



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

TECHNICAL REVIEW DIVISION

Amanda M Burden, FAICP, *Director*
Department of City Planning

May 10, 2013

Mr. Nicholas D. Viest, Chairperson
Manhattan Community Board 8
505 Park Avenue, Suite 620
New York, NY 10022

RECEIVED
MAY 14 2013
BY COMMUNITY BOARD 8

Re: N 130263 ZRM & M 860259(A) ZAM
205 East 92nd Street
Block 1538, Lot 10 (formerly Lots 10 & 12)
C4-6 District
Large-Scale Residential Development
Former Ruppert Brewery Urban Renewal Area
Borough of Manhattan
Community District 8

Dear Chairperson Viest:

Enclosed are two applications (N 130263 ZRM & M 860259(A) ZAM) and related materials submitted by Carnegie Park Land Holding LLC requesting a zoning text amendment to Section 78-06 of the Zoning Resolution and a modification of the previously approved application N 860259 ZAM for a modification of a Large Scale Residential Development (LSRD), within the former Ruppert Brewery Urban Renewal Area, to facilitate the construction of a 36-story mixed use development at the above referenced location.

These applications (N 130263 ZRM & M 860259(A) ZAM) are not subject to the Uniform Land Use Review Procedure (ULURP) and do not require a public hearing by the Community Board or the City Planning Commission. However, if the board has any comments or recommendations on these applications (M 860259(A) ZAM & N 130263 ZRM), please send them by July 15, 2013 to:

City Planning Commission
Calendar Information Office
22 Reade Street, 2E
New York, NY 10007

If you have any questions about this application, please contact the applicant's representative Jesse Masyr at (212) 909-9500.

Sincerely,

James Miraglia

James Miraglia, Director
Irene Sadko, P.E., Deputy Director / Chief Engineer
22 Reade Street - Room 3N
New York, NY 10007-1216
FAX (212) 720-3244
www.nyc.gov/planning

205 East 92nd Street- N 130263 ZRM & M 860259(A) ZAM

May 10, 2013

Page 2 of 2

cc. I. Sadko
J. Harris
J. Merani
D. Karnovsky
K. Ramnarine
A. Wolff
M. Cerezo
Applicant
Borough President's Office



City Planning will assign and stamp reference numbers here

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

Land Use Review Application

Department of City Planning22 Reade Street, New York, NY 10007-1216

M 860259A ZAM

N 130263 ZRM

REVISED

APPLICATION NUMBER

APPLICATION NUMBER

RECEIVED

MAY 14 2013

APPLICATION NUMBER

APPLICATION NUMBER

Carnegie Park Land Holding LLC

Jesse Masyr, Esq. BY COMMUNITY BOARD 8

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *
c/o Related Companies, 60 Columbus Circle

APPLICANT'S PRIMARY REPRESENTATIVE

Wachtel Masyr & Missry LLP

STREET ADDRESS

REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

New York NY 10022

885 Second Avenue, 47th Floor

CITY STATE ZIP

STREET ADDRESS

(212)801-1082 (212)421-5333

New York NY 10017

AREA CODE TELEPHONE # FAX#

CITY STATE ZIP

(212)909-9500 (212)909-9429

AREA CODE TELEPHONE # FAX#

* List additional applicants below:

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

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

Gary E. Handel, AIA (Architect) (212)595-4112 (212)595-9032
NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

See Site Data Sheet

STREET ADDRESS

PROJECT NAME (IF ANY)

203-205 East 92nd Street

DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C4-6 (R10 equivalent)

6b & 9a

EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

ZONING SECTIONAL MAP NO(S).

Development Site - Block 1538, Lot 10 (formerly 10 and 12) Manhattan

8

TAX BLOCK AND LOT NUMBER

BOROUGH

COMM. DIST.

Expired - Ruppert Brewery Urban Renewal Area

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

(If the entire project description does not fit in this space, sheet, identified as "LR item 3. Description of Proposal")

See Attached Description.



REVISED

Received by Central Intake on May 6, 2013

3. DESCRIPTION OF PROPOSAL

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

<input type="checkbox"/>	CHANGE IN CITY MAP.....MM	\$	
<input type="checkbox"/>	ZONING MAP AMENDMENT.....ZM	\$	
<input checked="" type="checkbox"/>	ZONING TEXT AMENDMENT..... ZR	\$	5,445
<input type="checkbox"/>	ZONING SPECIAL PERMIT.....ZS	\$	
<input type="checkbox"/>	ZONING AUTHORIZATION.....ZA	\$	
<input type="checkbox"/>	ZONING CERTIFICATION.....ZC	\$	
<input type="checkbox"/>	PUBLIC FACILITY, SEL./ACQ.....PF	\$	
<input type="checkbox"/>	DISPOSITION OF REAL PROP.....PD	\$	
<input type="checkbox"/>	URBAN DEVELOP'T ACTION.....HA	\$	
<input type="checkbox"/>	URBAN RENEWAL PROJECT.....*	\$	
<input type="checkbox"/>	HOUSING PLAN & PROJECT.....*	\$	
<input type="checkbox"/>	FRANCHISE.....*	\$	
<input type="checkbox"/>	REVOCABLE CONSENT.....*	\$	
<input type="checkbox"/>	CONCESSION.....*	\$	
<input type="checkbox"/>	LANDFILL.....*	\$	
<input type="checkbox"/>	OTHER (Describe)	\$	

<input checked="" type="checkbox"/>	MODIFICATION	N 860259 ZAM	\$	8,882.50
<input type="checkbox"/>	FOLLOW-UP		\$	
<input type="checkbox"/>	RENEWAL		\$	
<input type="checkbox"/>	OTHER		\$	
		SPECIFY		
		TOTAL FEE (For all actions)	\$	PAID

Make Check or Money Order payable to Department of City Planning.

If fee exemption is claimed check box below and explain

☐

Has pre-application meeting been held? ☐ NO ☐ YES

If yes

DCP Office/Representative

Date of meeting

City Map Change MM

Proposed City Map Change
(Check appropriate boxes)

APPLICATION NO

1. ESTABLISH NEW.....☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE

2. ELIMINATE EXISTING.....☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE

3. CHANGE EXISTING STREET.....☐ WIDTH ☐ ALIGNMENT ☐ GRADE

4. EASEMENT
Delineate New.....☐ Remove Existing.....☐ Modify Existing.....☐

5. RELATED ACQUISITION OR DISPOSITION OF PROPERTY☐


Zoning Map Change ZM

Proposed Zoning Map Change(s)

APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

CHANGE #1	FROM:	EXISTING	TO:	PROPOSED
CHANGE #2	FROM:	EXISTING	TO:	PROPOSED
CHANGE #3				POSED
CHANGE #4				POSED
CHANGE #5				POSED



REVISÉ

Received by Central Intake on April 29, 2013

Zoning Text Amendment ZR

Affected Zoning Resolution (ZR) Sections

N 130263 ZRM

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
78-06	Ownership (Special Regs Applying to Large-Scale Residential Developments)

Land Use Review Application (LR) Item 2. Site Data

N 130263 ZRM

Application No.

M 860259A ZAM

Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)		TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)
1536		1277	1601 Third Avenue
1536		25	2 nd Avenue between East 90 th and East 91 st Streets
1537		1277	1623 Third Avenue
1537		22	1749 Second Avenue
1538		1	1645 Third Avenue
*1538		10 (formerly 10 and 12)	203-205 East 92 nd Street (Development Site)
1538		21	1767 Second Avenue
1539		1	1663 Third Avenue
1539		10	225 East 93 rd Street
1539		234	245 East 93 rd Street

REVISED

N 130263 ZRM
M 860259A ZAM

203-205 East 92nd Street

**Form LR Item 7: Prior and Current City Planning Commission Actions
Related to the Site**

APPLICATION NO.	DESCRIPTION/DISPOSITION/STATUS	CAL. NO.	DATE
CP 19322 / CP 20197	Designation of the Ruppert Brewery Urban Renewal Plan – Approved.		04/20/1961
CP 21714	First amendment to the Ruppert Brewery Urban Renewal Plan – Approved.	4	09/22/1971
CP 21726	City-aided rental limited rental housing project proposed for Sites 1, 2B and 2C – Approved.	5	09/22/1971
CP 21718A	Zoning map amendment changing the M3-2, M1-4 and C2-8 to C4-6 and C2-8 zoning districts – Approved.	13	09/22/1971
CP 21724	Special Permits and Authorizations pursuant to Section 78-311(a), 78-311(d), 78-311(e), 78-312(d) and 74-53 of the Zoning Resolution for Stage I of the large-scale residential development within the Ruppert Brewery Urban Renewal Area – Approved.	14	09/22/1971
CP 21855	Authorizations pursuant to 78-311(a), 78-311(e) and 78-311(h) of the Zoning Resolution relating to Stage II of the large-scale residential development – Approved.	22	01/19/1972
C 810021 ZMM	Amendment of the Zoning Map from an M1-4 to R8 zoning district to permit the construction of a residential development on the west side of 2 nd Avenue between East 93 rd Street and East 94 th Street, also known as Parcel Q – Approved.	72	05/05/1982
N 820778 ZAM	Authorizations pursuant to 78-311(a) and 78-311(d) of the Zoning Resolution and an amendment of the boundaries of the site of the previously-approved large-scale residential development by adding a site designated as Parcel Q, relating to Stage III of the large-scale residential development – Approved	73	05/05/1982
C 810178 HUM	Second amendment to the Ruppert Brewery Urban Renewal Plan revising the land use for site 4A from a public high school to public open space and disposing of Site 4A to a redeveloper of Parcel 4B, among other amendments – Approved.	109	06/16/1982
N 830109 ZAM	Authorization pursuant to 78-311(e) of the Zoning Resolution relating to State IV of the large-scale residential development – Approved.	96	11/10/1982
C 830107 HDM	Land disposition application for Site 4C – Approved.		11/10/1982
C 830264 ZSM	Special Permit pursuant to Section 78-312(d) of the Zoning Resolution to authorize minor variations in the front	49	02/02/1983

	height and setback regulations along portions of East 94 th Street and Third Avenue, also known as Parcel 4B, for a 30-story residential building containing 397 market rate and low and moderate income units – Approved.		
C 830262 HPM	Housing plan project and land disposition application to modify LSRD and dispose of Sites 4A and 4B, previously planned to be a high school, but modified to be open space and a residential development – Approved.	48	02/02/1983
M 820778 ZAM M 810021ZMM	Ruppert Brewery Unassisted Urban Renewal Project Application for Large Scale Residential Development containing Tables 1 and 2 for the LSRD		12/05/1983
N 860259 ZAM	An application for the distribution of parking spaces within the RBURA and LSRD containing Tables 1 and 2 for the LSRD		05/04/1987
N 130264 ZCM	Application for Chair certification of a public plaza.	n/a	n/a

LR ATTACHMENT 3**DESCRIPTION OF PROPOSAL****INTRODUCTION**

This application is submitted by Carnegie Park Land Holding, LLC (the “Applicant”), to facilitate the construction of a 36-story, mixed-use building containing community facility (school), commercial (retail and physical culture or health establishment) and residential uses (market rate and affordable) with accessory parking.

