# CITY PLANNING COMMISSION DISPOSITION SHEET

WEDNE 10:00 A LOWER	MEETING: ESDAY, MAY 22, 20: A.M. NYC CITY PLAN CONCOURSE, 120 ORK, NEW YORK 10	INING CON BROADWA		IEARII	NG RO	ом,				120 New	Broad	way, 30 New Y	O <sup>th</sup> Floo		cer			
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1	C 180399 ZMQ	6		76 <sup>TH</sup> DRIVE AND AUSTIN STREET REZONING								Favo	rable R	eport A	dopted	d		
2	N 190354 ZCR		e	531 OC	EAN TE	RRACE						Cer	tificati	on App	roved			
3	N 190228 RCR		63 LINDENWOOD ROAD & 35 PLEASANT STREET									н н						
4	N 190289 ZCR	1			273	LIGHT	HOUSE	AVEN	UE						"			
5	Proposed Rule	cw			POPS	SIGNA	GE RUI	LE CHA	NGE						Hearir	ng Close	ed	
6									" "									
7	C 190273 ZSM	5				1 PE	NN PLA	ZA							"	"		
8 C 180164 ZMK 11					273 AVENUE U REZONING									"	"			
9 N 180165 ZRK 11						1									II	"		
COMMISS	SION ATTENDANCE:	Present	• •															
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Marisa Lago, Chair Kenneth J. Knuckles, Esq., Vice Chairman				Р	Y	Y	Y	Y						<u> </u>				
David Burney				Р	Y	Y	Y	Y						-				
	Cappelli, Esq.			Р	Y	Y	Y	Y										
Alfred C. Cerullo, III				Р	Y	Y	Y	Y										
Michelle R. De La Uz				Р	Y	Y	Y	Y										
Joseph I. Douek				Р	Y	Y	Y	Y										
Richard W. Eaddy				P P	Y Y	Y Y	Y Y	Y Y								+		
Hope Knight				A														
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**COMPREHENSIVE** 

CITY PLANNING CALENDAR

of

The City of New York

CITY PLANNING COMMISSION

WEDNESDAY, MAY 22, 2019

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



Bill de Blasio, Mayor City of New York

[No. 10]

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 hearings 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, 31st Floor, New York, N.Y. 10271

MARISA LAGO, *Chair* KENNETH J. KNUCKLES, *Esq., Vice Chairman* DAVID BURNEY ALLEN P. CAPPELLI, *Esq.* ALFRED C. CERULLO, III MICHELLE R. DE LA UZ JOSEPH I. DOUEK RICHARD W. EADDY HOPE KNIGHT ANNA HAYES LEVIN ORLANDO MARIN LARISA ORTIZ RAJ RAMPERSHAD, *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 the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, Manhattan, unless otherwise ordered.

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# Community Board Public Hearing Notices are available in the Calendar Information Office, 31<sup>st</sup> Floor, 120 Broadway, New York, N.Y. 10271

The next Special Public Meeting is scheduled for June 3, 2019. The next regular public meeting of the City Planning Commission is scheduled for June 19, 2019.

#### **GENERAL INFORMATION**

#### HOW TO PARTICIPATE:

Subject

**Signing up to speak:** Anyone wishing to speak on the items listed under "Public Hearings" in this Calendar is requested to fill out a speaker's slip available at the staff desk outside the hearing chambers on the day of the hearing. Public officials will be given speaking priority. The first five speakers in favor will be heard and given the opportunity to conclude their testimony before the next five speakers in opposition are heard. The hearing will proceed in this manner until all speakers present have had an opportunity to be heard.

**Length of Testimony:** 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> 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

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

#### MAY 22, 2019

#### **APPROVAL OF THE MINUTES OF the Public Meeting of May 8, 2019**

### I. REPORTS

#### **BOROUGH OF QUEENS**

#### No. 1

## 76<sup>TH</sup> DRIVE AND AUSTIN STREET REZONING

#### **CD 6**

**IN THE MATTER OF** an application submitted by Able Orthopedic & Sports Medicine, PC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14b, changing from an R2 District to an R3-2 District property bounded by 76<sup>th</sup> Drive, a line perpendicular to the southeasterly street line of 76<sup>th</sup> Drive distant 55 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 76<sup>th</sup> Drive and northeasterly street line of Austin Street, 77<sup>th</sup> Avenue, and Austin Street, as shown on a diagram (for illustrative purposes only) dated February 11, 2019, and subject to the conditions of CEQR Declaration E-522.

