

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, NOVEMBER 14, 2007
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007

Yvette V. Gruel, Calendar Officer
 22 Reade Street, Room 2E
 New York, New York 10007-1216
 (212) 720-3370

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 070522 ZMM	6	EAST RIVER REALTY	Scheduled to be Heard 12/5/07
2	C 070523 ZSM	6	" "	" "
3	C 070523(A) ZSM	6	" "	" "
4	C 070524 ZSM	6	" "	" "
5	C 070525 ZSM	6	" "	" "
6	C 070529 ZMM	6	" "	" "
7	N 070530 ZRM	6	" "	" "
8	N 070530(A) ZRM	6	" "	" "
9	C 070531 ZSM	6	" "	" "
10	C 070531(A) ZSM	6	" "	" "
11	C 070532 ZSM	6	" "	" "
12	C 070532(A) ZSM	6	" "	" "
13	C 070533 ZSM	6	" "	" "
14	C 070534 ZSM	6	" "	" "
15	N 060273 NPM	6	COMMUNITY BOARD 6 197-a PLAN	" "
16	C 070355 PQK	8	HAITIAN AMERICAN DAY CARE CENTER	Favorable Report Adopted
17	N 080131 HKK	1	DOMINO SUGAR LANDMARK	Forward Report to City Council

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:																	
Present (P) Absent (A)		In Favor - Y Oppose - N Abstain - AB Recuse - R																	
Calendar Numbers:		16	17	18	19	20	21	22	23										
Amanda M. Burden, AICP, Chair	A																		
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y										
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y										
Irwin Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y										
Angela R. Cavaluzzi, R.A.	P	Y	Y	Y	Y	Y	Y	Y	Y										
Alfred C Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y										
Betty Y. Chen	P	Y	Y	Y	Y	Y	Y	Y	Y										
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y										
Nathan Leventhal	P	Y	Y	Y	Y	Y	Y	Y	Y										
John Merolo	P	Y	Y	Y	Y	Y	Y	Y	Y										
Karen A. Phillips	P	Y	Y	Y	Y	Y	Y	Y	Y										
Dolly Williams, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y										

MEETING ADJOURNED AT: 1:11 P.M.

CITY PLANNING COMMISSION DISPOSITION SHEET

PUBLIC MEETING:
WEDNESDAY, NOVEMBER 14, 2007
10:00 A.M. SPECTOR HALL
22 READE STREET, NEW YORK 10007

Yvette V. Gruel, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
18	C 070105 ZSM	2	50 HOWARD STREET	Favorable Report Adopted
19	C 060372 ZMM	5	122 EAST 32 ND STREET	" "
20	C 060373 ZSM	5	" "	" "
21	N 070515 ZRM	2	SPECIAL LITTLE ITALY TEXT AMENDMENT	" "
22	N 080136 PXM	1	NYC-TV OFFICE SPACE	" "
23	N 070479 ZAR	1	103, 111 HOWARD AVENUE	Authorization Approved
24	C 070354 PQM	12	RENA DAY CARE CENTER	Hearing Closed
25	C 070247 ZSM	2	CHOCOLATE FACTORY	" "
26	C 070400 ZSM	2	200 LAFAYETTE STREET	" "
27	N 050402 ZRM	7	LEADER HOUSE TEXT	" "
28	C 060223 ZMM	9	"TUCK-IT-AWAY" REZONING	" "
29	C 060224 ZMM	9	" "	" "
30	C 060225 ZMM	9	" "	" "
31	C 060226 ZMM	9	" "	" "

COMMISSION ATTENDANCE: Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R												
	Calendar Numbers:												
Amanda M. Burden, AICP, Chair													
Kenneth J. Knuckles, Esq., Vice Chairman													
Angela M. Battaglia													
Irwin Cantor, P.E.													
Angela R. Cavaluzzi, R.A.													
Alfred C Cerullo, III													
Betty Y. Chen													
Richard W. Eaddy													
Nathan Leventhal													
John Merolo													
Karen A. Phillips													
Dolly Williams, Commissioners													

MEETING ADJOURNED AT:

**COMPREHENSIVE
CITY PLANNING CALENDAR**

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, NOVEMBER 14, 2007

MEETING AT 10:00 A.M. AT SPECTOR HALL

22 READE STREET

NEW YORK, NEW YORK



Michael R. Bloomberg, Mayor

City of New York

[No. 22]

Prepared by Yvette V. Gruel, Calendar Officer

To view the Planning Commission Calendar and/or the Zoning Resolution on the Internet,
visit the Department of City Planning (DCP) home page at:
nyc.gov/planning

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

1. A quorum shall consist of seven members.
2. Final action by the Commission shall be by the affirmative vote of not less than seven members.
3. Except by unanimous consent, matters upon which public hearing are required by law shall lie over until the next meeting following the public hearing.
4. Matters not on the calendar may be considered by unanimous consent.

NOTE - Matters scheduled for public hearing by the City Planning Commission usually appear in three calendars: in Section I, (Scheduling Dates for Future Public Hearings), in Section II, (Reports), and in Section III, (Public Hearings). Matters scheduled for public hearing by Community Boards appear in a separate calendar available in the Calendar Information Office.

NOTICE--CALENDARS: City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site (www.nyc.gov/planning). The availability of these documents on-line will occur earlier than the current printed documents.

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below. Any individual or organization that would like to receive paper copies of the aforementioned documents will be able to do so at a fee of \$120.00 annually. Please have the certified check made out to the **City of New York -- Department of City Planning** to the attention of the Calendar Information Office, 22 Reade Street, Room 2E, New York, New York 10007-1216.

For Calendar Information: call (212) 720-3368, 3369, 3370.

Note to Subscribers: Notify us of change of address including E-mail by writing to:

City Planning Commission
Calendar Information Office
22 Reade Street - Room 2E
New York, New York 10007-1216

B
CITY PLANNING COMMISSION

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

- AMANDA M. BURDEN, AICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- IRWIN G. CANTOR, P.E.**
- ANGELA R. CAVALUZZI, R.A.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- RICHARD W. EADDY**
- NATHAN LEVENTHAL**
- JOHN MEROLO**
- KAREN A. PHILLIPS**
- DOLLY WILLIAMS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00a.m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

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**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for December 5, 2007 at Spector Hall 22 Reade Street, York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

Signing up to speak: Anyone wishing to speak on any of the items listed under "Public Hearing" in this Calendar, is requested to fill out a speaker's slip supplied at the staff desk outside the hearing chambers on the day of the hearing. Speakers on each item will be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If a large number of people wish to speak on a particular item, statements will be taken alternating every 30 minutes between those speaking in support of the proposal and those speaking in opposition.

