

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, MAY 12, 2010  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK 10007**

**Yvette V. Gruel, Calendar Officer  
22 Reade Street, Room 2E  
New York, New York 10007-1216  
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO.	PROJECT NAME	C.P.C. ACTION
1	C 100259 HUX	3	BATHGATE URBAN RENEWAL PLAN AMENDMENT	Scheduled to be Heard 5/26/10
2	C 100047 ZMM	5	15 PENN PLAZA	" "
3	N 100048 ZRM	5	" "	" "
4	C 100049 ZSM	5	" "	" "
5	C 100050 ZSM	5	" "	" "
6	C 100237 PQM	5	" "	" "
7	C 090471 ZSK	15	BAKU PALACE	Favorable Report Adopted
8	C 100155 HAK	3	PROVIDENCE HOUSE II	" "
9	C 100156 ZSK	3	" "	" "
10	N 100280 HKM	5	BRILL BUILDING LANDMARK	Forward Report to City Council
11	N 100281 HKM	5	BISSELL HOUSE LANDMARK	" "
12	N 100282 HKM	8	UPPER EAST SIDE HISTORIC DISTRICT EXTENSION	" "
13	N 100278 HKR	1	REFORMED CHURCH LANDMARK	" "
14	N 070437 ZAR	2	COSTCO ENLARGEMENT	Authorization Approved
	M 860374(D) ZMR			
15	C 080157 ZMX	3	CROTONA TERRACE REZONING	Favorable Report Adopted
16	C 100204 PPK	7	INDUSTRY CITY PARKING	Hearing Closed

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

MEETING ADJOURNED AT: 3:54 P.M.

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, MAY 12, 2010  
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
17	C 100180 PCM	4	HIGH LINE	Hearing Closed
18	N 100262 ZRM	4	ELLIOT CHELSEA HOUSING	" "
19	C 100206 PPQ	7	FLUSHING COMMONS	" "
20	C 100207 ZMQ	7	" "	" "
21	C 100208 ZSQ	7	" "	" "
22	C 100209 ZSQ	7	" "	" "
23	C 100210 ZRQ	7	" "	" "
24	C 100211 ZRQ	7	" "	" "
25	C 100212 ZSQ	7	" "	" "
26	C 100213 ZSQ	7	" "	" "
27	C 100214 ZSQ	7	" "	" "
28	C 100216 HAQ	7	MACEDONIA PLAZA	" "
29	C 030223 ZMQ	7	35 <sup>TH</sup> AVENUE REZONING	" "
30	C 050522 ZMQ	4	94 <sup>TH</sup> STREET-CORONA AVENUE REZONING	" "
31	C 100231 PCR	2	WHITNEY WOODS SOUTH BEACH BLUE BELT	Hearing Continued

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R															
Calendar Numbers:																	
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																	

MEETING ADJOURNED AT:

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

---

**CITY PLANNING COMMISSION**

---

**WEDNESDAY, MAY 12, 2010**

---

**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. 9]**

**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](http://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](http://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.

**TABLE OF CONTENTS**

**WEDNESDAY MAY 12, 2010**

Roll Call; Approval of Minutes.....	1
I. Matters To Be Scheduled for Public Hearing .....	1
II. Reports .....	10
III. Public Hearings.....	17
IV. Schedule Of Meetings: January 1, 2010 – June 30, 2010.....	31
V. Schedule Of Meetings: July 1, 2010 – December 31, 2010.....	32

**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 May 26, 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: \_\_\_\_\_

**MAY 12, 2010**

---

**APPROVAL OF MINUTES OF the Regular Meeting of April 28, 2010**

---

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED  
FOR WEDNESDAY, MAY 26, 2010**

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

---

**BOROUGH OF THE BRONX**

**No. 1**

***BATHGATE URBAN RENEWAL PLAN AMENDMENT***

**CD 3**

**C 100259 HUX**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the fourth amendment to the Bathgate Urban Renewal Plan for the Bathgate Renewal Area.

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**

---

**BOROUGH OF MANHATTAN**

**Nos. 2, 3, 4, 5 & 6**

***15 PENN PLAZA***

**No. 2**

**CD 5**

**C 100047 ZMM**

**IN THE MATTER OF** an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d by changing from a C6-4.5 District to a C6-6 District property bounded by West 33<sup>rd</sup> Street, a line 150 feet westerly of Avenue of the

Americas, West 32<sup>nd</sup> Street, and a line 200 feet easterly of Seventh Avenue- Fashion Avenue, as shown on a diagram (for illustrative purposes only) dated February 8, 2010.

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**

---

**No. 3**

**CD 5**

**N 100048 ZRM**

**IN THE MATTER OF** an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article VIII, Chapter 1 (Special Midtown District) relating to the applications for modification of height and setback and mandatory plan elements for the 15 Penn Plaza proposal.

