# CITY PLANNING COMMISSION DISPOSITION SHEET

									Calendar Officer 30 <sup>th</sup> Floor									
10:00 A.M. NYC CITY PLANNING COMMISSION HEARING ROOM. New York, New York 10271																		
LOWER CONCOURSE, 120, NEW YORK, NY 10271 (212) 720-3370																		
CAL NO.	ULURP NO.	CD NO.		PROJECT NAME								C.P.C. ACTION						
1	C 180096 ZMK	2	142-150 SOUTH PORTLAND AVENUE REZONING								Scheduled to be Heard 4/11/18							
2	N 180097 ZRK	2				"	"							" "				
3	N 180184 ZRM	5	1568 BRO	1568 BROADWAY-PALACE THEATRE TEXT AMENDMENT										"	"			
4	C 150348 ZSM	2			85	MERC	CER S	TREE	Г				n n					
5	C 180170 ZMM	2		180-	-188 A	VENUE	E OF T	HE AN	IERIC	AS					"	"		
6	N 180153 HAX	3		1	490 S	OUTHE	ERN B	OULE	VARD				Favorable Report Adopted					
7	C 150253 PQK	7		ST.	ANDR	EW'S	DAY C	ARE	CENT	ER					"	"		
8	C 180209 ZMQ	13	N	IYPD	116 <sup>™</sup>	PREC		STATI	ONHC	USE					"	"		
9	C 180210 PSQ	13				"	"								"	"		
10	N 180134 RCR	3		156,	160, 10	64 & 10	68 HO	PKINS	AVEN	IUE					"	"		
11	C 180242 PPX	12			E	DENW	ALD Y	YMCA					Hearing Closed					
12	N 180238 ZRM	4	HUDSON	N BO	ULEV	ARD A	ND PA		EXT A	MEND	MENT				"	"		
COMMIS	SION ATTENDANCE	:	Present (P) Absent (A)			/IISSIC /or - Y					- AB	Recu	se - R	1				
		•	alendar Numbe		•	7	8	9	40									
Marisa L	ago, Chair	U	alendar Numbe	P	6 Y	Y	o Y	9 Y	10 Y									
Kenneth	J. Knuckles, Esq., V	ice Chai	rman	P	Y	Y	Y	Y	Y									
Rayann	Besser			P	Y	Y	Y	Y	Y									
Alfred C	. Cerullo, III			Α														
	R. De La Uz			Ρ	Y	Y	Y	Y	Y									
Joseph I. Douek				Р	Y	Y	Y	Y	Y									
Richard W. Eaddy				Α														
				Α														
Hope Knight P Anna Hayes Levin				Ρ	Y	Y	Y	Y	Y									
Orlando Marin				Ρ	Y	Y	Y	Y	Y									
	Larisa Ortiz, Commissioners				Y Y	Y	Y	Y	Y									
P						Y	Y	Y	Y									

MEETING ADJOURNED AT: 11:05 A.M.

# COMPREHENSIVE

# CITY PLANNING CALENDAR

of

The City of New York

# **CITY PLANNING COMMISSION**

# WEDNESDAY, MARCH 28, 2018

# MEETING AT 10:00 A.M. AT NYC CITY PLANNING COMMISSION HEARING ROOM, LOWER CONCOURSE, 120 BROADWAY NEW YORK, NEW YORK



Bill de Blasio, Mayor City of New York

[No. 7]

# 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

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# 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).

**NOTICE--CALENDARS:** City Planning Commission calendars and disposition sheets are now available on the Department of City Planning's web site (<u>www.nyc.gov/planning</u>).

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 120 Broadway – 31<sup>st</sup> Floor New York, New York 10271

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

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# **CITY PLANNING COMMISSION**

# 120 Broadway, 31<sup>st</sup> Floor, New York, N.Y. 10271

MARISA LAGO, *Chair* KENNETH J KNUCKLES, *Esq., Vice Chairman* RAYANN BESSER ALFRED C. CERULLO, III MICHELLE R. DE LA UZ JOSEPH I. DOUEK RICHARD W. EADDY CHERYL COHEN EFFRON HOPE KNIGHT ANNA HAYES LEVIN ORLANDO MARIN LARISA ORTIZ, *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 NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, Manhattan, unless otherwise ordered.

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#### WEDNESDAY MARCH 28, 2018

Community Board Public Hearing Notices are available in the Calendar Information Office, 31 <sup>st</sup> Floor, 120 Broadway, New York, N.Y. 10271	
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Roll Call; Approval of Minutes	.1

The next regular public meeting of the City Planning Commission is scheduled for April 11, 2018.

# **GENERAL INFORMATION**

С

#### 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 generally be called in the order these slips are submitted, with the exception that public officials will be allowed to speak first. If many people wish to speak on a particular item, statements may 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.

**Electronic Comments:** 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 submit comments electronically using the <u>CPC Comments Form</u> that is located on the public meeting page of the Department of City Planning website:

http://www1.nyc.gov/site/planning/about/commission-meetings.page

**Written Comments:** Anyone wishing to present written 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 also 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 – 31<sup>st</sup> Floor 120 Broadway, New York, N.Y. 10271

Subject			
Date of Hearing	Calendar	No	
Borough	ULURP No.:	CD No.:	
Position: Opposed			
In Favor			
Comments:			
Name:			
Organization (if any)			

#### MARCH 28, 2018

# **APPROVAL OF THE MINUTES OF the Regular Meeting of March 14, 2018**

# I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR WEDNESDAY, APRIL 11, 2018 STARTING AT 10:00 A. M. NYC CITY PLANNING COMMISSION HEARING ROOM, LOWER CONCOURSE, 120 BROADWAY NEW YORK, NEW YORK

#### **BOROUGH OF BROOKLYN**

# Nos. 1 & 2

# 142-150 SOUTH PORTLAND AVENUE REZONING

#### No. 1

# **CD 2**

#### C 180096 ZMK

**IN THE MATTER OF** an application submitted by South Portland LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 16c:

- changing from an R7A District to an R8A District property bounded by South Elliott Place, Hanson Place, South Portland Avenue, a line 235 feet southerly of Hanson Place, a line midway between South Portland Avenue and South Elliott Place, a line 275 feet southerly of Hanson Place; and
- establishing a Special Downtown Brooklyn District on property bounded by South Elliott Place, Hanson Place, South Portland Avenue, a line 235 feet southerly of Hanson Place, a line midway between South Portland Avenue and South Elliott Place, a line 275 feet southerly of Hanson Place; and
- 3. establishing a C2-4 district on property bounded by South Elliott Place, Hanson Place, South Portland Avenue and a line 100 feet southerly of Hanson Place;

# Resolution for adoption scheduling April 11, 2018 for a public hearing.

# No. 2

# **CD 2**

**IN THE MATTER OF** an application submitted by South Portland, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of eliminating a portion of an Inclusionary Housing designated area to establish a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections.

Matter <u>underlined</u> is new, to be added; Matter <del>struck out</del> is to be deleted;

conditions of CEQR Declaration E-460.

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

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

#### ARTICLE X

# SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Downtown Brooklyn District

\* \* \*

101-20 SPECIAL BULK REGULATIONS

\* \* \*

N 180097 ZRK

# 101-22 Special Height and Setback Regulations

The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Section 101-221 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Brooklyn District#.

In R7-1, C5-4, C6-1 and C6-4 Districts, except C6-1A Districts, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the provisions of Section 101-222 (Standard height and setback regulations) or, as an option where applicable, Section 101-223 (Tower regulations). #Buildings or other structures# within the Flatbush Avenue Extension and Schermerhorn Street Height Limitation Areas shall comply with the provisions of Section 101-30 (SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS). However, the underlying height and setback regulations shall apply to any #Quality Housing building#, except that Quality Housing height and setback regulations shall not be applicable within any R7-1 District mapped within a C2-4 District.

In R8A Districts between Hanson Place and Academy Park Place, no #building or other structure# or any portion of a #building or other structure# that fronts on South Portland Avenue shall exceed a height of 95 feet if located within 25 feet of an R7A District.

\* \* \*

# **APPENDIX E**

Special Downtown Brooklyn District Maps

Map 1. Special Downtown Brooklyn District and Subdistricts

# [EXISTING MAP]



- Special Downtown Brooklyn District
- AA Atlantic Avenue Subdistrict
- FM Fulton Mall Subdistrict

[PROPOSED MAP]



- AA Atlantic Avenue Subdistrict
- FM Fulton Mall Subdistrict

Map 2. Ground Floor Retail Frontage

# [EXISTING MAP]



Special Downtown Brooklyn District
 Retail Continuity Required
 Subdistricts

# [PROPOSED MAP]



Special Downtown Brooklyn District
 Retail Continuity Required
 Subdistricts

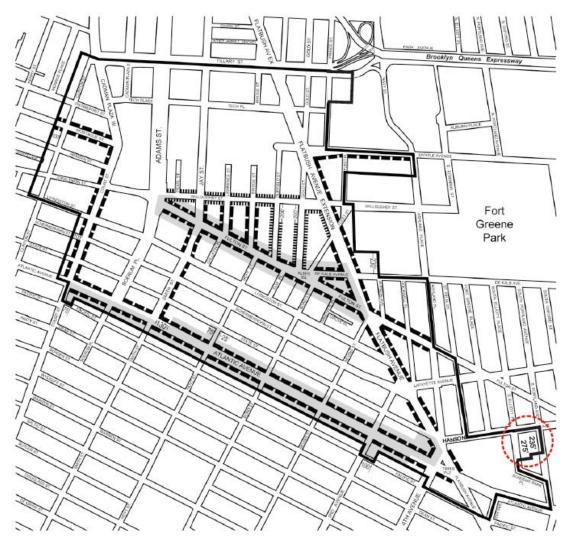
Map 3. Ground Floor Transparency Requirements

# [EXISTING MAP]



Special Downtown Brooklyn District
 50% of the Area of the Ground Floor Street Wall to be Glazed
 70% of the Area of the Ground Floor Street Wall to be Glazed
 Subdistricts





Special Downtown Brooklyn District
 50% of the Area of the Ground Floor Street Wall to be Glazed
 70% of the Area of the Ground Floor Street Wall to be Glazed
 Subdistricts

Map 4. Street Wall Continuity and Mandatory Sidewalk Widenings

# [EXISTING MAP]



- --- Street Wall Continuity Required
- Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- Street Wall Continuity and Sidewalk Widening Required

[PROPOSED MAP]



- Special Downtown Brooklyn District
- --- Street Wall Continuity Required
- Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- Street Wall Continuity and Sidewalk Widening Required

Map 5. Curb Cut Restrictions

# [EXISTING MAP]



- --- Curb Cut Prohibition
- Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

[PROPOSED MAP]



- Special Downtown Brooklyn District
- --- Curb Cut Prohibition
- Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

Map 6. Height Limitation Area

# [EXISTING MAP]



# - Special Downtown Brooklyn District

- Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- B Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- © Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet



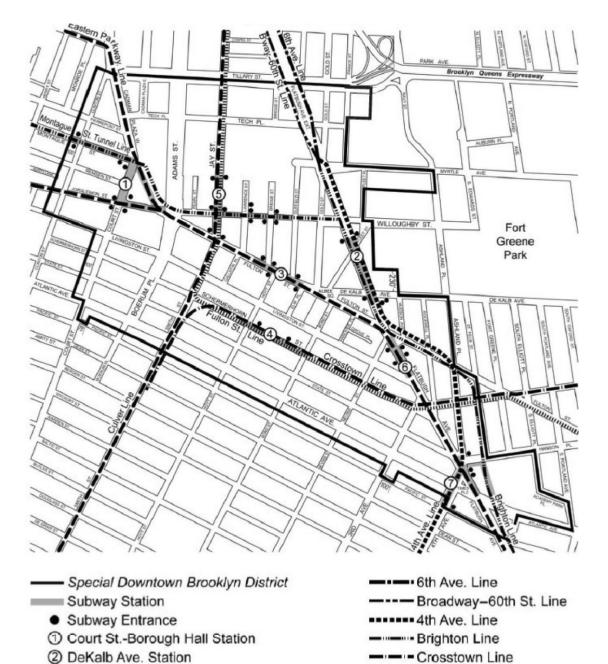


- Special Downtown Brooklyn District

Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
 Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
 Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
 Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