The Applicant owns the Property, which is comprised of one tax lot on Block 1538, Lot 10 (formerly lots 10 and 12), also known as Site 4A within the Ruppert Brewery Large-Scale Residential Development (the “Ruppert LSRD”). Site 4A, a through lot fronting on both East 92nd and East 93rd Streets between 2nd and 3rd Avenues, is also known as 203-203-205 East 92nd Street and is located in a C4-6 (R10 equivalent) zoning district (the “Property” or “Site 4A”). The following actions are required from the CPC to facilitate the project:

- (i) A zoning text amendment to modify the ownership provisions of Section 78-06 of the Zoning Resolution of the City of New York (“Zoning Resolution”) with regard to applications for modifications to previously-approved Ruppert LSRD; and
- (ii) A minor modification to the previously-approved Ruppert LSRD to permit a new development on the Property.

In addition, the Project will require a Certification from the Chairperson of the City Planning Commission pursuant to Section 37-78 of the Zoning Resolution that a public plaza proposed for the Property complies with the design requirements pursuant to Section 37-70, et seq., of the Zoning Resolution.

The new development will also require a New York City Board of Standards and Appeals (“BSA”) Special Permit pursuant to Zoning Resolution Section 73-36 to permit a physical culture establishment on the 4th and 5th floors of the new development which will be filed at a later date in accordance with the Rules of the BSA.

BACKGROUND AND HISTORY

The Property is located in the Yorkville neighborhood of Manhattan. In the first half of the 20th century, the neighborhood of Yorkville was home to a large European immigrant community. The removal of the elevated subway tracks along Second and Third Avenues in the 1940s and 1950s, as well as the deterioration of the West side of Manhattan, spurred the demand for middle-class and luxury residential housing in the Yorkville section of the Upper East Side.

Despite the largely residential character of the Yorkville neighborhood in the 1960’s, the Property as well as the surrounding parcels, principally because of their proximity to the Ruppert Brewery, were made up of mostly a series of garage-type and loft buildings used for manufacturing, auto storage and servicing and other commercial purposes. With the exception of several tenements and a supermarket on Third Avenue between 93rd and

94th Streets, which were located in a C2-8 zoning district, the remaining parcels were zoned in an M3-2 zoning district permitting unrestricted manufacturing use. This M3-2 zoning district was one of only a few unrestricted manufacturing districts left in Manhattan at that time.

In response to the revitalization of the Yorkville neighborhood, on April 20, 1966 the City Planning Commission designated the entire area bounded generally by East 90th Street, 3rd Avenue, East 94th Street and 2nd Avenue, including the Property, as an area appropriate for urban renewal (CP No. 19322). The general objective of the Ruppert Brewery Urban Renewal Area ("RBURA") was to eliminate the blighting influences located in the M3-2 and C2-8 zoning districts, which were incompatible with the modern planning concepts and the predominantly residential character of the neighborhood. The City Planning Commission approved the RBURA for urban renewal on March 20, 1968 (CP. No. 20197) and the Board of Estimate adopted the RBURP on June 20, 1968 (Cal. No. 18). The RBURP was made up of ten parcels identified as Sites 1, 2A, 2B, 2C, 3A, 3B, 4A, 4B, 4C and Q. It generally called for the development of 2,700 units of housing together with commercial and community facilities, as well as open space. On September 3, 1968, the City of New York (the "City") acquired title to the RBURA. In re Ruppert Brewery Urban Renewal Project, Borough of Manhattan, 67 Misc.2d 863, 325 N.Y.S.2d 438 (NY Sup. May 7, 1971).

In 1971, the City's Housing and Development Administration ("HDA") applied to the City Planning Commission to amend the RBURP to provide for approximately 2,300 units of housing, a park, a high school and commercial uses ("First Amendment"). The First Amendment also permitted new parcel designations: Sites 4A and 4B were designated as a public high school; Site 2A was designated as a public park; Sites 3B, 1, 2B and 2C were designated for residential use; Site 3A was designated for commercial use; and there was a reduction of the area designated for air-rights development above East 95th Street, outside the RBURA (CP No. 21714).

At the same time, the HDA also filed three related discretionary land use applications. First, the HDA sought City-aided, limited-profit housing on Sites 1, 2B and 2C to be developed with 1,606 units of housing (CP No. 21726). Second, the HDA submitted an application to the City Planning Commission to rezone Sites 3A, 4A and 4B to a C4-6 zoning district and Sites 1, 2A, 2B, 2C, 3B and 4C to a C2-8 zoning district (CP No. 21718A). And lastly, the HDA requested various authorizations and special permits pursuant to the LSRD provisions to complete Stage I of four stages of the Ruppert LSRD (CP No. 21724).

Stage I of the Ruppert LSRD sought authorizations and special permits pursuant to Sections 78-311(a), 78-311(d), 78-311(e), 78-312(d) and 74-53 of the Zoning Resolution (CP No. 21724) for Yorkville Towers. Zoning Resolution Section 78-311(a) allowed the City Planning Commission to authorize the distribution of zoning rooms without regard for lot lines. Zoning Resolution Section 78-311(d) allowed the City Planning Commission to authorize the location of buildings without regard to the underlying yard regulations within the Ruppert LSRD. Zoning Resolution Section 78-311(e) allowed the City Planning Commission to authorize the location of buildings without regard for the underlying height and setback regulations which would otherwise apply along portions of East 92nd Street and East 93rd Street, streets wholly within the Ruppert LSRD. Zoning Resolution Section 78-312(d) allowed the City Planning Commission to grant special permits for minor variations in the front height and setback regulations on a portion of East 93rd Street and Second Avenue on the periphery of the Ruppert LSRD. And Zoning

Resolution Section 74-53 allowed the City Planning Commission to approve a special permit for group parking facilities accessory to uses within the Ruppert LSRD with more than 150 spaces.

The First Amendment to the RBURP and related actions were approved by the City Planning Commission on September 22, 1971 (CP No. 21714, CP No. 21718A, CP No. 21724 and CP No. 21726) and thereafter adopted by the Board of Estimate on November 24, 1971 (Cal. No. 2).

In 1972, the HDA came back to the City Planning Commission seeking authorizations for Stage II of the development of the Ruppert LSRD through Sections 78-311(a), 78-311(e), and 78-311(h) of the Zoning Resolution (CP No. 21855). Zoning Resolution Section 78-311(a) allowed the City Planning Commission to authorize the distribution of floor area without regard for lot lines. Zoning Resolution Section 78-311(e) allowed the City Planning Commission to authorize the location of buildings without regard for the height and setback regulations which would otherwise apply along portions of East 91st Street and East 92nd Street, streets wholly within the Ruppert LSRD. And Zoning Resolution Section 78-311(h) allowed the City Planning Commission to authorize the location of buildings on a single zoning lot without regard for spacing between buildings.

On May 5, 1982, the City Planning Commission approved an application for authorizations pursuant to Sections 78-311(a) and 78-311(d) of the Zoning Resolution and an amendment to the boundaries of the site of the previously approved Ruppert LSRD by adding a site designated as Parcel Q for Stage III of the Ruppert LSRD (N 820778 ZAM). And on November 10, 1982 the City Planning Commission authorized Stage IV of the Ruppert LSRD pursuant to Section 78-311(e) of the Zoning Resolution (N 830109 ZAM).

On that same date, the Second Amendment to the RBURP was approved by the City Planning Commission (C 810178 HUM). The Second Amendment, among other things, made changes to Sites 4A and 4B. It allowed the City to dispose to the redeveloper Site 4A and Site 4B and required Site 4A to be developed as public open space. It also stated that “the land use provisions and building requirements shall remain in effect until June 20, 2008, that being a period of forty (40) years from the date of the original Urban Renewal Plan [approved] by the Board of Estimate....”

The next year in 1983, the New York City Department of Housing Preservation and Development (“HPD”) sought a special permit for Site 4B, known as Carnegie Park, pursuant to Section 78-312(d) of the Zoning Resolution relating to Stage IV of the Ruppert LSRD. The special permit authorized minor variations in the front height and setback regulations along portions of East 94th Street and Third Avenue on Site 4B (C 830264 ZSM). Additionally, HPD sought the approval of a housing plan and project related disposition of City-owned property for Site 4B, developed as residential buildings with 80% market rate units and 20% Section 8 rent subsidized units. HPD also sought approval for the Site 4A, otherwise known as the Property, to be “improved and maintained as an active recreational open space, open to the public, owned and managed by the sponsor/developer” of Site 4B (C 830262 HPM). On February 2, 1983 these actions were granted by the City Planning Commission and on March 18, 1983, the actions were adopted by the Board of Estimate. The residential developments that were completed as part of the RBURP are Ruppert Towers, Yorkville Towers, Knickerbocker Plaza, Ruppert House, Yorkville Gardens and Carnegie Park.

