

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, DECEMBER 16, 2009
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	N 100134 ZRX	10	LDGMA TEXT AMENDMENT	Scheduled to be Heard 1/6/10
2	C 090100 ZSM	2	57-63 GREENE STREET	" "
3	C 100026 ZMM	2	SULLIVAN STREET	" "
4	N 100119 ZRM	4, 5	HUDSON YARDS PARKING TEXT AMENDMENT	" "
5	C 100110 PSR	1	WATER SIPHON FACILITY	" "
6	C 100132 PQR	3	BROOKFIELD LANDFILL	" "
7	C 100133 PPR	3	" "	" "
8	C 090397 ZMX	12	WEBSTER AVENUE REZONING	Favorable Report Adopted
9	N 100116 HAX	5	151 EAST TREMONT AVENUE	" "
10	N 100099 MMX	4	WEST 167 TH STREET	" "
11	N 100130 HKM	4	LAMARTINE PLACE HISTORIC DISTRICT	Forward Report to City Council
12	N 100141 HKK	9	OCEAN ON THE PARK HISTORIC DISTRICT	" "
13	N 090507 ZAR	2	150 & 156 FOREST ROAD	Authorization Approved
14	N 100073 RAR	3	1340 HUGUENOT AVENUE	" "
15	N 090130 ZAR	2	9 DIANA TRAIL	" "
16	C 070223 ZSM	1	HUDSON SQUARE BUILDING	Hearing Closed

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

MEETING ADJOURNED AT: 10:45 A.M.

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

CITY PLANNING COMMISSION

WEDNESDAY, DECEMBER 16, 2009

**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. 24]

Prepared by Yvette V. Gruel, Calendar Officer

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

A

CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

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

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

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

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

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

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

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

B
CITY PLANNING COMMISSION

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

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA
RAYANN BESSER
IRWIN G. CANTOR, P.E.
ALFRED C. CERULLO, III
BETTY Y. CHEN
MARIA M. DEL TORO
RICHARD W. EADDY
NATHAN LEVENTHAL
ANNA HAYES LEVIN
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 January 6, 2010 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

C

GENERAL INFORMATION

HOW TO PARTICIPATE:

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

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

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

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

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

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

Subject _____

Date of Hearing _____ Calendar No. _____

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

Position: Opposed _____
 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address _____ Title: _____

DECEMBER 16, 2009

APPROVAL OF MINUTES OF the Regular Meeting of December 2, 2009

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE
SCHEDULED FOR WEDNESDAY, JANUARY 6, 2010**

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

BOROUGH OF THE BRONX

No. 1

LDGMA TEXT AMENDMENT

CD 10

N 100134 ZRX

IN THE MATTER OF an application submitted by the New York City 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, concerning Article II, Chapter 5 (Accessory Off-Street Parking and Loading Regulations) and Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), relating to off-street parking regulations.

Matter in underline is new, to be added;

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

Matter with # # is defined in Section 12-10 (DEFINITIONS);

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

**Article I
General Provisions**

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
DEFINITIONS**

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

* * *

Lower density growth management area

A “lower density growth management area” is any R1, R2, R3, R4A, R4-1 or C3A District in the following designated areas, and any #development# accessed by #private roads# in R1, R2, R3, R4, R5 or C3A Districts within such areas:

The Borough of Staten Island
Community District 10 in the Borough of the Bronx

In the Borough of Staten Island, #lower density growth management areas# shall also include any C1, C2, or C4 District.

In the Borough of the Bronx, in Community District 10, #lower density growth management areas# shall also include any R6, R7, C1 or C2 Districts for the purposes of applying the parking provisions of Article II, Chapter 5, and Article III, Chapter 6.

* * *

**Chapter 5
Accessory Off-Street Parking and Loading Regulations**

* * *

**25-24
Modification of Requirements for Small Zoning Lots**

R6 R7 R8 R9 R10

In the districts indicated, for small #zoning lots#, the requirements set forth in Section 25-23 (Requirements Where Group Parking Facilities Are Provided) shall be modified in accordance with the provisions of this Section.