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

\* \* \*

**ARTICLE VIII, Chapter 1  
Special Midtown District**

\* \* \*

**81-066  
Special permit modifications of Section 81-254, Section 81-40, and certain Sections of Article VII, Chapter 7**

(a) The City Planning Commission, by special permit, for #zoning lots# where the #lot area# is at least 60,000 square feet or that occupy an entire #block#, may permit modification of the mandatory district plan elements of Section 81-40 or the provisions of Article VII, Chapter 7, that determine the distribution of permitted #floor area# on such #zoning lots# and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements. However, no exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.

The modifications shall be subject to the following findings:

(a)(1) that the modifications of mandatory plan elements, #floor area# allocation, or #rear yard# and #court# regulations result in a better

arrangement of required facilities or in better site planning on a uniquely large #zoning lot#.

- (b)(2) that a substantial majority of the #zoning lot# is either vacant at the time of certification for review, pursuant to Section 197-c of the New York City Charter, or contains #buildings# that will be an integral part of the #development#, both physically and programmatically;
  - (c)(3) that the design, scale and location of the new #buildings# or #enlarged buildings# are compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;
  - (d)(4) that such modifications will not unduly obstruct the access of light and air to surrounding properties;
  - (e)(5) that any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;
  - (f)(6) that such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements.
- (b) For #developments# or #enlargements# on a #zoning lot# with a #lot area# of at least 60,000 square feet located wholly or partially in the Penn Center Subdistrict which have been granted a #floor area# bonus for subway station and/or rail mass transit facility improvements pursuant to Section 81-541 in accordance with Section 74-634 , the Commission may permit modifications of the mandatory district plan elements of Section 81-40, the height and setback regulations of 81-26 and 81-27, or the provisions of Article VII, Chapter 7 that determine the distribution of permitted #floor area# on such #zoning lots# and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements subject to the following findings:
- (1) that the modifications of mandatory plan elements, #floor area# allocation or #rear yard# and #court# regulations result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#;
  - (2) that the design, scale and location of the new #buildings# or #enlarged buildings# are compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;
  - (3) that such modifications will not unduly obstruct the access of light and air to surrounding properties;
  - (4) that any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;

- (5) that such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements;
- (6) that the improvements to the below-grade pedestrian circulation network provided by the #development# or #enlargement# significantly increase public accessibility to and from subway stations and/or rail mass transit facilities in and around Pennsylvania Station; and
- (7) that the modifications of height and setback regulations:
  - (i) are necessary due to the constraints or conditions of the #development# or #enlargement# and conditions imposed by the configuration of the site; and
  - (ii) will provide an appropriate distribution of #bulk# on the #zoning lot# with due consideration of the basic strategy of the #Special Midtown District# and the purpose of the District's height and setback regulations. In considering whether such distribution of #bulk# is appropriate, the Commission shall consider a complete daylight evaluation for the proposed design.

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

\* \* \*

**81-254  
Special permit for height and setback modifications**

In the #Special Midtown District#, the City Planning Commission may modify the special height and setback regulations set forth in this Chapter only in accordance with the following provisions:

- Section 74-711 (Landmark preservation in all districts) as modified by the provisions of Sections 81-266 or 81-277 (Special permit for height and setback modifications);
- Section 74-79 (Transfer of Development Rights from Landmark Sites) where development rights are transferred from a landmark site to an adjacent lot in a C5-3, C6-6 or C6-7 District, as modified by Section 81-212, and the total #floor area# on the adjacent lot resulting from such transfer exceeds the basic maximum #floor area ratio# by more than 20 percent. In such cases, the granting of a special permit by the Commission for height and setback

modifications shall be in accordance with the provisions of Sections 81-266 or 81-277;

Section 81-066                    (Special permit modifications of Section 81-40, Section 81-254 and certain Sections of Article VII, Chapter 7).

Section 81-635    (Transfer of development rights by special permit).

\* \* \*

**81-50  
SPECIAL REGULATIONS FOR THE PENN CENTER SUBDISTRICT**

\* \* \*

**81-51  
General Provisions**

In order to establish the Penn Center Subdistrict as a destination and enhance its retail, entertainment and commercial character and expand accessibility to its transportation network, special regulations are set forth governing the location and type of #signs#, urban design and streetscape relationships, and the improvement of pedestrian circulation to and from public transit facilities.

The regulations of Section 81-50 are applicable only in the Penn Center Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, except as set forth for rail mass transit improvements pursuant to Section 81-541. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part.

\* \* \*

**81-541  
Rail mass transit facility improvement**

In addition to the provisions of Section 81-29 (Incentives by Special Permit for Provisions of Public Amenities), the City Planning Commission may grant #floor area# bonuses for subway station and/or rail mass transit facility improvements for non-#residential# or #mixed buildings#, in accordance with Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan), and may modify or waive the provisions of Section 81-43 (Street Wall Continuity Along Designated Streets) in accordance with the provisions of Section 74-634, provided that such improvement is approved by the entities which own and/or operate the rail mass transit facility. Prior to granting a special permit, the City Planning Commission shall be provided with:

- (a) a letter from each entity that operates the rail mass transit facility confirming that the drawings of the subway and/or rail mass transit improvement are of sufficient scope and detail to describe the layout and character of the improvements and that the proposed implementation of the improvements is physically and operationally feasible, and
- (b) a legally enforceable instrument containing:
- (1) drawings of the improvements, as approved by the transit operator;
  - (2) provisions that all easements required for the on-site improvements will be conveyed and recorded against the property;
  - (3) the obligations of the applicant to construct, maintain and provide capital maintenance for the improvements and
  - (4) a schedule for completion of the improvements and a requirement that a performance bond or other appropriate security be provided to insure the completion of the improvements.

