# without transparency shall not apply. In lieu thereof, any portion of such #building# wall that is 50 feet or more in length and contains no transparent element between #curb level# and 14 feet above #curb level# or the ceiling of the ground floor, whichever is higher, or to its full height if such wall is less than 14 feet in height, shall be covered with vines or similar planting or contain artwork or be treated so as to provide visual relief. Plantings shall be planted in soil having a depth of not less than 2 feet, 6 inches, and a minimum width of 24 inches.

The transparency requirements of this Section shall not apply to any #building# where the ground floor is occupied by #uses# listed in Use Groups 16 or 17.

117-514 - Special sign regulations

LAST AMENDED

4/30/2012

Within the Queens Plaza Subdistrict, the #sign# regulations of Section 123-40 shall apply, except that such #sign# regulations may be modified to permit a non-#flashing sign# on the rooftop of a #non-residential building#, provided that such #sign# directs attention to a business conducted within such #building#, where such business occupies at least 20 percent of the #floor area# within such #building#, or a minimum of 50,000 square feet of #floor area# within such #building#, whichever is less. In addition, the following rules shall apply:

- (a) such #sign# shall be located on the rooftop of a #building# with frontage on Queens Plaza South, Queens Boulevard, Queens Plaza East or Queens Plaza North, and the height of the rooftop on which the #sign# is affixed shall be at least 70 feet but not more than 150 feet above #curb level#;

- (b) there shall be no more than one such #sign# on a #zoning lot#, and no more than one such #sign# per establishment on any #sign# structure;
- (c) such #signs# shall be affixed to an open frame structure with maximum dimensions that shall not exceed 45 feet in height, as measured from the surface of the roof to its uppermost point, and 150 feet in width, as measured along its widest dimension;
- (d) all writing, pictorial representations, emblems, flags, symbols or any other figure or character comprising the design of such #sign# shall be separate elements, individually cut and separately affixed to the open frame structure. No perimeter or background surfaces shall be applied or affixed to the open frame structure in addition to such separate elements. No portion of such separate elements shall extend beyond the maximum dimensions allowed for an open frame structure. The area of such separate elements of a rooftop #sign# shall not count towards the maximum #surface area of a sign# permitted in Section 32-644 (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts); and
- (e) any illumination from a rooftop #sign# located within 100 feet of any #building# containing #residences#, where such #residences# legally existed at the time of the application for a permit for such #sign#, shall not project into or reflect onto any #residential# portion of such #building#.

117-52 - Queens Plaza Subdistrict Special Bulk Regulations

LAST AMENDED
7/26/2001

117-521 - General provisions

LAST AMENDED
7/26/2001

All #buildings and other structures# within the Queens Plaza Subdistrict shall comply with the #bulk# regulations of this Section. The regulations of the designated #Residence# and M1 Districts shall apply as set forth below.

In Areas A-1, A-2, B and C of the Queens Plaza Subdistrict, the #bulk# regulations set forth in Article II, Chapter 3, shall apply to all #residential uses# in a #building or other structure# in accordance with the regulations of the designated #Residence District#, and the #bulk# regulations set forth in Article IV, Chapter 3, shall apply to all #manufacturing#, #commercial# and #community facility uses# in a #building or other structure# in accordance with the regulations of the designated M1 District, except as modified in the special #bulk# regulations of Sections 117-522 through 117-533, inclusive.

When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed use building#, the regulations set forth in this Section shall apply as if such #buildings# were a single #mixed use building#.

117-522 - Maximum floor area ratio for all uses

LAST AMENDED
4/30/2008

The maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# and #residential uses# in accordance with the applicable designated district shall not apply. In lieu thereof, the maximum #floor area ratio# permitted for #commercial#, #community facility#, #manufacturing# or #residential uses#, separately or in combination, is specified in the following table:

MAXIMUM FLOOR AREA RATIO FOR ALL USES IN THE QUEENS PLAZA SUBDISTRICT

Area	Maximum #Floor Area Ratio#
A-1 A-2	12.0
B	8.0
C	5.0

117-523 - Lot coverage and open space ratio requirements

LAST AMENDED

2/2/2011

(a) #Lot coverage# requirements for #residential buildings#

In the Queens Plaza Subdistrict, where the designated #Residence District# is an R7 or R9 District, the provisions of Section 23-151 (Basic regulations for R6 through R9 Districts), regulating minimum required #open space ratios#, and maximum #floor area ratios#, shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #Quality Housing buildings#, shall comply with the #lot coverage# requirements set forth for the designated district in Section 23-153 (For Quality Housing buildings).

