

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, JULY 14, 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 070550 ZMX	3	HIGH HAWK	Scheduled to be Heard 7/28/10
2	C 100258 PQK	1	DOS DISTRICT 3 GARAGE & PARKING LOT	" "
3	C 100264 PQK	1	" "	" "
4	C 100345 ZMK	12	CULVER EL	" "
5	N 100346 ZRK	12	" "	" "
6	C 100347 HAK	12	" "	" "
7	C 100348 ZSK	12	" "	" "
8	C 100349 ZSK	12	" "	" "
9	C 100350 ZSK	12	" "	" "
10	C 100351 ZSK	12	" "	" "
11	C 100352 ZSK	12	" "	" "
12	C 100353 ZSK	12	" "	" "
13	C 100354 ZSK	12	" "	" "
14	C 100355 ZSK	12	" "	" "
15	C 100356 ZSK	12	" "	" "
16	C 100357 ZSK	12	" "	" "
17	C 100358 ZSK	12	" "	" "
18	C 100359 ZSK	12	" "	" "
19	C 100360 ZSK	12	" "	" "
20	C 100361 ZSK	12	" "	" "
21	C 090253 ZSM	2	433 BROOME STREET	" "
22	C 100274 PPM	9	SUGAR HILL	" "
23	C 100275 PQM	9	" "	" "
24	C 100277 ZMM	9	" "	" "
25	C 100145 ZMQ	1	HOUR CHILDREN	" "
26	C 090376 PPK	18	BROOKLYN TERMINAL MARKET	Favorable Report Adopted
27	N 100417 HKK	4	WILLIAM ULMER BREWERY LANDMARK	Forward Report to City Council
28	N 100418 HKM	2	SOHO CAST IRON HISTORIC DISTRICT EXTENSION	" "
29	C 100047 ZMM	5	15 PENN PLAZA	Favorable Report Adopted
30	N 100048 ZRM	5	" "	" "
31	C 100049 ZSM	5	" "	" "
32	C 100050 ZSM	5	" "	" "



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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, JULY 14, 2010**

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**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. 13]**

**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)**

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**CITY PLANNING COMMISSION**

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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.

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**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.

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**WEDNESDAY JULY 14, 2010**

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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 July 28, 2010 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

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**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: \_\_\_\_\_

**JULY 14, 2010**

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**APPROVAL OF MINUTES OF the Regular Meeting of June 23, 2010**

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED  
FOR WEDNESDAY, JULY 28, 2010**

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

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**BOROUGH OF THE BRONX**

**No. 1**

***HIGH HAWK***

**CD 3**

**C 070550 ZMX**

**IN THE MATTER** of an application submitted by High Hawk, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 3d:

1. changing from a C8-3 District to an R7-1 District property bounded by Boston Road, Hoe Avenue, and East 174<sup>th</sup> Street; and
2. establishing within the proposed R7-1 District a C2-4 District on property bounded by Boston Road, Hoe Avenue, and East 174<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only) dated May 10, 2010 and subject to the conditions of CEQR Declaration E-251.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**BOROUGH OF BROOKLYN**

**Nos. 2 & 3**

***DOS DISTRICT 3 GARAGE & PARKING LOT***

**No. 2**

**CD 1**

**C 100258 PQQ**

**IN THE MATTER OF** an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 525 Johnson Avenue (Block 2987, Lot 16), for continued use as a garage.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 3**

**CD 1**

**C 100264 PQQ**

**IN THE MATTER OF** an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 145 Randolph Street (Block 2967, Lot 45), for continued use as a parking lot.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**Nos. 4-20**