On May 26, 1983, the Carnegie Park Associates, the developer of Site 4B, entered into a Land Disposition Agreement (“LDA”) with the City. Among other things, the LDA required the Carnegie Park Associates to refurbish, operate and maintain the Property/Site 4A as a public recreation area until June 30, 2008, for a total of 25 years, in accordance with the Site 4A Easement and Maintenance Agreement between Carnegie Park Associates and the City dated December 20, 1984. Additionally, as part of the LDA, Carnegie Park Associates agreed to maintain the City-owned parkland on Site 2A for a period of 10 years, which is currently public parkland operated by the New York City Department of Parks and Recreation.

The Easement and Maintenance Agreement terminated on June 30, 2008, almost coterminous with the expiration of the RBURP on June 20, 2008. The Easement and Maintenance Agreement set forth the responsibilities of the developer in refurbishing, operating and maintaining the public recreation area. To date, the developer has spent a substantial amount of time and money in order to comply with the Easement and Maintenance Agreement on the Property. Subsequent to the termination of the Easement and Maintenance Agreement for Site 4A, the Applicant closed the recreation area in anticipation of constructing the proposed development which is the subject of this Application.

Surrounding Area

The surrounding neighborhood contains a similar mix of densities and uses as reflected in the Ruppert LSRD, which include: R8, R8B and R10 residential districts; and C1-8X, C1-9 and C2-8 commercial districts. The commercial zoning districts are typically found along the avenues, and contain mixed-use, high-rise buildings with commercial uses on the ground floor and residential uses above. The mid-block portions of the surrounding area along the side streets typically contain residential uses consisting of smaller-scale residential buildings and town-houses.

Much of the high-density development along the avenues in the Yorkville neighborhood occurred after the demolition of the Third Avenue elevated subway in 1955 and the Second Avenue elevated subway in 1942. Some older, low-rise buildings are interspersed among the larger, more recently built avenue apartments. Most of the retail and other commercial uses in the Yorkville area are neighborhood oriented. The neighborhood is laid out in a regular grid, with most buildings maintaining the street wall, and broad avenues running north-south and narrow streets running east-west. Large parks are located on the edges of the surrounding area: Central Park to the west and Carl Schurz Park to the east along the East River.

Additionally, the surrounding area is home to many of New York City’s most famous cultural and medical institutions, with museums concentrated along Fifth and Madison Avenues (Solomon R. Guggenheim Museum, Metropolitan Museum, Whitney Museum), and major health institutions to the east (Lenox Hill Hospital, New York Hospital Cornell Medical Center, Memorial Sloan- Kettering Cancer Center, Hospital for Special Surgery and Rockefeller University).

The surrounding neighborhood is also home to several preservation districts. To the west of the Ruppert LSRD, are the Special Park Improvement District and the Special Madison Avenue Preservation District. The Special Park Improvement District was created to preserve the residential character and architectural quality of Fifth Avenue and Park Avenue from East 59th to East 111th Streets. The Special Park Improvement

District also limits the height of new buildings to the lesser of 210 feet or 19 stories. The Special Madison Avenue Preservation District preserves the unique retail and residential character of Madison Avenue and the surrounding area from East 61st to East 96th Streets. The Special Madison Avenue Preservation District limits the ground floor uses of buildings on Madison Avenue and allows for greater lot coverage but restricts the bulk and height of new development to mirror the scale of existing buildings.

To the east of and within the Ruppert LSRD, along Second Avenue, is the Transit Land Use Special District, where the Second Avenue subway is currently under construction. The Transit Land Use Special District relates development along Second Avenue to the future Second Avenue subway line. Within the Ruppert LSRD, the Transit Land Use Special District begins on the north side of 93rd Street along Second Avenue, encompassing approximately 60% of Site Q, and continues to the south side of 97th Street with a depth of 150 feet along Second Avenue. The Transit Land Use Special District requires builders of developments adjoining planned subway stations to reserve space in their projects, by providing an easement, for public access to the subway or other subway-related uses, in place of sidewalk obstructions that impede pedestrian circulation. The district is mapped at locations along Second Avenue between Chatham Square in Chinatown and East 126th Street in Harlem.

Mass transit is readily available to the site with the 4, 5, and 6 subway trains running along Lexington Avenue; as well as the future Second Avenue subway, currently under construction. Additionally, there are several bus routes that run along First, Second, Third and Lexington Avenues, as well as cross-town buses that run along 79th Street, 86th Street and 96th Street.

SITE DESCRIPTION

Development Site

The Property is a through lot located in the Yorkville neighborhood of Manhattan, made up of Lot 10 (formerly lots 10 and 12) on Block 1538, fronting on both East 92nd Street and East 93rd Street within the former RBURA and the Ruppert LSRD. The Property has an address of 203-205 East 92nd Street and consists of approximately 32,025 square feet of lot area in a C4-6 (R10 equivalent) zoning district in Manhattan's Community District 8. The Property is closer in proximity to Third Avenue, which is located approximately 80 feet to the west of the Property, while Second Avenue is located approximately 371 feet from the eastern edge of the Property. The Property is currently contains a former recreation area which is now closed to the public and enclosed by a metal fence.

Large-Scale Residential Development

The Ruppert LSRD covers an area of four blocks bounded by East 90th Street, Second Avenue, East 94th Street and Third Avenue. The Ruppert LSRD is currently comprised of R8, C4-6 and C2-8 zoning districts, which generally includes high-rise, mixed-use buildings with ground floor commercial uses and residential uses located above. The Ruppert LSRD has one public park and a building dedicated to senior housing, as well as one undeveloped site, which is the subject of this Application. Accessory parking is provided on a majority of the parcels within the Ruppert LSRD.

The block located on the southern edge within the LSRD (Block 1536) is made up of Sites 1 and 2A and is entirely located within a C2-8 zoning district. Site 1 (Lot 1277)

fronts Third Avenue, East 90th Street and East 91st Street and contains a mixed-use development made up of residential and commercial uses with accessory parking. Site 2A (Lot 25) is a public park made up of approximately 43,416 square feet. Site 2A is developed as a public park and is under the jurisdiction and operation of the New York City Department of Parks and Recreation.

One block north, between East 91st Street and East 92nd Street, are Sites 2B and 2C, zoned C2-8 and located on Block 1537, Lots 1277 and 22, respectively. Site 2B, known as Yorkville Towers, has frontage on Third Avenue, East 91st Street and East 92nd Street. Site 2B is a mixed-use development made up of commercial, community facility and residential uses with accessory parking. Site 2C, referred to as Knickerbocker Plaza, has frontage on Second Avenue, East 91st Street and East 92nd Street and is a mixed-use development made up commercial and residential uses with accessory parking.

Block 1538, located north of Sites 2B and 2C, is made up of Sites 3A, 4A and 3B. Site 3A (Lot 1) and Site 4A (Lot 10) are located within a C4-6 zoning district. Site 3B (Lot 21) is located in the same C2-8 zoning district in which Sites 1, 2A, 2B and 2C are located. Site 3A fronts onto Third Avenue, East 92nd Street and East 93rd Street and is a three-story commercial building with ground floor retail and offices located on the floors above. Site 4A, the subject of this Application has frontage on East 92nd Street and East 93rd Street for approximately 159 feet along each street. Site 4A currently contains an unused recreational facility closed since September 2011. Site 3B has frontage on Second Avenue, East 92nd Street and East 93rd Street and consists of a mixed-use building made up of residential and commercial uses and accessory parking.

The northern block within the Ruppert LSRD is Block 1539, consists of Sites 4B, 4C and Q. Sites 4B and 4C are located in the same C4-6 zoning district as Site 3A and 4A. Site Q is split by a R8 zoning district and a C2-8 zoning district and is also partially located within the Transit Land Use Special District, which has a depth of 150 feet along Second Avenue. Site 4B (Lot 1) fronts on Third Avenue, East 93rd Street and East 94th Street, and is made up of a mixed-use development called Carnegie Park, consisting of commercial and residential uses with accessory parking. Site 4C (Lot 10) is Yorkville Gardens, a mid-rise building containing an independent living community for seniors. Site Q (Lot 234) fronts on Second Avenue, East 93rd Street and East 94th Street, and is made up of a mixed-use development consisting of commercial and residential uses.

PROJECT DESCRIPTION

The application seeks two actions, a zoning text change that will permit the owner of a Parcel within the LSRD under specific circumstances to file an application to modify the LSRD individually, and pursuant to such text amendment an application to modify the Ruppert LSRD to permit a new mixed use mixed income building with public open space on the owner's individual parcel, Site 4A.

Large-scale districts are designed to permit large parcels of land planned to be developed as a single development greater flexibility in the application of certain zoning regulations in order to foster better site and community planning. As such, large-scale districts are required to be under single ownership and control (or under alternate ownership arrangements according to the zoning lot definition in Section 12-10 of the Resolution). In the case of urban renewal areas, the City's urban renewal agency (for NYC, the

Department of Housing Preservation and Development, “HPD”) may make such application, as was the case with the Ruppert LSRD within the Ruppert Brewery Urban Renewal Area. However, the Ruppert Brewery Urban Renewal Area and Plan expired in July 2008 and HPD no longer has the authority. Under such circumstances, the only option for filing an application to modify is to seek the zoning text change contemplated herein. Otherwise, an individual owner would be required to seek authorization from every fee owner and “party in interest” as defined in the zoning lot definition in Section 12-10 of the Resolution for the entire Ruppert LSRD. For a LSRD encompassing four city blocks, multiple developments, various fee owners, mortgagees, etc, this task would be practically impossible. Such an option would leave the applicable LSRD unable to be modified. This would be contrary to good planning principles by freezing in place all development within the LSRD at the time of the expiration of the applicable urban renewal area and plan in perpetuity. Instead, with a text change allowing an individual fee owner to seek modification under certain circumstances and historical conditions, an LSRD may be modified after careful review and consideration by the City Planning Commission.

Pursuant to the above referenced zoning text change, the applicant is seeking a modification of the current Ruppert LSRD Tables to reflect the additional development within the LSRD to be constructed on Parcel 4A. The tables currently list the type and amount of development permitted on each parcel within the LSRD. With regard to Parcel 4A, the tables reflect the historic development of the site as open space without floor area. These tables must now be modified to reflect the proposed building, designed in conformance and compliance with the underlying zoning regulations and in furtherance of the Ruppert LSRD described in more detail below.

