

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, OCTOBER 19, 2011
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 100122 MMM	7	BROADWAY MALL	Scheduled to be Heard 11/2/11
2	N 120037 ZRM	7	" "	" "
3	C 120052 ZSQ	14	BROAD CHANNEL VOLUNTEER FIREHOUSE	" "
4	C 110365 HAX	6	EL RIO RESIDENCE	Favorable Report Adopted
5	C 110366 HAX	6	BRONX RIVER ARTS CENTER	" "
6	C 110380 PQK	2	ADMIRAL'S ROW PLAZA	" "
7	C 110381 PPK	2	" "	" "
8	C 110382 ZMK	2	" "	" "
9	N 110383 ZRK	2	" "	" "
10	C 110375 ZSK	2	" "	" "
11	C 110376 ZSK	2	" "	" "
12	C 110377 ZSK	2	" "	" "
13	C 110378 ZSK	2	" "	" "
14	C 110386 ZMK	2, 6, 7	SPECIAL 4 TH AVENUE ENHANCED COMMERCIAL DISTRICT	" "
15	N 110387 ZRK	2, 6, 7	" "	Fav. Report Adopted as Modified
16	M 830094(B) ZMK	7	LIFE QUALITY MOTORS	Favorable Report Adopted
17	C 110334 ZSM	4	259 10 TH AVENUE	" "

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:														
		In Favor - Y Oppose - N Abstain - AB Recuse - R														
Calendar Numbers:		4	5	6	7	8	9	10	11	12	13	14	15	16	17	
Amanda M. Burden, FAICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Richard W. Eaddy, Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Rayann Besser	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Irwin G. Cantor, P.E.	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Betty Y. Chen	P	Y	R	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Maria M. Del Toro	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Nathan Leventhal	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Anna Hayes Levin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Orlando Marin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Shirley A. McRae	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Karen A. Phillips, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	

MEETING ADJOURNED AT: 10:50 A.M.

NOTE: Commissioner Chen Recused on Cal. No. 5

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

CITY PLANNING COMMISSION

WEDNESDAY, OCTOBER 19, 2011

**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. 20]

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

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).

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.

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

For Additional Calendar Information: call (212) 720-3370.

B

CITY PLANNING COMMISSION

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

AMANDA M. BURDEN, FAICP, Chair

RICHARD W. EADDY, Vice Chairman

ANGELA M. BATTAGLIA

RAYANN BESSER

IRWIN G. CANTOR, P.E.

ALFRED C. CERULLO, III

BETTY Y. CHEN

MARIA M. DEL TORO

NATHAN LEVENTHAL

ANNA HAYES LEVIN

ORLANDO MARIN

SHIRLEY A. MCRAE

KAREN A. PHILLIPS, Commissioners

YVETTE V. GRUEL, Calendar Officer

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a.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 November 2, 2011 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

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 _____ ULURP No.: _____ CD No.: _____

Position: Opposed _____

 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address: _____ Title: _____

OCTOBER 19, 2011

APPROVAL OF MINUTES OF the Regular Meeting of October 5, 2011

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, NOVEMBER 2, 2011**

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

BOROUGH OF MANHATTAN

Nos. 1 & 2

BROADWAY MALL

No. 1

CD 7

C 100122 MMM

IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Transportation, 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 elimination, discontinuance and closing of portions of Broadway between West 94th Street and West 97th Street;
- the establishment of parks within Broadway between West 94th Street and West 97th Street;
- the establishment of block dimensions and street widths; and
- the adjustment of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30240, dated October 29, 2010 and signed by the Borough President.

Resolution for adoption scheduling November 2, 2011 for a public hearing.

No. 2

CD 7

N 120037 ZRM

IN THE MATTER OF an application submitted by the New York City Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Section 12-10 (DEFINITIONS), relating to the defined term "wide street".

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

ARTICLE I: GENERAL PROVISIONS

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

DEFINITIONS

* * *

Street, wide (~~10/17/07~~)

A "wide street" is any #street# 75 feet or more in width. (ADD PROPOSED SPACE BETWEEN LINES HERE)

In C5-3, C6-4 or C6-6 Districts, when a #front lot line# of a #zoning lot# adjoins a portion of a #street# whose average width is 75 feet or more and whose minimum width is 65 feet, such portion of a #street# may be considered a #wide street#; or when a #front lot line# adjoins a portion of a #street# 70 feet or more in width, which is between two portions of a #street# 75 feet or more in width, and which portion is less than 700 feet in length, such portion may be considered a #wide street#, and in that case, for the purposes of the height and setback regulations and the measurement of any #publicly accessible open area# or #arcade#, the #street line# shall be considered to be a continuous line connecting the respective #street lines# of the nearest portions of the #street# which are 75 feet or more in width.