25-241
Reduced requirements

R6 R7 R8 R9 R10

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is as set forth in the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS		
#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District
10,000 square feet or less	50	R6 R7-1* R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

* Within #lower density growth management areas# in Community District 10, Borough of the Bronx

** In R8B Districts, the parking requirements may not be reduced

* * *

25-26
Waiver of Requirements for Small Number of Spaces

R4B R5B R5D R6 R7 R8 R9 R10

In the districts indicated, the requirements set forth in Section 25-21 (General Provisions) shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in this Section, except that the requirements shall not be waived for #non-profit residences for the elderly#.

However, the following provisions shall apply:

- (a) in R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
- (b) in R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

* * *

Chapter 6
Accessory Off-Street Parking and Loading Regulations

* * *

36-30
REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR RESIDENCES WHEN PERMITTED IN COMMERCIAL DISTRICTS

36-34
Modification of Requirements for Small Zoning Lots

C1 C2 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6

In the districts indicated for small #zoning lots#, the requirements set forth in Section 36-33 (Requirements Where Group Parking Facilities are Provided), shall be modified in accordance with the provisions set forth in this Section.

36-341
Reduced requirements in C1 or C2 Districts governed by surrounding Residence District bulk regulations

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, for #zoning lots# of 10,000 or 15,000 square feet or less, the number of required #accessory# off-street parking spaces is determined by the #Residence District# within which such #Commercial District# is mapped, in accordance with the following table:

REDUCED REQUIREMENTS FOR SMALL ZONING LOTS

#Lot Area#	Parking Spaces Required as a Percent of Total #Dwelling Units#	District within which C1 or C2 District is Mapped
10,000 square feet or less	50	R6 R7-1*R7B
	30	R7-1 R7A R7D R7X
10,001 to 15,000 square feet	30	R7-2
	20	R8** R9 R10

*In C1 or C2 Districts mapped within R7-1 Districts within #lower density growth management areas# in Community District 10, Borough of the Bronx

**In R8B Districts, the parking requirements may not be reduced.

* * *

36-361**For new development or enlargements in C1 or C2 Districts governed by surrounding Residence District bulk regulations**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

In the districts indicated, where such districts are mapped within R6, R7, R8, R9 or R10 Districts, the requirements set forth in Section 36-31 (General Provisions) for new #development# or #enlargements# shall be waived if the required number of #accessory# off-street parking spaces resulting from the application of such requirements is no greater than the maximum number as set forth in the following table. The maximum number is determined by the #Residence District# within which the #Commercial District# is mapped.

NUMBER OF SPACES FOR WHICH REQUIREMENTS ARE WAIVED

#Residence District# within which C1 or C2 District is Mapped	Maximum Number of Spaces Waived
R5D	1
R6 R7-1 R7B	5
R7-2 R7A R7D R7X R8 R9 R10	15

However, the following provisions shall apply:

- (a) in C1 or C2 Districts mapped within R5D Districts, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on June 29, 2006 and on the date of application for a building permit; and
- (b) in C1 or C2 Districts mapped within R6 and R7 Districts in #lower density growth management areas# in Community District 10 in the Borough of the Bronx, the provisions of this Section, inclusive, shall only apply to #zoning lots# existing both on (effective date of amendment) and on the date of application for a building permit.

Resolution for adoption scheduling January 6, 2010 for a public hearing.

BOROUGH OF MANHATTAN

No. 2

57-63 GREENE STREET

CD 2

C 090100 ZSM

IN THE MATTER OF an application submitted by Greene Mercer 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 regulations of:

1. Section 42-14D(1)(b) to allow Joint Living Work Quarters for Artists on portions of the 2nd through 6th floors of an existing 6-story building erected prior to December 15, 1961 and where the lot coverage is greater than 5000 square feet; and
2. Section 42-14D(2)(a) to allow UG 6 uses (retail uses) on portions of the ground floor and cellar of an existing 6-story building occupying more than 3,600 square feet of lot area;

on property located at 57-63 Greene Street (Block 486, Lot 29), in an M1-5A District, within the Soho-Cast Iron Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

Resolution for adoption scheduling January 6, 2010 for a public hearing.

No. 3

SULLIVAN STREET

CD 2

C 100026 ZMM

IN THE MATTER OF an application submitted by DJL Family Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, establishing within an existing R7-2 District a C1-5 District bounded by a line 100 feet southerly of Spring Street, a line midway between Sullivan Street and Thompson Street, a line 200 feet northerly of Broome Street, and Sullivan Street, as shown on a diagram (for illustrative purposes only) dated September 21, 2009 and subject to the conditions of CEQR Declaration E-241.