For the purposes of this Section, improvements to any rail mass transit facility on a #zoning lot# located wholly or partially within the Subdistrict qualifies for bonus #floor area# in accordance with the provisions of Section 74-634, as modified herein. For #zoning lots# located partially within the Subdistrict, such bonus #floor area# may be located anywhere on such #zoning lot#. In addition, if a subway and/or rail mass transit improvement has been constructed in accordance with an approved special permit and has received a Notice of Substantial Completion in accordance with the provisions of Section 74-634, the bonus #floor area# may be retained at the full amount granted by the special permit and may be utilized elsewhere on the #zoning lot# subject to any applicable review and approval process for such #development# or #enlargement#.

\* \* \*

in connection with a proposed commercial development on property located at 15 Penn Plaza\* (Block 808, Lots 40, 1001 and 1002) in a C6-6 District\*\*, within the Special Midtown District (partially within the Penn Center Subdistrict).

\*Note: The site is proposed to be granted a special permit pursuant to Sections 81-066(b)\* and 81-254\* of the Zoning Resolution, under a concurrent related application (C 100049 ZSM), to modify:

1. the height and setback regulations of Section 81-27 (Alternative Height and Setback Regulations- Daylight Evaluation); and
2. the Mandatory District Plan Elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity Along Designated Streets), 81-45 (Pedestrian Circulation Space), 81-47 (Major Building Entrances), and the

design standards for pedestrian circulation spaces of Section 37-53(f) (Sidewalk Widening);

\*\* Note: A portion of the site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**

---

**No. 4**

**CD 5**

**C 100049 ZSM**

**IN THE MATTER OF** an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-066(b)\* and 81-254\* of the Zoning Resolution to modify:

1. the height and setback regulations of Section 81-27 (Alternative Height and Setback Regulations- Daylight Evaluation); and
2. the Mandatory District Plan Elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity Along Designated Streets), 81-45 (Pedestrian Circulation Space), 81-47 (Major Building Entrances), and the design standards for pedestrian circulation spaces of Section 37-53(f) (Sidewalk Widening);

in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District\*\*, within the Special Midtown District (partially within the Penn Center Subdistrict).

\* Note: Sections 81-066 and 81-254 are proposed to be amended under a concurrent related application (N 100048 ZRM) for a zoning text change.

\*\* Note: The site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

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

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**

---

**No. 5**

**CD 5**

**C 100050 ZSM**

**IN THE MATTER OF** an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-541\* and 74-634 of the Zoning Resolution to allow a floor area bonus not to exceed 20 percent of the basic maximum floor area ratio permitted by the underlying district regulations for subway station and/or rail mass transit facility improvements, in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District\*\*, within the Special Midtown District (partially within the Penn Center Subdistrict).

\* Note: Section 81-541 is proposed to be amended under a concurrent related application (N 100048 ZRM) for a zoning text change.

\*\* Note: The site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

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

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**



**No. 6**

**CD 5**

**C 100237 PQM**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of easements bounded by Sixth and Seventh avenues, West 32nd and West 33rd streets (Block 808, Lots 40, 1001 and 1002), Borough of Manhattan, Community District 5, to facilitate the construction of transit entrances, a below-ground pedestrian passageway, and other mass transit improvements.

**Resolution for adoption scheduling May 26, 2010 for a public hearing.**



**NOTICE**

**On Wednesday, May 26, 2010, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to the 15 Penn Plaza Draft Environmental Impact Statement (DEIS) concerning Amendments to the Zoning Map and the text of the Zoning Resolution (ZR); easement acquisitions; various special permits modifying mandatory District Plan elements as well as height and setback regulations within the Special Midtown District, a floor area bonus in exchange for Subway Station and Rail Mass Transit Facility Improvements, and other related actions, to facilitate the construction of a new commercial office building (known as “15 Penn Plaza”) on the block bounded by Seventh Avenue on the west, Avenue of the Americas on the east, West 33<sup>rd</sup> Street on the north, and West 32<sup>nd</sup> and Street on the south (Block 808, Lots 1001 and 1002), located in Manhattan Community District 5.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP019M.**

---

**II. REPORTS**

---

**BOROUGH OF BROOKLYN**

**No. 7**

***BAKU PALACE***

**CD 15**

**C 090471 ZSK**

**IN THE MATTER OF** an application submitted by Integral Electrical Power & Control Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 94-063 of the Zoning Resolution to allow an eating or drinking establishment without restrictions on entertainment or dancing, on a portion of the ground floor and 2<sup>nd</sup> floor of an existing 2-story building on property located at 2001 Emmons Avenue, (Block 8778, Lot 52) in an R5/C2-2 District within the Special Sheepshead Bay District (Area C).

