

## CITY PLANNING COMMISSION DISPOSITION SHEET

**SPECIAL MEETING:  
MONDAY, APRIL 23, 1001  
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 010439 ZRY	cw	Scheduled to be Heard 5/9/01				
2	C 000414(A) MMK	18	Favorable Report Adopted				

COMMISSION ATTENDANCE:		Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y    Oppose - N    Abstain - AB    Recuse - R															
Calendar Numbers:		2																
Joseph B. Rose, Chairman		P	Y															
Victor G. Alicea, Vice Chairman		P	Y															
Albert Abney		P	Y															
Angela M. Battaglia		A																
Amanda M. Burden, A.I.C.P.		P	Y															
Irwin Cantor, P.E.		P	Y															
Angela R. Cavaluzzi, R.A.		P	Y															
Kathy Hirata Chin, Esq.		A																
Alexander Garvin		P	Y															
William J. Grinker		P	Y															
Kenneth J. Knuckles, Esq.		P	Y															
John Merolo, Commissioners		P	Y															

MEETING ADJOURNED AT: 1:05 P.M. (SPECIAL MEETING)

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

---

**CITY PLANNING COMMISSION**

---

**MONDAY, APRIL 23, 2001**

---

**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.*  
**ANGELA R. CAVALUZZI**, *R.A.*  
**KATHY HIRATA CHIN**, *Esq.*  
**ALEXANDER GARVIN**  
**WILLIAM J. GRINKER**  
**KENNETH J. KNUCKLES**, *Esq.*  
**JOHN MEROLO**, *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.

---

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTER TO BE  
SCHEDULED FOR WEDNESDAY, MAY 9, 2001  
STARTING AT 10:00 A.M.  
IN CITY HALL  
NEW YORK, NEW YORK**

**CITYWIDE**

**No. 1**

*(Amendment of the Zoning Resolution to allow a 36 month extension of a special permit, granted pursuant to Section 74-68, for the construction of a permanent platform over a rail yard.*

Citywide

N 010439 ZRY

**IN THE MATTER OF** an application submitted by 9<sup>th</sup> and 33<sup>rd</sup> Associates, L.P., pursuant to Section 201 of the New York City Charter, for **amendment of the Zoning Resolution of the City of New York relating to Section 11-43 of Article I, Chapter 1, concerning an extension of the lapse period for a special permit for the construction of a permanent platform over a rail yard.**

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.

\* \* \*

**11-43**

**Renewal or Extension of Authorization or Special Permit**

- (a) Any authorization or special permit granted by the City Planning Commission, except one granted with a ten year lapse period, that would automatically lapse as set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) may be renewed without public hearing, for two additional three-year terms, provided that the Commission finds that the facts upon which the authorization or special permit was granted have not substantially changed. However, except as provided in paragraph (b) of this Section, all special permits or authorizations granted by the Commission shall lapse after a total of ten years from the date of their original granting if substantial construction has not taken place at such time. An application for a renewal of an authorization or special permit shall be filed with the Commission before it lapses.
- (b) Notwithstanding the provisions of paragraph (a) of this Section, a special permit granted pursuant to Section 74-68 (Development Within or Over a Right-of-Way or Yards) for a ten year period or renewed for additional terms pursuant to paragraph (a), shall not lapse where the railroad yard is in active use, is twenty-two acres or more and such yard occupies more than forty percent of the #zoning lot# for such #development#, and substantial construction of the permanent platform requires or depends upon work to be performed or agreed to by the railroad but such work has not been completed within the term of the special permit, provided that, prior to the date such special permit will have lapsed but for this paragraph:
- (1) the railroad has entered into an agreement for the performance of work related to construction of the permanent platform, including a schedule for completion of the work; and
  - (2) substantial progress has been made on work unrelated to the permanent platform and/or substantial construction-related commitments have been made in connection with the #development#.

Work may start or continue pursuant to such special permit and any concurrently issued and related special permits in accordance with the plans pursuant to which such special permit was granted for a period of 36 months following the tenth anniversary of the original grant of the special permit, provided that such special permit and any concurrent and related special permits shall automatically lapse after the additional 36 month period has expired unless the permanent platform has been substantially constructed or, but for suspension of or delays in work caused by requirements of the railroad or unanticipated difficulties with site conditions, would have been substantially constructed within the additional 36 month period.

For purposes of this provision, the term "substantial construction-related commitments" shall include, at a minimum, commitments for site acquisition, such as a purchase agreement, deed or ground lease, architectural and engineering agreements for design of the permanent platform, and a construction management or general contractor agreement for the construction of the platform.

\* \* \*

Resolution for adoption scheduling May 9, 2001 for a public hearing.

---

## II. REPORT

---

### BOROUGH OF BROOKLYN

No. 2

CD 18

C 000414 (A) MMK

**IN THE MATTER OF** a modified application submitted by Ocean Management Corporation pursuant to Sections 197-c and 199 of the New York City Charter and proposed for modification on February 26, 2001 pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, **for an amendment to the City Map establishing two streets within the block bounded by Avenue N, Royce Street, Avenue T and East 71<sup>st</sup> Street:**

1. Bergen Cove, a new street, parallel to Avenue N, extending southwestward from Royce Street to a turnaround; and
2. An extension of East 73<sup>rd</sup> Street extending northwesterly from Avenue T to Bergen Cove,

the modification of grades necessitated thereby, and any acquisition or disposition of real property related thereto, in accordance with map No. X-2648, dated March 13, 2001, and signed by the Borough President.

(On March 14, 2001, Cal. No. 3, the Commission scheduled March 28, 2001 for a public hearing. On March 28, 2001, Cal. No. 12, the hearing was closed.)

**For consideration.**

---