**CULVER EL**

**No. 4**

**CD 12**

**C 100345 ZMK**

**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c:

1. changing from an M1-2 District to an R5 District property bounded by 36<sup>th</sup> Street, a line 100 feet northwesterly of 13<sup>th</sup> Avenue, 37<sup>th</sup> Street, and 12<sup>th</sup> Avenue;
2. changing from an M1-2 District to a C4-2A District property bounded by 36<sup>th</sup> Street, Old New Utrecht Road, 37<sup>th</sup> Street, and 13<sup>th</sup> Avenue;
3. changing from an M1-2 District to an M1-2/R6A District property bounded by:
  - a. 36<sup>th</sup> Street, 13<sup>th</sup> Avenue, 37<sup>th</sup> Street and a line 100 feet northwesterly of 13<sup>th</sup> Avenue; and
  - b. 38<sup>th</sup> Street, a line 80 feet southeasterly of 13<sup>th</sup> Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, 13<sup>th</sup> Avenue, 39<sup>th</sup> Street, and a line 100 feet northwesterly of 13<sup>th</sup> Avenue;
4. changing from an M1-2 District to an M1-2/R6B District property bounded by:
  - a. 38<sup>th</sup> Street, a line 100 feet northwesterly of 13<sup>th</sup> Avenue, 39<sup>th</sup> Street, and 12<sup>th</sup> Avenue; and
  - b. 38<sup>th</sup> Street, 14<sup>th</sup> Avenue, a line midway between 38<sup>th</sup> Street and 39<sup>th</sup> Street, and a line 80 feet southeasterly of 13<sup>th</sup> Avenue;
5. changing from an M2-1 District to an M1-2/R6A District property bounded by 37<sup>th</sup> Street, Old New Utrecht Road, a line 50 feet southwesterly of 37<sup>th</sup> Street, a line 80 feet southeasterly of 13<sup>th</sup> Avenue, 38<sup>th</sup> Street, a line 100 feet northwesterly of 13<sup>th</sup> Avenue, a line 50 feet southwesterly of 37<sup>th</sup> Street, and 12<sup>th</sup> Avenue;
6. changing from an M2-1 District to an M1-2/R6B District property bounded by:
  - a. a line 50 feet southwesterly of 37<sup>th</sup> Street, a line 100 feet northwesterly of 13<sup>th</sup> Avenue, 38<sup>th</sup> Street, and 12<sup>th</sup> Avenue; and
  - b. a line 50 feet southwesterly of 37<sup>th</sup> Street, Old New Utrecht Road, 14<sup>th</sup> Avenue, 38<sup>th</sup> Street, and a line 80 feet southeasterly of 13<sup>th</sup> Avenue;
7. establishing within a proposed R5 District a C2-3 District bounded by 36<sup>th</sup> Street, a line 150 feet southeasterly of 12<sup>th</sup> Avenue, a line 80 feet southwesterly of 36<sup>th</sup> Street, and 13<sup>th</sup> Avenue; and
8. establishing a Special Mixed Use District (MX-12) bounded by 37<sup>th</sup> Street, a line 100 feet northwesterly of 13<sup>th</sup> Avenue, 36<sup>th</sup> Street, 13<sup>th</sup> Avenue, 37<sup>th</sup> Street, Old New Utrecht Road, 14<sup>th</sup> Avenue, a line midway between 38<sup>th</sup> Street and 39<sup>th</sup> Street, a line 80 feet southeasterly of 13<sup>th</sup> Avenue, a line midway between 39<sup>th</sup> Street and 40<sup>th</sup> Street, 13<sup>th</sup> Avenue, 39<sup>th</sup> Street, and 12<sup>th</sup> Avenue;

as shown on a diagram (for illustrative purposes only) dated May 10, 2010, and subject to the conditions of CEQR Declaration E-252

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 5**

**CD 12**

**C 100346 ZRK**

**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 XII, Chapter 3 (Special Mixed Use Districts), relating to the establishment of a new Special Mixed Use District in Brooklyn’s Community District 12.

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

\* \* \*

**123-90**

**Special Mixed Use Districts Specified**

The #Special Mixed Use District# is mapped in the following areas:

\* \* \*

#Special Mixed Use District# - 1

Port Morris, The Bronx

The #Special Mixed Use District# - 1 is established in Port Morris in The Bronx as indicated on the #zoning maps#.

\* \* \*

#Special Mixed Use District# - 12

Borough Park, Brooklyn

The #Special Mixed Use District# - 12 is established in Borough Park in Brooklyn as indicated on the #zoning maps#.