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

(On March 24, 2010, Cal. No. 1, the Commission scheduled April 14, 2010 for a public hearing. On April 14, 2010, Cal. No.16, the hearing was closed.)

**For consideration.**



**Nos. 8 & 9**

***PROVIDENCE HOUSE II***

**No. 8**

**CD 3**

**C 100155 HAK**

**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 277, 275 and 273 Kosciusko Street (Block 1781, Lots 60-62) as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a six-story building, tentatively known as Providence House II, with approximately 45 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

(On April 14, 2010, Cal. No. 3, the Commission scheduled April 28, 2010 for a public hearing. On April 28, 2010, Cal. No. 28, the hearing was closed.)

**For consideration.**

---

**No. 9**

**CD 3**

**C 100156 ZSK**

**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio) to apply to a proposed 6-story community facility with sleeping accommodations, on property located at 273-277 Kosciusko Street (Block 1781, Lots 60, 61, & 62), in an R6 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 April 14, 2010, Cal. No. 4, the Commission scheduled April 28, 2010 for a public hearing. On April 28, 2010, Cal. No. 29, the hearing was closed.)

**For consideration.**

---

**BOROUGH OF MANHATTAN**

**No. 10**

***BRILL BUILDING LANDMARK***

**CD 3**

**N 100280 HKM**

**IN THE MATTER OF** a communication dated March 31, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Brill Building, 1619 Broadway (Block 1021, Lot 19), by the Landmarks Preservation Commission on March 23, 2010 (Designation List No. 427/LP-2387).

**For consideration.**



**No. 11**

***BISSELL HOUSE LANDMARK***

**CD 5**

**N 100281 HKM**

**IN THE MATTER OF** a communication dated March 31, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the Joseph B. and Josephine H. Bissell House, located at 46 West 55<sup>th</sup> Street (Block 1270, Lot 60), by the Landmarks Preservation Commission on March 23, 2010 (List No. 427 /LP-2340).

**For consideration.**



**No. 12**

***UPPER EAST SIDE HISTORIC DISTRICT EXTENSION***

**CD 8**

**N 100282 HKM**

**IN THE MATTER OF** a communication dated March 31, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the Upper East Side Historic District Extension, designated by the Landmarks Preservation Commission on March 23, 2010 (List No. 427, LP No. 2373). The district boundaries are:

**Area I (Northern Section)**

Area I of the proposed Upper East Side Historic District Extension consists of the property bounded by a line beginning at the intersection of the southern curblineline of East 75th Street and the eastern curblineline of Lexington Avenue, extending northerly across the roadbed of East 75th Street and along the eastern curblineline of Lexington Avenue to a point formed by its intersection with a line extending westerly from the northern property line of 1061-1065 Lexington Avenue, easterly along said property line and the northern property lines of 157 through 163-173 East 75th Street to the eastern property line of 163-173 East 75th Street, southerly along said property line and across the roadbed to the southern curblineline of East 75th Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 176 East 75th Street, southerly along said property line to the southern property line of 176 East 75th Street, westerly along said property line, the southern property line of 174 East 75th Street, and a portion of the southern property line of 172 East 75th Street to the eastern property line of 151 East 74th Street, southerly along said property line and across the roadbed to the southern curblineline of East 74th Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 144 East 74th Street (aka 1031 Lexington Avenue), southerly along said property line to the northern property line of 1019-1029 Lexington Avenue (aka 145-151 East 73<sup>rd</sup> Street), easterly along a portion of said property line to the eastern property line of 1019-1029 Lexington Avenue (aka 145-151 East 73<sup>rd</sup> Street), southerly along said property line to the northern property line of 153-157 East 73<sup>rd</sup> Street, easterly along a portion of said property line to the eastern property line of 153-157 East 73<sup>rd</sup> Street, southerly along said property line to the northern curblineline of East 73<sup>rd</sup> Street, easterly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 1009-1017 Lexington Avenue (aka 150 East 73<sup>rd</sup> Street), southerly across the roadbed and along said property line to the northern property line of 153-155 East 72<sup>nd</sup> Street, easterly along a portion of said property line and along the northern property line of 157 East 72<sup>nd</sup> Street to the eastern property line of 157 East 72<sup>nd</sup> Street, southerly along said property line to the northern curblineline of East 72<sup>nd</sup> Street, westerly along said curblineline to a point formed by its intersection with a line extending northerly from the eastern property line of 164-172 East 72<sup>nd</sup> Street, southerly across the roadbed and along said property line to the southern property line of 164-172 East 72<sup>nd</sup> Street, westerly along said property line and a portion of the southern property line of 158-162 East 72<sup>nd</sup> Street, southerly along a portion of the eastern property line of 158-162 East 72<sup>nd</sup> Street, westerly along a portion of the southern property line of 158-162 East 72<sup>nd</sup> Street and along the southern property line of 993-999 Lexington Avenue (aka 150-156 East 72<sup>nd</sup> Street) to the eastern curblineline of Lexington Avenue, northerly along said curblineline and across the roadbed to the northern curblineline of East 72<sup>nd</sup> Street, westerly across the roadbed and along the northern curblineline of East 72<sup>nd</sup> Street to a point formed by its intersection with a line extending southerly from the western property line of 113-115 East 72<sup>nd</sup> Street, northerly along said property line to the northern property line of 113-115 East 72<sup>nd</sup> Street, easterly along said property line, the northern property line of 117-123 East 72<sup>nd</sup> Street, and a portion of the northern property line of 1004-1010 Lexington Avenue (aka 125-139 East 72<sup>nd</sup> Street) to the western property line of 1012 Lexington Avenue, northerly along said property line, the western property lines of 1014 through 1020 Lexington Avenue, the western property line of 1022 Lexington Avenue (aka 138-140 East 72<sup>nd</sup> Street), and across the roadbed to the northern curblineline of East 73<sup>rd</sup> Street, easterly along said curblineline to the western curblineline of Lexington Avenue, northerly along said curblineline to a point formed by its