In Community District 7 in the Borough of Manhattan, the roadways of Broadway between West 94th and West 97th Streets which are separated by mapped #public park# shall each be considered a #wide street#.

Resolution for adoption scheduling November 2, 2011 for a public hearing.

BOROUGH OF QUEENS

No. 3

BROAD CHANNEL VOLUNTEER FIREHOUSE

CD 14

C 120052 ZSQ

IN THE MATTER OF an application submitted by the Broad Channel Volunteers Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-67 of the Zoning Resolution as follows:

1. to allow a fire station to be located in a residence district; and
2. to allow the applicable community facility regulations as set forth in Sections 24-33 and 24-521 of the Zoning Resolution to apply;

to facilitate the development of a fire station on property located at 305 Cross Bay Boulevard (Block 15304, Lot 450), in an R3-2 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, NY, 10007.

Resolution for adoption scheduling November 2, 2011 for a public hearing.

II. REPORTS

BOROUGH OF THE BRONX

No. 4

EL RIO RESIDENCE

CD 6

C 110365 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at East 179th Street (Block 3140, part of Lot 32), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story building with approximately 65 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

(On September 21, 2011, Cal. No. 1, the Commission scheduled October 5, 2011 for public hearing. On October 5, 2011, Cal. No. 6, the hearing was closed.)

For consideration.

No. 5

BRONX RIVER ARTS CENTER

CD 6

C 110366 HAX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property consisting of a portion of the former sidewalk of demapped Boston Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, Lot 1) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such an area;

to provide egress for emergency access purposes to the existing Bronx River Arts Center.

(On September 21, 2011, Cal. No. 2, the Commission scheduled October 5, 2011 for public hearing. On October 5, 2011, Cal. No. 7, the hearing was closed.)

For consideration.

Nos. 6-13

ADMIRAL'S ROW PLAZA

No. 6

CD 2

C 110380 PQK

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 acquisition of property located at the Brooklyn Navy Yard (Block 2023, Lot 50).

(On August 24, 2011, Cal. No. 4, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 14, the hearing was closed.)

For consideration.

No. 7

CD 2

C 110381 PPK

IN THE MATTER OF an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Brooklyn Navy Yard at 2 Wallabout Street, on the northeasterly corner of Navy and Nassau streets (Block 2023, Lots 50 and p/o Lot 1), subject to restrictions limiting development to the project that is the subject of a special permit for bulk modification to allow certain rear yard encroachments pursuant to ZR Section 74-743(a)(2), an authorization to provide a 266 space group parking facility pursuant to ZR Section 74-53, and authorization to construct and occupy five retail buildings with no limitation on floor area per establishment pursuant to ZR Section 74-922, respectively.

(On August 24, 2011, Cal. No. 5, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 15, the hearing was closed.)

For consideration.

No. 8

CD 2

C 110382 ZMK

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, by changing from an M1-2 District to an M1-4 District property bounded by the easterly centerline prolongation of Sands Street, a line 400 feet easterly of Navy Street, a line 400 feet northerly of Nassau Street, a line 680 feet easterly of Navy Street, Nassau Street, and Navy Street, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

(On August 24, 2011, Cal. No. 6, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 16, the hearing was closed.)

For consideration.

No. 9**CD 2****N 110383 ZRK**

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation 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 4 (Special Permits by the City Planning Commission), relating to ownership requirements for Large Scale General Developments in Community District 2, Borough of Brooklyn.

Matter in underline is new, to be added;

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

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

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

74-742

Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-Scale General Development) shall be on a tract of land which 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. No special permit shall be granted 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 #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When a #large-scale general development# is located within a designated urban renewal area, the City's urban renewal agency, or a person authorized by such agency, may apply for and be granted a special permit under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section. All parcels comprising such #large-scale general 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 #large-scale general development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, or when the site of a proposed #large-scale general development# is owned by the federal government and is within Community District 2 in the borough of Brooklyn, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section.

