

CITY PLANNING COMMISSION DISPOSITION SHEET

SPECIAL MEETING:
TUESDAY, SEPTEMBER 7, 1999
1:00 P.M. SPECTOR HALL
22 READE STREET, NEW YORK, N.Y. 10007

Rosa R. Romero, Calendar Officer
 22 Reade Street, Room 2E
 New York, New York 10007-1216
 (212) 720-3370

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	N 000010 HKM	5	Forward Rep't to City Council				
2	C 980699 MMM	11	Favorable Report Adopted				
3	C 990098 ZMM	11	" "				
4	C 990099 ZSM	11	Withdrawn				
5	C 990099(A)ZSM	11	Favorable Report Adopted				
6	C 990100 ZSM	11	" "				
7	C 990101 PPM	11	" "				
8	N 990526 ZRY	cw	" "				

COMMISSION ATTENDANCE:		Present (P)	COMMISSION VOTING RECORD:														
		Absent (A)	In Favor - Y Oppose - N Abstain - AB Recuse - R														
		Calendar Numbers:	1	2	3	4	5	6	7	8							
Joseph B. Rose, Chairman	P		Y	Y	Y		Y	Y	Y	Y							
Victor G. Alicea, Vice Chairman	P		Y	Y	Y		Y	Y	Y	Y							
Albert Abney	P		Y	Y	Y	W	Y	Y	Y	Y							
Angela M. Battaglia	P		Y	Y	Y	I	Y	Y	Y	Y							
Amanda M. Burden, A.I.C.P.	P		Y	N	N	T	N	N	N	Y							
Irwin Cantor, P.E.	P		Y	Y	Y	H	Y	Y	Y	Y							
Kathy Hirata Chin, Esq.	P		Y	Y	Y	D	Y	Y	Y	Y							
Alexander Garvin	A					R											
Anthony I. Giacobbe, Esq.	P		Y	Y	Y	A	Y	Y	Y	Y							
William J. Grinker	P		Y	Y	Y	W	Y	Y	Y	Y							
Brenda Levin	P		Y	Y	Y	N	Y	Y	Y	Y							
Edward Rogowsky	P			N	N		N	N	N	Y							
Jacob B. Ward, Esq., Commissioners	P		Y	N	N		N	N	N	Y							

MEETING ADJOURNED AT: 1:50 P.M.

NOTE: Cal. No. 1, Commissioner Rogowsky was absent for the vote

**COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York**

CITY PLANNING COMMISSION

TUESDAY, SEPTEMBER 7, 1999

SPECIAL MEETING AT 1:00 P.M.

in

**SPECTOR HALL
22 READE STREET, MANHATTAN**



Rudolph W. Giuliani, Mayor

City of New York

Prepared by Rosa R. Romero, Calendar Officer

CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
ALBERT ABNEY
ANGELA M. BATTAGLIA
AMANDA M. BURDEN, A.I.C.P.
IRWIN G. CANTOR, *P.E.*
KATHY HIRATA CHIN, *Esq.*
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, *Esq.*
WILLIAM J. GRINKER
BRENDA LEVIN
EDWARD T. ROGOWSKY
JACOB B. WARD, *Esq., Commissioners*
ROSA R. ROMERO, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in City Hall, Manhattan, unless otherwise ordered.

VOTES

BOROUGH OF MANHATTAN

*(Report pursuant to Section 3020, 8(b) of the
City Charter concerning the landmark designation of the
I. Miller Building)*

No. 1

CD 5

N 000010 HKM

IN THE MATTER OF a communication dated July 8, 1999, from the Executive Director of Landmarks Preservation Commission regarding the landmark designation of the **I. Miller Building at 1552-1554 Broadway (a.k.a. 167 West 46th Street)** (Block 999, Lot 1) by the Landmarks Preservation Commission on June 29, 1999 (List No. 3081/LP-2033).

(On August 18, 1999, Cal. No. 26, the item was laid over.)

For consideration.