intersection with a line extending easterly from the southern property line of 1032-1034 Lexington Avenue, westerly along said property line to the western property line of 1032-1034 Lexington Avenue, northerly along said property line to the northern property line of 1032-1034 Lexington Avenue, easterly along a portion of said property line to the western property line of 142 East 74th Street (aka 1034A Lexington Avenue), northerly along said property line to the southern curbline of East 74th Street, westerly along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 1036-1038 Lexington Avenue (aka 135-143 East 74th Street), northerly across the roadbed, along said property line, and along a portion of the western property line of 1040-1054 Lexington Avenue (aka 126-130 East 75th Street) to the southern property line of 1040-1054 Lexington Avenue (aka 126-130 East 75th Street), westerly along a portion of said property line to the western property line of 1040-1045 Lexington Avenue (aka 126-130 East 75th Street), northerly along said property line to the southern curbline of East 75th Street, easterly along said curbline and across the roadbed to the point of the beginning.

#### **Area II (Southern Section)**

Area II of the proposed Upper East Side Historic District Extension consists of the property bounded by a line beginning at the intersection of the northern curbline of East 63rd Street and the western curbline of Lexington Avenue, extending westerly along the northern curbline of East 63rd Street to a point formed by its intersection with a line extending southerly from the western property line of 125 East 63<sup>rd</sup> Street, northerly along said property line to the northern property line of 125 East 63rd Street, easterly along said property line to the western property line of 826-842 Lexington Avenue (aka 136 East 64th Street), northerly along a portion of said property line to the southern curbline of East 64th Street, westerly along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 844-854 Lexington Avenue (aka 133-135 East 64th Street), northerly across the roadbed and along said property line to the northern property line of 844-854 Lexington Avenue (aka 133-135 East 64th Street), easterly along a portion of said property line to the western property line 856 Lexington Avenue, northerly along said property line, the western property lines of 858 through 864 Lexington Avenue, and the western property line of 866 Lexington Avenue (aka 130 ½ East 65th Street), across the roadbed to the northern curbline of East 65th Street, easterly along said curbline, across the roadbed, and along said curbline to the point of its intersection with a line extending northerly from the eastern property line of 144-146 East 65th Street, southerly across the roadbed and along said property line to the southern property line of 144-146 East 65th Street, westerly along said property line and the southern property lines of 142 through 132 East 65th Street to the eastern property line of 851 Lexington Avenue, southerly along said property line, the eastern property lines of 843 through 849 Lexington Avenue, and the eastern property line of 841 Lexington Avenue (aka 155-157 East 64th Street) to the northern curbline of East 64th Street, westerly along said curbline and across the roadbed to its intersection with the western curbline of Lexington Avenue, southerly across the roadbed and along said curbline to the point of the beginning, Community District 8, Borough of Manhattan.

(On April 15, 2010, the Commission duly advertised April 28, 2010 for a public hearing. On April 28, 2010, Cal. No. 26, the hearing was closed).

**BOROUGH OF STATEN ISLAND**

**No. 13**

***REFORMED CHURCH LANDMARK***

**CD 1**

**N 100278 HKR**

**IN THE MATTER OF** a communication dated March 31, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the designation of the Reformed Church on Staten Island at 54 Port Richmond Avenue (Block 1073, Lot 75), by the Landmarks Preservation Commission on March 23, 2010 (Designation List 427/LP-2384), Borough of Staten Island, Community District 1.