Where the designated district is an R7-3 District, the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 100 percent on a #corner lot#.

(b) #Lot coverage# and #open space ratio# requirements for #mixed use buildings#

#Lot coverage# and #open space ratio# requirements shall not apply to any portion of a #mixed use building# in the Queens Plaza Subdistrict.

117-524 - Floor area bonus for a public plaza or arcade

LAST AMENDED

10/17/2007

Any #floor area# bonus for a #public plaza# or #arcade# permitted under the regulations of the designated #Residence# or M1 District shall not apply in the Queens Plaza Subdistrict.

117-525 - Special yard regulations

LAST AMENDED

2/2/2011

The #yard# regulations of the underlying districts shall apply, except as specified in this Section.

(a) #Mixed use buildings#

For a #residential# portion of a #mixed use building#, the required #rear yard# shall be provided at the floor level of the lowest #story# containing #dwelling units# or #rooming units#, where any window of such #dwelling units# or #rooming units# faces onto such #rear yard#.

(b) #Manufacturing# or #commercial buildings#

The #rear yard# provisions of the designated M1 District shall apply, except that such #rear yard# provisions shall not apply to #manufacturing# or #commercial buildings# on #through lots#.

(c) #Zoning lots# adjacent to the Sunnyside Yard

On a #zoning lot# sharing a #lot line# with the Sunnyside Yard, no #yards# are required for any #building# within a distance of 100 feet from the shared #lot line#.

(d) For #zoning lots# occupying an entire #block#

No #rear yard# or #rear yard equivalent# shall be required for a #zoning lot# occupying an entire #block#.

117-53 - Height and Setback and Street Wall Location Regulations

LAST AMENDED

7/26/2001

The height and setback regulations of the designated #Residence# and M1 Districts shall not apply, except for permitted obstructions pursuant to Sections 23-62 or 43-42, as applicable. In lieu thereof, all #buildings or other structures# shall comply with the regulations set forth in Sections 117-531 (Street wall location) and 117-532 (Setback regulations for buildings that exceed the maximum base height). Such regulations, however, shall not apply along the #street frontage# of that portion of a #zoning lot# occupied by existing #buildings#, unless the #street walls# of such existing #buildings# are vertically extended by more than 15 feet. The height of all #buildings or other structures# shall be measured from the #base plane#.

117-531 - Street wall location

LAST AMENDED

8/13/2015

(a) On a #wide street#, and on a #narrow street# within 50 feet of its intersection with a #wide street#, the #street wall# of a #building# shall be located on the #street line# and extend along the entire width of the #street frontage# of the #zoning lot# and rise without setbacks up to at least the applicable minimum base height specified in the table in Section 117-532 (Setback regulations for buildings that exceed the maximum base height), or the height of the #building#, whichever is less. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

(b) On a #narrow street# between 50 and 100 feet of its intersection with a #wide street#, the #street wall# of a #building# shall extend along the entire width of the #narrow street# frontage of the #zoning lot# and rise without setbacks up to at least the applicable minimum base height specified in the table, or the height of the #building#, whichever is less.

Beyond 100 feet of the intersection of a #wide street#, #street walls# shall extend along at least 70 percent of the width of the #narrow street# frontage of the #zoning lot# and rise without setbacks up to at least the applicable minimum base height specified in the table, or the height of the #building#, whichever is less.

Beyond 50 feet of the intersection of a #wide street#, all #street walls# required pursuant to this paragraph (b) shall be located within eight feet of the #street line#.