Length of Testimony: In order to give others an opportunity to speak, all speakers are asked to limit their remarks to three minutes.

Written Comments: If you intend to submit a written statement and/or other documents please submit 20 sets of each.

Anyone wishing to present facts or to inform the Commission of their view on an item in this calendar, but who cannot or does not wish to speak at the public hearing, may fill out the form below and return it to the desk outside the hearing chambers or mail their written comments to:

**CITY PLANNING COMMISSION
Calendar Information Office - Room 2E
22 Reade Street, New York, N.Y. 10007**

(Extra copies of this form may be obtained in the Calendar Information Office at the above address.)

Subject _____

Date of Hearing _____ Calendar No. _____

Borough _____ Identification No.: _____ CB No.: _____

Position: Opposed _____
 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

NOVEMBER 14, 2007

APPROVAL OF MINUTES OF the Regular Meeting of October 31, 2007

I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, DECEMBER 5, 2007

STARTING AT 10:00 A.M.
IN SPECTOR HALL, 22 READE STREET
NEW YORK, NEW YORK

BOROUGH OF MANHATTAN

Nos. 1-14

EAST RIVER REALTY

No. 1

CD 6

C 070522 ZMM

IN THE MATTER OF an application submitted by 616 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from an M1-5 District to a C4-6 District property bounded East 36th Street, line 200 feet easterly of First Avenue, East 35th Street, and First Avenue; and
2. changing from an M3-2 District to a C4-6 District property bounded East 36th Street and its easterly centerline prolongation, the U.S. Pierhead Line, East 35th Street and its easterly centerline prolongation, and a line 200 feet easterly of First Avenue;

as shown on a diagram (for illustrative purposes only) dated August 20, 2007, and subject to the conditions of CEQR Declaration E-196.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 2

CD 6

C 070523 ZSM

IN THE MATTER OF an application submitted by 616 First Realty Company, 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)(2) of the Zoning Resolution to modify the height and setback requirements of Sections 23-652, 23-632, 23-633 and 33-432, in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from M1-5 and M3-2 Districts to a C4-6 District, under a related application C 070522 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 3

CD 6

C 070523(A) ZSM

IN THE MATTER OF an application submitted by 616 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

- a. Section 74-743(a)(2) - to modify the height and setback requirements of Sections 23-652, 23-632, 23-633 and 33-432; and
- b. Section 74-743(a)(6)(ii)* - to modify the requirements of Section 23-942 to allow community facility floor area above the ground floor to be excluded from the calculation of the amount of lower income housing required;

in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6* District, within a General Large-Scale Development.

*Note: A new Section 74-743(a)(6) of the Zoning Resolution is proposed under a related application N 070530(A) ZRM and the site is proposed to be rezoned from M1-5 and M3-2 Districts to a C4-6 District, under a related application C 070522 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 4

CD 6

C 070524 ZSM

IN THE MATTER OF an application submitted by 616 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-96 of the Zoning Resolution to modify the residential plaza requirements of Article 2, Chapter 7, in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from M1-5 and M3-2 Districts to a C4-6 District, under a related application C 070522 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 5

CD 6

C 070525 ZSM

IN THE MATTER OF an application submitted by 616 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 294 spaces on portions of the ground floor, cellar and subcellar of a proposed mixed use development on property located at 616 First Avenue (Block 967, Lot 1), in a C4-6* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from M1-5 and M3-2 Districts to a C4-6 District, under a related application C 070522 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 6

CD 6

C 070529 ZMM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d:

1. changing from a C1-9 District to a C5-2 District property bounded by East 40th Street, First Avenue, East 39th Street, and Entrance Street; and
2. changing from an M3-2 District to a C5-2 District property bounded by East 41st Street and its easterly centerline prolongation, the U.S. Pierhead Line, East 38th Street and its easterly centerline prolongation, and First Avenue;

as shown on a diagram (for illustrative purposes only) dated August 20, 2007, and subject to the conditions of CEQR Declaration E-196.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 7

CD 6

N 070530 ZRM

IN THE MATTER OF an application submitted by 685,700,708 First Realty Company, LLC, pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York concerning Section 12-10 (Definitions), relating to the definition of General Large-Scale Development, and Section 74-743 (Special Provisions for Bulk Modifications) relating to the location of a Residential Plaza within a General Large-Scale Development.

Matter underlined is new, to be added;

Matter within # # is defined in Section 12-10;

Matter in ~~strikeout~~ is text to be deleted;

*** indicates where unchanged text appears in the zoning resolution

* * *

**12-10
DEFINITIONS**

* * *

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# 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 as a tract, all of which is to be used, #developed# or #enlarged# as a unit:
 - (1) under single fee ownership or alternate 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) 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#. Notwithstanding the above, in C5 and C6 Districts a #general large-scale development# having a minimum #lot area# of 5 acres may include a #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #general large-scale development# provided that such #building# covers less than 15 percent of the #lot area# of the #general large-scale development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

* * *

**74-74
General Large-Scale Development**

* * *

**74-743
Special provisions for bulk modification**

(a) For a #general large-scale development#, the City Planning Commission may permit:

- (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
 - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
 - (ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
- (2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;
- (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries; and
- (4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of paragraph (a)(4) of this Section shall be calculated by utilizing the smallest #open space ratio#

at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district.