(On April 10, 2019, Cal. No. 2, the Commission scheduled April 24, 2019 for a public hearing. On April 24, 2019, Cal. No. 24, the hearing was closed.)

For consideration.

C 180399 ZMQ

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

## No. 2

## 631 OCEAN TERRACE

#### **CD 2**

**IN THE MATTER OF** an application submitted by John Fikias for the grant of a certification pursuant to Section 105-41 of the Zoning Resolution for certification that no authorization or special permit is required at 631 Ocean Terrace (Block 684, Lot 300) within the Special Natural Area 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.

#### No. 3

## 63 LINDENWOOD ROAD & 35 PLEASANT STREET

#### **CD 3**

#### N 190228 RCR

**IN THE MATTER OF** an application submitted by Igor Shteiman for the grant of a certification pursuant to Section 107-08 of the Zoning Resolution to facilitate a future subdivision of one existing zoning lot into two new zoning lots located at 63 Lindenwood Road and 35 Pleasant Street (Block 5216, Existing Lot 50, Tentative Lots 45 & 50) 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.

#### N 190354 ZCR

#### No. 4

## 273 LIGHTHOUSE AVENUE

## **CD 1**

#### N 190289 ZCR

**IN THE MATTER OF** an application submitted by Michael Palacino for the grant of a certification pursuant to Section 105-90 of the Zoning Resolution for the future subdivision of one existing zoning lot into two separate zoning lots (Block 2276, Existing Lot 46, Tentative Lots 46 & 48) within the Special Natural Area 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.

#### **II. PUBLIC HEARINGS**

#### CITYWIDE

## No. 5

## POPS SIGNAGE RULE CHANGE

#### **PUBLIC HEARING:**

(Proposed modification of Title 62 of the Rules of the City of New York, pursuant to Section 1043 of the City Charter, to facilitate the addition of Chapter 11 to the Rules of the Department of City Planning to implement the signage rules for privately owned public spaces pursuant to Local Law 116 (2017), as amended by Local Law 250 (2017).

PLEASE TAKE NOTICE that in accordance with Section 1043 of the New York City Charter, the New York City Department of City Planning ("City Planning") proposes to amend rules by adding Chapter 11 to Title 62 of the Rules of the City of New York.

This proposed rule was not included in the City Planning's regulatory agenda for this Fiscal Year because it was not contemplated when the City Planning published the agenda.

The time and place of the hearing have been scheduled as follows:

DATE: May 22, 2019 TIME: 10:00 A.M. LOCATION: Lower Concourse 120 Broadway New York, NY 10271

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 Dominick Answini at the address set forth below, or by telephone at (212) 720-3676, by May 15, 2019. In addition, written statements may be submitted to the Department of City Planning at the address stated below, provided the comments are received by 5:00 P.M. on May 22, 2019:

New York City Department of City Planning Office of the Counsel 120 Broadway, 31<sup>st</sup> Floor New York, NY 10271 Attention: Dominick Answini

Written comments received and a tape 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 the Freedom of Information Law Desk, 120 Broadway, 31<sup>st</sup> Floor, telephone number (212) 720-3208.

# The purpose of the hearing is to provide the public with an opportunity to comment on the proposed rule set forth herein.

Title 62 of the Rules of the City of New York is amended to read as follows:

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Title 62 of the Rules of the City of New York is amended by adding a new Chapter 11, to read as follows:

#### <u>§ 11-1 Signage Systems for Privately Owned Public Spaces</u>

This rule applies in addition to sections 37-53(h) (Design Standards for Pedestrian Circulation Spaces) and 37-751 (Public space signage systems) of the New York City Zoning Resolution

(hereinafter, "Zoning Resolution") and other sections thereof incorporating section 37-751 by reference, except as otherwise provided.

## <u>§ 11-2 Purpose</u>

The purpose of this rule is to ensure that all privately owned public spaces have clear, visible, and readable signage at appropriate locations within such spaces that easily identifies such spaces as open to the public and also presents other information related to such privately owned public space.