**For consideration.**

---

**No. 14**

***COSTCO ENLARGEMENT***

**CD 2**

**N 070437 ZAR  
M 860374(D) ZMR**

**IN THE MATTER OF** an application submitted by Costco for the grant of an authorization pursuant to Section 36-023 of the Zoning Resolution to allow:

- a. a group parking facility in a C4-1 District which is accessory to a commercial development on a zoning lot in excess of 4 acres;
- b. a reduction of the parking requirement of Section 36-21 (General Provisions) by 34 percent to 630 spaces; and
- c. a modification of the landscaping provisions of Section 37-90 (Parking Lots);

in connection with a proposed 1-story, approximately 21,203 square-foot enlargement of an existing commercial development on property located at 2975 Richmond Avenue (Block 2359, Lot 300), in a C4-1 District. The related application, M860374(D) ZMR, is for approval of a modification to the restrictive declaration, originally recorded in conjunction with application, M 860374 ZMR, to reference a new site plan.

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.

**For consideration.**

---

**BOROUGH OF THE BRONX**

**No. 15**

***CROTONA TERRACE REZONING***

**CD 3**

**C 080157 ZMX**

**IN THE MATTER OF** an application submitted by CBC Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. changing from a C8-3 District to an R7-1 District property bounded by East 176<sup>th</sup> Street, Boston Road, East 175<sup>th</sup> Street, and Southern Boulevard; and
2. establishing within the proposed R7-1 District a C2-4 District bounded by East 176<sup>th</sup> Street, Boston Road, East 175<sup>th</sup> Street, and Southern Boulevard;

as shown on a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-243.

(On March 10, 2010, Cal. No. 2, the Commission scheduled March 24, 2010 for a public hearing. On March 24, 2010, Cal. No. 8, the hearing was closed.)

**For consideration.**

---

**III. PUBLIC HEARINGS**

---

**BOROUGH OF BROOKLYN**

**No. 16**

***INDUSTRY CITY PARKING***

**CD 7**

**C 100204 PPK**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the New York City Economic Development Corporation of one (1) city-owned property, generally bounded by 39<sup>th</sup> Street (1<sup>st</sup> and 2<sup>nd</sup> Avenues) and the western portion of 2<sup>nd</sup> Avenue, from 37<sup>th</sup> to 29<sup>th</sup> streets (Block 662, p/o Lot 1), in the South Brooklyn Marine Terminal (SBMT), restricted to parking and accessory use only.

(On April 28, 2010, Cal. No. 1, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**BOROUGH OF MANHATTAN**

**No. 17**

***HIGH LINE***

**CD 4**

**C 100180 PCM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of the High Line rail structure and easements (Blocks 676, 679, and 702), generally bounded by West 30th Street, Tenth and Twelfth avenues, and West 34th Street, for use as public open space.

(On April 28, 2010, Cal. No. 2, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 18**

***ELLIOT CHELSEA HOUSING***

**CD 4**

**N 100262 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the New York City Housing Authority (NYCHA) and 25<sup>th</sup> Street Chelsea Equities LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York relating to Article II, Chapter 3 (Height and Setback Regulations)

Matter in underline is new, to be added;

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

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

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

**23-60**

**HEIGHT AND SETBACK REGULATIONS**

\* \* \*

**23-635**

**Special bulk regulations for certain sites in Community District 4, Borough of Manhattan**

Within the boundaries of Community District 4 in the Borough of Manhattan, for #residential developments# or #enlargements# in R8 Districts without a letter suffix on #zoning lots# larger than 1.5 acres, the City Planning Commission may authorize modifications of height and setback and in conjunction therewith reduce the amount of required off#street# parking, provided the Commission finds that such modifications will facilitate the provision of publicly assisted housing on the #zoning lot#, and such modifications will not unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# on the #zoning lot# or nearby properties or #streets# and that the reduction in parking is consistent with the needs of the residents.

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

(On April 28, 2010, Cal. No. 3, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**BOROUGH OF QUEENS**

**Nos. 19, 20, 21, 22, 23, 24, 25, 26, 27 & 28**

***FLUSHING COMMONS***

**No. 19**

**CD 7**

**C 100206 PPQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located at 38-15 138<sup>th</sup> Street, (Block 4978, p/o Lot 25), pursuant to zoning.

(On April 28, 2010, Cal. No. 4, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 20**

**CD 7**

**C 100207 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, by changing from a C4-3 District to a C4-4 District property bounded by Congressman Rosenthal Place, Union Street, 39<sup>th</sup> Avenue, and 138<sup>th</sup> Street, Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated January 25, 2010, and subject to the conditions of CEQR Declaration E-247.

(On April 28, 2010, Cal. No. 5, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 21**

**CD 7**

**C 100208 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(2) - to allow the location of buildings without regard for the height and setback requirements of Sections 23-632, 33-432 and 35-60, the rear yard requirements of Sections 23-532 and 35-53, the rear yard setback requirements of Section 23-663, the minimum distance between buildings and minimum distance between legally required windows and building walls regulations of Section 23-711;
2. Section 74-743(a)(4)\* - to allow the maximum floor area ratio permitted pursuant to Section 23-142 without regard for height factor or open space ratio requirements;
3. Section 74-744(b) - to allow residential and non-residential uses to be arranged within buildings without regard for the requirements of Section 32-42;

to facilitate a proposed mixed use development, on property located at 38-15 138<sup>th</sup> Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4\*\* District, within a General Large-Scale Development.