Map 7. Subway Station Improvement Areas

# [EXISTING MAP]



③ Hoyt St. Station

6 Nevins St. Station

④ Hoyt-Schermerhorn Streets Station

⑦ Atlantic Ave. Pacific St. Station

S Jay St.-Borough Hall-Lawrence St. Station

-- Culver Line

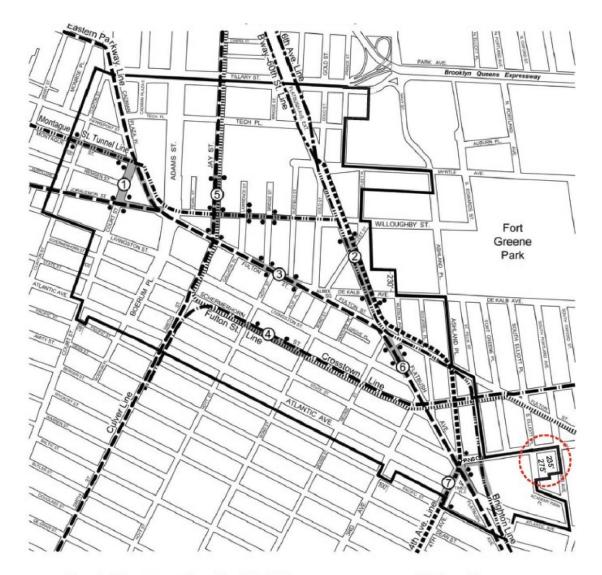
Fulton St. Line

----- Montague St. Tunnel Line

- Eastern Parkway Line

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# [PROPOSED MAP]



- Special Downtown Brooklyn District
- Subway Station
  - Subway Entrance
  - 1 Court St.-Borough Hall Station
  - ② DeKalb Ave. Station
  - ③ Hoyt St. Station
  - ④ Hoyt-Schermerhorn Streets Station
  - S Jay St.-Borough Hall-Lawrence St. Station
  - 6 Nevins St. Station
  - ⑦ Atlantic Ave. Pacific St. Station

- -----6th Ave. Line
- ---- Broadway-60th St. Line
- -----4th Ave. Line
- -----Brighton Line
- ---- Crosstown Line
  - ---- Culver Line
- Fulton St. Line
- ----- Montague St. Tunnel Line
- ---- Eastern Parkway Line

# **APPENDIX F**

# **Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

# BROOKLYN

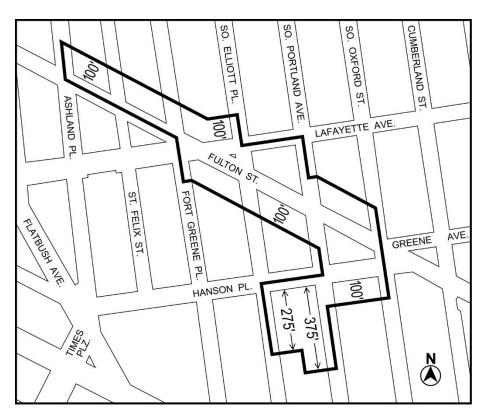
\* \* \*

**Brooklyn Community District 2** 

\* \* \*

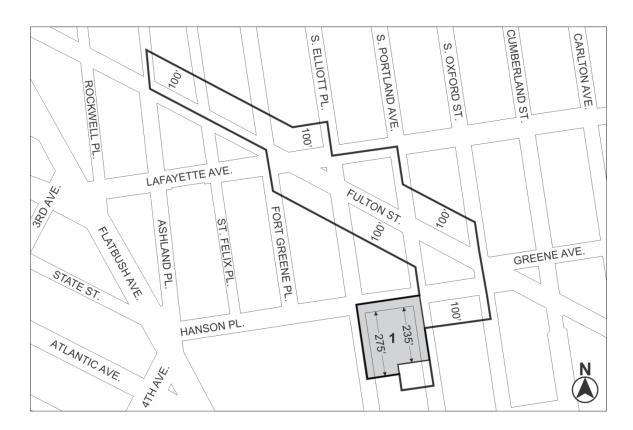
Map 2 - [date of adoption]

[EXISTING MAP]



\* \* \*

[PROPOSED MAP]





Inclusionary Housing Designated Area Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)* Area **1** [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 2, Brooklyn

\* \* \*

Resolution for adoption scheduling April 11, 2018 for a public hearing.

#### **BOROUGH OF MANHATTAN**

#### No. 3

#### 1568 BROADWAY-PALACE THEATRE TEXT AMENDMENT

#### **CD 5**

#### N 180184 ZRM

**IN THE MATTER OF** an application submitted by Times Square Hotel Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying the Times Square signage requirements and the street wall and setback regulations of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District).

Matter <u>underlined</u> is new, to be added; Matter <del>struck out</del> is to be deleted; Matter within # # is defined in Section 12-10;

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

# ARTICLE VIII SPECIAL PURPOSE DISTRICTS

Chapter 1 Special Midtown District

81-00 GENERAL PURPOSES

\* \* \*

81-10 USE REGULATIONS

# 81-11 Modifications of Use Regulations in Subdistricts

The #use# regulations of the underlying districts are modified in:

(a) the East Midtown Subdistrict in accordance with the provisions of Section 81-62 (Special Use Provisions), inclusive;

- (b) the Theater Subdistrict in accordance with the provisions of Sections 81-72 (Use Regulations Modified) and 81-73 (Special Sign and Frontage Regulations); and
- (c) the Fifth Avenue Subdistrict in accordance with the provisions of Section 81-82 (Special Regulations on Permitted and Required Uses).