- (5) a #residential plaza# to be located anywhere within a #general large-scale development# without regard for #zoning lot lines# provided the #general large-scale development# has a minimum #lot area# of 5 acres and is located in a C5 or C6 District. Where there are more than one contiguous residential plaza on a zoning lot, the residential plazas may be considered as one plaza for the purpose of compliance with the residential plaza standards.
- (b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:
- (1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;
 - (2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;
 - (3) where a #zoning lot# of a #general large-scale development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;
 - (4) considering the size of the proposed #general large scale development#, the #streets# providing access to such #general large-scale development# will be adequate to handle traffic resulting therefrom;
 - (5) when the Commission has determined that the #general large-scale development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;
 - (6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the

~~open space~~ provided is of sufficient size to serve the residents of new or ~~enlarged buildings~~. Such ~~open space~~ shall be accessible to and usable by all residents of such new or ~~enlarged buildings~~, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such ~~general large scale development~~ shall include superior landscaping for ~~open space~~ of the new or ~~enlarged buildings~~; and

- (7) a declaration with regard to ownership requirements in paragraph (b) of the ~~general large-scale development~~ definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the ~~general large scale development~~ and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed ~~general large-scale development~~, a phasing plan showing the distribution of ~~bulk~~ and ~~open space~~ and, in the case of a site plan providing for common ~~open space~~, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 8

CD 6

N 070530(A) ZRM

IN THE MATTER OF a modified application submitted by 685,700,708 First Realty Company, LLC, pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York concerning Section 12-10 (Definitions), relating to the definition of General Large-Scale Development, Section 23-144 (In Designated Areas where the Inclusionary Housing Program is Applicable), Section 23-15 (Maximum Floor Area Ratio in R10 Districts), Section 23-922 (Inclusionary housing designated areas), Section 24-161 (Maximum floor area ratio for zoning lots containing community facility and residential uses), Section 35-31 (Maximum Floor Area Ratio for Mixed Buildings), and Section 74-743 (Special Provisions for Bulk Modifications).

Matter underlined is new, to be added;
Matter within # # is defined in Section 12-10;
Matter in strikeout is text to be deleted;

*** indicates where unchanged text appears in the zoning resolution

* * *

**12-10
DEFINITIONS**

* * *

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# 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 as a tract, all of which is to be used, #developed# or #enlarged# as a unit:
 - (1) under single fee ownership or alternate 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) 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#. Notwithstanding the above, in C5 and C6 Districts a #general large-scale development# having a minimum #lot area# of 5 acres may include a #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #general large-scale development# provided that such #building# covers less than 15 percent of the #lot area# of the #general large-scale development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

* * *

23-144

In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 7, Brooklyn	R8A
<u>Community District 6, Manhattan</u>	<u>R10</u>
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

* * *

23-15

Maximum Floor Area Ratio in R10 Districts

R10

In the district indicated, except in #Inclusionary Housing designated areas#, the #floor area ratio# for any #building# on a #zoning lot# shall not exceed 10.0, except as provided in Section 23-17 (Special Provisions for Zoning Lots Divided By District Boundaries) and Section 23-90 (INCLUSIONARY HOUSING).

Notwithstanding any other provision of this Resolution, the maximum #floor area ratio# shall not exceed 12.0. However, within the boundaries of Community District 7 in the Borough of Manhattan, all #developments# or #enlargements# in R10 Districts, except R10A or R10X Districts, shall be limited to a maximum #floor area ratio# of 10.0.

* * *

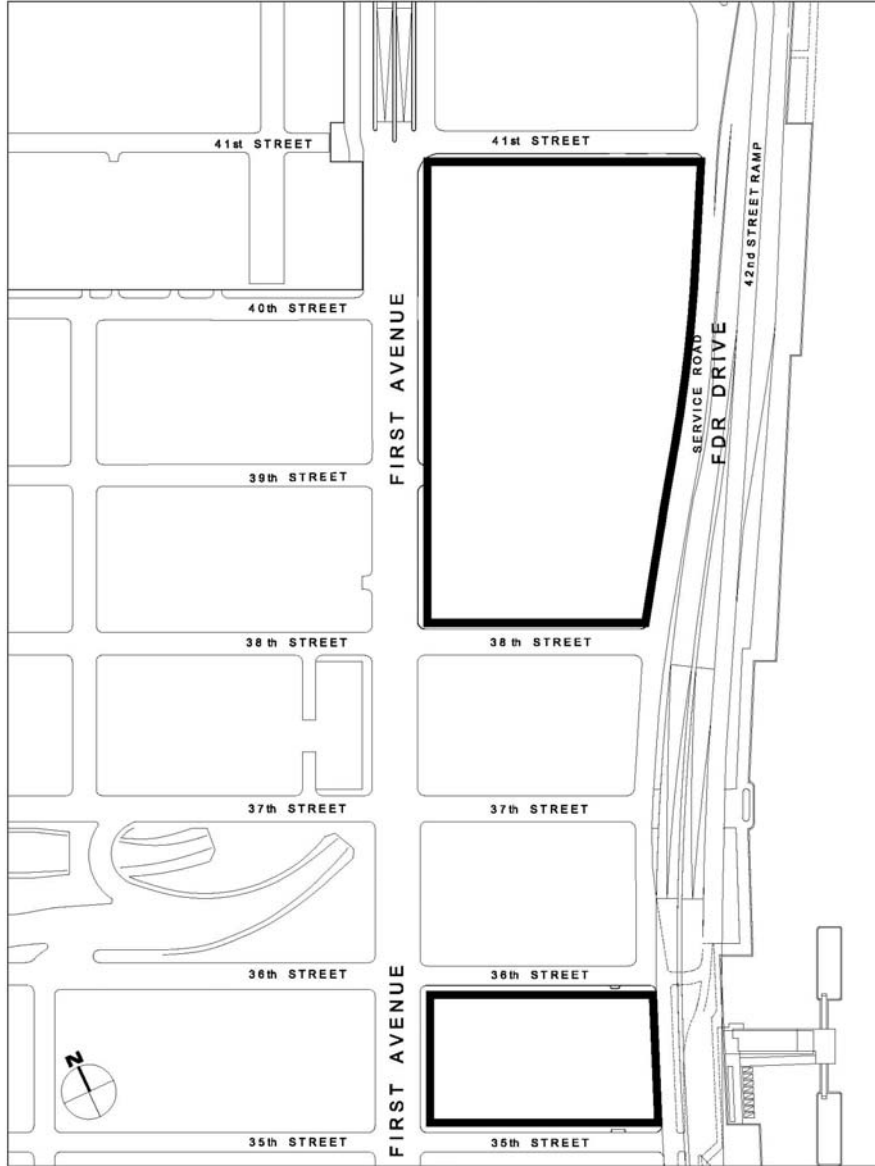
23-922

Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *

(g) In Community District 6, in the Borough of Manhattan, in the R10 Districts within the areas shown on the following Map 14:



The Inclusionary Housing Program shall apply in special purpose districts when specific zoning districts or areas are defined as #Inclusionary Housing designated areas# within the special purpose district.