The original Ruppert LSRD and Ruppert Brewery Urban Renewal Plan (“RBURP”) designated Parcels 4A and 4B for school development. By the early 1980’s it was determined by the City that school uses were no longer needed at these locations and HPD sought to modify the RBURP and the Ruppert LSRD to permit development on these parcels. Subsequently, in 1983, the Ruppert LSRD was modified to permit the development of a mixed use mixed income (market rate and low and moderate income) development on Parcel 4B of the Ruppert LSRD including an authorization for minor height and setback waivers but otherwise, in compliance with the zoning regulations including yards and open space. At the same time, Parcel 4A was disposed of to the same redeveloper of Parcel 4B with the obligation imposed by HPD of providing, as an interim use, an open space amenity for the area, memorialized in maintenance and operation agreement that expired in July 2008 coterminous with the expiration of the Ruppert Brewery Urban Renewal Plan. The same owner also agreed to maintain and operate a park on Parcel 2A for a period of 10 years, at the expiration of which, Parcel 2A became a City Park. Now that the interim use of Parcel 4A as an open space amenity has ceased with the expiration of the 25 year maintenance and operations agreement, the owner is seeking approval to develop the Parcel in furtherance of the goals of the Ruppert LSRD which provided for the introduction of residential uses and open space and accessory commercial and community facility uses into what was primarily a manufacturing area.

The general purpose of the Ruppert LSRD is to facilitate better site and community planning and to foster a more stable community, particularly within the LSRD. The proposed new development of the Property, which includes a new mixed use building and public open space, will serve the residents of the Ruppert LSRD, as well as the greater community in several different ways, including the addition of the proposed Use Group 3A school (similar to the proposed use of the site with the original RBURP and LSRD), a

proposed affordable housing component and publicly accessible passive open space (public plaza) and commercial physical culture establishment. The proposed new mixed use development will be appropriately located and oriented with respect to other residential, community facility and commercial uses and existing open space resources in the surrounding area. The new building will have a north south orientation and be sited on the western portion of the Property immediately abutting an existing commercial building. A new 63' wide publicly accessible open space along the eastern property line will be provided opposite existing open space along the north side of E 93rd Street and adjacent to a 30' wide open space on the eastern property line. The proposed new mixed use development will bring an attractive, new building with a thoughtfully designed public plaza to replace the unused former recreational facility and invigorate the area with a development compatible with the surrounding high density residential uses and publicly accessible open spaces in conformance with the City's zoning regulations in furtherance of the goals of the LSRD.

The proposed project for Site 4A has been designed in compliance with the underlying C4-6 district regulations and will consist of a 36-story mixed use building with 384,300 square feet of floor area. The building will have a six story base with a residential tower above. A public plaza, being sought under separate application for a Chair's certification pursuant to Section 37-70, would provide a 2.0 FAR bonus to the proposed development and will be located along the eastern side of the Property. The project components break down as follows: approximately 47,013 square feet of School use, UG 3, community facility floor area, approximately 32,267 square feet of retail and health club commercial floor area and approximately 305,020 zoning square feet of residential floor area.

The community facility space will be occupied by The Windward School (the "School"), a private institution specializing in programs for children with learning disabilities. The school will be located in portions of the subcellar, cellar and ground floor, and wholly occupy the second and third floors. The entrance to the School will be located on East 93rd Street. The cellar and subcellar of School will contain the gym and auditorium, along with administrative offices. The ground floor will contain the entrance/lobby to the school and floors 2, 3 and 4 will house the cafeteria, kitchen and classrooms.

There will be a small retail use located on the ground floor fronting on the public plaza pursuant to the Plaza regulations. The health club will be accessed from a lobby on East 92nd Street and will be located on floors 5 and 6. The health club will require a special permit from the BSA.

Floors 7 through 36 will contain the residential use. The residential portion of the building will be developed with both market rate and low income units pursuant to the Inclusionary Housing and 80/20 programs (290 units total, 58 affordable). The residential lobby will be located on East 92nd Street adjacent to the entrance to the public plaza. Bicycle storage will be available for exclusive use by the residents.

The building will be designed in compliance with the standard height and setback regulations and tower regulations. The base of the proposed building rises to a height of approximately 80 feet, above which the residential tower will sit with an overall height of approximately 385 feet and mechanical bulkhead above.

ACTIONS NECESSARY TO FACILITATE PROPOSAL

The following additional actions are required to facilitate the proposed project:

A zoning text change to Section 78-06 of the Zoning Resolution to permit the fee owner of a parcel of land previously used as open space and located in an expired urban renewal area within an LSRD in Manhattan's Community District 8, to file an application to modify the LSRD Special Permit. Zoning Resolution Section 78-06 does not currently provide a method for the modification of an LSRD for an individual property owner within the LSRD. Instead, Section 78-06 generally requires that all owners of property within an LSRD consent to a proposed modification of the LSRD unless specifically permitted by zoning text change.

The Applicant is seeking a minor modification to Ruppert Brewery LSRD; specifically, to modify the special permit as it relates to Site 4A to permit the former recreation area, which is now closed to the public and enclosed with a metal fence, to be developed in conformance and compliance with the underlying C4-6 district regulations.

In addition, the Applicant is seeking under separate application a Certification from the Chairperson of the City Planning Commission for a Public Plaza pursuant to Zoning Resolution Section 37-78, demonstrating design compliance with Sections 37-70, et seq.

Finally, a BSA special permit pursuant to Zoning Resolution Section 73-36 will be sought to permit the location of a physical culture establishment on the 4th and 5th floors of the new development.

SUMMARY OF LAND USE ACTIONS

The proposed Development requires two discretionary actions and one ministerial action:

Action I:

Zoning Text Amendment. A text amendment to the Zoning Resolution to Article VII, Chapter 8: Special Regulations Applying to Large Scale Residential Developments, to modify the ownership provisions of Section 78-06 of the Zoning Resolution with regard to applications for modifications to a previously approved LSRD within an Urban Renewal Area for which the Urban Renewal Plan has expired. The proposed action would include an additional exception to the ownership requirements of Zoning Resolution Section 78-06, which requires that the entire area of the LSRD be under the control of the applicant at the time of the application for a LSRD modification. As proposed, the zoning text amendment will permit the fee owner of a parcel located in an expired Urban Renewal Area in Community District 8 to file an application to modify the LSRD Special Permit, provided that the modification does not seek a distribution of floor area from any other zoning lot not included within such parcel and that the modification will result in an as-of-right building that conforms and complies with the underlying district regulations with a finding that the building and open space are appropriately sited with respect to the surrounding uses. Specifically, the text amendment will state:

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

Chapter 8
Special Regulations Applying to Large-Scale Residential Developments

* * *

78-06
Ownership

* * *

- (b) Notwithstanding the provisions of paragraph (a) of this Section, the following actions shall be permitted:

* * *

- (7) In the event that the urban renewal plan has expired, the owner(s) of a parcel(s) of land previously used as open space for a term of years that has expired within such #large scale residential development#, if located in a former urban renewal area listed below, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter, where such modifications do not seek the distribution of #floor area# from any #zoning lot# not included within such parcel(s), for a #development# that includes a #building# and public open space permitted by the applicable district regulations. Such modifications shall result in a site plan that includes a #building# and public open space that are appropriately located and oriented with respect to other uses in the surrounding area.

Ruppert Brewery Urban Renewal Area - Community District #8 ManhattanAction II:

Minor Modification. A minor modification of the Ruppert Brewery LSRD Special Permit authorized by City Planning Commission Report No. N 860259 ZAM, on May 4, 1987. The modification will allow the Applicant to develop Site 4A with the proposed as-of-right mixed-use residential (affordable and market rate units), commercial (retail and physical culture and health establishment) and community facility (School) development, with public open space all in compliance with the underlying district regulations. The building, which will be a tower with a base, will be located on the western side of the through lot nearest 3rd Avenue adjacent to an existing low rise commercial building, with the public open space located to the eastern side of the Property adjacent to existing open space. The site plan provides for the building and public open space to be appropriately situated within the Ruppert LSRD with respect to the surrounding buildings, uses and existing public and private open spaces.

ATTACHMENT 11

APPLICANT'S STATEMENT OF CONDITIONS AND FINDING

Large-Scale Residential Development

The Applicant is the fee owner of 203-205 East 92nd Street (Block 1538, Lot 10), a through lot in a C4-6 (R10 equivalent) zoning district. The property fronts both East 92nd Street and East 93rd Street for 159 feet and is located midblock, 80 feet east of Third Avenue and 371 feet west of Second Avenue (the "Property"). The Applicant is seeking the following actions: (i) an amendment to Section 78-06(b) of the Zoning Resolution of the City of New York ("Zoning Resolution") and (ii) a minor modification of the Ruppert Brewery Large Scale Residential Development ("Ruppert LSRD") Special Permit authorized by City Planning Commission Report No. N 860259 ZAM, approved on May 4, 1987, which authorized variations to the Ruppert LRSD. The applicant will also seek under a separate application, a certification pursuant to Section 37-78 of the Zoning Resolution by the Chair of the City Planning Commission that a public plaza proposed for the Property, complies with the design requirements pursuant to Section 37-70, et seq., of the Zoning Resolution (together, the "Application"). The applicant will also seek at a future date a Special Permit pursuant to Section 73-36 from the Board of Standards and Appeals to permit a physical culture establishment on the upper floors. The Application will facilitate the development of a 36-story, mixed-use building containing community facility, commercial and residential uses as described more fully in the accompanying LR Attachment 3, Description of Proposal.

The Property was formerly operated and maintained as a recreation space for a term of 25 years, the term for which expired on June 30, 2008, as set forth by a Land Disposition Agreement and Easement and Maintenance Agreement entered into by the applicant on May 26, 1983. Subsequent to the end of the term for the easement and maintenance of the recreation space, the Property has been closed to the public.