Nos. 2, 3, 4, 5, 6 and 7

*(Applications for changes in City Map and Zoning Map,
the grant of special permits, and disposition of property,
to develop the East River Plaza Center)*

No. 2

CD 11

C 980699 MMM

IN THE MATTER OF an application submitted by Tiago Holdings, LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving the:

1. elimination, discontinuance and closing of portions of East 118th Street and East 117th Street between Pleasant Avenue and the Franklin D. Roosevelt Drive;
2. widening of a portion of the Franklin D. Roosevelt Drive on its westerly side between East 119th Street and a point 138.35 feet north of East 116th Street;
3. extinguishment of two permanent sewer easements in the former beds of East 117th Street and East 118th Street, west of the Franklin D. Roosevelt Drive;
4. delineation of a:
 - a. sewer easement extending from East 118th Street to East 117th Street and from East 117th Street to East 116th Street;
 - b. street easement at the easterly terminus of East 118th Street;
 - c. public access easement extending from East 117th Street to East 116th Street

and the acquisition and disposition of any property related thereto, all in accordance with Map No. 30206 dated

March 9, 1999 and signed by the Borough President.

(On July 7, 1999, Cal. No. 3, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 13, the hearing was continued. On August 4, 1999, Cal. No. 13, the hearing was closed.)

For consideration.

No. 3

CD 11

C 990098 ZMM

IN THE MATTER OF an application submitted by Tiago Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter **for an amendment of the Zoning map, Section No. 6b:**

- a) changing from an R7-2 District to a C4-4 District property bounded by a line 75 feet east of Pleasant Avenue, a line 80 feet north of East 116th Street, line 100 feet east of Pleasant Avenue, East 118th Street, a line 250 feet east of Pleasant Avenue, and East 116th Street;
- b) changing from an M2-2 District to a C4-4 District property bounded by a line 250 feet east of Pleasant Avenue, East 118th Street, a line 355 feet east of Pleasant Avenue, East 119th Street, Franklin D. Roosevelt Drive, and East 116th Street ; and
- c) changing from an M2-2 District to an R7-2 District property bounded by a line 250 feet east of Pleasant Avenue, East 119th Street, a line 355 feet east of Pleasant Avenue, and East 118th Street;

as shown on a diagram (for illustrative purposes only) dated March 29, 1999.

(On July 7, 1999, Cal. No. 4, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 14, the hearing was continued. On August 4, 1999, Cal. No. 14, the hearing was closed.)

For consideration.

No. 4

CD 11

C 990099 ZSM

CONTINUED PUBLIC HEARING:

IN THE MATTER OF an application submitted by Tiago Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter **for the grant of a special permit** pursuant to Section 74-743(a)(3) of the Zoning Resolution to permit the modification of the regulations of:

- **Section 33-293 to allow the waiver of a required 8-foot open area at the side lot line in a C4-4 District;**
- **Section 33-26 to allow the waiver of the required 20-foot rear yards; and**
- **Section 33-432 to allow the waiver of the required height and setback requirements**

to facilitate the construction of a commercial development within a general large scale development on a zoning lot, located to the east of Pleasant Avenue and generally bounded by East 116th Street, Franklin D. Roosevelt Drive,

and East 119th Street (Block 1715, Lots 5, 7, 10, 22, 38, 42, 43, and 45; Block 1716, Lots 8, 9, 11, 13, 19, and 45; Block 1815, Lots 23, 31, 34, and 35), in a C4-4* District.

*Note: C4-4 and R7-2 districts are proposed to be mapped under a related application for an amendment of the Zoning Map (C 990098 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On July 7, 1999, Cal. No. 5, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 15, the hearing was continued. On August 4, 1999, Cal. No. 15, the hearing was closed.)

For consideration.

No. 5

CD 11

C 990099(A) ZSM

IN THE MATTER OF a modified application submitted by Tiago Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification on July 19, 1999 pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, **for the grant of a special permit** pursuant to Section 74-743(a)(3) of the Zoning Resolution to permit the modification of :

- **Section 33-293 to allow the waiver of a required 8-foot open area at the side lot line in a C4-4 District;**
- **Section 33-26 to allow the waiver of the required 20-foot rear yards; and**
- **Section 33-432 to allow the waiver of the required height and setback requirements**

to facilitate the construction of a **commercial development** within a general large scale development on a zoning lot, **located to the east of Pleasant Avenue and generally bounded by East 116th Street, Franklin D. Roosevelt Drive, and East 119th Street** (Block 1715, Lots 5, 7, 10, 22, 38, 42, 43, and 45; Block 1716, Lots 8, 9, 11, 13, 19 and 45; Block 1815, Lots 23, 31, 34 and 35), in a C4-4* District.