* * *

24-161

Maximum floor area ratio for zoning lots containing community facility and residential uses

R1 R2 R3-1 R3A R3X R4-1 R4A R4B R5D R6A R6B R7-2 R7A R7B R7X R8 R9 R10

In the districts indicated, for #zoning lots# containing #community facility# and #residential uses#, the maximum #floor area ratio# permitted for a #community facility use# shall be as set forth in Section 24-11, inclusive, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

In the designated areas set forth in Section 23-922 (Inclusionary Housing designated areas), except within Waterfront Access Plan Bk-1, the #floor area ratios# of Section 23-942 shall apply within a #general large-scale development# or where the #residential# portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.

* * *

35-31

Maximum Floor Area Ratio for Mixed Buildings

C1 C2 C3 C4 C5 C6

In all districts, except as set forth in Section 35-311, the provisions of this Section shall apply to any #zoning lot# containing a #mixed building#.

The maximum #floor area ratio# permitted for a #commercial# or #community facility use# shall be as set forth in Article III, Chapter 3, and the maximum #floor area ratio# permitted for a #residential use# shall be as set forth in Article II, Chapter 3, provided the total of all such #floor area ratios# does not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#. However, in C4-7 Districts within Community District 7 in the Borough of Manhattan, such maximum #residential floor area ratio# may be increased pursuant to the provisions of Section 23-90 (INCLUSIONARY HOUSING).

In the designated areas set forth in Section 23-922 (Inclusionary Housing designated areas), except within Waterfront Access Plan BK-1, the #floor area ratios# of Section 23-942 shall apply within a #general large-scale development# or where the #residential#

portion of a #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.

A non-#residential use# occupying a portion of a #building# that was in existence on December 15, 1961, may be changed to a #residential use# and the regulations on maximum #floor area

* * *

74-74

General Large-Scale Development

* * *

74-743

Special provisions for bulk modification

(a) For a #general large-scale development#, the City Planning Commission may permit:

- (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
 - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
 - (ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
- (2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;
- (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries; and

- (4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of paragraph (a)(4) of this Section shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district.
- (5) a #residential plaza# to be located anywhere within a #general large-scale development# without regard for #zoning lot lines# provided the #general large-scale development# has a minimum #lot area# of 5 acres and is located in a C5 or C6 District. Where there are more than one contiguous residential plaza on a zoning lot, the residential plazas may be considered as one plaza for the purpose of compliance with the residential plaza standards.
- (6) in an #Inclusionary Housing designated area# in a C4-6 or C5 district,
- (i) a portion of the lot area that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#;
- (ii) #community facility floor area# located above the ground floor to be excluded from the calculation of the amount of #lower income housing# required pursuant to Section 23-942.
- (b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:
- (1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding #development#, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #general large-scale development#, the neighborhood, and the City as a whole;

- (2) the distribution of #floor area# and location of #buildings# will not unduly increase the #bulk# of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;
- (3) where a #zoning lot# of a #general large-scale development# does not occupy a frontage on a mapped #street#, appropriate access to a mapped #street# is provided;
- (4) considering the size of the proposed #general large scale development#, the #streets# providing access to such #general large-scale development# will be adequate to handle traffic resulting therefrom;
- (5) when the Commission has determined that the #general large-scale development# requires significant addition to existing public facilities serving the area, the applicant has submitted to the Commission a plan and timetable to provide such required additional facilities. Proposed facilities that are incorporated into the City's capital budget may be included as part of such plan and timetable;
- (6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general-large scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#; and
- (7) where the Commission permits the exclusion of #lot area# or #floor area# in accordance with the provisions of paragraph (a)(6) of this Section, such modification will facilitate a desirable mix of #uses# in the #general large-scale development# and a plan consistent with the objectives of the Inclusionary Housing program; and
- (8) a declaration with regard to ownership requirements in paragraph (b) of the #general large-scale development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #general large scale development# and to minimize adverse effects on the character of the surrounding area.

For a phased construction program of a multi-building complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #general large-scale development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

* * *

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 9

CD 6

C 070531 ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(2) - to modify the height and setback requirements of Sections 23-652, 23-632, 23-633 and 33-432, and
2. Section 74-743(a)(5)* – to allow a residential plaza to be located anywhere within a general large-scale development without regard for zoning lot lines

in connection with a proposed mixed use development on property located at 685, 700 & 708 First Avenue (Block 945, Lots 23 & 33, Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: A new Section 74-743(a)(5) of the Zoning Resolution is proposed under a related application N 070530 ZRY, and the site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 10

CD 6

C 070531(A) ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area within the general large-scale development without regard for zoning lot lines or district boundaries;
2. Section 74-743(a)(2) - to modify the height and setback requirements of Sections 23-652, 23-632, 23-633 and 33-432; and
3. Section 74-743(a)(5)(i)* - to modify the requirements of Section 23-942 to allow a portion of the lot area that contains a wholly commercial building to be excluded from the calculation of floor area for any other buildings on the remainder of the zoning lot;

in connection with a proposed mixed use development on property located at 685, 700 & 708 First Avenue (Block 945, Lots 23 & 33, Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: A new Section 74-743(a)(5) of the Zoning Resolution is proposed under a related application N 070530(A) ZRM, and the site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 11

CD 6

C 070532 ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-96 of the Zoning Resolution to modify the residential plaza requirements of Article 2, Chapter 7, in connection with a proposed

mixed use development on property located at 685, 700 & 708 First Avenue (Block 945, Lots 23 & 33, Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 12

CD 6

C 070532(A) ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure, for the grant of a special permit pursuant to Section 74-91 of the Zoning Resolution to modify the public plaza requirements of Section 37-70 (Public Plazas), in connection with a proposed mixed use development on property located at 685, 700 & 708 First Avenue (Block 945, Lots 23 & 33, Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 13

CD 6

C 070533 ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 499 spaces in a portion of the cellar

of a proposed mixed use development on property located at 700 & 708 First Avenue (Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

No. 14

CD 6

C 070534 ZSM

IN THE MATTER OF an application submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 651 spaces on portions of the cellar and subcellar of a proposed mixed use development on property located at 700 & 708 First Avenue (Block 970, Lots 1 & 2), in a C5-2* District, within a General Large-Scale Development.