* * *

(On August 24, 2011, Cal. No. 7, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 17, the hearing was closed.)

For consideration.

No. 10

CD 2

C 110375 ZSK

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation 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 allow the location of a proposed building without regard for the rear yard regulations of Section 43-20 (Yard Regulations) in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District*, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

* Note: The site is proposed to be rezoned from an M1-2 District to an M1-4 District under a concurrent related application (C 110382 ZMK).

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 August 24, 2011, Cal. No. 8, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 18, the hearing was closed.)

For consideration.

No. 11**CD 2****C 110376 ZSK**

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the sign regulations of Section 32-64 (Surface Area and Illumination Provisions) and Section 32-65 (Permitted Projection or Height of Signs) in connection with a proposed commercial development, on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District*, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

* Note: The site is proposed to be rezoned from an M1-2 District to an M1-4 District under a concurrent related application (C 110382 ZMK).

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 August 24, 2011, Cal. No. 9, the Commission scheduled September 7, 2011 for a public hearing On September 7, 2011, Cal. No. 19, the hearing was closed.)

For consideration.

**No. 12****CD 2****C 110377 ZSK**

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation 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 modify the requirements of Section 44-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility accessory to uses in a large-scale general development, with a maximum capacity of 266 spaces in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District*, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

* Note: The site is proposed to be rezoned from an M1-2 District to an M1-4 District under a concurrent related application (C 110382 ZMK).

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 August 24, 2011, Cal. No. 10, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 20, the hearing was closed.)

For consideration.



No. 13

CD 2

C 110378 ZSK

IN THE MATTER OF an application submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area, in connection with the proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District*, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

* Note: The site is proposed to be rezoned from an M1-2 District to an M1-4 District under a concurrent related application (C 110382 ZMK).

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 August 24, 2011, Cal. No. 11, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 21, the hearing was closed.)

For consideration.



BOROUGH OF BROOKLYN**Nos. 14 & 15*****SPECIAL 4TH AVENUE ENHANCED COMMERCIAL DISTRICT*****No. 14****CDs 2, 6 & 7****C 110386 ZMK**

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c & 16d, by establishing a Special Fourth Avenue Enhanced Commercial District (EC) bounded by a line midway between Atlantic Avenue and Pacific Street, 4th Avenue, Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, the northeasterly boundary line of James J. Byrne Memorial Park and Playground, a line 100 feet southeasterly of 4th Avenue, 24th Street, 4th Avenue, Prospect Avenue, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

(On September 7, 2011, Cal. No. 1, the Commission scheduled September 21, 2011 for a public hearing. On September 21, 2011, Cal. No. 5, the hearing was closed.)

For consideration.

No. 15
CD 2, 6, 7**N 110387 ZRK**

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 I, Chapters I, II and IV, and Article XIII, Chapter 2, to establish the Special Fourth Avenue Enhanced Commercial District.

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of September 21, 2011 (Cal. No. 6) and at the Department of City Planning web site: (www.nyc.gov/planning).

(On September 7, 2011, Cal. No. 2, the Commission scheduled September 21, 2011 for a public hearing. On September 21, 2011, Cal. No. 6, the hearing was closed.)

For consideration.



No. 16

LIFE QUALITY MOTORS

CD 7

M 830094(B) ZMK

IN THE MATTER OF an application submitted by 8902 Foster Avenue, LLC for a modification to Restrictive Declaration D-86, which was approved as part of a Zoning Map Amendment (C 830094 ZMK) involving:

1. eliminating the restriction on Use Group 16B (automotive service establishments) uses only on Block 5807, Lot 40, with a prohibition on automotive paint spraying;
2. allowing open accessory parking on the zoning lot; and
3. updating the plan attached as Exhibit D, governing tree replacement, to reflect the proposed conditions;

on property bounded by 2nd Avenue, 63rd Street, 3rd Avenue and 64th Street (Block 5807, Lots 1 and 40), in a C8-1 District.

For consideration.