*Note: C4-4 and R7-2 districts are proposed to be mapped under a related application for an amendment of the Zoning Map (C 990098 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On July 21, 1999, Supplemental Calendar No. 1, the Commission scheduled August 4, 1999 for a public hearing. On August 4, 1999, Cal. No. 16, the hearing was closed.)

For consideration.

No. 6

CD 11

C 990100 ZSM

IN THE MATTER OF an application submitted by Tiago Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the **grant of a special permit** pursuant to Section 74-53 of the Zoning Resolution to **permit a six-level unattended accessory parking garage with a maximum capacity of 1,248 spaces**, and to modify the provisions of Section 36-11 to permit accessory parking spaces to be located on the roof (6th level) of the garage, within a general large scale development on a zoning lot located to the east of Pleasant Avenue, and generally bounded by East 116th Street, Franklin D. Roosevelt Drive, and East 119th Street (Block 1715, Lots 5, 7, 10, 22, 38, 42, 43, and 45; Block 1716, Lots 8, 9, 11, 13, 19, and 45; Block 1815, Lots 23, 31, 34, and 35), in a C4-4* District.

*Note: C4-4 and R7-2 districts are proposed to be mapped under a related application for an amendment of the Zoning Map (C 990098 ZMM).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On July 7, 1999, Cal. No. 6, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 16, the hearing was continued. On August 4, 1999, Cal. No. 17, the hearing was closed.)

For consideration.

No. 7

CD 11

C 990101 PPM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the **disposition of one (1) city-owned property** located at 515/517 E. 117th Street (Block 1716, Lot 8), **pursuant to zoning.**

(On July 7, 1999, Cal. No. 7, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 17, the hearing was continued. On August 4, 1999, Cal. No. 18, the hearing was closed.)

For consideration.

CITYWIDE

No. 8

(Amendment of the Zoning Resolution concerning modification of the ownership provisions for large-scale developments that would permit developments being assembled by governmental agencies with the power of condemnation, other than the City's urban renewal agency, to qualify for LSD status and meet the eligibility requirements for an LSD special permit.)

Citywide

N 990526 ZRY

IN THE MATTER of an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Sections 12-10, 74-742 and 78-06, to modify the ownership provisions for large-scale developments.

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

12-10
DEFINITIONS

* * *

Large-scale community facility development

A "large-scale community facility development" is a #development# or #enlargement# used predominantly for #community facility uses#, on a tract of land containing a single #zoning lot# or two or more #zoning lots# which that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection, which tract of land:

- (a) has or will have an area of at least three acres; and
- (b) is designated ~~by its owner~~ as a tract, all of which is to be used, #developed# or #enlarged# as a unit:
 - (1) under single fee ownership or alternative ownership arrangements as set forth ~~respectively~~ in the #zoning lot# definition in Section 12-10 (DEFINITIONS); for all #zoning lots# comprising the #development#; or,
 - (2) under single fee, alternate or separate ownership, either:
 - (i) ~~in the case of an urban renewal project, if in separate ownership, under the coordination and supervision of the City's urban renewal agency or its agent pursuant to an urban renewal plan for the development of a designated urban renewal area containing such tract of land; or~~
 - (ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation.

Such tract of land may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 9, provided that such #buildings# form an integral part of the #large-scale community facility development#.

A #large-scale community facility development# shall be located entirely in a #Residence District# or in a C1, C2, C3 or C4-1 District and shall in no event be considered as a #general large-scale development#.