*Note: The site is proposed to be rezoned from C1-9 and M3-2 Districts to a C5-2 District under a related application C 070529 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.

Resolution for adoption scheduling December 5, 2007 for a public hearing.

NOTICE

On Wednesday, December 5, 2007, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Supplemental Environmental Impact Statement (DSEIS) concerning the First Avenue Properties Rezoning, a proposal involving zoning map amendments, zoning text amendments, special permits to modify the bulk, height and setback requirements in the General Large Scale Development, to modify the residential plaza design standards, and special permits to

allow public and accessory parking garages. Additionally the DSEIS analyzes several associated approvals being sought relating to modifying a previously approved BSA Special Permit, streetscape modifications relating to curb cuts, and modification of retail continuity, streetwall transparency and residential plaza requirements.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 06DCP039M.

No. 15

COMMUNITY BOARD 6 197 a PLAN

CD 6

N 060273 NPM

IN THE MATTER OF a continued public hearing for a plan submitted by Manhattan Community Board 6 concerning recommendations for land use, zoning, the waterfront, urban design, preservation and transportation in the eastern portion of Community District 6, for consideration pursuant to Section 197-a of the New York City Charter. The proposed plan is called the “197-a Plan for the Eastern Section of Community District 6, Borough of Manhattan, New York City.”

Resolution for adoption scheduling December 5, 2007 for a continued public hearing.

II. REPORTS

BOROUGH OF BROOKLYN

No. 16

HAITIAN AMERICAN DAY CARE CENTER

CD 8

C 070355 PQK

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for acquisition of property located at 1491 Bedford Avenue (Block 1253, lot 7), for continued use as a day care center.

(On October 3, 2007, Cal. No. 3, the Commission scheduled October 17, 2007 for a public hearing. On October 17, 2007, Cal. No. 11, the hearing was closed.)

For consideration.

No. 17

DOMINO SUGAR LANDMARK

CD 1

N 080131 HKK

IN THE MATTER OF a communication dated October 3, 2007, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Havemeyers and Elder Filter, Pan, and Finishing House, later known as the American Sugar Refining Company and the Domino Sugar Refinery, 292-314 Kent Avenue (Block 2414, Lot 1), by the Landmarks Preservation Commission on September 25, 2007 (Designation List 396/LP-2268).

For consideration.

BOROUGH OF MANHATTAN

No. 18

50 HOWARD STREET

CD 2

C 070105 ZSM

IN THE MATTER OF an application submitted by Roag, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the requirements of Section 42-14(D)(2)(b) to allow Use Group 6 uses on portions of the ground floor and cellar of an existing 5-story building and proposed penthouse on property located at 50 Howard Street a.k.a. 16 Mercer (Block 231, Lot 16), in an M1-5B District, within the SoHo Cast Iron Historic District.

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 October 3, 2007, Cal. No. 4, the Commission scheduled October 17, 2007 for a public hearing. On October 17, 2007, Cal. No. 12, the hearing was closed.)

For consideration.

Nos. 19 & 20

122 EAST 32ND STREET

No. 19

CD 5

C 060372 ZMM

IN THE MATTER an application submitted by 126 East 32nd Street, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d, changing from a C4-5A District to a C6-2A District property bounded by East 32nd Street, a line 100 feet westerly of Lexington Avenue, a line midway between East 31st Street and East 32nd Street, and a line 150 feet easterly of Park Avenue South, as shown on a diagram (for illustrative purposes only) dated August 20, 2007 and subject to the conditions of CEQR Declaration E-195.

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 October 3, 2007, Cal. No. 5, the Commission scheduled October 17, 2007 for a public hearing. On October 17, 2007, Cal. No. 13, the hearing was closed.)

For consideration.

No. 20

CD 5

C 060373 ZSM

IN THE MATTER OF an application submitted by 126 East 32nd Street, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 44 spaces on portions of the ground floor, cellar and subcellar of a proposed mixed use building on property located at 122 East 32nd Street (Block 887, Lots 84 and 87), in a C6-2A* District.

* Note: The site is proposed to be rezoned from a C4-5A District to a C6-2A District under a concurrent related application (C 060372 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 October 3, 2007, Cal. No. 6, the Commission scheduled October 17, 2007 for a public hearing. On October 17, 2007, Cal. No. 14, the hearing was closed.)

For consideration.

No. 21

SPECIAL LITTLE ITALY TEXT AMENDMENT

CD 2

N 070515 ZRM

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 Article X, Chapter 9 (Special Little Italy District), to modify the provisions of Sections 109-132 and 109-332 (Treatment of the Ground Level Wall) and to delete Section 109-25 (Mandatory Sidewalk Improvements), Community District 2, Borough of Manhattan.