BOROUGH OF MANHATTAN

No. 17

259 10TH AVENUE

CD 4

C 110334 ZSM

IN THE MATTER OF an application submitted by Avenues World 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 74-711 of the Zoning Resolution to modify the use requirements of Section 98-14 (Ground Floor Use and Transparency Requirements on Tenth Avenue) and the maximum building height requirements of Section 98-423 (Street wall location, minimum and maximum base heights and maximum building heights) in connection with the conversion of an existing 10-story building to school use, on property located at 259 Tenth Avenue (Block 697, Lot 31), in a C6-3 District, within the Special West Chelsea District (Sub Area C).

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 August 24, 2011, Cal. No. 2, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 12, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 18

ARTHUR KILL ROAD

CD 3

N 060558 RAR

IN THE MATTER OF an application submitted by Shahar Spitzer for the grant of authorization pursuant to Section 107-68 of the Zoning Resolution for the modification of group parking facility and access regulations to allow the construction of an enlargement of a commercial building on property located at 1281 Arthur Kill Road (Block 5900, Lot 120) in an M1-1 District, within the Special South Richmond District.

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

No. 19

THEATER SUBDISTRICT FUND

PROPOSED RULE CHANGE

PUBLIC HEARING:

In accordance with Sections 192 and 1043 of the New York City Charter, and pursuant to Section 81-744(a)(5) of the New York City Zoning Resolution (the “Zoning Resolution”), the New York City Planning Commission (“City Planning Commission”) proposes to amend Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York. This rule was not included in the agency’s 2011-2012 regulatory agenda.

Instructions

- Any person in attendance at this hearing shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes.
- Each speaker shall be allotted a maximum of three (3) minutes.
- Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Wesley O’Brien by September 28th, 2011 at the following address: Office of the Counsel, New York City Department of City Planning, 22 Reade Street, New York, NY 10007.
- Prior to the hearing, you may submit written comments about the proposed rule to Wesley O’Brien by mail or electronically through NYC Rules at www.nyc.gov/nycrules.
- Until November 2, 2011, written comments received and a recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at 22 Reade Street, New York, NY 10007, by contacting the Records Access Officer at (212) 720-3208.

Statement of Basis and Purpose of Proposed Rule

Statutory Authority

This rule is promulgated pursuant to the authority of the City Planning Commission under Sections 192 and 1043 of the New York City Charter and pursuant to Section 81-744(a)(5) of the Zoning Resolution. Section 81-744 of the Zoning Resolution requires that every three to five years the City Planning Commission must review and adjust the contribution amount that is required in conjunction with transfers of development rights from listed theaters in the Theater Subdistrict. Such adjustment must specifically reflect the change in assessed value of all properties on zoning lots wholly within the Theater Subdistrict. This rule is exempt from Local Law 46 of 2010 pursuant to section 1043(d)(4)(iii) of the New York City Charter.

Statement of Purpose

In accordance with Section 81-744 of the Zoning Resolution, the City Planning Commission shall allow the transfer of development rights from listed theaters in the Theater Subdistrict by certification or authorization. Certification or authorization shall be granted, provided that, among other requirements, the appropriate legal documents are executed ensuring that a contribution in an amount, which is presently established to be \$14.91 per square foot of transferred floor area, is deposited in the Theater Subdistrict Fund. The City Planning Commission is required to periodically review the contribution amount and to adjust such amount to reflect any change in the assessed value of all properties on zoning lots situated entirely within the Theater Subdistrict.

Based on data provided by the New York City Department of Finance (“DOF”), it was determined that from 1998 to 2006 the assessed value of all properties situated entirely within the Theater Subdistrict increased 49.06% per square foot. Accordingly, a 2006 rule increased the required Theater Subdistrict Fund contribution from \$10.00 to \$14.91 per square foot of development rights transferred from designated theaters.

Based on DOF data, it has been determined that from 2006 to 2011 the assessed value of all properties situated entirely within the Theater Subdistrict has increased 18% per square foot. DOF data shows that in 2006, the total built floor area of the Theater Subdistrict was 81,642,687 square feet, the total assessed value of such properties was \$8,621,852,552, and therefore the total assessed value per square foot was \$105.60. DOF data also shows that in 2011, the total built floor area in the Theater Subdistrict was 95,701,919 square feet, the total assessed value of such properties was \$11,926,866,079, and therefore the total assessed value per square foot was \$124.63. Given that the assessed value of all properties has increased \$19.02 per square foot or 18% from 2006 to 2011, the proposed rule would correspondingly increase the required Theater Subdistrict Fund contribution by 18%, from \$14.91 to \$17.60 per square foot of development rights transferred from the listed theaters.