Note: \* Section 74-743(a)(4) is proposed to be changed under a concurrent related application (N 100210 ZRQ) for a zoning text change; and  
\*\* The site is proposed to be rezoned from a C4-3 to a C4-4 District under a related application (C 100207 ZMQ).

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 April 28, 2010, Cal. No. 6, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 22**

**CD 7**

**C 100209 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking facility with a maximum capacity of 1600 spaces, including 908 self-park spaces and 692 attended parking spaces, on portions of the ground floor, 1<sup>st</sup> level cellar, 2<sup>nd</sup> level cellar and the 3<sup>rd</sup> level cellar, in connection with a proposed mixed use development, on property located at 38-15 138<sup>th</sup> Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4\*\* District, within a General Large-Scale Development.

Note: \*\* The site is proposed to be rezoned from a C4-3 to a C4-4 District under a related application (C 100207 ZMQ).

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 April 28, 2010, Cal. No. 7, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 23**

**CD 7**

**C 100210 ZRQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Flushing Commons LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-743 (Special provisions for bulk modification), relating to open space, in General Large-Scale Developments in C4-4 Districts in the Borough of Queens, Community District 7

Matter in underline is new, to be added;

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

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

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

~~3/26/08~~

### **74-743**

#### **Special provisions for bulk modification**

(a) For a #general large-scale development#, the City Planning Commission may permit:

- (1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:
  - (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
  - (ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
- (2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;
- (3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries; and
- (4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2 or C6-3 District within the boundaries of Community District 7 in Manhattan or located within a C4-4 District within the boundaries of Queens Community District 7 and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of paragraph (a)(4) of this Section shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district.
- (5) in an #Inclusionary Housing designated area# in a C4-6 or C5 District:

- (i) a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or
- (ii) community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of #lower income housing# required pursuant to Section 23-942;

\* \* \*

(b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

\* \* \*

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a)(4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general-large scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

\* \* \*

(On April 28, 2010, Cal. No. 8, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**



**No. 24**

**CD 7**

**C 100211 ZRQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Flushing Commons LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution.

Matter in underline is new, to be added;  
Matter in ~~strikeout~~ is to be deleted;  
Matter with # # is defined in Section 12-10;  
\* \*\* indicated where unchanged text appears in the Zoning Resolution

**62-952**  
**Waterfront Access Plan Q-2; Downtown Flushing**

Maps Q-2a through Q-2c in paragraph ~~(e)~~(f) of this Section show the boundaries of the area comprising the Downtown Flushing Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on September 17, 1998, as follows:

\* \* \*

(b) Special public access provisions by parcel

The requirements for #waterfront public access areas# of Sections 62-53 through 62-57, inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the following designated locations which are shown on Map Q-2b in paragraphs ~~(e)~~(f) of this Section:

\* \* \*

(2) Parcel 2

(i) #Shore public walkway#

The requirements of Section 62-53 are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required #upland connection# and the #shore public walkway# and shall be improved pursuant to the standards for a #supplemental public access area#, as set forth in Section 62-62.

(ii) #Upland connection#

An #upland connection# shall be located between College Point Boulevard and the #shore public walkway#, either: (1) within the flexible location zone indicated on Map Q-2b in paragraph ~~(e)~~(f) of this Section, having as its northerly boundary the straight-line extension of that portion

of the boundary between Parcels 1 and 2 which intersects with College Point Boulevard and, as its southern boundary, the prolongation of the southerly #street line# of 37th Avenue; or (2) continuously adjoining the boundary between Parcels 1 and 2.

(iii) No public access shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 (In other Districts) and is an interim use that is limited to a term of not more than ten years.

\* \* \*

(c) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-2c in paragraph ~~(e)~~(f) of this Section:

(1) Parcel 1

A #visual corridor# shall be provided through Parcel 1 to the pierhead line as the prolongation of the #street lines# of 36th Road. Any #building or other structure# existing on September 17, 1998, shall be a permitted obstruction.

(2) Parcel 2

A #visual corridor# shall be provided through Parcel 2 to the pierhead line as the prolongation of the #street lines# of 37th Avenue. However, no #visual corridor# shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 provided that the parking facility is an interim use limited to a term of not more than ten years.

\* \* \*

(e) Special use provisions by parcel

(1) Parcel 2

The City Planning Commission may permit #public parking lots# on #waterfront blocks# in accordance with applicable district regulations and Section 74-512 provided that the parking facility is an interim #use# limited to a term of not more than ten years.

~~(e)~~(f) Downtown Flushing Waterfront Access Plan Maps

\* \* \*

(On April 28, 2010, Cal. No. 9, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 25**

**CD 7**

**C 100212 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 647 spaces, including 201 self-park spaces and 446 attended parking spaces, on property located at 133-41 39<sup>th</sup> Avenue (Block 4972, Lots 8, 23 and 65), in a C4-2 District.