Resolution for adoption scheduling January 6, 2010 for a public hearing.

No. 4

HUDSON YARDS PARKING TEXT AMENDMENT

CD 4 & 5

N100119 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

Hudson Yards Parking Text Amendment

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

Article IX - Special Purpose Districts

Chapter 3

Special Hudson Yards District

* * *

93-052

Applicability of ~~Chapter 3~~ of Article I, Chapter 3

~~#Public parking lots#~~ authorized pursuant to Section 13-552 (~~Public parking lots~~) prior to January 19, 2005, and ~~#accessory#~~ off-street parking facilities for which a special permit has been granted pursuant to Section 13-561 prior to January 19, 2005, may be renewed subject to the terms of such authorization or special permit.

Additional provisions of Article I, Chapter 3, shall be applicable as specified in Section 93-80 (inclusive).

* * *

93-054

Applicability of ~~Chapter 4~~ of Article VII, Chapter 4

* * *

- (b) The following provisions regarding special permits by the City Planning Commission shall be applicable as modified:

Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) shall be applicable to the renewal of City Planning Commission special permits for #public parking lots# of any capacity and to #public parking garages#, granted prior to (date of enactment) or portions thereof, located above grade, subject to the findings of Section 93-821 (Authorization for above-grade parking). However, the findings of Section 93-821 shall not apply to any public parking facility in existence prior to January 19, 2005, that is the subject of a renewal or new special permit.

* * *

93-16

Public Parking Facilities

In C2-5, C2-8 and C6 Districts, the provisions of Sections 32-17 (Use Group 8) and 32-21 (Use Group 12) with respect to #public parking garages# and #public parking lots# are modified to require a special permit pursuant to Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) for #public parking lots# of any capacity, and in C2-8 and C6 Districts, to allow, as of right, #public parking garages#, provided such garages are entirely below grade and contain not more than 0.30 parking spaces for each 1,000 square feet of #floor area# on the #zoning lot#. However, no ~~#public parking garages#~~ shall be permitted within the ~~#Phase 2 Hudson Boulevard and Park#, as shown~~

on Map 1 in Appendix A of this Chapter inapplicable and are superseded by the provisions of Section 93-80.

* * *

93-80
OFF-STREET PARKING REGULATIONS

The regulations governing permitted and required #accessory# off-street parking spaces of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) and Article II, Chapter 5; Article III, Chapter 6; and Article IV, Chapter 4 (Accessory Off-Street Parking and Loading Regulations) shall not apply except as set forth in this Section. In lieu thereof, the provisions of this Section, inclusive, shall apply.

93-81
Definitions

Hudson Yards parking regulations applicability area

The “Hudson Yards parking regulations applicability area” is comprised of the #Special Hudson Yards District#, the 42nd Street Perimeter Area of the #Special Clinton District# and Area P2 of the #Special Garment Center District#.

Hudson Yards development parking supply

The “Hudson Yards development parking supply” shall be the aggregate number of off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking lots# and #public parking garages# in the #Hudson Yards parking regulations applicability area#:

- (a) that have been constructed, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before (date of enactment), to the extent that such spaces satisfy the ratios of Section 93-821;
- (b) that have been constructed, pursuant to a City Planning Commission special permit approved subsequent to January 19, 2005, and before (date of enactment);
- (c) for which the Chairperson has issued a certification, pursuant to Section 93-821, paragraph (e); and
- (d) that have been approved by Board of Standards and Appeals variance, pursuant to Section 72-21, to the extent that:
 - (1) such spaces satisfy the ratios of Section 93-821, or

(2) the Board determines that any spaces in excess of the ratios of Section 93-821 are necessary to satisfy the need for #accessory# off-street parking generated by the #uses# or #floor area# permitted by such variance.

However, all off-street parking on Site 1 as shown in Map 6 of Appendix A shall be counted toward the #Hudson Yards development parking supply#.