Large-scale development, general

A "general large-scale development" is a large-scale #development# or #enlargement# other than a #large-scale residential development# or a #large-scale community facility development#. A #general large-scale development# may be located in any #Commercial# or #Manufacturing District#, subject to the restrictions of Section 74-743 (Special provisions for bulk modifications), paragraph (a)(1), on a tract of land containing a single #zoning lot# or two or more #zoning lots# which that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection, which tract of land:

- (a) has or will have an area of at least 1.5 acres; and
- (b) is designated ~~by its owner~~ as a tract, all of which is to be used, #developed# or #enlarged# as a unit:
 - (1) under single fee ownership or alternative ownership arrangements as set forth respectively in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#; or
 - (2) under single fee, alternate or separate ownership, either:
 - (i) ~~in the case of an urban renewal project, if in separate ownership, under the coordination and supervision of the City's urban renewal agency or its agent pursuant to an urban renewal plan for the development of a designated urban renewal area containing such tract of land; or~~
 - (ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation.

Such tract of land may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #general large-scale development#, and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#.

Large-scale residential development

A "large-scale residential development" is a #development# used predominantly for #residential uses#, on a tract of land containing a single #zoning lot# or two or more #zoning lots# which that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection, which tract of land:

- (a) has or will have an area of at least 1.5 acres and a total of at least three principal #buildings#, or an area of at least three acres and a total of at least 500 #dwelling units#; and

- (b) is to be #developed# as a unit:
- (1) under single fee ownership or alternative ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#, or;
 - (2) under single fee, alternate or separate ownership, either:
 - (i) ~~in the case of an urban renewal project, if in separate ownership, under the coordination and supervision of the City's urban renewal agency or its agent pursuant to an urban renewal plan for the development of a designated urban renewal area containing such tract of land; or~~
 - (ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation.

* * *

74-74
General Large-Scale Development

* * *

74-742
Ownership

Except as otherwise provided in this Section, ~~for urban renewal projects~~ any #general large-scale development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (General Large-Scale Development) shall be on a tract of land ~~which~~ that at the time of application is all under the control of the applicant(s) as the single owner(s) or holder(s) of a written option to purchase. ~~However, no~~ No special permit shall be granted for such #development# unless the applicant(s) ~~has~~ has acquired actual ownership (single fee ownership or alternative ownership arrangements ~~of~~ according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When such a #general large-scale development# is located within an designated urban renewal area, ~~the urban renewal plan which has been approved by the City Planning Commission, the City's urban renewal agency, or its agent~~ a person authorized by such agency, may apply for and be granted a special permit under the provisions of Section 74-74 even though it such #general large-scale development# does not meet the ownership requirements set forth elsewhere in this Section; ~~provided that all the parcels comprising such tract of land had been previously in City ownership and their conveyance by the City had been subject to the urban renewal controls set forth in the approved urban renewal plan.~~ All parcels comprising such #general large-scale development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

When a #general large-scale development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #general large-scale development# does not meet the ownership requirements set forth elsewhere in this Section.

* * *

Chapter 8
Special Regulations Applying to Large-Scale Residential Developments

* * *

78-06

Ownership

Except as otherwise provided in this Section ~~for urban renewal projects~~, any #large-scale residential development# for which application is made for an authorization or special permit in accordance with the provisions of this Chapter shall be on a tract of land, ~~which~~ that at the time of application is all under the control of the applicant(s) as the single owner(s) or holder(s) of a written option to purchase. ~~However,~~ nNo authorization or special permit shall be granted for such #development# unless the applicant(s) has acquired actual ownership (single fee ownership or ~~equivalent~~ alternate ownership arrangements ~~of according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #development#~~) of, or executed a binding sales contract for, all of the property comprising such tract.

When such a #development# is part or all of an designated urban renewal project, ~~the development plan of which has been approved by the City Planning Commission and the Board of Estimate~~, the City's urban renewal agency, or a person authorized by such agency, may make application for and be granted authorizations or special permits under the provisions of this Chapter, even though it such # large-scale residential development# does not meet the ownership requirements set forth elsewhere in this Section, ~~provided that all the parcels comprising such tract of land shall have been previously in City ownership and since their conveyance by the City have remained subject to the urban renewal controls set forth in the approved development plan~~. All parcels comprising such #large-scale residential development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

When a #residential large-scale development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, authorizations or special permits may be applied for and granted under the provisions of this Chapter, even though such #large-scale residential development# does not meet the ownership requirements set forth elsewhere in this Section.

* * *

(On July 7, 1999, Cal. No. 8, the Commission scheduled July 21, 1999 for a public hearing. On July 21, 1999, Cal. No. 18, the hearing was closed.)

For consideration.