

CITY PLANNING COMMISSION DISPOSITION SHEET

**REMOTE SPECIAL MEETING:
MONDAY, JANUARY 4, 2021
1:00 P.M. NYC CITY PLANNING COMMISSION
VIA THE ENGAGE PORTAL**

Yvette V. Gruel, Calendar Officer
120 Broadway, 30th Floor
New York, New York 10271
(212) 720-3370

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 200123 ZSM	5	CORT THEATRE	Favorable Report Adopted
2	N 200124 ZRM	5	" "	" "

COMMISSION ATTENDANCE:		COMMISSION VOTING RECORD:													
Present (P) Absent (A)		In Favor - Y Oppose - N Abstain - AB Recuse - R													
Calendar Numbers:		1	2												
Marisa Lago, Chair	P	Y	Y												
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y												
David Burney	P	Y	Y												
Allen P. Cappelli, Esq.	P	Y	Y												
Alfred C. Cerullo, III	P	Y	Y												
Michelle R. De La Uz	P	Y	Y												
Joseph I. Douek	P	Y	Y												
Richard W. Eaddy	P	Y	Y												
Hope Knight	P	Y	Y												
Anna Hayes Levin	P	Y	Y												
Orlando Marin	P	Y	Y												
Larisa Ortiz	P	Y	Y												
Raj Rampershad, Commissioners	P	Y	Y												

MEETING ADJOURNED AT: 1:08 P.M.

+

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

CITY PLANNING COMMISSION

MONDAY, JANUARY 4, 2021

**REMOTE SPECIAL MEETING AT 1:00 P.M.
NYC CITY PLANNING COMMISSION
VIA THE NYC ENGAGE PORTAL**



Bill de Blasio, Mayor

City of New York

Prepared by Yvette V. Gruel, Calendar Officer

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

A

CITY PLANNING COMMISSION

**GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS**

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

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

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

If you wish to be notified of the web site availability of calendars and disposition sheets, please send your name, organization and E-mail address to the address listed below.

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

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

City Planning Commission
Calendar Information Office
120 Broadway – 31st Floor
New York, New York 10271

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

B

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 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, 31st Floor, 120 Broadway,
New York, N.Y. 10271**

The next regular public meeting of the City Planning Commission is scheduled for January 6, 2021 and will be held via Zoom Webinar.

JANUARY 4, 2021

I. REPORTS

BOROUGH OF MANHATTAN

Nos. 1 & 2

CORT THEATRE

No. 1

CD 5

C 200123 ZSM

IN THE MATTER OF an application submitted by Cort Theatre LLC and Clarity 47 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-745* of the Zoning Resolution to allow a floor area bonus for the substantial rehabilitation or restoration of a listed theater, as set forth in Section 81-742 (Listed theatres), and to allow the bonus floor area to be utilized anywhere on the zoning lot, on property located at 138 West 48th Street a.k.a. 145 West 47th Street (Block 1000, Lots 7, 11, 49, 55, 56, 57, 58, and 59), in C6-5.5 and C6-7T Districts, within the Special Midtown District (Theater Subdistrict).

*Note: Section 81-745 is proposed to be amended under a concurrent related application for a Zoning Text Amendment (N 200124 ZRM).

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

(On November 4, 2020, Cal. No. 1, the Commission scheduled November 18, 2020 for a public hearing. On November 18, 2020, Cal. No. 12, the hearing was closed.)

For consideration.

No. 2

CD 5

N 200124 ZRM

IN THE MATTER OF an application submitted by Cort Theater LLC and Clarity 47 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 Article VIII Chapter 1 (Special Midtown

District) for the purpose of amending the provisions of a special permit regulating theater rehabilitation bonuses.

Matter underlined is new, to be added;

Matter ~~struck-out~~ 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

* * *

81-70

SPECIAL REGULATIONS FOR THEATER SUBDISTRICT

* * *

81-74

Special Incentives and Controls in the Theater Subdistrict

* * *

81-745

Floor area bonus for rehabilitation of existing listed theaters

The City Planning Commission by special permit may authorize bonus #floor area# for substantial rehabilitation or restoration of any theater listed as a “listed theater” in Section 81742 (Listed theaters), in accordance with the provisions of this Section.

(a) Conditions for rehabilitation bonus

As a condition for the issuance of a special permit under the provisions of this Section, the following requirements shall be satisfied:

(1) Location of #development#

The #development# or #enlargement# for which a theater rehabilitation bonus is granted is located on the same #zoning lot# as the “listed theater.”

(2) Qualification of substantial rehabilitation

Substantial rehabilitation work qualifying for a #floor area# bonus shall consist of major ~~interior~~ structural changes for the purpose of improving a theater’s design and its commercial viability for legitimate theater #use#, or historic restoration of the interior of a theater designated as an interior landmark.

Substantial rehabilitation may include, without limitations, such work as expanding stage wings, raking the orchestra, increasing rehearsal, dressing room or lobby and ancillary spaces, improving accessibility beyond applicable legal requirements, or historic restoration. It may also include reconversion to legitimate theater #use# of an original legitimate theater currently in other #use#. Substantial rehabilitation does not mean normal theater maintenance, painting or improvements to mechanical systems alone.

(3) Timing and commitment

- (i) there shall be a contractual commitment or commitments for the construction work involved in the substantial rehabilitation;
- (ii) the requirements of Section 81-743 (Required assurances for continuance of legitimate theater use) shall be satisfied; and
- (iii) a rehabilitation bonus shall not be granted for a substantial rehabilitation completed before May 13, 1982.

(b) Amount of rehabilitation bonus

The amount of bonus #floor area# granted for a qualifying theater rehabilitation shall be at the discretion of the Commission after consideration of the following findings:

- (1) how and to what extent the proposed rehabilitation will improve the theater’s suitability for #use# as a legitimate theater;
- (2) how the proposed rehabilitation will contribute toward satisfying the needs of the Theater Subdistrict;
- (3) whether the bonus #floor area# will unduly increase the #bulk# of any #development# or #enlargement#, density of population or intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area; and

- (4) whether the distribution and location of such #floor area# bonus will adversely affect the surrounding area by restricting light and air or otherwise impair the essential character or future development of the surrounding area.

Such bonus #floor area# shall not exceed 20 percent of the basic maximum #floor area# permitted on the #zoning lot# containing the #development# or #enlargement# by the regulations of the underlying district, except that in the case of an underlying C6-4, C6-5 or M1-6 District, the bonus #floor area# shall not exceed 44 percent of the basic maximum #floor area# permitted in such underlying district, and except that in the case of a #zoning lot# located wholly or partially in a C6-5.5 District, the Commission may allow bonus #floor area# to be utilized anywhere on the #zoning lot#.

For purposes of applying the provisions of Section 11-42 (Lapse of Authorization or Special Permit by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to a special permit granted pursuant to this Section, “substantial construction” shall mean substantial rehabilitation, as described in paragraph (b) of this Section, of the subject theater for which a #floor area# bonus has been granted to a related #development# or #enlargement#.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding areas.

* * *

(On November 4, 2020, Cal. No. 2, the Commission scheduled November 18, 2020 for a public hearing. On November 18, 2020, Cal. No. 13, the hearing was closed.)

For consideration.

II. CITY PLANNING COMMISSION 2021 SCHEDULE OF MEETINGS

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

Review Sessions are held at 120 Broadway, lower level, starting at 1:00 PM
 Public Meetings are held at 120 Broadway, lower level, starting at 10:00 AM