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

(On April 28, 2010, Cal. No. 10, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 26**

**CD 7**

**C 100213 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 62-835 and 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 309 spaces, including 207 self-park spaces and 102 attended parking spaces, on property located at 37-02 College Point Boulevard (Block 4963, Lot 85), in a C4-2 District.

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

(On April 28, 2010, Cal. No. 11, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 27**

**CD 7**

**C 100214 ZSQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by NYC Department of Transportation and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 275 attended parking spaces, on property located at 135-17 39<sup>th</sup> Avenue (Block 4975, Lot 15), in a C4-2 District.

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

(On April 28, 2010, Cal. No. 12, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 28**

***MACEDONIA PLAZA***

**CD 7**

**C 100216 HAQ**

**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 37-10 37<sup>th</sup> Avenue (Block 4978, part of Lot 25) as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a 14-story building, tentatively known as Macedonia Plaza with approximately 140 residential units.

(On April 28, 2010, Cal. No. 13, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**NOTICE**

**On Wednesday, May 12, 2010, at 10:00 a.m., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the Office of the Deputy Mayor for Economic Development in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning disposition of City-owned property from the Department of Citywide Administrative Services; the designation of the Urban Development Action Area and Project and the disposition of property from the New York City Department of Housing Preservation and Development (HPD) to a designated developer chosen by HPD; amendments to the Zoning Map and the text of the Zoning Resolution (ZR), as well as various special permits related to public parking facilities and waivers pursuant to a General Large Scale Development, a special permit from the New York City Board of Standards and Appeals (BSA), and other related actions, to facilitate the construction of five mixed-use buildings (collectively known as “Flushing Commons”) and the Macedonia Plaza affordable housing project, on the block bounded by 138th Street, 37th Avenue, 39<sup>th</sup> Avenue, and Union Street (Block 4978, Lots 25 and 46), located in Queens Community District 7.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 06DME010Q.**

---

**No. 29**

***35<sup>TH</sup> AVENUE REZONING***

**CD 7**

**C 030223 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by C & G Empire Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a:

1. changing from an M1-1 District to an R6 District property bounded by Farrington Street, 35<sup>th</sup> Avenue, Prince Street, and a line 250 feet northwesterly of 35<sup>th</sup> Avenue; and
2. establishing within the proposed R6 District a C2-2 District bounded by Farrington Street, 35<sup>th</sup> Avenue, Prince Street, and a line 250 feet northwesterly of 35<sup>th</sup> Avenue;

as shown a diagram (for illustrative purposes only) dated January 25, 2010 and subject to the conditions of CEQR Declaration E-246.

(On April 28, 2010, Cal. No. 14, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**

---

**No. 30**

***94<sup>TH</sup> STREET-CORONA AVENUE REZONING***

**CD 4**

**C 050522 ZMQ**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by 45-10 94<sup>th</sup> Street LLC and 91<sup>st</sup> Place Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9d:

1. changing from an M1-1 District to an R7B District property bounded by the southerly boundary line of the Long Island Rail Road right-of-way (Northside Division), 94<sup>th</sup> Street, Corona Avenue, a line perpendicular to the northerly street line of Corona Avenue distant 200 feet easterly (as measured along the street line)

from the point of intersection of the northerly street line of Corona Avenue and northeasterly street line of 91<sup>st</sup> Place, a line 100 feet northerly of Corona Avenue, and a line 100 feet northeasterly of 91<sup>st</sup> Place; and

2. establishing within the proposed R7B District a C2-3 District bounded by a line 100 feet northerly of Corona Avenue, 94<sup>th</sup> Street, Corona Avenue, and a line perpendicular to the northerly street line of Corona Avenue distant 200 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Corona Avenue and northeasterly street line of 91<sup>st</sup> Place;

as shown on a diagram (for illustrative purposes only) dated February 22, 2010 and subject to the conditions of CEQR Declaration E-248.

(On April 28, 2010, Cal. No. 15, the Commission scheduled May 12, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**



**BOROUGH OF STATEN ISLAND**

**No. 31**

***WHITNEY WOODS SOUTH BEACH BLUE BELT***

**CD 2**

**C 100231 PCR**

**PUBLIC HEARING:**

**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 and acquisition of properties generally bounded by Marie Street and Woodlawn and Leslie avenues (Block 3203, Lots 45 and 50; Block 3205, Lots 16, 17, 21, 24, 27, 30 and 33); the bed of Whitney Avenue from Parkinson to Woodlawn Avenues, and the bed of Woodlawn Avenue from Whitney to Leslie avenues, for the storage and conveyance of storm water.

(On April 28, 2010, Cal. No. 16, the Commission scheduled May 12, 2010 for a public hearing which has been 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	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28 PALM SUNDAY	29	30 PASSOVER	31			
APRIL					1	2 GOOD FRIDAY	3
	4	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 LABOR DAY	6	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.