All DOF data referenced above is on file at the Department of City Planning and available for public inspection between the hours of 9:00 A.M. and 5:00 P.M. at 22 Reade Street, New York, NY 10007, by contacting the Records Access Officer at (212) 720-3208.

Summary of Provisions

The proposed rule amends Section 3-08 of Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York to provide that a contribution of \$17.60 per square foot must be made in conjunction with development rights transferred from the listed theaters.

Material to be deleted is enclosed in [brackets] and material to be added is underlined.

Section 1. Section 3-08 of Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York is amended to read as follows:

SUBCHAPTER C. CONTRIBUTIONS

§3-08. Contributions to Theater Subdistrict Fund Pursuant to Section 81-744 of the New York City Zoning Resolution.

Contributions to the Theater Subdistrict Fund pursuant to Section 81-744 of the New York City Zoning Resolution shall be made in an amount equal to \$[14.91]17.60 per square foot of floor area transferred.

(On October 5, 2011, Cal. No. 1, the Commission scheduled October 19, 2011 for a public hearing which has been duly advertised.

Close the hearing.



No. 20

BOROUGH HALL HISTORIC DISTRICT

CD 2

N120069 HKK

IN THE MATTER OF a communication dated September 22, 2011, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Borough Hall Skyscraper District, designated by the Landmarks Preservation Commission on September 13, 2011 (List No. 447, LP No. 2449). The district boundaries are:

bounded by a line beginning at the intersection of the southern curblineline of Montague Street and the western curblineline of Court Street, continuing southerly along the western curblineline of Court Street to a point formed by its intersection with a line extending westerly from and parallel with the lowest stair riser of the front steps of Brooklyn Borough Hall at 209 Joralemon Street (aka 209-245 Joralemon Street, 1-43 Court Street, and 384 Adams Street), easterly along said line to a point formed by its intersection with a line extending northerly from and parallel to the eastern outside wall of Brooklyn Borough Hall at 209 Joralemon Street (aka 209-245 Joralemon Street, 1-43 Court Street, and 384 Adams Street), southerly along said line and across the roadbed of Joralemon Street to the southern curblineline of Joralemon Street, easterly along said curblineline to a point formed with its intersection with a line extending northerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of said property line, easterly along a portion of the northern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street) to a point formed by its intersection with a line extending easterly from a portion of the southern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), westerly along said line and a portion of the southern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), southerly along a portion of the eastern property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street), westerly along a portion of the southerly property line of 210 Joralemon Street (aka 208-230 Joralemon Street and 45-63 Court Street) to the eastern curblineline of Court Street, southerly along said curblineline to the northern curblineline of Livingston Street, across the roadbed of Court Street and along the northern curblineline of Livingston Street to a point formed by its intersection with a line extending southerly from the western property line of 75 Livingston Street (aka 71-75 Livingston Street and 66 Court Street), northerly along said property line and a portion of the western property line of 62 Court Street (aka 58-64 Court Street), westerly along a portion of the southern property line of 62 Court Street (aka 58-64 Court Street), a portion of the southern property line of 50 Court Street (aka 46-50 Court Street and 194-204 Joralemon Street), and a portion of the southern property line of 186 Joralemon Street (aka 186-190 Joralemon Street), northerly along a portion of the western property line of 186 Joralemon Street (aka 186-190 Joralemon Street), westerly along a portion of the southern property line of 186 Joralemon Street (aka 186-190 Joralemon Street) and along a portion of the southern property line of 184 Joralemon Street, southerly along a portion of the eastern property line of 184 Joralemon Street, westerly along a portion of the southern property line of 184 Joralemon Street, northerly along the western property line of 184 Joralemon Street, across the roadbed of Joralemon Street, and along the western property line of 191 Joralemon Street (aka 187-191 Joralemon Street), easterly along the northern property lines of 191 Joralemon Street (aka 187-191 Joralemon Street) and 193 Joralemon Street and a portion of the northern property line of 44 Court Street (aka 38-44 Court Street and 195-207 Joralemon Street), northerly along the western property line of 186 Remsen Street (aka 184-188 Remsen Street) and across the roadbed of Remsen Street to the northern curblineline of Remsen Street, westerly along said curblineline to a point formed by its intersection with a line extending southerly from a portion of the western property line of 188 Montague Street (aka 188-190 Montague Street and 165 Remsen Street), northerly along said property line, westerly along a portion of the southern property line

of 188 Montague Street (aka 188-190 Montague Street and 165 Remsen Street) and the southern property line of 186 Montague Street (aka 184-186 Montague Street), northerly along the western property line of 186 Montague Street (aka 184-186 Montague Street) to the southern curblineline of Montague Street, easterly along said curblineline to the point of the beginning.