\* \* \*

# 81-70 SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

\* \* \*

81-73 Special Sign and Frontage Regulations

\* \* \*

# 81-732 Special Times Square signage requirements

The provisions of this Section shall apply to all #developments# and #enlargements# on #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway in the Theater Subdistrict.

\* \* \*

(a) All #developments# located on #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway shall provide #signs# meeting all of the following requirements:

\* \* \*

(2) In addition, #illuminated signs# shall be provided with a minimum aggregate #surface area# of 12 square feet for each linear foot of #street# frontage of the #zoning lot# on Seventh Avenue, Broadway and intersecting #narrow streets# up to the first 40 linear feet of #street# frontage from either Seventh Avenue or Broadway.

No portion of any #illuminated sign# required under this paragraph (a)(2) shall be located:

- (i) further than 40 feet from the Broadway or Seventh Avenue #street line#;
- (ii) below a height of 10 feet above #curb level# or above the top of the #street wall# of the #building# before setback as defined in Section 81-75 (Special Street Wall and Setback Requirements).

There shall be a minimum of one #sign# with a #surface area# of not less than 100 square feet for each 25 linear feet, or part thereof, of #zoning lot street# frontage on Seventh Avenue or Broadway.

(3) In addition, #illuminated signs# shall be provided with a minimum aggregate #surface area# of 50 square feet for each linear foot of #street# frontage of the #zoning lot# on Seventh Avenue, Broadway and intersecting #narrow streets# up to the first 40 linear feet of #street# frontage from either Broadway or Seventh Avenue, except that for any one #zoning lot#, the required minimum aggregate #surface area# shall not exceed 12,000 square feet.

No portion of any #illuminated sign# required under this paragraph (a)(3) shall be located:

- (i) further than 40 feet from the Seventh Avenue or Broadway #street line# except that, for a #zoning lot# with #street# frontage on Seventh Avenue, Broadway and at least one #narrow street#, the areas of required #signs# specified in paragraph (a)(3)(ii) of this Section may be located without distance limit from the Seventh Avenue or Broadway #street line#;
- (ii) below a height of 10 feet or above a height of 120 feet above #curb level#, except that for a #zoning lot# with #street# frontage on Seventh Avenue, Broadway and 47th Street, a minimum of 25 percent of the minimum aggregate #surface area# required under this Section or 7,500 square feet, whichever is greater, shall comprise #signs# no portion of which shall exceed 250 feet in height above #curb level#, and each of which shall face the intersection of the center lines of 45th Street and Broadway and shall have its #surface area# measured by projecting its edges onto a plane perpendicular to a line drawn between the center of the #sign# and the above intersection at ground level and measuring the resultant #surface area# on that plane; and, for other #zoning lots# with #street# frontage on Seventh Avenue, Broadway and a #narrow street# a maximum of 25 percent of the minimum aggregate #surface area# required under this Section may comprise #signs# located without height limit provided that each such #sign# faces the intersection of the center lines of 45th Street and Broadway and its #surface area# is measured by projecting its edges onto a plane perpendicular to a line drawn between the center of the #sign# and the above

intersection at ground level and measuring the resultant #surface area# on that plane.

\* \* \*

There shall be a minimum of one #illuminated sign# with a #surface area# of not less than 1,000 square feet for each 50 linear feet, or part thereof, of #street# frontage on Seventh Avenue or Broadway, except that for any one #zoning lot# no more than five #signs# shall be required.

\* \* \*

(v) The provisions of paragraphs (a)(3)(iii) and (iv) of this Section may be modified or waived upon certification by the Chairperson of the City Planning Commission that the dynamic character and attractiveness of the #sign# or #signs# for which the modification or waiver is granted are assured by the proposed design and operation and that the signage on the #zoning lot# will produce an effect at least equal to that achieved through the application of paragraphs (a)(3)(iii) and (iv).

Except for an individual #sign# meeting the illumination requirements of paragraphs (a)(3)(iii) and (iv) for at least 50 percent of its #surface area#, for all of the #signs# required under this paragraph (a)(3), all #surface area# not complying with paragraphs (a)(3)(iii) and (iv) shall be lighted with an average level of illuminance across the entirety of that #surface area# of 75 foot candles and with an average to minimum illuminance ratio of not greater than 3.0 to 1.0.

- (vi) For #zoning lots# that contain 15,000 square feet or more of #lot area#, the provisions of paragraphs (a)(2) and (a)(3)(ii) of this Section may be modified or waived, upon certification by the Chairperson that:
  - (a) the #sign# or #signs# for which the modification or waiver is granted are affixed to a #building# that contains a "listed theater" as designated in Section 81-742 (Listed theaters), and a portion of such theater is located within 100 feet of the #street line# of Seventh Avenue or Broadway; and
  - (b) such #sign# or #signs# provide visual interest that furthers the purposes of the #illuminated sign# requirements set forth in Section 81-73 (Special Sign and Frontage Regulations), inclusive, in a manner that is at least equal to that achieved through the application of paragraphs (a)(2) and (a)(3)(ii).

(4) One illuminated marquee and one additional #illuminated# projecting identification #sign# are required for each theater on a #zoning lot#. A group of motion picture theaters under single ownership and operation shall be treated as one theater for the purposes of this requirement.

\* \* \*

# 81-75 Special Street Wall and Setback Requirements

#Buildings# located on #zoning lots#, or portions of #zoning lots# within the Theater Subdistrict Core or the Eighth Avenue Corridor, shall comply with the regulations of this Section. The height of all #buildings or other structures# shall be measured from #curb level#.