\* \* \*

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 6**

**CD 12**

**C 100347 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 1284 37<sup>th</sup> Street (Block 5295, Lot 4), and 1300 37<sup>th</sup> Street (Block 5300, Lot 9), 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 the development of seventeen 4-story buildings with a total of approximately 68 units of affordable housing.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 7**

**CD 12**

**C 100348 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning

Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lots 115 & 116), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**

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**No. 8**

**CD 12**

**C 100349 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5300, p/o Lot 9 (Tentative Lot 114), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**

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**No. 9**

**CD 12**

**C 100350 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lots 112 & 113), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 10**

**CD 12**

**C 100351 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5300, p/o Lot 9 (Tentative Lot 111), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 11**

**CD 12**

**C 100352 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5300, p/o Lot 9 (Tentative Lot 110), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 12**

**CD 12**

**C 100353 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5300, p/o Lot 9 (Tentative Lots 9 & 109), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 13**

**CD 12**

**C 100354 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 112 & 113), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 14**

**CD 12**

**C 100355 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 111), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 15**

**CD 12**

**C 100356 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5295, p/o Lot 4 (Tentative Lot 110), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 16**

**CD 12**

**C 100357 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of an off-site accessory parking lot, on property located on Block 5295, p/o Lot 4 (Tentative Lot 109), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 17**

**CD 12**

**C 100358 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 107 & 108), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**

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**No. 18**

**CD 12**

**C 100359 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 106), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**

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**No. 19**

**CD 12**

**C 100360 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of a 4-story residential building, on property located on Block 5295, p/o Lot 4 (Tentative Lot 105), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**No. 20**

**CD 12**

**C 100361 ZSK**

**IN THE MATTER OF** an application submitted by the NYC 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 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which has been permanently discontinued or terminated to be included in the lot area in connection with the development of two 4-story residential buildings, on property located on Block 5295, p/o Lot 4 (Tentative Lots 4 & 104), in a M1-2/R6A\* District, within a Special Mixed Use District (MX-12)\*.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-2/R6A (MX-12) District, under a concurrent related application (C 100345 ZMK).

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 July 28, 2010 for a public hearing.**



**BOROUGH OF MANHATTAN**

**No. 21**

***433 BROOME STREET***

**CD 2**

**C 090253 ZSM**

**IN THE MATTER OF** an application submitted by David Novros and Joanna Pousette-Dart 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 and bulk regulations of:

1. Section 42-14D(2)(b) to allow UG 6 uses (retail uses) on portions of the cellar, ground floor and mezzanine level; and
2. Section 43-17 to allow the enlargement of a building containing Joint Living Work Quarters for Artists;

of an existing 6-story, on property located at 433 Broome Street (Block 473, Lot 16), in an M1-5B 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 July 28, 2010 for a public hearing.**

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**BOROUGH OF MANHATTAN**

**Nos. 22, 23 & 24**

***SUGAR HILL***

**No. 22**

**CD 9**

**C100274PPM**

**IN THE MATTER OF** an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition to the Broadway Housing Development Fund Company, Inc., of a surface easement located at 882 St. Nicholas Avenue, on the southeast corner of 155<sup>th</sup> Street and St. Nicholas Avenue, (Block 2069, part of Lot 26).

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 23**

**CD 9 C100275**

**PQM**

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services and the Department of Environmental Protection, pursuant to Section 197-c of the New York City Charter for the acquisition of a surface easement generally bounded by West 155<sup>th</sup> Street, St. Nicholas Avenue and St. Nicholas Place (Block 2069, p/o Lot 21) to facilitate vehicular parking, access, storage and emergency staging.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**No. 24**

**CD 9**

**C 100277 ZMM**

**IN THE MATTER OF** an application submitted by Broadway Housing Development Fund Company pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3b:

1. changing from an R7-2 District to an R8A District property bounded by a line 100 feet southwesterly of West 155<sup>th</sup> Street, a line perpendicular to the southwesterly street line of West 155<sup>th</sup> Street distant 205 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of St. Nicholas Avenue and the southwesterly street line of West 155<sup>th</sup> Street, a line 150 feet southwesterly of West 155<sup>th</sup> Street and St. Nicholas Avenue; and
2. changing from a C8-3 District to an R8A District property bounded by West 155<sup>th</sup> Street, a line perpendicular to the southwesterly street line of West 155<sup>th</sup> Street distant 205 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of St. Nicholas Avenue and the southwesterly street line of West 155<sup>th</sup> Street, a line 100 feet southwesterly of West 155<sup>th</sup> Street, and St. Nicholas Avenue;