For purposes of this definition, “constructed” shall include any off-#street# parking spaces in #accessory# or #group parking facilities#, #public parking garages# or #public parking lots# that were completed on (date of enactment); under construction on such date with the right to continue construction pursuant to Section 11-331; or granted a City Planning Commission special permit after January 19, 2005, where such permit had not lapsed as of (date of enactment).

Public parking

“Public parking” shall be off-street parking that is open to the public during the business day for hourly, daily or other time-defined rental of parking spaces, for which a fee is charged;

Reservoir deficit

The “reservoir deficit” shall be the amount by which the #reservoir surplus# is less than zero;

Reservoir parking supply

The “reservoir parking supply” shall be the sum of:

- (a) all off-street parking spaces lawfully operating as of May 27, 2009, in the #Hudson Yards parking regulations applicability area# as #public parking#; and
- (b) any off-street parking spaces for which a valid building permit had been issued, as of May 27, 2009, and which have been constructed before (date of enactment).

For purposes of this definition, “constructed” shall include any off-street parking spaces in #accessory# individual or #group parking facilities#, #public parking garages# or #public parking lots# that were either completed on (date of enactment) or under construction on such date with the right to continue construction pursuant to Section 11-331. However, any off-street parking space that satisfies the definition of the #Hudson Yards development parking supply# in this Section shall not be counted as part of the #reservoir parking supply#.

Reservoir surplus

The initial #reservoir surplus# shall be 3,600 off-street parking spaces. The “reservoir surplus” shall be increased by:

- (a) the aggregate number of off-street parking spaces in the #reservoir parking supply# for which a building permit has been issued, pursuant to the as-of-right regulations in effect subsequent to January 19, 2005, and before the (date of enactment);
- (b) the number of off-street parking spaces in the #Hudson Yards parking regulations applicability area# above the ratios permitted in Section 93-821, either certified by the Chairperson pursuant to Sections 93-822, paragraph (c), or by City Planning Commission special permit, pursuant to Section 93-823; and
- (c) the number of off-street parking spaces lawfully added in the #Hudson Yards parking regulations applicability area#, other than those permitted pursuant to this Section 93-80 et. seq., except for any increase by Board of Standards and Appeals variance that is counted as part of the #Hudson Yards development parking supply#;

The #reservoir surplus# shall be decreased by:

- (a) the aggregate number of parking spaces counted at any time in the #reservoir parking supply#, that subsequently are:
 - (1) reduced through modification or discontinuance of the applicable Department of Consumer Affairs license or certificate of occupancy or otherwise cease operation permanently; or
 - (2) not constructed in accordance with the applicable building permit, as reflected in a modification of such building permit or the issuance of a certificate of occupancy for a reduced number of spaces; or
- (b) the issuance of a certificate of occupancy for a #development# or #enlargement# providing a smaller number of spaces than allowed, pursuant to Section 93-821, to the extent of the difference between the number of #accessory# off-street parking spaces allowed, and the number provided. However, this paragraph shall not apply to Sites 2, 3, 4 and 5, as shown on Map 6 of Appendix A, and shall apply to no more than 200 #accessory# off-street parking spaces on Site 6 as shown on Map 6.

Substantial construction

“Substantial construction” shall mean the substantial enclosing and glazing of a new #building# or of the #enlarged# portion of an existing #building#.

93-82**Required and Permitted Parking**

All ~~Developments~~ or ~~enlargements~~ on ~~zoning lots~~ greater than 15,000 square feet in the ~~Hudson Yards parking regulations applicability area~~ may ~~shall~~ provide ~~accessory~~ parking spaces in accordance with the provisions of this Section. ~~For zoning lots of 15,000 square feet or less, accessory parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section. The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted accessory off-street parking spaces.~~

93-821**Permitted parking when the reservoir surplus is greater than zero**

When the reservoir surplus is greater than zero, off-street parking spaces may be provided only in accordance with the provisions of this Section.