#### 81-751 Special street wall and setback regulations within the Theater Subdistrict Core

#Buildings# located on #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue and/or Broadway, or located partially within the Theater Subdistrict Core and partially within the Eighth Avenue Corridor shall comply with the requirements of this Section and, in all other respects related to height and setback, with the provisions of Section 81-25 (General Provisions Relating to Height and Setback of Buildings), and either Section 81-26 (Height and Setback Regulations - Daylight Compensation) or 81-27 (Alternate Height and Setback Regulations - Daylight Evaluation). The #street wall# location rules of Section 81-43 shall also apply, except as modified in this Section.

\* \* \*

For the purposes of this Section, #signs# are permitted as exceptions to the special #street wall# and setback requirements contained herein, except that above the top of a #street wall# before setback required under this Section, no #sign# may be located closer than six feet to the Seventh Avenue or Broadway #street wall# before setback. #Signs# located below the top of a required #street wall# before setback, as defined in this Section, may project across a #street line# up to 10 feet. Marquees are not subject to the requirements of this Section.

(a) With the exception of #buildings# located on #zoning lots# between Seventh Avenue and Broadway, #buildings# located on #zoning lots# between 43rd and 50th Streets with #street# frontage on Seventh Avenue or Broadway shall meet the following requirements:

\* \* \*

- 25
- (3) For #zoning lots# greater than 15,000 square feet in area:

\* \* \*

(iii) Alternatively, if the #zoning lot# #building# contains a <u>"listed theater"</u> designated pursuant to theater listed in the table in Section 81-742 and if any portion of the theater is within 100 feet of the #street line# of Seventh Avenue or Broadway, above the required #street wall# height before setback, the #street wall# shall be set back at least 60 feet along the Seventh Avenue or Broadway #street# frontage of the #zoning lot#, except that a portion of the #building# with aggregate area per floor not exceeding the lesser of 4,500 square feet or 30 square feet for each linear foot of #zoning lot street# frontage on Seventh Avenue or Broadway #street line#, 15 feet to the #street line# of the #narrow street# on which the theater has frontage and 50 feet to any other #narrow street line#.

In addition, one or more #signs# affixed to any such #building# may project up to 10 feet across the #street line# and rise to a height of 120 feet above #curb level#. Balconies and terraces, including railings or parapets, may be located within the required setback area behind such #signs#. For the purposes of applying the definition of #floor area# in Section 12-10, #signs# projecting across the #street line# shall not constitute an enclosure, and the requirements of Section 32-41 (Enclosure Within Buildings) shall not apply to such balconies or terraces, provided that a portion of any such balcony or terrace is used for an entertainment-related #use# listed in Section 81-725 (Entertainment-related uses) or an accessory #use#.

\* \* \*

Resolution for adoption scheduling April 11, 2018 for a public hearing.

# **No. 4**

# **85 MERCER STREET**

**IN THE MATTER OF** an application submitted by Zhongyin Apparel LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(a) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing 5-story building on property located at 85 Mercer Street (Block 485, Lot 25), in an M1-5A District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271.

# Resolution for adoption scheduling April 11, 2018 for a public hearing.

# No. 5

# 180-188 AVENUE OF THE AMERICAS

# **CD 2**

**CD 2** 

**IN THE MATTER OF** an application submitted by QT Soho Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a:

1. eliminating from within an existing R7-2 District a C1-5 District bounded by a line 225 feet southerly of Prince Street, a line midway between MacDougal Street and Sullivan Street, a line midway between Avenue of the Americas and Sullivan Street, a line 100 feet northerly of Spring Street, Sullivan Street, Spring Street, Avenue of the Americas, and MacDougal Street; and

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# C 150348 ZSM

# C 180170 ZMM

2. establishing within an existing R7-2 District a C2-5 District bounded by a line 225 feet southerly of Prince Street, a line 100 feet westerly of Sullivan Street, a line 100 feet northerly of Spring Street, Sullivan Street, Spring Street, Avenue of the Americas, and MacDougal Street;

as shown on a diagram (for illustrative purposes only) dated January 29, 2018.

# Resolution for adoption scheduling April 11, 2018 for a public hearing.

# **II. REPORTS**

# **BOROUGH OF THE BRONX**

# No. 6

#### 1490 SOUTHERN BOULEVARD

**CD 3** 

# N 180153 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 1490 Southern Boulevard (Block 2981, Lot 14) as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area

to facilitate a multi-story mixed use building containing affordable residential units and community facility space.

(On February 14, 2018, Cal. No. 1, the Commission scheduled February 28, 2018 for a public hearing. On February 28, 2018, Cal. No. 23, the hearing was closed.)

For consideration.

# **BOROUGH OF BROOKLYN**

# No. 7

# ST. ANDREW'S DAY CARE CENTER

#### **CD 7**

**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 4917 Fourth Avenue (Block 783, Lot 1) for continued use as a child care center.

(On February 14, 2018, Cal. No. 2, the Commission scheduled February 28, 2018 for a public hearing. On February 28, 2018, Cal. No. 25, the hearing was closed.)

# For consideration.

#### **BOROUGH OF QUEENS**

# Nos. 8 & 9

# NYPD 116<sup>TH</sup> PRECINCT STATIONHOUSE

#### No. 8

#### CD 13

# C 180209 ZMQ

**IN THE MATTER OF** an application submitted by the New York City Police Department and the Department of Citywide Administrative Services pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 19b and 19d by establishing within an existing R3-2 District a C1-3 District bounded by:

- 1. a line perpendicular to the southerly street line of North Conduit Avenue distant 230 feet easterly (as measured along the street line) from the point of intersection of the southerly street line of North Conduit Avenue and the northeasterly street line of Francis Lewis Boulevard;
- 2. North Conduit Avenue;

#### C 150253 PQK

- 3. a line 750 feet easterly of the first-named course; and
- 4. the centerline of the Long Island Railroad right-of-way (Montauk Division);

as shown on a diagram (for illustrative purposes only) dated January 16, 2018.

(On February 14, 2018, Cal. No. 3, the Commission scheduled February 28, 2018 for a public hearing. On February 28, 2018, Cal. No. 27, the hearing was closed.)

For consideration.