(On October 5, 2011, the Commission duly advertised October 19, 2011 for a public hearing.)

Close the hearing.

IV. CITY PLANNING COMMISSION 2011 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8 NEW YEAR'S DAY
	9	10	11	12	13	14	15
	16	17 MARTIN LUTHER KING, JR. DAY	18	19	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
	30	31					
FEBRUARY			1	2	3 CHINESE NEW YEAR	4	5
	6	7	8	9	10	11	12 LINCOLN'S BIRTHDAY
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
	20	21 PRESIDENTS' DAY	22	23	24	25	26
	27	28 REVIEW SESSION					
MARCH			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	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING	31		
APRIL						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18 PALM SUNDAY	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
MAY	1	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30 MEMORIAL DAY OBSERVED	31				
JUNE				1	2	3	4
	5	6 REVIEW SESSION	7 CPC PUBLIC MEETING	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		
JULY						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30
AUGUST	31						
		1 1st DAY RAMADAN	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
SEPTEMBER	28	29	30	31			
					1	2	3
	4	5 LABOR DAY	6 REVIEW SESSION	7 CPC PUBLIC MEETING	8	9	10
	11	12	13	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
OCTOBER	25	26	27	28	29	30	
	2	3 REVIEW SESSION	4	5 CPC PUBLIC MEETING	6	7	8 YOM KIPPUR
	9	10 COLUMBUS DAY OBSERVED	11	12	13	14	15
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
NOVEMBER	23	24	25	26	27	28	29
	30	31 REVIEW SESSION					
	6	7	8 ELECTION DAY	9	10	11 VETERANS' DAY	12
	13	14 REVIEW SESSION	15	16 CPC PUBLIC MEETING	17	18	19
DECEMBER	20	21	22	23	24	25	26
	27	28 REVIEW SESSION	29	30 CPC PUBLIC MEETING			
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17
DECEMBER	18	19	20	21	22	23	24
	25	26 HWANZAA BEGINS	27	28 HANUKKAH	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.

V. CITY PLANNING COMMISSION 2012 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY	1 New Year's Day	2 New Year's Observed	3 REVIEW SESSION	4 CPC PUBLIC MEETING	5	6	7
	8	9	10	11	12	13	14
	15 Martin Luther King, Jr. Day	16	17	18	19	20	21
	22 Chinese New Year	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
FEBRUARY				1	2	3	4
	5	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11
	12 Lincoln's Birthday	13	14	15	16	17	18
	19 President's Day	20	21	22 Ash Wednesday Washington's Birthday	23	24	25
	26	27 REVIEW SESSION	28	29 CPC PUBLIC MEETING			
MARCH					1	2	3
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17 St. Patrick's Day
	18	19	20	21	22	23	24
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	31
APRIL	1 Palm Sunday	2	3	4		6 Good Friday	7 Passover
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15 Easter	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30					
MAY			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 Memorial Day Observed	29	30	31		
JUNE						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	26	27	28	29	30
JULY							
	1	2	3	4 Independence Day	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20 First Day Ramadan	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
AUGUST				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 REVIEW SESSION	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	14	15
	16	17 Rosh Hashanah	18 REVIEW SESSION	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26 Yom Kippur	27	28	29
	30						
OCTOBER		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6
	7	8 Columbus Day Observed	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	31 CPC PUBLIC MEETING			
NOVEMBER					1	2	3
	4	5	6 Election Day	7	8	9	10
	11 Veterans' Day	12 Veterans' Day Observed	13 Diwali	14 CPC PUBLIC MEETING	15	16	17
	18	19	20	21	22	23	24
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	
DECEMBER	2	3	4	5	6	7	8
	9	10	11	12	13	14	15
	16 Hanukkah	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22
	23	24	25	26 Kwanzaa Begins	27	28	29
	30	31					

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 PM
Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 AM