- (c) On a #wide street# above the ground floor level, up to 30 percent of the #aggregate width of street walls# may be located beyond the #street line#, in compliance with #outer court# regulations.
- (d) On a #narrow street#, recesses are permitted at any level in the #street wall# of a base for #outer courts# or balconies. The aggregate length of such recesses shall not exceed 50 percent of the length of the entire #street wall# at any level. However, not more than 30 percent of the aggregate length of such recesses shall exceed a depth of eight feet.
- (e) In the locations specified on Map 3 (Sidewalk Widening and Street Wall Location) in Appendix C of this Chapter, a #building# shall comply with the provisions of paragraphs (a) through (d) of this Section, as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #building# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, in accordance with the provisions of Section 117-554, and located adjacent to a public sidewalk or mandatory sidewalk widening.
- (f) For any #building# fronting on Queens Plaza South in Area A-1 or Area B as shown on Map 1 (Designated Districts within the Queens Plaza Subdistrict) of Appendix C, any #street wall# along Queens Plaza South shall be set back five feet from the #street line#, except as otherwise specified on Map 3.
- (g) For any #building# on a #zoning lot# located on Jackson Avenue between 42nd Road and Queens Plaza South, the #street wall# fronting on Jackson Avenue may be set back five feet from the #street line# only upon certification of the Chairperson of the City Planning Commission to the Department of Buildings that the Jackson Avenue sidewalk adjacent to the #zoning lot# will be landscaped in accordance with a plan acceptable to the Department of Transportation and the Chairperson. Such plan shall include five planting beds that shall contain a mixture of deciduous and evergreen shrubs, ground covers and flowers. Such planting beds shall be installed and maintained by the owner of the #building#. The #street wall# of any subsequent #development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#.

117-532 - Setback regulations for buildings that exceed the maximum base height

LAST AMENDED

5/22/2013

All portions of #buildings or other structures# that exceed the maximum base height specified in the table in this Section shall comply with the following provisions:

- (a) At a height not lower than the minimum base height or higher than the maximum base height specified in the table for the applicable area, a setback with a depth of at least 10 feet shall be provided from any #street wall# fronting on a #wide street# and a setback with a depth of at least 15 feet shall be provided from any #street wall# fronting on a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#.

Area	Minimum Base Height	Maximum Base Height
A-1	60	---
A-2	60	150

B	100	150
C*	60	100

* for #buildings or other structures# on Davis Street located 75 feet or more from Jackson Avenue, the minimum base height shall be 40 feet

- (b) In Area A-1, no setbacks are required above the applicable minimum base height specified in the table in paragraph (a) of this Section. However, if a setback is provided, it shall comply with the provisions of paragraph (a).
- (c) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Section.

117-533 - Special permit to modify use or bulk regulations

LAST AMENDED
2/2/2011

For any #zoning lot# within the Queens Plaza Subdistrict of the #Special Long Island City Mixed Use District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# requirements, provided the Commission shall find that:

- (a) such #use# or #bulk# modification will aid in achieving the general purposes and intent of the Special District;
- (b) such #use# modification will encourage a lively pedestrian environment along the #street# or mandatory sidewalk widening, or is necessary for the programmatic requirements of the development;
- (c) such #bulk# modifications will enhance the distribution of #bulk# on the #zoning lot#;
- (d) such #bulk# modifications will permit adequate access of light and air to surrounding #streets# and properties; and
- (e) such #use# or #bulk# modification will relate harmoniously to the character of the surrounding area.

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

117-54 - Off-street Parking and Loading Regulations

LAST AMENDED
5/8/2013

- (a) The off-street parking provisions of Article I, Chapter 6, shall apply, except that:
 - (1) the prohibition of curb cuts accessing entrances and exits to #accessory# off-street parking facilities on certain #streets#, as set forth in paragraphs (b) and (c) of Section 16-23 (Curb Cut Restrictions), shall also apply to Northern Boulevard, Crescent Street and 23rd Street; and

- (2) the provisions of paragraph (c) of Section 16-12 (Permitted Parking for Non-residential Uses) shall be modified as follows: the maximum number of #accessory# off-street parking spaces permitted for a #development# or #enlargement# shall not exceed one space per 2,000 square feet of #floor area# or 250 spaces, whichever is less.
- (b) Curb cuts shall not be permitted within 40 feet of a #zoning lot line# that abuts the Sunnyside Yard.
- (c) #Public parking garages# shall be permitted on #Blocks# 86/72 and 403 pursuant to Section 117-56 (Special Permit for Bulk Modifications on Blocks 86/72 and 403).
- (d) For #public parking garages# permitted on #Block# 420 pursuant to Section 74-50 (OFF-STREET PARKING ESTABLISHMENTS), the floor space on one or more #stories# of the #public parking garage#, up to a height of 23 feet above #curb level#, shall be exempt from the definition of #floor area# as set forth in Section 12-10.