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

Article X - Special Purpose Districts

**Chapter 9
Special Little Italy District**

* * *

~~2/3/77~~

**109-132
Treatment of the ground level wall**

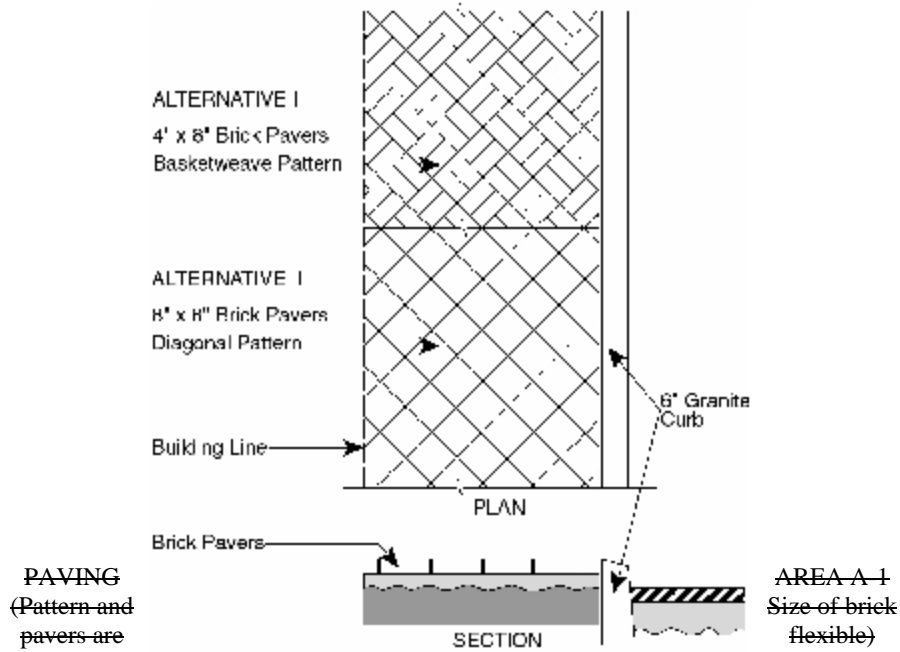
At least 25 percent of the total surface area of the entire front wall of a #development# up to a height of 12 feet above #curb level# or to the ceiling of the ground #story#, whichever is higher, shall be transparent. Transparent areas may include storefronts subject to Section 109-50. Door or window openings within such surface areas shall be considered transparent. Such opening shall have a minimum width of 2 feet. In addition, any portion of such building wall 20 feet or more in length, which contains no transparent areas at ground floor level, shall be covered with vines or similar planting in permitted front wall recesses, ~~or contain art work approved by the New York City Art Commission,~~ or be treated so as to provide visual relief from large expanses of blank walls. Planting shall consist of shrubs, ivy or creepers and shall be planted in soil having a depth of not less than 2 feet, 6 inches, and a minimum width of 24 inches. ~~Approval by the New York City Art Commission for any such artwork shall be obtained prior to the issuance of a building permit for the #development#.~~

* * *

**109-25
Mandatory Sidewalk Improvements**

~~All new #developments#, #enlargements#, changes of #use# within the same or to other #use# groups of at least 50 percent of the #floor area# of an existing #building#, or an alteration above 30 percent of the building value of an existing #building#, pursuant to the applicable articles of the Building Code of the City of New York, within Area A-1 shall provide, extending for the entire length of the #street# frontage of the #zoning lot#, sidewalk paving consisting of brick pavers and granite curbs as illustrated herein and approved by the Department of Transportation. The provisions of Section 109-17 (Mandatory Street Trees) shall not apply in Area A-1.~~

[DRAWING TO BE ELIMINATED]



2/3/77

**109-332
Treatment of the ground level wall**

For a building wall facing a #narrow street#, at least 25 percent of the total surface area of such building wall up to a height of 12 feet above #curb level# or to the ceiling of the ground floor, whichever is higher, shall be transparent. Transparent areas may include storefronts subject to Section 109-50 (SPECIAL REVIEW PROVISIONS). Door or window openings within such surface areas shall be considered transparent. Such openings shall have a minimum width of two feet.

In addition, any portion of such building wall 20 feet or more in length, which contains no transparent area at ground floor level, shall be covered with vines or similar planting in permitted front wall recesses, ~~or contain artwork approved by the New York City Art Commission,~~ or be treated so as to provide visual relief from large expanses of blank walls. Planting shall consist of shrubs, ivy or creepers and shall be planted in soil having a depth of not less than 2 feet 6 inches, and a minimum width of 24 inches. ~~Approval by the New York City Art Commission for any such artwork shall be obtained prior to the issuance of a building permit for the #development#.~~

* * *

(On October 3, 2007, Cal. No. 7, the Commission scheduled October 17, 2007 for a public hearing. On October 17, 2007, Cal. No. 15, the hearing was closed.)

For consideration.

No. 22

NYC-TV OFFICE SPACE

CD 1

N 080136 PXM

IN THE MATTER OF a Notice of Intent to acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 253 Broadway (Block 134, Lot 1002) (WNYC - TV offices).

(On October 18, 2007, the Commission duly advertised October 31, 2007 for a public hearing. On October 31, 2007, Cal. No.18 the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 23

103, 111 HOWARD AVENUE

CD 1

N 070479 ZAR

IN THE MATTER OF an application submitted by Sal Mattioli for the grant of authorizations pursuant to Sections 119-311, 119-316, and 119-317 involving development and site alteration on a portion of a zoning lot having steep slope, modification of grading controls, and modification of requirements for driveways to allow the expansion of an existing single-family house and the construction of an additional single-family house at 103 and 111 Howard Avenue (Block 613, Lot 32 (Tentative Lots 32 and 27)) within the Special Hillside Preservation District

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.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

No. 24

RENA DAY CARE CENTER

CD 12

C 070354 PQM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 639 Edgecombe Avenue (Block 2111, lot 58) for continued use as a day care center.

(On October 31, 2007, Cal. No. 5, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.

No. 25

CHOCOLATE FACTORY

CD 2

C 070247 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by ADG-SoHo LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-711 of the Zoning Resolution to modify:

1. the use regulations of:
 - a. Section 42-10 to allow residential use (U.G. 2 uses); and
 - b. Section 42-14D(2) to allow retail use (U.G. 6 uses) on portions of the ground floor and cellar of the proposed 9-story building at 325-329 West Broadway where the lot coverage is greater than 3,600 square feet, and
2. the height and setback regulations of Section 43-43 (Minimum Height of Front Wall

and Required Front Setbacks) and the rear yard regulations of Section 43-313 (For portions of through lots);

to facilitate the conversion to residential use of two existing 4-story buildings at 23-25 Wooster Street and the development of a 9-story mixed use building at 325-329 West Broadway (Block 228, Lot 20), in M1-5A and M1-5B Districts, within the SoHo Cast Iron Historic District.

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 October 31, 2007, Cal. No. 6, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.



No. 26

200 LAFAYETTE STREET

CD 2

C 070400 ZSM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by AS Realty Partners pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-782 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(1)(b) to allow Joint Living Work Quarters for Artists (JLWQA) on the 2nd through 10th floors of an existing 7-story building with a lot coverage greater than 5000 square feet, and proposed to be re-configured to 10-stories, on property located at 200 Lafayette Street a.k.a. 420 Broome Street (Block 482, Lot 37), in an M1-5B District.

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 October 31, 2007, Cal. No. 7, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.