- (a) For ~~residences~~, ~~accessory~~ off-street parking spaces ~~shall~~ may be provided for ~~at least not more than 33~~ 30 percent of the total number of ~~dwelling units~~, except that where such ~~dwelling units~~ are comprised of ~~low income floor area~~, ~~moderate income floor area~~ or ~~middle income floor area~~, as defined in Section 23-911 of this Resolution ~~government assisted, pursuant to paragraph (e) of Section 25-25~~, ~~accessory~~ off-street parking spaces ~~shall~~ may be provided for ~~at least 25~~ not more than eight percent of the total number of such ~~dwelling units~~. ~~The total number of off street parking spaces accessory to residences shall not exceed 40 percent of the total number of dwelling units. However, if the total number of accessory off street parking spaces required for such use on the zoning lot is less than 15, no such spaces shall be required.~~
- (b) For Use Group 5 transient hotels, the provisions of Section 13-131 shall apply with respect to the number of permitted accessory off-street parking spaces, provided that the number of such spaces does not exceed 0.16 for every 1,000 square feet of floor area.
- (c) For Use Group 6B offices commercial and community facility uses, a ~~minimum of 0.30 accessory off street parking spaces shall be provided for each 1,000 square feet of floor area, and not more than 0.325~~ 0.16 accessory off-street parking spaces shall may be provided for every 1,000 square feet of floor area. ~~However, if the total number of accessory off-street parking spaces required for such uses on the zoning lot is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or schools.~~
- (~~c~~) ~~The required and permitted amounts of accessory off street parking spaces shall be determined separately for residential, commercial and community facility uses.~~

(d) In the Eastern Rail Yard Subarea A1, no #accessory# off-street parking shall be required paragraphs (a) through (c) of this Section shall not apply, and any #accessory# off-street parking shall comply with the provisions of this paragraph, (d).

(1) For #residential uses#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#.

(2) For #commercial# and #community facility uses#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area#, provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility uses# exceed 350 spaces.

(3) In no event shall the total number of #accessory# off-street parking spaces for all #uses# exceed 1,000.

(e) The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted or required #accessory# off-street parking spaces.

The Department of Buildings shall not issue a building permit for any #accessory# off-street parking pursuant to paragraphs (a) through (c) of this Section unless the Chairperson has certified that the sum of the following is less than 6,084 spaces:

(1) the #reservoir surplus# or zero, whichever is less;

(2) the #Hudson Yards development parking supply#; and

(3) the number of spaces proposed to be added by the #development# or #enlargement# for which certification is sought.

Any such certification granted by the Chairperson shall lapse after two years if #substantial construction# of the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-822

Permitted parking when a reservoir deficit exists

When a #reservoir deficit# exists, additional off-street parking spaces may be provided in accordance with the provisions of this Section. However, this Section shall not apply in the Eastern Rail Yard Subarea A1:

- (a) The number of permitted #accessory# off-street parking spaces for Use Group 5 hotels may exceed 0.16 for every 1,000 square feet of #floor area#, up to the number permitted by Section 13-131;
- (b) The number of permitted #accessory# off-street parking spaces for Use Group 6B offices may be increased by up to 33 percent of the number permitted pursuant to Section 93-821, paragraph (b);
- (c) The Department of Buildings shall not issue a building permit for any additional #accessory# off-street parking spaces permitted pursuant to this Section unless the Chairperson has certified that

_____ (1) a #reservoir deficit# exists; and

_____ (2) the number of #accessory# off-street parking spaces in excess of the ratios permitted by Section 93-821 proposed to be added by the #development# or #enlargement# for which certification is sought, does not exceed such #reservoir deficit#.

_____ Any such certification granted by the Chairperson shall lapse after two years; if #substantial construction# of the subject #accessory# off-street parking spaces has not occurred. In making a certification pursuant to this Section, the Chairperson shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-823

Parking permitted by special permit

When a #reservoir deficit# exists, the City Planning Commission may allow, by special permit, Use Group 6B offices to exceed the number of #accessory# off-street parking spaces permitted by Section 93-822, in accordance with the provisions of Section 13-561, except that finding (a) of Section 13-561 shall not apply. In addition, the Commission shall find that the number of #accessory# off-street parking spaces in excess of the number permitted by Section 93-821, proposed to be added by the #development# or #enlargement# that is the subject of the application under review, does not exceed the #reservoir deficit#. In making such finding, the Commission shall not consider any prior certification or any special permit that has lapsed in accordance with the provisions of this Resolution.

93-824

Publication of data

The Department of City Planning shall make available, in a form easily accessed by the public, regularly updated calculations of the current #Hudson Yards development parking supply#, #reservoir parking supply#, and #reservoir surplus# or #reservoir deficit#, as applicable.