117-55 - Mandatory Plan Elements for the Queens Plaza Subdistrict

LAST AMENDED

7/26/2001

117-551 - General provisions

LAST AMENDED

8/13/2015

Within the Queens Plaza Subdistrict, the provisions of Section 117-552 (Central refuse storage area) shall apply to any #development#, #enlargement#, alteration or change of #use#, except where more than 50 percent of the #floor area# of such #development#, #enlargement#, alteration or change of #use# is occupied by a #use# listed in Use Groups 16 or 17.

The provisions of Sections 117-553 (Mandatory sidewalk widening) and 117-554 (Mandatory sidewalk widening design requirements) apply to those locations identified on Map 3 in Appendix C of this Chapter.

117-552 - Central refuse storage area

LAST AMENDED

4/30/2008

The provisions of Section 28-12 (Refuse Storage and Disposal) shall apply.

117-553 - Mandatory sidewalk widening

LAST AMENDED

8/13/2015

The sidewalk widening provisions of this Section shall apply to all #developments# or #enlargements# with ground floor #street walls# with a ratio of #floor area# to #lot area# of 3.0 or more.

Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 (Sidewalk Widening and Street Wall Location) in Appendix C of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section 117-554.

117-554 - Mandatory sidewalk widening design requirements

(a) Access

All mandatory sidewalk widenings shall be accessible directly from an adjoining public sidewalk and unobstructed along at least 50 percent of the total #street# frontage. Driveways and vehicular accessways included as part of the total #street# frontage may not be counted as providing access. All mandatory sidewalk widenings shall be accessible to the public at all times.

There shall be at least one unobstructed pedestrian path of travel providing access to each of the following:

- (1) at least 70 percent of the mandatory sidewalk widening's total area;
- (2) any #building# lobby accessible to the mandatory sidewalk widening; and
- (3) any #use# that may be present on, or adjacent to and having an entrance on, the mandatory sidewalk widening.

(b) Access for persons with disabilities

The mandatory sidewalk widening shall be accessible to persons with disabilities in accordance with the Americans with Disabilities Act and the American National Standards Institute (ANSI) design standards.

(c) Elevation

All mandatory sidewalk widenings shall be located at an elevation not more than three feet above or below the #curb level# of the nearest adjoining sidewalk.

A mandatory sidewalk widening shall be at the same elevation as the adjoining public sidewalk along the #street# frontage providing access, pursuant to paragraph (a) of this Section, for a minimum depth of 10 feet measured perpendicular to the #street line#.

When the size of a mandatory sidewalk widening is 8,000 square feet or more, a maximum of 25 percent of its area may be located at an elevation more than three feet above or below the nearest adjoining sidewalk, which area, however, may not be located within a depth of 10 feet from the sidewalk measured perpendicular to the #street line#.

Where an existing subway station entry is located on the sidewalk area adjacent to a mandatory sidewalk widening, the mandatory sidewalk widening shall be provided at the same elevation as the adjoining sidewalk for a distance of at least 15 feet in all directions from the entry except as required for drainage. No obstruction shall be permitted within such portion of the mandatory sidewalk widening.

(d) Permitted obstructions

The provisions of Sections 37-726 and 37-73 shall apply, except that in the case of kiosks, the provisions of Section 37-73 shall be modified as follows: the aggregate area occupied by such kiosks shall not exceed 60 square feet or 1.5 percent of the area occupied by the sidewalk widening.

(e) Driveways, parking spaces, loading berths, exhaust vents and #building# trash storage facilities

The provisions of Section 37-726, paragraph (d), shall apply.

(f) Trees

One tree per 500 square feet of sidewalk widening is required. Each tree shall measure at least 2.5 inches in caliper at the time of planting. Each tree shall be planted in at least 200 cubic feet of soil with a depth of at least 3 feet, 6 inches.