No. 27

LEADER HOUSE TEXT

CD 7

N 050402 ZRM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Leader House Associates, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York concerning Article VII, Chapter 8 (Special Regulations Applying to Large-Scale Residential Developments), relating to ownership provisions within the former West Side Urban Renewal Area, Community District #7, Borough of Manhattan.

Matter underlined is new, to be added;

Matter within # # is defined in Section 12-10;

Matter in ~~strikeout~~ is text to be deleted;

*** indicates where unchanged text appears in the zoning resolution

Article VII: Administration

Chapter 8: Special Regulations Applying to Large-Scale Residential Developments

78-06

Ownership

- (a) Except as otherwise provided in this Section, any #large-scale residential development# for which application is made for an authorization or special permit or modification thereto in accordance with the provisions of this Chapter shall be on a tract of land that at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. Except as otherwise provided in this Section, no authorization or special permit or modification thereto, shall be granted for such #development# unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements 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.
- ~~(b) Except as otherwise provided in paragraph (c) of this Section with respect to a #large-scale residential development# within an urban renewal area or former urban renewal area, for any #large-scale residential development# located in the Community District(s) listed in this paragraph, the owner(s) of a vacant parcel(s) may make application for and be granted modifications of authorizations or~~

~~special permits previously granted under the provisions of this Chapter with respect to such parcel(s), provided that such modification does not:~~

- ~~(1) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or~~
- ~~(2) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.~~

~~Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large scale residential development#, provided that such modification would not create a non-compliance within the #large scale residential development#.~~

Community District	Borough
CD 7	Queens

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

- (e) (1) When a #development# is part or all of a designated urban renewal project, 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 such #large-scale residential development# does not meet the ownership requirements set forth elsewhere in paragraph (a) of this Section. 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.
- (2) In the event that the urban renewal plan has expired, the owner(s) of a vacant parcel(s) within such #large-scale residential development#, if located in a former urban renewal area listed in this paragraph, ~~(e) (b)(2)~~, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), ~~pursuant to and~~ subject to the ~~limitations conditions~~ of paragraph ~~(b)(5)~~ of this Section.

Former Urban Renewal Area	Community District
West Side Urban Renewal Area	CD7, Manhattan

<u>Borough</u>	<u>Community District</u>	<u>Former Urban Renewal Area</u>
<u>MANHATTAN</u>	<u>COMMUNITY DISTRICT #7</u>	<u>WEST SIDE URBAN RENEWAL AREA</u>

(3) The owner(s) of a developed parcel(s) within a #large-scale residential development# located in a former urban renewal area listed in paragraph (b)(2), where at least 50 percent of such parcel(s) is located within a C1-9 or C2-8 District, may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter, in order to utilize available #floor area# for #commercial# or #community facility uses#, subject to the conditions of paragraph (b)(5) of this Section, and provided further that:

- (i) the only #floor area# subject to a change of #use# shall be located on the first floor of the #development#;
- (ii) any new #community facility floor area# shall be located no higher than the second #story# of the #development#;
- (iii) required #open space# with appropriate circulation, seating, lighting and plantings shall be accessible and usable by all residents of the #development#; and
- (iv) a plan, including elevations, shall be submitted showing the proposed #building(s)# and modification and #open space.#

In addition, any significant adverse impacts resulting from a #development# or #enlargement# pursuant to such modifications, considered in combination with #developments# or #enlargements# previously the subject of modifications under this paragraph, (b), shall have been avoided or minimized to the maximum extent practicable by incorporating as conditions to the modification those mitigative measures that have been identified as practicable.

(4) For any #large scale residential development# located in the Community District(s) listed in this paragraph, (b)(4), the owner(s) of a vacant parcel(s) may make application for and be granted modifications of authorizations or special permits previously granted under the provisions of this Chapter with respect to such parcel(s), subject to the conditions of paragraph (b)(5).

Borough

Community District

Queens

Community District #7

(5) Modifications of authorizations or special permits previously granted under the provisions of this Chapter, as permitted in paragraphs (b)(2), (b)(3) and (b)(4) of this Section, shall not:

- (i) result in the distribution of #floor area# from any #zoning lot# not coextensive with or included within such parcel(s); or
- (ii) increase the total allowable #floor area# on any #zoning lot# included within such parcel(s) beyond that amount permitted by the applicable district regulations.

Such modifications may include the withdrawal of such parcel(s) from the boundaries of the #large scale residential development#, provided that such modification would not create a #non-compliance# within the #large-scale residential development#.

- ~~(d)~~ (6) When a #residential large-scale residential development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, other than the City’s urban renewal 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 October 31, 2007, Cal. No. 8, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.

Nos. 28, 29, 30 and 31

“TUCK-IT-AWAY”

No. 28

CD 9

C 060223 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Tuck-It-Away Associates, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c, changing from an M1-2 District to a C6-2 District property bounded by West 130th Street, a line 225 feet easterly of 12th Avenue, West 125th Street/Dr. Martin Luther King Jr. Boulevard, and a line 125 feet easterly of 12th Avenue, as shown on a diagram (for illustrative purposes only) dated July 23rd 2007, and subject to the conditions of CEQR Declaration E-191.

(On October 31, 2007, Cal. No. 1, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.



No. 29

CD 9

C 060224 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Tuck-It-Away Associates, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c, changing from an M1-2 District to a C6-2 District property bounded by West 131st Street, a line 250 feet westerly of Broadway, a line midway between West 131st Street and West 130th Street, and a line 325 feet westerly of Broadway, as shown on a diagram (for illustrative purposes only) dated July 23rd 2007, and subject to the conditions of CEQR Declaration E-192.

(On October 31, 2007, Cal. No. 2, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.



No. 30

CD 9

C 060225 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Tuck-It-Away Associates, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, changing from an M1-2 District to a C6-2 District property bounded by West 135th Street, a line 90 feet easterly of Broadway, West 133rd Street, and Broadway, as shown on a diagram (for illustrative purposes only) dated July 23rd 2007, and subject to the conditions of CEQR Declaration E-193.

(On October 31, 2007, Cal. No. 3, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.