93-823

Use and Location of Parking Facilities

The provisions of this Section shall apply to all off-street parking spaces within the #Special Hudson Yards District#.

- (a) All off-street parking spaces #accessory# to #residences# shall be used exclusively by the occupants of such #residences#. Except in the Eastern Rail Yard Subarea A1, aAll #accessory# off-street parking spaces #accessory# to Use Group 5 #transient hotels# and Use Group 6B offices may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same #zoning lot#, all such spaces shall be located within the same parking facility. However, in C1-7A Districts and in C2-5 Districts mapped within R8A Districts, all #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development#, #enlargement# or conversion. Where a parking facility is located partially within a C2-5 District mapped within an R8A District and partially within another district, all such #accessory# off-street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2-5 District mapped within an R8A District.
- (b) ~~All #accessory# off-street parking spaces may be provided within parking facilities on #zoning lots# other than the same #zoning lot# as the #uses# to which they are #accessory#, provided:~~
- (1) ~~such parking facilities are located within a C2-8 or C6-4 District within the #Special Hudson Yards District#, or within the 42nd Street Perimeter Area of the #Special Clinton District# or within Area P-2 of the #Special Garment Center District#;~~
 - (2) ~~the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and~~
 - (3) ~~the number of parking spaces within such facility shall not exceed the combined maximum number of spaces permitted on each #zoning lot# using such facility, less the number of any spaces provided on such #zoning lots#. The provisions of Section 13-141 (Location of accessory off-street parking spaces), inclusive, shall apply.~~

- (c) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:
 - (1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or
 - (2) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas.

93-8231

Authorization for above-grade parking

The City Planning Commission may authorize parking facilities that do not comply with the provisions of paragraph (c) of Section 93-823 (Use and Location of Parking Facilities) and may authorize floor space used for parking and located above a height of 23 feet to be exempt from the definition of #floor area#, provided that:

- (a) below-grade parking has been provided to the fullest extent feasible, and such above-grade facility is necessary due to subsurface conditions such as the presence of bedrock, railroad rights-of-way or other conditions that impose practical difficulties for the construction of below-grade parking facilities;
- (b) the scale of the parking facility is compatible with the scale of #buildings# in the surrounding area;
- (c) the materials and articulation of the #street wall# of the parking facility is compatible with #buildings# in the surrounding area;
- (d) the ground floor level of such parking facilities that front upon #streets# is occupied by #commercial#, #community facility# or #residential uses# that activate all such adjoining #streets#, except at the entrances and exits to the parking facility. Where site planning constraints make such #uses# infeasible, the parking facility shall be screened from adjoining #streets# or public access areas with a densely planted buffer strip at least 10 feet deep. Where such screening is not desirable, such ground floor wall of the parking facility shall be articulated in a manner that provides visual interest;
- (e) any floor space above the ground floor level utilized for parking is located, to the greatest extent feasible, behind #commercial#, #community facility# or #residential floor area# so as to minimize the visibility of the parking facility from adjoining #streets# or public access areas. Any exterior wall of the parking facility visible from an adjoining #street# or public access area shall be articulated in a manner that is compatible with #buildings# in the surrounding area;

- (f) for portions of parking facilities that are visible from #streets#, publicly accessible open areas or nearby properties, interior lighting and vehicular headlights are shielded to minimize glare on such #streets#, public access areas or properties; and
- (g) the location of vehicular entrances and exits will not unduly inhibit surface traffic and pedestrian flow.