The proposed text amendment to Section 78-06(b) of the Zoning Resolution will permit the owner of land previously used as open space within a LSRD and an expired urban renewal plan in Manhattan Community District 8, to apply to the City Planning Commission ("CPC") to modify an authorization or special permit previously granted under Chapter 8 of Article 7 (Special Regulations Applying to Large-Scale Residential Developments). Specifically, the amendment to Section 78-06 of the Zoning Resolution will permit the owner of the Property to apply for a minor modification within the Ruppert LSRD of the Site Plan and Tables. The minor modification will permit the parcel to be developed with a building that conforms and complies with the underlying C4-6 (R10 equivalent) zoning district regulations, provided that such modification does not seek the distribution of floor area from any other zoning lot not included within such parcel so long as the development of the parcel includes a building and public open space permitted by the applicable district regulations that are appropriately located and oriented with respect to the surrounding uses.

The proposed text amendment states, as follows:

* * *

- (b) Notwithstanding the provisions of paragraph (a) of this Section, the following actions shall be permitted:

* * *

- (7) In the event that the urban renewal plan has expired, the owner(s) of a parcel(s) of land previously used as open space for a term of years that has expired within such #large scale residential development#, if located in a former urban renewal area listed below, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter, where such modifications do not seek the distribution of #floor area# from any #zoning lot# not included within such parcel(s), for a #development# that includes a #building# and public open space permitted by the applicable district regulations. Such modifications shall result in a site plan that includes a #building# and public open space that are appropriately located and oriented with respect to other uses in the surrounding area.

Ruppert Brewery Urban Renewal Area - Community District #8
Manhattan

The Ruppert Brewery Urban Renewal Area introduced residential, local commercial, community facility uses and passive and active open space to a former manufacturing area. The general purpose of the Ruppert LSRD is to facilitate better site planning, community planning and to foster a more stable community, particularly within the LSRD. The proposed new development of the Property, which includes a new mixed use mixed income building and publicly accessible open space, will serve the residents of the Ruppert LSRD, as well as the greater community in several different ways, including the addition of the proposed Use Group 3A school, the affordable housing component (58 units) and a 10,678 sf passive open space (public plaza) and commercial physical culture establishment. The proposed new mixed use development will be appropriately located and oriented with respect to other north south oriented buildings containing residential, community facility and commercial uses and existing open space resources in the surrounding area. The new building will be sited on the western portion of the Property immediately abutting an existing commercial building. A new 63' wide publicly accessible open space along the eastern property line will be provided opposite existing open space along the north side of E 93rd Street and adjacent to a 30' wide open space on the eastern property line. The Property is currently an unused former recreation facility permanently closed to the public, encircled by a high metal fence. The proposed new mixed use mixed income development will bring an attractive, new building with a thoughtfully designed public plaza to replace the unused former recreational facility and invigorate the area with a development compatible with the surrounding high density residential uses and publicly accessible open spaces in conformance with the City's zoning regulations in furtherance of the goals of the LSRD.

RUPPERT BREWERY URBAN RENEWAL PROJECT
DOCKET COPY
APPLICATION FOR LARGE SCALE RESIDENTIAL DEVELOPMENT

January 1972
Revised: February 29, 1982
July 6, 1982
September 10, 1982
December 5, 1983
October 27, 1986
April __, 2013

REVISED

Total Site Area	10.3 acres
Total Dwelling Units Proposed	3,616 apartments
Total Commercial Space Proposed	230,866 square feet
Total Community Facility Space Proposed	68,150 square feet

The City of New York
Department of Housing Preservation and Development

RUPPERT BREWERY UNASSISTED URBAN RENEWAL PROJECT
APPLICATION FOR LARGE SCALE RESIDENTIAL DEVELOPMENT

The following narrative, tables and site plan constitute the large scale Residential Development plan for the Ruppert Brewery Urban Renewal Area

The Large-Scale Development area consists of ten parcels. Parcels 1 and 2B contain middle-income housing. Parcels 2C and 3B contain middle-income housing. Parcels 2C and 3B contain moderate-income housing. Parcel 3A contains commercial space. Parcel 2A contains an unmapped park but is not included as site area in determining allowable building bulk. It is therefore excluded from Tables I and II. Parcel 4A contained a public recreational area until June 2008. Parcel 4A is to be developed with a mixed use building containing market rate and affordable dwelling units, and with commercial (retail and physical culture establishment) and community facility (private school) uses. Parcel 4B and the Q-parcel are to contain market rate housing. Parcel 4C is to contain market rate housing for elderly tenants.

Table I compares the total maximum development proposed in terms of building bulk, zoning rooms, commercial floor area, community facilities floor area and off street parking against the controls of the Zoning Resolution. As shown in the table, the proposed overall development is within the limits established by the Zoning Resolution, except that a waiver by the Board of Standards and Appeals was granted to permit the reduction of parking on Parcel 3B below the zoning requirement.

Table II compares the maximum development proposed for each parcel against the controls of the Zoning Resolution and thus indicates the distribution of bulk and zoning rooms permitted by previously granted authorizations and by those requested herewith.

Table III summarizes other authorizations previously granted with respect to Height and Setback and Spacing requirements as shown on the Site Plan, which is attached.

AUTHORIZATIONS REQUESTED UNDER ARTICLE VIII
CHAPTER 8 OF THE ZONING RESOLUTION

In attempting to achieve an improved site plan in terms of distribution and arrangement of open space, light and air, while permitting the development authorized by the Urban Renewal plan, it has been necessary to allow variations in the zoning regulations as permitted by Article VII, Chapter 8 of the Zoning Resolution, "Special Regulations Applying to Large-Scale Residential Developments."

The Stage I large-scale plan, approved by City Planning Commission on September 22, 1971, CP-21724 (Cal. No. 14), and by the Board of Estimate on November 24, 1971 (Cal. No. 4), involved the following authorizations (1-5):

1. Section 78-311 (a). To authorize the distribution of zoning rooms without regard for lot lines (Parcel 3B);

2. Section 78-33 (d). To authorize the location of buildings without regard for yard regulations which would otherwise apply along portions of streets wholly within the development;

3. 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 E. 92nd and 93rd Streets, wholly within the development (Parcel 3B);

4. Section 78-312 (d). To permit minor variations in the front height and setback regulations on a portion of E. 93rd Street and Second Avenue on the periphery of the development (Parcel 3B), and

5. Section 74-53. To permit group parking facilities accessory to uses in the large-scale residential development, with more than 150 spaces (Parcel 3B).

The Stage II large-scale plan, approved by the City Planning Commission on January 19, 1972 (CP-21855, Cal. No. 22) involved the following authorizations (6-8):

6. Section 78-311 (a). To authorize distribution of floor area without regard for lot lines (Parcels 2B and 2C);

7. Section 78-311 (e). To authorize the locations of buildings without regard for the height and setback regulations which would otherwise apply along portions of East 91st Street and East 92nd Street, streets wholly within the development (Parcels 1, 2B and 2C), and

8. Section 78-311 (h). To authorize the location of buildings on a single zoning lot without regard for spacing between building regulations, provided that the resultant spacing will not be reduced by more than 15% as required by Section 23-71 (Parcels 2B and 2C).

The Stage III large-scale plan, approved by the City Planning Commission on May 5, 1982 (N820778ZAM, Cal. No. 73) amended the boundaries of the previously approved large scale

plan and involved the following authorizations (9&10) for the Q-Parcel:

9. Section 78-311 (a). To authorize the distribution of floor area and rooms without regard for lot lines (or the boundary between the C2-8 district and the proposed district , and

10. Section 78-311 (d). To authorize the location of buildings without regard for yard regulations this would otherwise apply along portions of the rear lot line, wholly within the development.

The Stage IV large-scale plan added Parcel 4C to the Plan, changed the uses of Parcels 4A and 4B from Public High School to Public Recreational Open Space and Residential respectively and involved the following authorization (Application # N803109ZAM) for Parcel 4C:

11. 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 E. 93rd Street, wholly within the development.

The stage V Large-Scale Plan (C830264ZSM) approved by the City Planning Commission on February 2, 1983 (Cal. No. 49) and by the Board of Estimate on March 18, 1983 (Cal. No. 6) involved the following Special Permit Authorization for parcel 4B:

12. Section 78-312 (d). To permit minor variations in the front height and setback regulations on a portion of E. 94th Street and 3rd Avenue on the periphery of the development.

The minor modification requested for the Q-parcel was:

13. To modify the site plans previously approved and adjust the zoning data in the large-scale tables accordingly; and

14. To modify a previous authorization (item 10 above in order to allow the use of alternative (c) instead of alternative (a) under section 23-533 (Rear Yard Equivalent).

The minor modification now requested for the 4A Parcel is:

15. To modify the site plans previously approved and adjust the zoning data in the large-scale tables accordingly.

RUPPERT BREWERY URBAN RENEWAL AREA
LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

Table I
Total Proposed Maximum Development Vs. Zoning Capacity

	<u>R10 Equivalent</u>		<u>R-8</u>		<u>All Zones</u>	
	<u>Proposed</u>	<u>Capacity</u>	<u>Proposed</u>	<u>Capacity</u>	<u>Proposed</u>	<u>Capacity</u>
Lot Area		425,845		22,156		448,001
Floor Area (s.f.) Total	4,187,909	4,258,450	19,748	131,828	4,207,657	4,390,278
Residential	3,910,029	4,059,851	19,348	131,828	3,929,777	4,112,399
Community Facilities	68,161	21,148	-	-	68,161	68,161
Commercial	230,866	198,599	-	-	230,866	230,866
Lot Coverage (s.f.) Total	201,916 (160,955*)	-	9,998	-	211,914	-
Residential	143,356	-	9,998	-	153,354	-
Community Facilities	3,107	-	-	-	3,107 (0*)	-
Commercial	47,328	-	-	-	47,328 (14,400*)	-
Height Factor	21	-	15	15	-	-
Floor Area Ratio	8.93	10.00	0.89	5.95	-	-
<u>Residential</u>						
Lot Area	403,870	403,870	22,156	22,156	-	-
Height Factor	29.2	-	15	15	-	-
Floor Area Ratio	8.46	9.53	0.89	5.95	-	-
Open Space	247,036	-	13,524	13,315	260,560	13,315
Open Space Ratio	7.4	-	68.5	10.1	-	-
Zoning Rooms	12,999	13,462	54	476	13,053	13,938
Dwelling Units	3,604	-	12	-	3,616	-
Parking Spaces	-	-	-	-	-	-
(Residential)						