No. 31

CD 9

C 060226 ZMM

PUBLIC HEARING:

IN THE MATTER OF an application submitted by Tuck-It-Away Associates, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c, changing from an M1-2 District to a C6-2 District property bounded by West 132nd Street, Broadway, West 131st Street, and a line 100 feet westerly of Broadway, as shown on a diagram (for illustrative purposes only) dated July 23rd 2007, and subject to the conditions of CEQR Declaration E-194.

(On October 31, 2007, Cal. No. 4, the Commission scheduled November 14, 2007 for a public hearing which has been duly advertised.)

Close the hearing.

**IV. CITY PLANNING COMMISSION 2007 SCHEDULE OF MEETINGS
July 1 to December 31**

	SUN	MON	TUE	WED	THU	FRI	SAT
JULY	1	2	3	4 INDEPENDENCE DAY	5	6	7
	8 REVIEW SESSION	9	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22 REVIEW SESSION	23	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
AUGUST				1	2	3	4
	5 REVIEW SESSION	6	7	8 CPC PUBLIC MEETING	9	10	11
	12	13	14	15	16	17	18
	19 REVIEW SESSION	20	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30	31	
SEPTEMBER							1
	2	3 LABOR DAY	4 REVIEW SESSION	5 CPC PUBLIC MEETING	6	7	8
	9	10	11	12	13 ROSH HASHANAH	14	15
	16 REVIEW SESSION	17	18	19 CPC PUBLIC MEETING	20	21	22
	23 30	24	25	26	27	28	29 YOM KIPPUR
OCTOBER		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6
	7	8 COLUMBUS DAY OBSERVED	9	10	11	12	13
	14 REVIEW SESSION	15	16	17 CPC PUBLIC MEETING	18	19	20
	21	22	23	24	25	26	27
	28 REVIEW SESSION	29	30	31 CPC PUBLIC MEETING			
NOVEMBER					1	2	3
	4	5	6 ELECTION DAY	7	8	9	10
	11	12 VETERANS DAY OBSERVED	13 REVIEW SESSION	14 CPC PUBLIC MEETING	15	16	17
	18	19	20	21	22	23	24
	25	26	27	28	29 THANKSGIVING	30	
DECEMBER							1
	2 REVIEW SESSION	3	4	5 CPC PUBLIC MEETING	6	7	8
	9	10	11	12	13	14	15
	16 REVIEW SESSION	17	18	19 CPC PUBLIC MEETING	20	21	22
	23 30	24 31	25 CHRISTMAS	26 1ST DAY KWANZAA	27	28	29

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.

V. CITY PLANNING COMMISSION 2008 SCHEDULE OF MEETINGS
January 1 to June 30

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY			1 NEW YEAR'S DAY	2	3	4	5
	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11	12
	13	14	15	16	17	18	19
	20 MARTIN LUTHER KING, JR. DAY	21	22	23	24	25	26
	27 REVIEW SESSION	28	29 CPC PUBLIC MEETING	30	31		
FEBRUARY						1	2
	3	4	5	6 ASH WEDNESDAY	7	8	9
	10 REVIEW SESSION	11 LINCOLN'S BIRTHDAY	12 CPC PUBLIC MEETING	13	14	15	16
	17	18 PRESIDENTS' DAY	19	20	21	22 WASHINGTON'S BIRTHDAY	23
	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29	
MARCH	2	3	4	5	6	7	8
	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14	15
	16 PALM SUNDAY	17 ST. PATRICK'S DAY	18	19	20	21 GOOD FRIDAY	22
	23 EASTER	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
	30	31					
APRIL			1	2	3	4	5
	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11	12
	13	14	15	16	17	18	19
	20 PASSOVER	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30			
MAY					1	2	3
	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9	10
	11	12	13	14	15	16	17
	18 REVIEW SESSION	19	20 CPC PUBLIC MEETING	21	22	23	24
	25 MEMORIAL DAY OBSERVED	26	27	28	29	30	31
JUNE	1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6	7
	8	9	10	11	12	13	14
	15 REVIEW SESSION	16	17 CPC PUBLIC MEETING	18	19	20	21
	22	23	24	25	26	27	28
	29 REVIEW SESSION	30					

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.

VI. CITY PLANNING COMMISSION 2008 SCHEDULE OF MEETINGS
July 1 to December 31

	SUN	MON	TUE	WED	THU	FRI	SAT
JULY			1	CPC PUBLIC MEETING 2	3	INDEPENDENCE DAY 4	5
	6	7	8	9	10	11	12
	13	14	15	16	17	18	19
	20	REVIEW SESSION 21	22	CPC PUBLIC MEETING 23	24	25	26
	27	28	29	30	31		
AUGUST						1	2
	3	4	5	6	7	8	9
	10	REVIEW SESSION 11	12	CPC PUBLIC MEETING 13	14	15	16
	17	18	19	20	21	22	23
	24	REVIEW SESSION 25	26	CPC PUBLIC MEETING 27	28	29	30
31							
SEPTEMBER		LABOR DAY 1	2	3	4	5	6
	7	REVIEW SESSION 8	9	CPC PUBLIC MEETING 10	11	12	13
	14	15	16	17	18	19	20
	21	REVIEW SESSION 22	23	CPC PUBLIC MEETING 24	25	26	27
	28	29	ROSH HASHANAH 30				
OCTOBER				1	2	3	4
	5	REVIEW SESSION 6	CPC PUBLIC MEETING 7	8	YOM KIPPUR 9	10	11
	12	COLUMBUS DAY OBSERVED 13	14	15	16	17	18
	19	20	21	22	23	24	25
	26	REVIEW SESSION 27	28	CPC PUBLIC MEETING 29	30	31	
NOVEMBER							1
	2	3	ELECTION DAY 4	5	6	7	8
	9	10	VETERANS' DAY 11	12	13	14	15
	16	REVIEW SESSION 17	18	CPC PUBLIC MEETING 19	20	21	22
	23	24	25	26	THANKSGIVING 27	28	29
30							
DECEMBER		REVIEW SESSION 1	2	CPC PUBLIC MEETING 3	4	5	6
	7	8	9	10	11	12	13
	14	REVIEW SESSION 15	16	CPC PUBLIC MEETING 17	18	19	20
	21	HANUKKAH 22	23	24	CHRISTMAS 25	KWANZAA BEGINS 26	27
	28	29	30	31			

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 P.M.
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 A.M.