No. 9

# **CD 13**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the New York City Police Department, pursuant to Section 197-c of the New York City Charter, for the site selection of property located on North Conduit Avenue, at the foot of 243rd Street (Block 13265, Lot 30) for use as a police precinct stationhouse.

(On February 14, 2018, Cal. No. 4, the Commission scheduled February 28, 2018 for a public hearing. On February 28, 2018, Cal. No. 28, the hearing was closed.)

For consideration.

#### **BOROUGH OF STATEN ISLAND**

#### No. 10

#### 156, 160, 164 & 168 HOPKINS AVENUE

#### **CD 3**

**IN THE MATTER OF** an application submitted by the CMW Realty LLC for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate a future subdivision of two existing zoning lots into four new zoning lots located at the intersection of Hopkins Avenue

#### C 180210 PSQ

# N 180134 RCR

and Durant Avenue (Block 4985, Existing Lots 18 and 21, Tentative Lots 18, 19, 20 and 21) within the Special South Richmond Development District.

Plans for this proposal are on file with the City Planning Commission and may be seen at the Staten Island Office of the Department of City Planning, 130 Stuyvesant Place, 6<sup>th</sup> Floor, Staten Island, New York, 10301.

For consideration.

#### **III. PUBLIC HEARINGS**

#### **BOROUGH OF THE BRONX**

# No. 11

#### EDENWALD YMCA

**CD 12** 

C 180242 PPX

# **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property (Block 4905, Lot 2002), pursuant to zoning.

(On March 14, 2018, Cal. No. 1, the Commission scheduled March 28, 2018 for a public hearing which has been duly advertised.)

Close the hearing.

#### **BOROUGH OF MANHATTAN**

#### No. 12

#### HUDSON BOULEVARD AND PARK TEXT AMENDMENT

# **CD 4**

# N 180238 ZRM

#### **PUBLIC HEARING:**

**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, amending Article IX, Chapter 3 (Special Hudson Yards District) for the purpose of modifying floor area regulations in the Phase 2 Hudson Boulevard and Park.

Matter <u>underlined</u> is new, to be added; Matter <del>struck out</del> is to be deleted; Matter within # # is defined in Section 12-10; \* \* \* indicates where unchanged text appears in the Zoning Resolution.

\* \* \*

# **ARTICLE IX - SPECIAL PURPOSE DISTRICTS**

Chapter 3 Special Hudson Yards District

# 93-00 GENERAL PURPOSES

The "Special Hudson Yards District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- to facilitate and guide the development of an environmentally beneficial, transit-oriented business and residence district by coordinating high density development with expanded mass transit facilities, extended and improved subway lines, improved pedestrian access to mass transit facilities, improved pedestrian circulation and avoidance of conflicts with vehicular traffic;
- (b) to control the impact of buildings on the access of light and air to the streets and avenues of the Hudson Yards area and the surrounding neighborhoods;
- (c) to provide an open space network comprised of public parks, public open space and public access areas through the establishment of a large-scale plan and other controls and incentives;
- (d) to preserve the pedestrian orientation of ground floor uses, and thus safeguard a traditional quality of the City;
- (e) to preserve the low- and medium-scale residential character of the Hell's Kitchen area;
- (f) to provide a transition between the Hudson Yards District and the Clinton community to the north;
- (g) to provide a transition between the Hudson Yards District and the Garment Center to the east;

- (h) to provide a transition between the Hudson Yards District and the West Chelsea area to the south;
- (i) to promote the use of the Jacob K. Javits Convention Center to the west by creating an active and attractive business district that facilitates pedestrian access to the Center;
- (j) to provide flexibility of architectural design within limits established to assure adequate access of light and air to the street, and thus to encourage more attractive and economic building forms;
- (k) to provide a transition between the Hudson Yards District and the Hudson River to the west;
- (l) to facilitate the restoration and reuse of the High Line elevated rail line as an accessible, public open space through special height and setback regulations;
- (m) to promote the most desirable use of land and building development in accordance with the District Plan for the Hudson Yards and thus conserve the value of land and buildings and thereby protect the City's tax revenues; and
- (n) to limit the amount of off-street parking based on regulations that address the anticipated needs of residents, workers and visitors to the Hudson Yards Area, consistent with the objective of creating an area with a transit- and pedestrian-oriented neighborhood character.

\* \* \*

# 93-30 SPECIAL FLOOR AREA REGULATIONS

\* \* \*

# 93-32 Floor Area Regulations in the Phase 2 Hudson Boulevard and Park

In the #Phase 2 Hudson Boulevard and Park#, no #development# shall be permitted and, except as provided in Section 93-051 (Applicability of Article I, Chapter 1), no #building# shall be #enlarged#. However, #floor area# from a granting site within the #Phase 2 Hudson Boulevard and Park# may be transferred to a receiving site in accordance with the provisions of paragraph (a) of this Section.

For the purposes of this Section, a "granting site" shall mean a #zoning lot#, or portion thereof, within the #Phase 2 Hudson Boulevard and Park# and the #lot area# of such granting site shall

include any area on such site designated on the City Map as Hudson Boulevard or #public park#, and a "receiving site" shall mean a #zoning lot#, or portion thereof, within Subareas A2 through A5 of the Large-Scale Plan Subdistrict A or Subareas D1 or D2 of Hell's Kitchen Subdistrict D, to which #floor area# from a granting site has been transferred.

Special regulations for certain #zoning lots# partially within the #Phase 2 Hudson Boulevard and Park# are set forth in Section 93-33.