Borough of Manhattan, as shown on a diagram (for illustrative purposes only) dated June 7, 2010 and subject to the conditions of CEQR Declaration E-256.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**NOTICE**

On Wednesday, July 28, 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 Sugar Hill Draft Environmental Impact Statement (DEIS) concerning a zoning map change from C8-3 and R7-2 to a R8A residential zoning district; acquisition/disposition of City-owned property, in the form of an exchange of easements between the applicant and the NYC Department of Citywide Administrative Services (DCAS); financing from the NYC Department of Housing Preservation and Development (NYCHPD), the New York State Division of Housing & Community Renewal (DHCR), and the New York State Office of Temporary Disability Assistance for the residential component of the Proposed Development. In connection with the City's acquisition of the proposed NYC DEP easement, NYCDEP will request a Mayoral zoning override to permit NYCDEP vehicle parking, storage and emergency staging uses on the proposed NYCDEP easement area. The Proposed Actions would facilitate construction of an approximately 169,333 gsf 13-story mixed-use building on the development site, and the existing 300-space garage structure currently on the site would be demolished. The site is located at 404-414 West 155th Street in the Hamilton Heights North neighborhood of West Harlem, in Manhattan Community District 9.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 10DCP031M.

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**BOROUGH OF QUEENS**

No. 25

***HOUR CHILDREN***

CD 1

C 100145 ZMQ

**IN THE MATTER OF** an application submitted by Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b:

1. changing from an M1-1 District to an R5D District property bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, 37<sup>th</sup> Avenue and 11<sup>th</sup> Street; and
2. establishing within a proposed R5D District a C1-3 District bounded by 36<sup>th</sup> Avenue, a line midway between 12<sup>th</sup> Street and 13<sup>th</sup> Street, a line 100 feet southwesterly of 36<sup>th</sup> Avenue, and 12<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only), dated May 10, 2010 and subject to the conditions of CEQR Declaration E-250.

**Resolution for adoption scheduling July 28, 2010 for a public hearing.**

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**II. REPORTS**

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**BOROUGH OF BROOKLYN**

**No. 26**

***BROOKLYN TERMINAL MARKET***

**CD 18**

**C 090376 PPK**

**IN THE MATTER OF** an application submitted by the Department of Small Business Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 8201 Foster Avenue (Block 7920, Lots 20 and 25), in the Brooklyn Terminal Market, pursuant to zoning.

(On May 26, 2010, Cal. No. 1, the Commission scheduled June 9, 2010 for a public hearing. On June 9, 2010, Cal. No. 12, the hearing was closed.)

**For consideration.**

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**No. 27**

***WILLIAM ULMER BREWERY LANDMARK***

**CD 4**

**N**

**100417 HKK**

**IN THE MATTER OF** a communication dated May 24, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the William Ulmer Brewery, located at 31 Belvidere Street (Block 3135, Lot 34), 71-83 Beaver Street (aka 45-47 Belvidere Street), (Block 3135, Lot 27) and 26-28 Locust Street (Block 3135, Lot 16), by the Landmarks Preservation Commission on May 11, 2010 (Designation List 429, LP-2280).

**For consideration.**

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**BOROUGH OF MANHATTAN****No. 28*****SOHO CAST IRON HISTORIC DISTRICT EXTENSION*****CD 2****N 100418 HKM**

**IN THE MATTER OF** a communication dated May 19, 2010, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of SoHo-Cast Iron Historic District Extension, designated by the Landmarks Preservation Commission on May 11, 2010 (List No. 429, LP No. 2362). The district boundaries are:

*Area 1:* The SoHo-Cast Iron Historic District Extension consists of the properties bounded by a line beginning at the southwest corner of West Broadway and West Houston Street, then extending westerly along the southern curbline of West Houston Street, southerly along the western property lines of 482 and 480 West Broadway, westerly along the northern property line of 474-478 West Broadway (aka 146 Thompson Street) to the eastern curbline of Thompson Street, southerly along the eastern curbline of Thompson Street to a point formed by its intersection with a line extending westerly from a part of the southern property line of 468- 472 West Broadway (aka 138-150 Thompson Street), easterly along a portion of the southern property line of 468-472 West Broadway (aka 138-150 Thompson Street), southerly along the western property lines of 460 to 454 West Broadway and 157 Prince Street to the northern curbline of Prince Street, easterly along the northern curbline of Prince Street to a point formed by its intersection with a line extending northerly from the western property line of 150-154 Prince Street (aka 436-442 West Broadway), southerly across Prince Street and along the western property line of 150-154 Prince Street (aka 436-442 West Broadway), westerly along the northern property line of 430-436 West Broadway, southerly along the western property line of 430-436 West Broadway, westerly along the northern property line of 426-428 West Broadway (aka 102-104 Thompson Street) to the eastern curbline of Thompson Street, southerly along the eastern curbline of Thompson Street to a point formed by its intersection with a line extending westerly from the southern property line of 426-428 West Broadway (aka 102-104 Thompson Street), easterly along the southern property line of 426-428 West Broadway (aka 102-104 Thompson Street), southerly along the western property lines of 424 and 422 West Broadway, westerly along the northern property line of 418-420 West Broadway (aka 94-96 Thompson Street) to the eastern curbline of Thompson Street, southerly along the eastern curbline of Thompson Street to a point formed by its intersection with a line extending westerly from the southern property line of 418-420 West Broadway (aka 94-96 Thompson Street), easterly along the southern property line of 418-420 West Broadway (aka 94-96 Thompson Street), southerly along the western property lines of 414-416 West Broadway and 169 Spring Street to the northern curbline of Spring Street, easterly along the northern curbline of Spring Street to a point formed by its intersection with a line extending northerly from the western property line of 166 Spring Street (aka 402-404 West Broadway), southerly across Spring Street and along the western property line of 166 Spring Street (aka 402-404 West Broadway), westerly along the northern property line of 400 West Broadway, southerly along the western property lines of 400 to 390 West Broadway, easterly along the southern property line of 390 West Broadway, southerly along the western property lines of 386-388 to 378-

380 West Broadway and a portion of the western property line of 372-376 West Broadway (aka 504-506 Broome Street), easterly along a portion of the southern property line of 372-376 West Broadway (aka 504-506 Broome Street), southerly along a portion of the western property line of 372-376 West Broadway (aka 504-506 Broome Street) and across Broome Street (Watts Street) to the southern curblineline of Broome Street (Watts Street), westerly along said curblineline to a point formed by its intersection with a line extending northerly from the western property line of 505 Broome Street (aka 366-368 West Broadway and 1-3 Watts Street), southerly along the western property line of 505 Broome Street (aka 366-368 West Broadway and 1-3 Watts Street), westerly along a portion of the northern property line of 362-364 West Broadway, southerly along a portion of the western property line of 362-364 West Broadway, westerly along a portion of the northern property line of 362-364 West Broadway, southerly along a portion of the western property line of 362-364 West Broadway, easterly along the southern property line of 362-364 West Broadway to the centerline of West Broadway, northerly along the centerline of West Broadway to a point formed by its intersection with a line extending easterly from the southern curblineline of West Houston Street, then westerly to the point of the beginning.