RUPPERT BREWERY URBAN RENEWAL AREA
LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

Table II
Proposed Maximum Development Vs. Zoning Capacity

	Parcel 1		Parcel 2B		Parcel 2c	
	C2-8 (R10)		C2-8 (R10)		C2-8 (R10)	
	Proposed	Capacity	Proposed	Capacity	Proposed	Capacity
Lot Area	79,355		73,749		49,166	
Floor Area (s.f.) Total	666,400		841,600\$		540,640\$	
Residential	621,000		796,200\$		509,800\$	
Community Facilities	5,400		5,400		1,450	
Commercial	40,000		40,000		29,390	
Lot Coverage (s.f) Total	30,140 (22,140*)		30,140 (22,140*)		19,600 (15,600*)	
Residential	22,140		22,140		15,600	
Community Facilities	-		-		-	
Commercial	8,000(-*)		8,000(-*)		4,000(-*)	
Height Factor	0	-	38	-	35	-
Floor Area Ratio	8.4	10	11.41\$	10	11\$	10
<u>Residential</u>						
Lot Area	74,815	74,815	69,209	69,209	46,082	46,082
Height Factor	28	28	36	36	33	-
Floor Area Ratio	7.83	10	10.80\$	10	10.37\$	10
Open Space	57,215	None	51,609	None	33,566	None
Open Space Ratio	9.2	-	6.5	-	6.58	-
Zoning Rooms	2,084.50	2,493.80	2,692.5\$	2,307.00	2,109.50	1,536.10
Dwelling Units	549	-	709	-	578	-
Parking Spaces (Residential)	220	220	284	284	237	237

RUPPERT BREWERY URBAN RENEWAL AREA
LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

Table II
Proposed Maximum Development Vs. Zoning Capacity

	Parcel 3A C4-6		Parcel 3B C2-8(R10)		Parcel 4A C4-6	
	Proposed	Capacity	Proposed	Capacity	Proposed	Capacity
Lot Area	16,114		74,727		32,026	
Floor Area (s.f.) Total	39,781		676,244		384,300	384,312
Residential	-		646,346		305,020	305,020
Community Facilities	-		8,898		47013 ^	47,013
Commercial	39,781		21,000		32267 ^^	32,267
Lot Coverage (s.f.) Total	14,400		30,117 (27,010*)		19,325	-
Residential	-		27,010		11,200	-
Community Facilities	-		3,107 (0*)		-	-
Commercial	14,400					
Height Factor	3	-	25	-	-	-
Floor Area Ratio	2.47	3.4	9.05	10	12	12*****
Residential						
Lot Area	12,136	12,136	71,737	71,737	32,026	32,026
Height Factor	-	-	24	-	-	-
Floor Area Ratio	-	-	8.64	10	9.52	12
Open Space	1,714	-	47,717	-	12,700	-
Open Space Ratio	-	-	7.4	-	-	-
Zoning Rooms Dwelling Units	-	404.5	2,805\$	2391.2	0	1,067.50
	-	-		-	290	387
Parking Spaces (Residential)	-	-	180**	196	80	122

RUPPERT BREWERY URBAN RENEWAL AREA
LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

Table II
Proposed Maximum Development Vs. Zoning Capacity

	Parcel 4B		Parcel 4C	
	C4-6(R10)		C4-6(R10)	
	Proposed	Capacity	Proposed	Capacity
Lot Area	61,738		13,793	
Floor Area (s.f.) Total	564,460	617,380	111,000	137,930
Residential	548,960	601,880	111,000	137,930
Community Facilities	-	-	-	-
Commercial	15,500	15,500	-	-
Lot Coverage (s.f.) Total	32,935	-	7,770	-
Residential	32,935	-	7,770	-
Community Facilities	-	-	-	-
Commercial	-	-	-	-
Height Factor	17	-	14	-
Floor Area Ratio	9.14	10.00	8.05	10.00
Residential				
Lot Area	60,188	60,188	13,793	13,793
Height Factor	17	-	14	-
Floor Area Ratio	8.89	9.75	8.05	10.00
Open Space	28,803	-	6,023	-
Open Space Ratio	5.2	-	5.4	-
Zoning Rooms Dwelling Units	1,720 397	2,006 -	450 150	460 -
Parking Spaces (Residential)	114	139	0	53

RUPPERT BREWERY URBAN RENEWAL AREA
LARGE SCALE RESIDENTIAL DEVELOPMENT PLAN

Table II
Proposed Maximum Development Vs. Zoning Capacity

	Q Parcel				
	C2-8 (R10)		R-8		Combined Total
	Proposed	Capacity	Proposed	Capacity	Proposed Capacity
Lot Area	25,177		22,156		47,333
Floor Area (s.f.) Total					
Residential	363,484	251,770	19,748	131,828	383,232
Community Facilities	350,555	238,842	19,748	131,828	370,303
Commercial	-	-	-	-	-
	12,928	12,928			12,928
Lot Coverage (s.f.) Total					
Residential	17,489	-	8,632	-	26,121
Community Facilities	4,561	-	8,632	-	13,193
Commercial	-	-	-	-	-
	12,928	-	-	-	12,928
Height Factor	15	-	15	15	15
Floor Area Ratio	14.44	10.00	0.89	5.95	-
Residential					
Lot Area	23,884	23,884	22,156	22,156	46,040
Height Factor	15	-	15	15	15
Floor Area Ratio	13.92	9.49	0.89	5.95	7.83
Open Space	7,688	-	13,524	13,315	21,212
					13,315
Open Space Ratio	2.11	-	68.5	10.1	5.53
					-
Zoning Rooms	1,137.50	796	54	476	1,191.50
Dwelling Units	279	-	12	-	291
					1,272
Parking Spaces	(1)	98	(1)	4	-
(Residential)					102

NOTES TO TABLES I AND II:

- § Requires zoning waiver under this Large Scale Residential Development Plan
- * Lot coverage for height factor and open space computations. Additional lot coverage qualifies as open space.
- ** Variance by the Board of Standards and Appeals
- *** Parking requirements are based on the Zoning Resolution amendment revising the parking requirements in Manhattan Community Board Districts 1 through 8.
- **** Includes 2.0 FAR Bonus for Public Plaza pursuant to Zoning Resolution Sections 24-14, 24-223 and 35-35.
- ^ Community facility use limited to private school use (UG 3).
- ^^ Commercial use in the upper floors of the proposed building limited to a Physical Culture or Health Establishment. Commercial use fronting on the public open space limited to uses permitted by the underlying C4-6 zoning district regulations.

Table III
HEIGHT AND SETBACK AND SPACING AUTHORIZATIONS

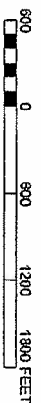
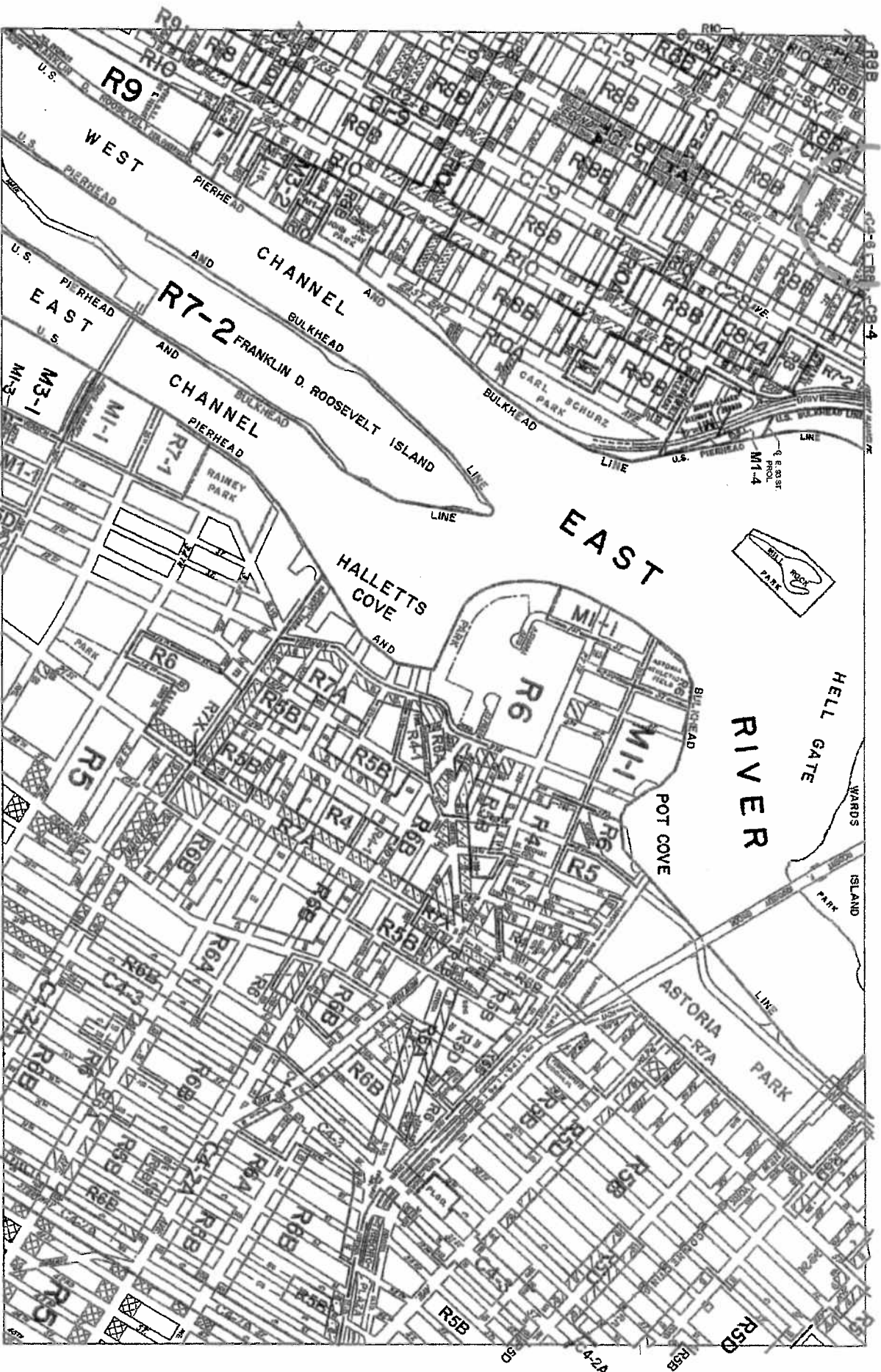
A. Height and Setback Requirements