(a) Transfer of floor area by certification

The Chairperson of the City Planning Commission shall allow, by certification, the applicable basic maximum #floor area ratio# of a receiving site to be increased up to the maximum amount specified in Section 93-21 or 93-22, as applicable, through the transfer of #floor area# from a granting site, provided that:

(1) the maximum amount of #floor area# transferred from a granting site shall not exceed the #floor area ratio# permitted on the granting site, as listed below, less any existing #floor area# to remain on the granting site:

	Maximum
District	#floor area ratio#
C2-8	7.5
C6-2	6.02
C6-4	10.0
M1-5	5.0

- (2) each transfer, once completed, irrevocably reduces the amount of #floor area# that may be transferred from the granting site by the amount of #floor area# transferred;
- (3) the maximum amount of #floor area# transferred to a receiving site shall be based on an amount not to exceed the #floor area ratio# permitted on a #zoning lot# through such transfer pursuant to Section 93-21 or 93-22, as applicable. In the event a granting site generates more #floor area# than is permitted on a receiving site, the Chairperson shall certify that such excess #floor area# be credited towards future #floor area# transfers pursuant to this Section; and.
- (4) where all #floor area# shall be transferred from a granting site pursuant to one or more such certifications, all certificates of occupancy have been surrendered for such granting site, all structures on such granting site have been demolished, and such granting site has been conveyed to the City for improvement, where applicable, as a #public park# or #street#, as provided for on the City Map.

Where, as a result of the transfer of #floor area# pursuant to this paragraph (a), the amount of #floor area# on a receiving site is less than the maximum allowable as specified for the applicable subarea in Row B in the table in Section 93-21 and Row C in the table in Section 93-22, any additional #floor area#, up to the maximum #floor area ratio# permitted on the receiving site as specified in such rows, may be achieved only through contributions to the #Hudson Yards District Improvement Fund# pursuant to Section 93-31 (District Improvement Fund Bonus), an increase in #floor area# pursuant to paragraph (b) of this Section or Section 93-33 (Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park), or the Inclusionary Housing Program pursuant to Section 23-154, as modified by Section 93-23.

An application filed with the Chairperson for the transfer of #floor area# pursuant to this paragraph (a) shall be made jointly by the owners of the granting site and receiving site, and shall include a site plan and #floor area# zoning calculations for the granting site and the receiving site, and a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer, together with notice of the restrictions upon further development of the granting site and the receiving site.

Notices of restrictions shall be filed by the owners of the granting site and receiving site in the Borough Office of the Register of the City of New York, indexed against the granting site and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified copies thereof shall be a pre-condition to issuance of any building permit, including any foundation or alteration permit, for any #development# or #enlargement# on the receiving site which incorporates #floor area# transferred pursuant to this paragraph (a).

(b) Authorization for contribution-in-kind

The City Planning Commission may authorize a contribution-in-kind to the #Hudson Yards District Improvement Fund# for a receiving site, provided that:

- (1) the conditions for transferring #floor area# set forth in paragraph (a) of this Section have been met <u>as of the date of the authorization or will be met in accordance with</u> <u>agreements or instruments entered into pursuant to paragraph (b)(3) of this Section;</u>
- (2) the granting site will be improved, at the applicant's expense, as a #public park# or #street#, as provided for on the City Map, prior to conveyance to the City; and
- (3) the applicant, or an affiliate of such applicant, has entered into an agreement or provided instruments in a form satisfactory to the City, providing for the improvement of the granting site as a #public park# or #street# pursuant to an agreed-upon construction schedule. The construction schedule may be adjusted from time to time in accordance with the provisions of such agreement or

instruments and shall include progress milestones, including the date by which the improvements will be 50 percent complete, and a date by which the improvements will be substantially complete and usable by the public. In the event that the conditions for transferring #floor area# set forth in paragraph (a) of this Section have not been completed as of the date of this authorization, such agreement or instruments shall also provide that such conditions will be met, to the extent applicable, pursuant to an agreed-upon schedule.

In order to grant such authorization, the Commission shall find that the #public park# or #street# has been designed in accordance with the approved plan for the Hudson Boulevard and Park, or as an appropriate interim design, in consultation with the Department of Parks and Recreation or Department of Transportation.

[All of the following text of this section, which was not previously indented, is indented 0.5" and included as part of paragraph (b).]

The amount of increased #floor area# generated by the contribution in kind shall be as determined by the Commission, which The Commission shall determine the reasonable cost of such improvement, including any acquisition and site preparation costs, and shall permit a #floor area# bonus in relation thereto divide this reasonable cost by the contribution amount per square foot of the District Improvement Bonus, as determined pursuant to Section 93-31, and in effect on the date of authorization of the contribution-in-kind pursuant to this paragraph (b), in order to determine the amount of increased #floor area# generated by the contribution-in-kind. In making such determination, the Commission may consult with an appraiser or engineer at the applicant's expense. In the event the contribution-in-kind results in an amount of #floor area# in excess of what is permitted on the receiving site, the Commission shall authorize that such excess #floor area# be credited towards future #floor area# increases pursuant to Section 93-31.

The owner <u>of the receiving site</u> shall not apply for or accept a temporary certificate of occupancy for that portion of the #development# or #enlargement# identified as utilizing the increased #floor area# permitted pursuant to this paragraph (b), and the Department of Buildings shall not issue a temporary certificate of occupancy for such portion until the Chairperson has certified that the improvements are substantially complete and usable by the public. The owner shall not apply for or accept a permanent certificate of occupancy for such portion of the #development# or #enlargement# nor shall the Department of Buildings issue a permanent certificate of occupancy for such portion until the improvements have been finally completed in accordance with the approved plans and such final completion has been certified by the Chairperson. <u>A restrictive declaration in a form acceptable to the Chairperson shall be recorded against the receiving site in the Office of the Register of the City of New York in order to implement such restrictions.</u>

An application filed with the Chairperson of the Commission for the transfer of #floor area# contribution-in-kind pursuant to this Section\_paragraph (b) shall be made jointly by the owners or contract vendees of the granting site and receiving site and shall, in all instances, include the party responsible either directly or through its affiliate, for the improvement of the granting site as a #public park# or #street# pursuant to the agreement or instruments entered into pursuant to paragraph (b)(3) of this Section. a site plan and #floor area# zoning calculations for the granting site and the receiving site, and a copy of the transfer instrument legally sufficient in both form and content to effect such a transfer, together with notice of the restrictions upon further development of the granting site and the receiving site.