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

93-83 93-84
Curb Cut Restrictions

* * *

93-831 93-841
Curb cut restrictions in the Large-Scale Plan Subdistrict A

* * *

93-832 93-842
Curb cut restrictions in the Farley Corridor Subdistrict B

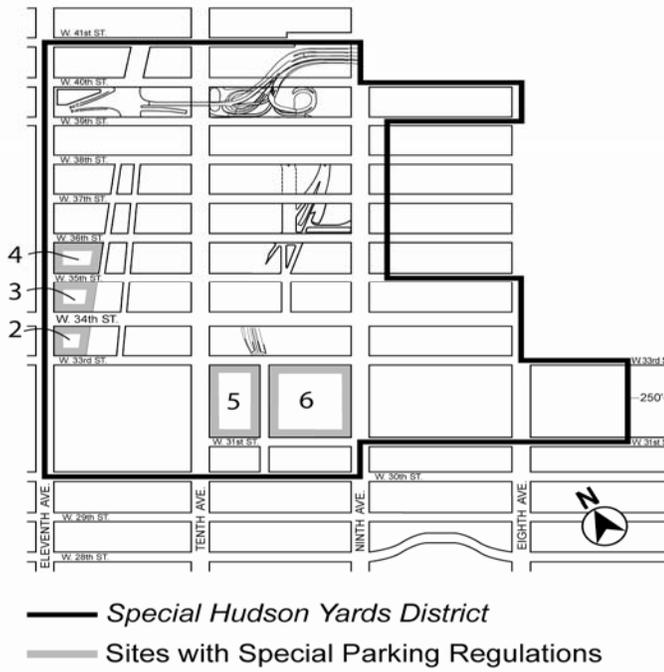
* * *

93-84 93-85
Authorization for Additional Curb Cuts

* * *

PROPOSED

Map 6 Sites for which Special Parking Regulations Apply



Resolution for adoption scheduling January 6, 2010 for a public hearing.

BOROUGH OF STATEN ISLAND

No. 5

WATER SIPHON FACILITY

CD 1

C 100110 PSR

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property located at Hannah, Front and Bay streets (Block 487, p/o Lot 100) for construction of a water siphon tunnel shaft and chlorination station for the Staten Island – Brooklyn Water Siphon.

Resolution for adoption scheduling January 6, 2010 for a public hearing.

Nos. 6 & 7

BROOKFIELD LANDFILL

No. 6

CD 03

C 100132 PQR

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property (Block 5550, p/o Lot 17) generally bounded by the Brookfield Avenue Landfill and Arthur Kill Road.

Resolution for adoption scheduling January 6, 2010 for a public hearing.

No. 7**CD 3****C 100133 PPR**

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 disposition to the New York City Economic Development Corporation of two (2) city-owned properties, pursuant to zoning, located at:

Block	Lot
5550	p/o 22
4454	p/o 1

Resolution for adoption scheduling January 6, 2010 for a public hearing.

II. REPORTS

BOROUGH OF THE BRONX

No. 8

WEBSTER AVENUE REZONING

CD 12

C 090397 ZMX

IN THE MATTER OF an application submitted by Webster Commons, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 1d, by changing from an R6 District to an R7X District property bounded by Webster Avenue, a line 1,910 feet northerly of East Gun Hill Road, the westerly boundary of a railroad right-of-way (New York and Harlem Line), and a line 800 feet northerly of East Gun Hill Road, as shown on a diagram (for illustrative purposes only) dated August 17, 2009, and subject to the conditions of CEQR Declaration E-240.

(On November 4, 2009, Cal. No. 1, the Commission scheduled November 18, 2009 for a public hearing. On November 18, 2009, Cal. No. 15, the hearing was closed.)

For consideration.

No. 9

151 EAST TREMONT AVENUE

CD 5

N 100116 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 151 East Tremont Avenue (Block 2808, Lot 4) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such an area;

to facilitate development of the site.

(On November 18, 2009, Cal. No. 1, the Commission scheduled December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 10, the hearing was closed.)

For consideration.

No. 10

WEST 167TH STREET

CD 4

N 100099 MMX

IN THE MATTER OF an application submitted by the New York City Housing Authority, pursuant to Section 5-430 *et seq.* of the New York City Administrative Code, involving:

- the discontinuance and closing of a portion of Dr. Martin Luther King, Jr. Boulevard between West 165th Street and West 167th Street, and a portion of West 167th Street between Dr. Martin Luther King, Jr. Boulevard and Major Deegan Boulevard,

in accordance with Map No. 13130, dated October 9, 2009, and signed by the Borough President.

For consideration.