	Minimum Front setback (feet)	Location of Front Wall	Sky Exposure Plane Penetration Proposed (feet)
Parcel 3B	40'	E. 93rd St.	199'
	None	E. 93rd St.	86'
	None	Second Avenue	86'
	None	E. 92nd St.	80'
	53'	E. 92nd St.	158'
Parcel 2B	None	E. 92nd St.	288'
	15'	E. 91st St.	171'
Parcel 2C	None	E. 91st St.	201'
	None	E. 92nd St.	288'
Parcel 1	None	E. 91st St.	149'
Parcel 4C	None	E. 93rd St.	31'
Parcel 4B	None	E. 94th St.	224'
	None	Third Avenue	169'

B. Minimum Spacing Between Buildings

	<u>Required</u>	<u>Provided</u>
Parcel 2B to 2C	102'	87'
Parcel 4A to 3B	104'	65'

C. Q Parcel - Building located in Rear Yard Equivalent Area.



- C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning map, such dimensions are delineated in Article VI, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows on R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREAS REZONED

Effective Date(s) of Rezoning:
6-14-2011 C 110166 ZM0

Special Requirements:

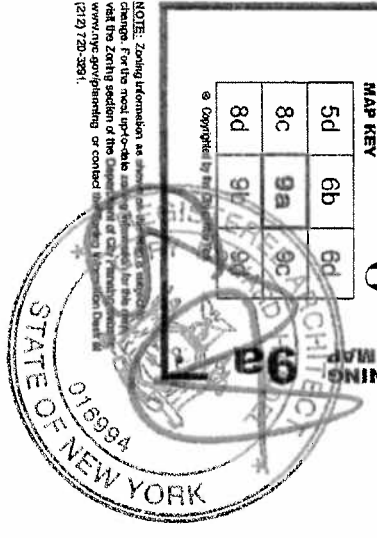
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.

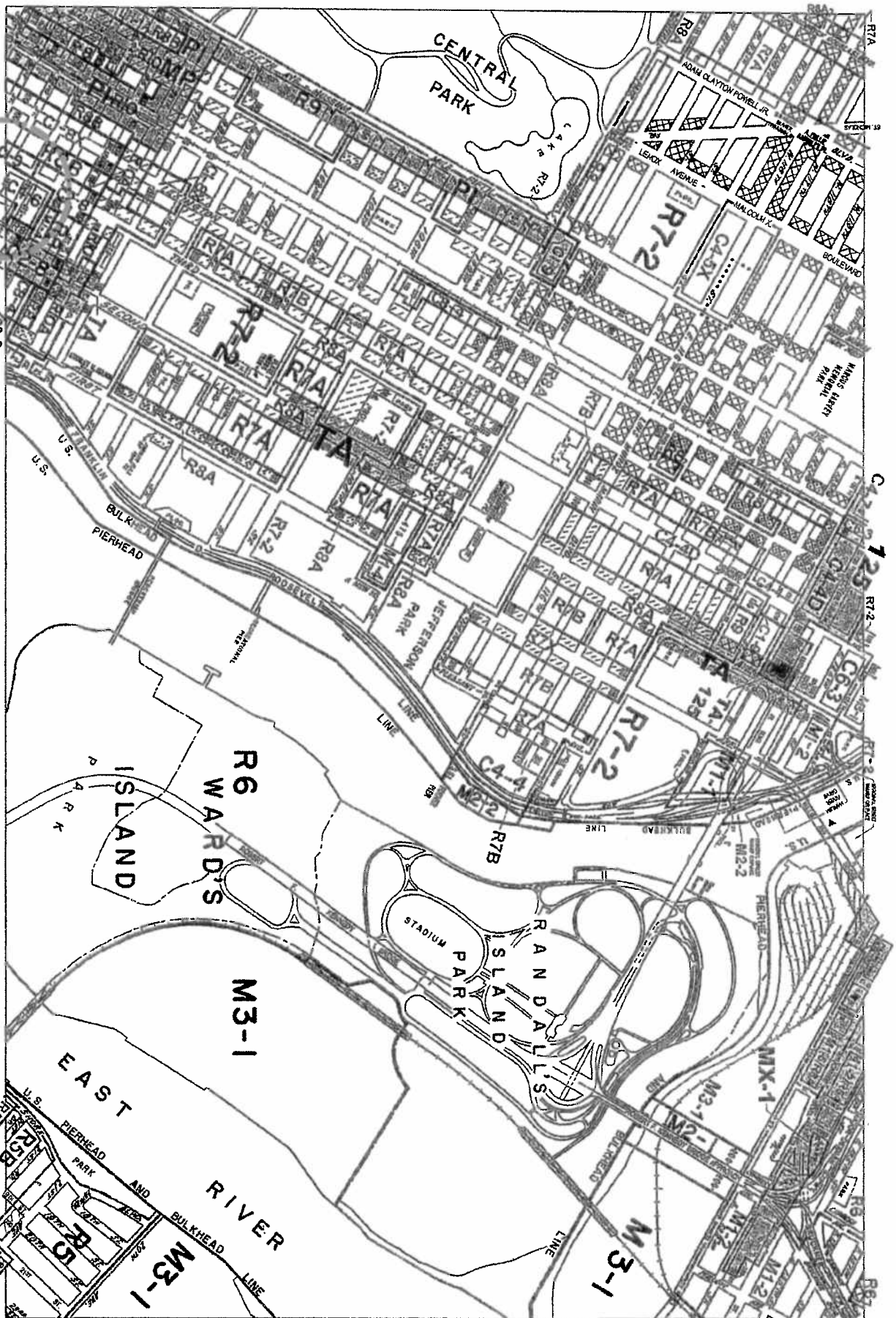
CITY MAP CHANGES:

AS CORRECTED 02-06-2013

5d	6b	6d
8c	9a	9c
8d	9b	9d

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CH-1 CH-2 CH-3 CH-4 CH-5 C2-1 C2-2 C2-3 C2-4 C2-5
 NOTE: Where no change in zoning district boundaries appear on the zoning map, such districts are identified in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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R - RESIDENTIAL DISTRICT

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M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area indicates the special purpose district described in the text of the Zoning Resolution.

AREAS REZONED

Effective Date(s) of Rezoning:
08-17-2011 C 110243 ZMM

Special Requirements:

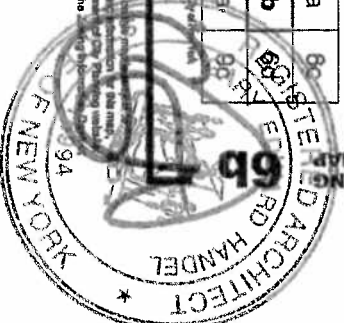
For a list of lots subject to CLOER environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.

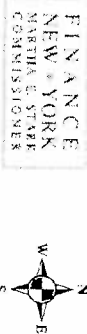
CITY MAP CHANGE(S):
 ◆ AS CORRECTED 05-15-2012
 ▲ 5-05-2012 C 100385 MAM

MAP KEY

5c	6a	8c
5d	6b	8d
8c	9a	9c

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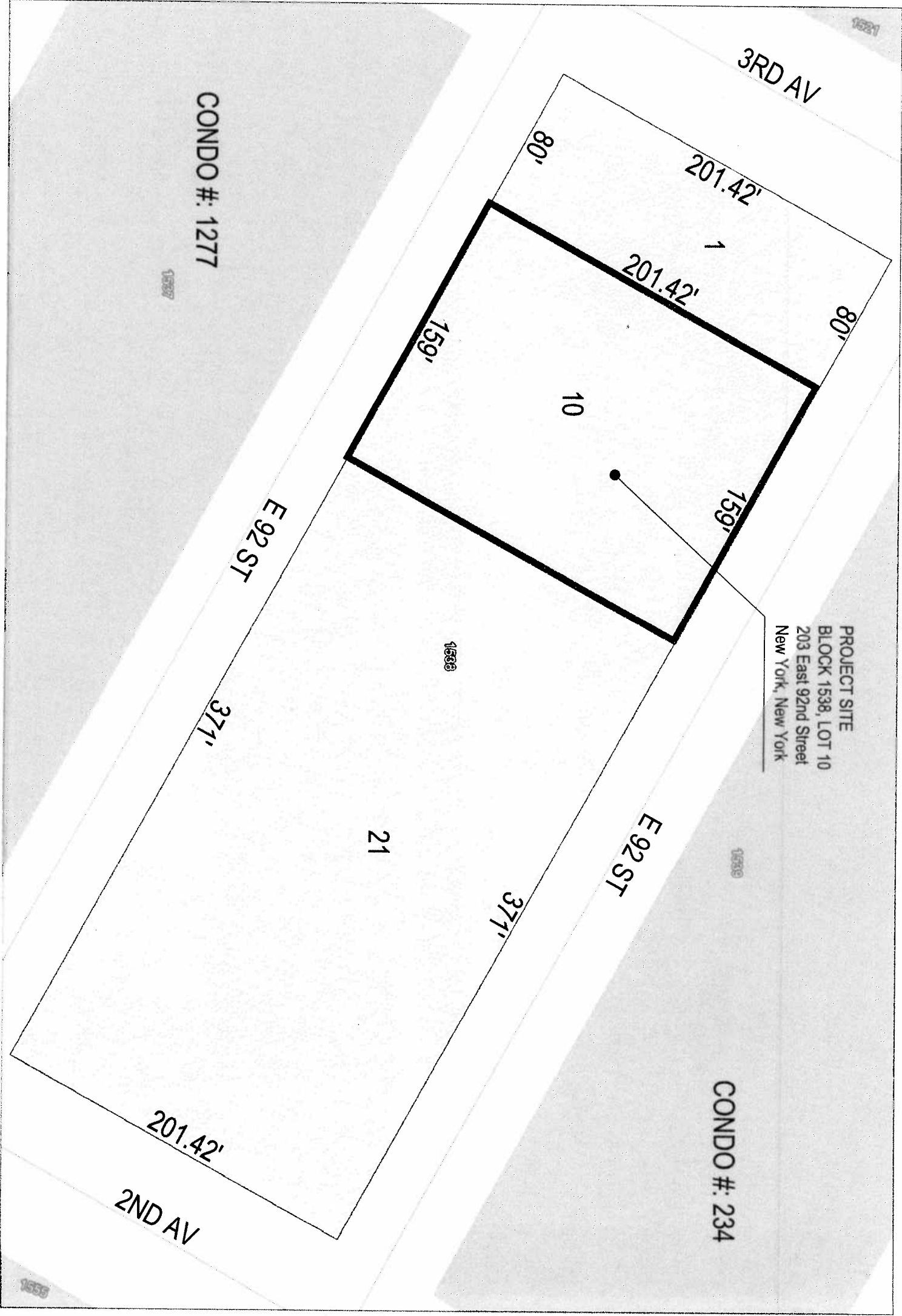