Notice of restrictions shall be filed by the owners of the respective sites in the Borough Office of the Register of the City of New York, indexed against the granting site and the receiving site, a certified copy of which shall be submitted to the Chairperson of the Commission. Receipt of certified executed copies thereof shall be a pre-condition of the agreement or instruments required pursuant to paragraph (b)(3) of this Section, and of copies of the recorded restrictive declaration, shall be a precondition to the issuance of any a building permit, including any foundation or alteration permit, for any #development# or #enlargement# on the receiving site that incorporates a #floor area# bonus granted pursuant to this paragraph (b).

In no event shall a building permit for a #development# or #enlargement# utilizing a #floor area# increase pursuant to this paragraph (b) be granted for the receiving site until the Chairperson provides notice to the Commissioner of Buildings that the applicant, or affiliate responsible for the improvement of the granting site, has provided acceptable evidence of site control for purposes of construction of the improvement.

#### 93-33

# Special Regulations for Residual Portions of Zoning Lots Partially Within the Phase 2 Hudson Boulevard and Park

\* \* \*

(On March 14, 2018, Cal. No. 2, the Commission scheduled March 28, 2018 for a public hearing which has been duly advertised.)

Close the hearing.

	SUN	MON	TUE	WED	THU	FRI	SAT
		1 New Year's	2 REVIEW SESSION	CPC 3 PUBLIC MEETING	4	5	6
Z	7	Day 8	9	10	11	12	13
Ν	14	Martin <b>15</b> Luther King. <sub>JR</sub> . Day	16 REVIEW SESSION	CPC 17 PUBLIC MEETING	18	19	20
ANUARY	21	King.jr. Day 22	SESSION 23	MEETING 24	25	26	27
	28	29 REVIEW SESSION	30	CPC 31 PUBLIC MEETING			
					1	2	3
RY	4	5	6	7	8	9	10
FEBRUARY	11	REVIEW12 SESSION Lincoln's B'day	13	CPC 14 PUBLIC MEETING Ash Wednesday	15	16 Chinese New Year	17
FEBI	18	19 Presidents' Day	20	21	22 Washington's Birthday	23	24
	25	26 REVIEW SESSION	27	CPC 28 PUBLIC MEETING			
					1	2	3
Ц	4	5	6	7	8	9	10
MARCH	11	12 REVIEW SESSION	13	CPC 14 PUBLIC MEETING	15	16	17 St. Patrick's Day
Ň	18	19	20	21	22	23	24
	25 Palm Sunday	26 REVIEW SESSION	27	CPC 28 PUBLIC MEETING	29	30 Good Friday	31 First Day Passover
	1 Easter	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	CPC 11 PUBLIC MEETING	12	13	14
APRII	15	16	17	18	19	20	21
AF	22	23 REVIEW SESSION	24	CPC 25 PUBLIC MEETING	26	27	28
	29	30					
			1	2	3	4	5
	6	7 REVIEW SESSION	8	CPC 9 PUBLIC MEETING	10	11	12
MAY	13	14	15	16 First Day Ramadan	17	18	19
<	20	21 REVIEW SESSION	22	CPC 23 PUBLIC MEETING	24	25	26
	27	28 Memorial Day Observed	29	30	31		
						1	2
ш	3	4	5	6	7	8	9
Z	10	11 REVIEW SESSION	12	CPC 13 PUBLIC MEETING	14	15 Eid al-Fitr	16
Ę	17	18	19	20	21	22	23
	24	25 REVIEW SESSION	26	CPC 27 PUBLIC MEETING	28	29	30

	SUN	MON	TUE	WED	THU	FRI	SAT
Π	1	2	3	4 Independence Day	5	6	7
	8	9 REVIEW SESSION	10	CPC 11 PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
F	22	23 REVIEW SESSION	24	CPC 25 PUBLIC MEETING	26	27	28
	29	30	31	MEETING			-
F				1	2	3	4
F	5	6 REVIEW SESSION	7	CPC 8 PUBLIC MEETING	9	10	11
JGUS	12	13	14	15	16	17	18
AUC	19	20 REVIEW SESSION	21	CPC 22 PUBLIC MEETING	23	24	25
	26	SESSION 27	28	29	30	31	
H							1
<b>SER</b>	2	Labor 3	4 REVIEW SESSION	CPC 5 PUBLIC MEETING	6	7	8
ME	9	Day 10 Rosh Hashanah	SESSION 11	MEETING 12	13	14	15
SEPTEMBER	16	Hashanah 17	18	19 Yom	20	21	22
SI	23	24 REVIEW SESSION	25	Kippur CPC 26 PUBLIC MEETING	27	28	29
Н	30 \	SESSION 1	2	MEETING 3	4	5	6
R	7	Columbus Day Observed	9	10	11	12	13
OBER	14	15 REVIEW SESSION	16	CPC 17 PUBLIC MEETING	18	19	20
5	21	22	23	24	25	26	27
	28	29 REVIEW SESSION	30	CPC 31 PUBLIC MEETING			
		SESSION		MEETING	1	2	3
BER	4	5	6 Election Day	7	8	9	10
NOVEMBER	11 Veterans' Day	12 Veterans' Day Observed	13 REVIEW SESSION	Diwali CPC 14 PUBLIC MEETING	15	16	17
No/	Day 18	Observed 19	20	21	22 Thanksgiving	23	24
Z	25	26	27	28	29	30	
H	2	REVIEW3 SESSION Hanukkah	4	CPC 5 PUBLIC MEETING	6	7	1 8
<b>SER</b>	9	Hanukkah 10	11	12	13	14	15
DECEMBER	16	17 REVIEW SESSION	18	CPC 19 PUBLIC MEETING	20	21	22
ECE	23	SESSION 24	25	26 Kwanzaa	27	28	29
	30	31	Christmas	Begins			

# **IV. CITY PLANNING COMMISSION 2018 SCHEDULE OF MEETINGS**

Review Sessions start at 1:00 PM Public Meetings start at 10:00 AM