## § 11-3 Definitions

For the purposes of this section, the term "privately owned public space" is defined in Local Law 116 of 2017, as amended by Local Law 250 of 2017, as follows: (1) a plaza, residential plaza, urban plaza, public plaza, elevated plaza, arcade, through block arcade, through block galleria, through block connection, open air concourse, covered pedestrian space, publicly accessible space or sidewalk widening provided for in the Zoning Resolution, now or previously in effect; (2) such other privately owned outdoor or indoor space required to be open to the public and for which the Department of City Planning ("DCP") maintains a record in the privately owned public space data set accessible through the open data web portal that is linked to nyc.gov or successor website pursuant to New York City Administrative Code section 23-502; and (3) such other privately owned outdoor or indoor spaces required to be open to the public pursuant to any of the following actions occurring on or after January 1, 2001:

- (a) A decision, authorization, certification, or special permit issued by the City Planning Commission (the "Commission");
- (b) A certification issued by the Chairperson of the Commission (the "Chair");
- (c) A variance of the Zoning Resolution or special permit issued by the Board of Standards and Appeals; or
- (d) Action taken by the City Council pursuant to section 197-d of the Charter of the City of New York.

Such term does not include any waterfront public access areas regulated pursuant to article 6 chapter 2 of the Zoning Resolution.

## § 11-4 Applicability and Signage Requirements

All privately owned public spaces must provide a signage system, subject to the requirements of this rule:

(a) Prior to installation of any signage at a privately owned public space after the

- (1) <u>effective date of this rule, a signage system pursuant to this rule must be</u> reviewed and approved by the DCP for compliance with the requirements of <u>this rule; and</u>
- (2) <u>The signage system in all privately owned public spaces must include the</u> <u>following, provided in technical drawings that illustrate compliance with the</u> <u>provisions of this rule:</u>
- (3) <u>The name and contact information of the person or entity charged by the</u> <u>owner with oversight of complaints about such space;</u>
- (4) <u>A statement that such space is open to the public;</u>
- (5) The hours the space is open to the public;
- (6) <u>The primary amenities required in the space;</u>
- (7) <u>A statement that complaints can be registered by calling 311, or its successor;</u>
- (8) <u>A public space logo that matches exactly the logo and dimensions provided in the Required Signage Symbols file and the "New York City Privately Owned Public Space Signage Standards and Specifications" document available on the DCP's website (to be published by the DCP, and modified from time to time);</u>
- (9) For all privately owned public spaces established on or after October 1, 2017, such signage system must also include a site map, displaying the boundaries of the privately owned public space or spaces on the zoning lot relative to other structures on the zoning lot and the adjacent streets or public ways in accordance with the design guidelines specified in the "New York City Privately Owned Public Space Signage Standards and Specifications" available on the DCP's website (to be published by the DCP and modified from time to time); and
- (10) For all privately owned public spaces with access for persons with disabilities, such signage system must also include the International Logo of Access for persons with disabilities that is at least three inches square.
- (b) For all privately owned public spaces which are not otherwise subject to Article III, Chapter 7 of the Zoning Resolution, the signage standards of Zoning Resolution section 37-751 (Public space signage systems), as supplemented herein, will serve as a guide and apply as reasonably determined by the DCP, in consideration of the circulation needs and of the type, size and configuration of the privately owned public space or spaces. For privately owned public spaces that require certifications under sections 37-625 (Design changes) or 37-78 (Compliance), and for through-block connections, the signage provisions of Zoning Resolution Section 37-751 (Public space signage systems) and 37-53(h) (Design Standards for Pedestrian Circulation Spaces), respectively, will continue to apply, as supplemented herein.
- (c) If signage is proposed as part of an application for a Chair or Commission approval under the Zoning Resolution, the DCP's review and approval of such signage in accordance with this rule must be concurrent with the DCP's review of such application and incorporated into any application before the Chair or Commission for their

approval.

(d) <u>Any signage system approved pursuant to this rule for an existing privately owned</u> <u>public space governed by plans approved pursuant to a prior approval under the Zoning</u> <u>Resolution will be deemed to be in substantial compliance with such plans.</u>

## <u>§ 11-5 Design Review</u>

Prior to installation of any signage at a privately owned public space after the effective date of this rule, an owner or manager, or agent thereof, of any privately owned public space, must submit to the DCP a package for approval, consisting of the following materials:

- (a) The form, available at the DCP's website, requesting a design review;
- (b) <u>Copies of the most recently approved drawings, if any, of the privately owned public</u> <u>space or spaces; and</u>
- (c) <u>A plan for a signage system, prepared in accordance with the requirements herein.</u>

A fee in the amount of \$500, payable to the DCP, will be charged for each privately owned public space signage design review that is not part of an application for DCP's review of a new privately owned public space or the redesign of an existing privately owned public space pursuant to the Zoning Resolution or section 197-c of the Charter of the City of New York.