NYC Digital Tax Map

Effective Date : 12-09-2008 12:29:46
End Date : Current
Manhattan Block: 1538

- legend-
- Streets
 - Miscellaneous Text
 - Possession Hooks
 - Boundary Lines
 - Lot Face Possession Hooks
 - Regular
 - Underwater
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon



2ND AVENUE
(100' WIDE)

3RD AVENUE
(100' WIDE)

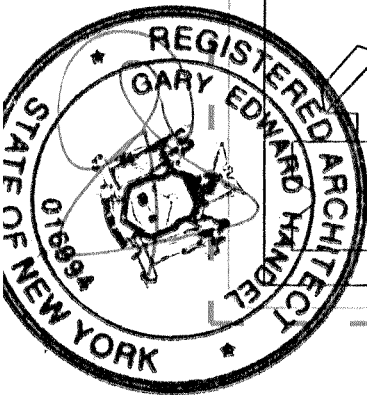
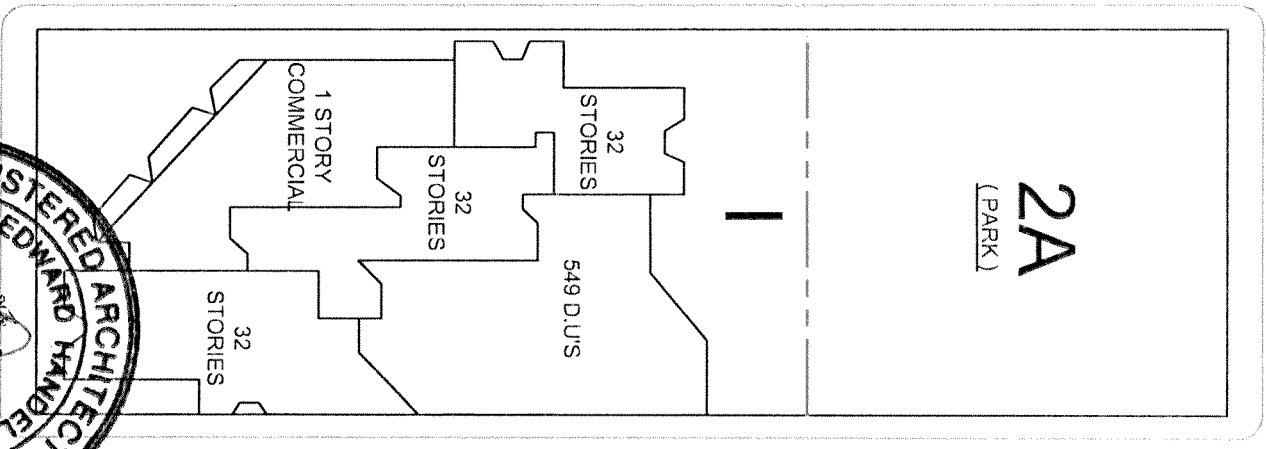
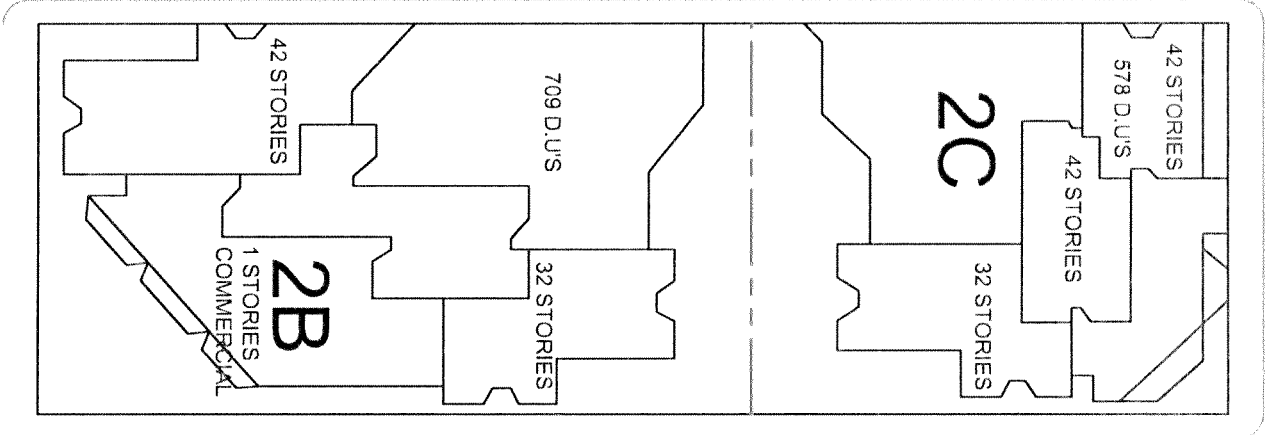
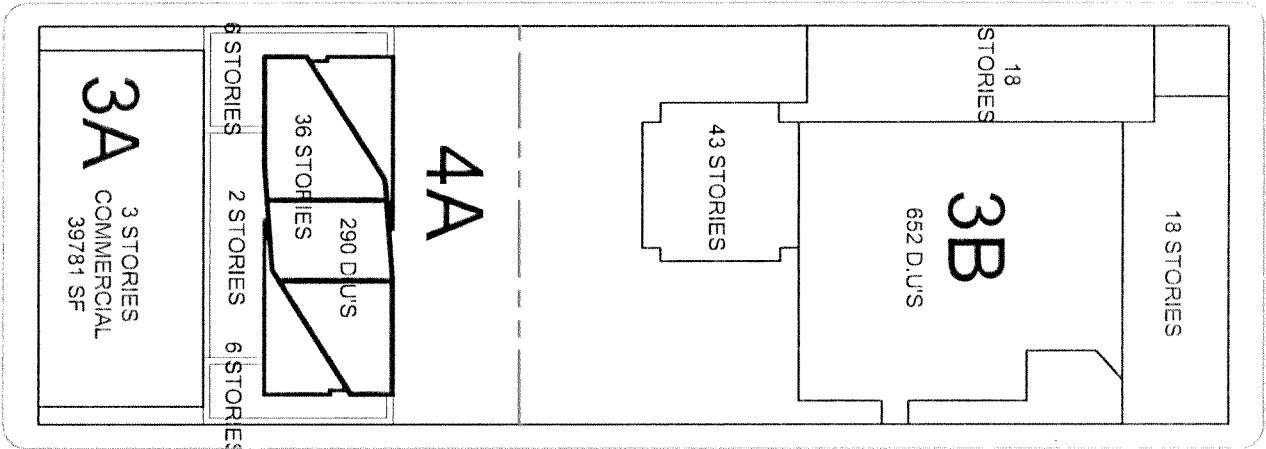
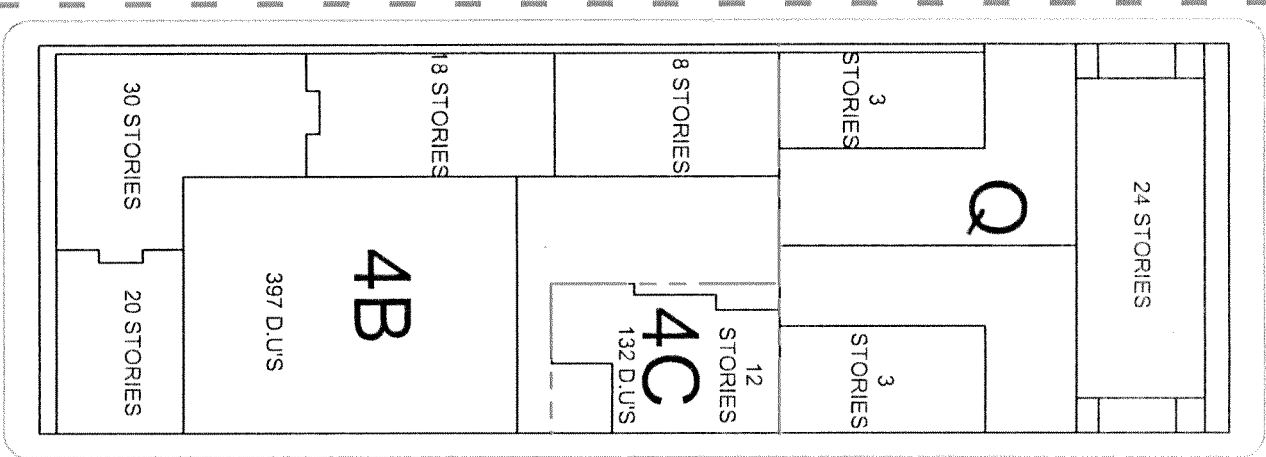
94TH STREET
(60' WIDE)

93RD STREET
(60' WIDE)

92ND STREET
(60' WIDE)

91ST STREET
(60' WIDE)

90TH STREET
(60' WIDE)



LEGEND