BOROUGH OF MANHATTAN

No. 11

LAMARTINE PLACE HISTORIC DISTRICT

CD 4

N 100130 HKM

IN THE MATTER OF a communication dated October 15, 2009 from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of Lamartine Place Historic District, designated by the Landmarks Preservation Commission on October 13, 2009 (List No. 419, LP No. 2324). The District boundaries are: bounded by a line beginning at the southeast corner of the lot of No. 333 West 29th Street, extending northerly along the eastern side of the lot to the northern property line of No. 333 West 29th Street, then extending westerly along the northern property lines of No. 333 to No. 355 West 29th Street, then extending southerly along the western property line

of No. 355 West 29th Street, to the southern curb line of West 29th Street, then easterly along the southern curb line in front of Nos. 355 to No. 333 West 29th Street, to a point in said curb line formed by a line extending southerly from the eastern property line of no. 333 West 29th Street, then northerly across the sidewalk, to the point of beginning.

(On November 18, 2009 the Commission duly advertised December 2, 2009 for a public hearing. On December 2, 2009, Cal. No. 12, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 12

OCEAN ON THE PARK HISTORIC DISTRICT

CD 9

N 100141 HKK

IN THE MATTER OF a communication dated November 4, 2009, from the Executive Director of the Landmarks Preservation Commission regarding the Ocean on the Park Historic District, designated by the Landmarks Preservation Commission on October 27, 2009, (Designation List 421/LP-2334). The district boundaries are:

property bounded by a line beginning at a point on the eastern curblines of Ocean Avenue on a line extending westerly from the southern property line of 211 Ocean Avenue, easterly along said line and the southern property line of 211 Ocean Avenue, northerly along the eastern property lines of Nos. 211 through 189 Ocean Avenue, westerly along the northern property line of 189 Ocean Avenue to the eastern curblines of Ocean Avenue, and southerly along the eastern curblines of Ocean Avenue, to the point of beginning.

(On November 18, 2009, the Commission duly advertised December 2, 2009, for a public hearing. On December 2, 2009, Cal. No. 11, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

No. 13

150 & 156 FOREST ROAD

CD 2

N 090507 ZAR

IN THE MATTER OF an application submitted by Richard Salomone and Jennifer Jacobson for the grant of an authorization pursuant to Section 105-421 of the Zoning Resolution to authorize modification of topographic features on a Tier 1 site in order to facilitate the construction of two, single-family detached houses and two in-ground swimming pools on one zoning lot at 150 & 156 Forest Road (Block 869, Lots 52 & 54) within the Special Natural Area District (NA-1).

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, 6th floor, Staten Island, New York, 10301.

For consideration.

No. 14

1340 HUGUENOT AVENUE

CD 3

N 100073 RAR

IN THE MATTER OF an application submitted by Vincent Estates Corp. for the grant of an authorization pursuant to Section 107-65 of the Zoning Resolution to authorize modification of existing topography in order to facilitate the construction of a single-family detached house at 1340 Huguenot Avenue (Block 6540, Lot 48) within the Special South Richmond Development District (SSRDD).

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, 6th floor, Staten Island, New York, 10301.

For consideration.

No. 15

9 DIANA TRAIL

CD 2

N 090130 ZAR

IN THE MATTER OF an application submitted by Maria McDonald for the grant of an authorization pursuant to Section 105-422 of the Zoning Resolution to authorize modification of steep slope in order to facilitate the construction of a wood deck at 9 Diana Trail (Block 828, Lot 291) within the Special Natural Area District (NA-1).

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, 6th floor, Staten Island, New York, 10301.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF MANHATTAN

No. 16

HUDSON SQUARE BUILDING

CD 1

C 070223 ZSM

IN THE MATTER OF an application submitted by 145 Hudson Street Associates LP 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 regulations of Section 111-103(b) (Additional use regulations) to allow loft dwellings to be located on the 7th – 10th floors of an existing 16-story building designed for non-residential use and erected prior to December 15, 1961, and where the lot coverage is greater than 5000 square feet, on property located at 145 Hudson Street (Block 214, Lots 1101- 1144), in an M1-5 District, within the Special TriBeCa Mixed Use District (Area B2), within the TriBeCa West Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

(On December 2, 2009, Cal. No. 1, the Commission scheduled December 16, 2009 for a public hearing which was duly advertised.)

Close the hearing.

IV. CITY PLANNING COMMISSION 2010 SCHEDULE OF MEETINGS
January 1 to June 30

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

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 2010 SCHEDULE OF MEETINGS
July 1 to December 31

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

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