## § 11-6 Compliance

As of the effective date of this rule, owners of a privately owned public space without approved signage that includes a statement that such space is open to the public and the hours it is open will have 180 days from the effective date of this rule to submit a complete design review package to the DCP for approval, as specified in section § 11-4 of this rule. Owners of a privately owned public space with approved signage as of the effective date of this rule will have two years from the effective date of this rule to submit a complete design review package. Privately owned public space owners will have 90 days from the date of DCP approval to install signage that complies with the approved plan(s).

(On May 8, 2019, Cal. No. 5, the Commission scheduled May 22, 2019 for a public hearing which has been duly advertised.)

## Close the hearing.

#### **BOROUGH OF MANHATTAN**

#### No. 6

## 201-207 7<sup>TH</sup> AVENUE

## **CD 4**

#### C 190253 HAM

#### **PUBLIC HEARING:**

**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 201-207 7th Avenue (Block 797, Lots 80, 81, 82 and 83) as an Urban Development Action Area; and
- b) 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 a mixed-use development containing approximately 26 affordable residential units and commercial space.

(On May 8, 2019, Cal. No. 1, the Commission scheduled May 22, 2019 for a public hearing which has been duly advertised.)

Close the hearing.

## No. 7

## 1 PENN PLAZA

#### **CD 5**

#### C 190273 ZSM

#### **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by One Penn Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-231(a) and 74-761 of the Zoning Resolution to allow the reduction in size of existing plazas and arcades for which a floor area bonus have been utilized on property located at 1 Penn Plaza (Block 783, Lots 1, 34 and 70), in C6-4 and C6-6 Districts, within the Special Midtown District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31<sup>st</sup> Floor, New York, N.Y. 10271-0001.

(On May 8, 2019, Cal. No. 2, the Commission scheduled May 22, 2019 for a public hearing which has been duly advertised.)

#### Close the hearing.

### **BOROUGH OF BROOKLYN**

#### Nos. 8 & 9

## 273 AVENUE U REZONING

#### No. 8

#### CD 11

#### C 180164 ZMK

N 180165 ZRK

## **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Ciarafour Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28c changing from an R5B District to an R6A District property bounded by a line 100 feet northerly of Avenue U, McDonald Avenue, Avenue U, and Lake Street, as shown on a diagram (for illustrative purposes only) dated February 11, 2019 and subject to the conditions of CEQR Declaration E-525.

(On May 8, 2019, Cal. No. 3, the Commission scheduled May 22, 2019 for a public hearing which has been duly advertised.)

## Close the hearing.

No. 9

#### CD 11

#### **PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Ciarafour Realty, 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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.

\* \* \*

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

\* \* \*

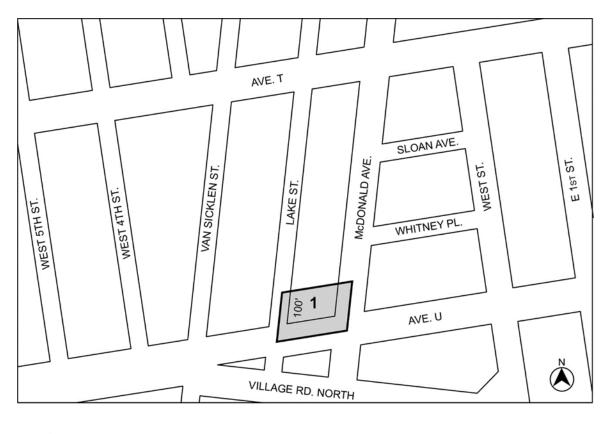
BROOKLYN

\* \* \*

## **Brooklyn Community District 11**

Map 1 [date of adoption]

[PROPOSED MAP]





Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 1 - [date of adoption] MIH Program Option 2

## Portion of Community District 11 Brooklyn

\* \* \*

(On May 8, 2019, Cal. No. 4, the Commission scheduled May 22, 2019 for a public hearing which has been duly advertised.)

Close the hearing.

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			<b>1</b> New Year's Day	2	3	4	5
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Review Sessions start at 1:00 PM

SUN MON TUE WED THU

REVIEW SESSION 

CPC **10** PUBLIC MEETING FRI

pendence Day SAT