(g) Paving

The provisions of Section 37-718 shall apply.

(h) Seating

One linear foot of seating for every 150 square feet of mandatory sidewalk widening shall be provided. In addition, the provisions of Section 62-672 shall apply.

(i) Bicycle parking facilities

The provisions of Section 37-745 shall apply.

(j) Drinking fountains

The provisions of Section 37-746 shall apply.

(k) Aesthetic amenities

One of the following amenities shall be provided:

- (1) prominent lighting that enhances the architectural features of the upper #stories# of the #building#;
- (2) an ornamental water feature within the mandatory sidewalk widening; or
- (3) artwork, such as sculpture, within the mandatory sidewalk widening.

(l) Lighting

The provisions of Section 37-743 shall apply, except that the minimum level of illumination shall be not less than two horizontal foot candles throughout the entire mandatory sidewalk widening.

(m) Sidewalk widening signs

The provisions of Section 37-751, paragraph (b) shall apply.

(n) Maintenance

The provisions of Sections 37-744 and 37-77 shall apply.

117-56 - Special Permit for Bulk Modifications on Blocks 86/72 and 403

LAST AMENDED
10/17/2007

For any #development# or #enlargement# on a #zoning lot# that has at least 50,000 square feet of #lot area# located on #Block# 86/72 or #Block# 403 in Area C as shown on Map 1 (Designated Districts within the Queens Plaza Subdistrict) in Appendix C

of this Chapter, the City Planning Commission may increase the #floor area ratio# up to a maximum of 8.0 and may modify the #street wall# regulations of paragraphs (a) and (b) of Section 117-531 (Street wall location) and paragraph (a) of Section 117-532 (Setback regulations for buildings that exceed the maximum base height), provided that:

- (a) a public open area of not less than 20,000 square feet and a #public parking garage# containing no fewer than 250 spaces shall be included on the #zoning lot#, and further provided the Commission finds that:
 - (1) the public open area is designed so that it provides recreational opportunities for the community;
 - (2) the portion of the #development# or #enlargement# adjacent to the public open area shall be either a retail #use#, other #use# or treatment that complements the open area;
 - (3) such modification of the #street wall# requirements is necessary to accommodate the public open area or the #public parking garage# and will result in a better site plan;
 - (4) the #public parking garage# is located and designed in such a way so that it shall not adversely affect the quality of the design, access to, or use of the public open area; and
 - (5) where the Commission permits parking on the roof of such #public parking garage#, such roof parking shall be so located as not to impair the essential character or future use or development of adjacent areas.

Design elements of the open area including lighting, paving, seating, #signs# and planting areas shall be specified in the application. The provisions of Section 37-751 (Public space signage systems) and 37-77 (Maintenance) shall apply.

- (b) The #public parking garage# shall be subject to the following conditions:
 - (1) the floor space on one or more #stories# of the #public parking garage#, up to a height of 23 feet above #curb level# shall be exempt from the definition of #floor area# as set forth in Section 12-10 (DEFINITIONS);
 - (2) the entrances and exits shall be located so that they will not be hazardous to traffic safety nor likely to unduly inhibit pedestrian movement; and
 - (3) at the vehicular entrances, a minimum of 12 reservoir spaces shall be provided and the total number of reservoir spaces shall be equivalent to five percent of any spaces in excess of 250, up to a maximum of 50 reservoir spaces.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including requirements for sanitation and security, which may include conditions for lighting and landscaping or limitations on the manner and/or hours of operation.

Any building on Block 86/72 for which an application for a special permit for #bulk# modifications has been filed with the Department of City Planning, pursuant to this Section, prior to May 22, 2013, may be started or continued pursuant to the regulations in effect at the time of such application and, if such application is granted by the City Planning Commission and the City Council, may be #developed# or #enlarged# pursuant to the terms of such permit, including minor modifications thereto and, to the extent not modified under the terms of such permit, in accordance with the regulations in effect at the time of such application.

117-57 - Modification of Article V, Chapter 4

LAST AMENDED
2/2/2011

In Article V, Chapter 4 (Non-complying Buildings), Section 54-311 (Buildings containing rooming units) shall not apply.