*Area 2:* The SoHo-Cast Iron Historic District Extension consists of the properties bounded by a line beginning at the southwest corner of Lafayette Street and East Houston Street, then extending southerly along the western curblineline of Lafayette Street, across Prince Street and following the curve of Lafayette Street to the northwest corner of Lafayette Street and Spring Street, westerly along the northern curblineline of Spring Street to a point formed by its intersection with a line extending northerly from the eastern property line of 72-78 Spring Street (aka 65-71 Crosby Street), southerly across Spring Street and along the eastern property line of 72-78 Spring Street (aka 65-71 Crosby Street) and a portion of the eastern property line of 61-63 Crosby Street, easterly along a portion of the northern property line of 61-63 Crosby Street, southerly along a portion of the eastern property line of 61-63 Crosby Street, westerly along the southern property line of 61-63 Crosby Street, southerly along the eastern property lines of 59 to 44-47 Crosby Street, easterly along the northerly property line of 416-422 Broome Street (aka 202 Lafayette Street) to the western curblineline of Lafayette Street, northerly along said curblineline to a point formed by its intersection with a line extending westerly from the southern curblineline of Kenmare Street, easterly across Lafayette Street and along the southern curblineline of Kenmare Street to the southwest corner of Kenmare Street and Cleveland Place, southerly along the western curblineline of Cleveland Place, across Broome Street, and continuing southerly along the western curblineline of Centre Street to the northwest corner of Centre Street and Grand Street, westerly along the northern curblineline of Grand Street and across Lafayette Street to the northwest corner of Grand Street and Lafayette Street, southerly across Grand Street and along the western curblineline of Lafayette Street to a point formed by its intersection with a line extending easterly from the southern property line of 158-164 Lafayette Street (aka 151 Grand Street), westerly along the southern property line of 158-164 Lafayette Street (aka 151 Grand Street), southerly along the eastern property lines of 13-17 to 1 Crosby Street (aka 28 Howard Street), across Howard Street and continuing southerly along the eastern property line of 19 Howard Street and a portion of the eastern property line of 21-23 Howard Street (aka 261-267 Canal Street, easterly along a portion of the northern property line 257 Canal Street, southerly along a portion of the eastern property line of 257 Canal Street, easterly along a portion of the northern property line of 257 Canal Street and the northern property line of 255 Canal Street, southerly along the eastern property line of 255 Canal Street to the centerline of

Canal Street, westerly along the centerline of Canal Street to the centerline of Broadway, northerly along the centerline of Broadway to the centerline of Howard Street, easterly along the centerline of Howard Street to the centerline of Crosby Street, northerly along the centerline of Crosby Street to the southeast corner of Crosby Street and East Houston Street, easterly along the southern curblineline of East Houston Street to the point of the beginning.

(On June 10, 2010, the Commission duly advertised June 23, 2010, for a public hearing. On June 23, 2010, Cal. No. 13, the hearing was closed.)

**For consideration.**

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**Nos. 29, 30, 31, 32 & 33**

***15 PENN PLAZA***

**No. 29**

**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.

(On May 12, 2010, Cal. No. 2, the Commission scheduled May 26, 2010 for a public hearing. On May 26, 2010, Cal. No. 13, the hearing was closed.)

**For consideration.**

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**No. 30**

**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.

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of May 26, 2010 (Cal. No. 14) and the Department of City Planning web site: ([www.nyc.gov/planning](http://www.nyc.gov/planning)).

(On May 12, 2010, Cal. No. 3, the Commission scheduled May 26, 2010 for a public hearing. On May 26, 2010, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**No. 31**

**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.

(On May 12, 2010, Cal. No. 4, the Commission scheduled May 26, 2010 for a public hearing. On May 26, 2010, Cal. No. 15, the hearing was closed.)

**For consideration.**

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**No. 32**

**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.

(On May 12, 2010, Cal. No. 5, the Commission scheduled May 26, 2010 for a public hearing. On May 26, 2010, Cal. No. 16, the hearing was closed.)

**For consideration.**



**No. 33**

**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.

(On May 12, 2010, Cal. No. 6, the Commission scheduled May 26, 2010 for a public hearing. On May 26, 2010, Cal. No. 17, the hearing was closed.)

**For consideration.**



**BOROUGH OF STATEN ISLAND**

**No. 34**

***71 PORTSMOUTH AVENUE***

**CD 2**

**N 100060 ZAR**

**IN THE MATTER OF** an application submitted by Anthony Brusco for the grant of authorizations pursuant to Sections 105-421, 105-422, 105-425 and 105-431 of the Zoning Resolution to authorize modification of topographic features on a Tier I site, development on a zoning lot having a steep slope, modification of botanic environment and modification of lot coverage controls in order to facilitate the construction of a single-family detached house, an in-ground swimming pool and patio at 71 Portsmouth Avenue (Block 684, Lot 183) 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, 6<sup>th</sup> floor, Staten Island, New York, 10301.

**For consideration.**

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**III. PUBLIC HEARINGS**

**CITYWIDE**

**No. 35**

***CAR SHARE TEXT***

**CITYWIDE**

**N 100284 ZRY**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Articles I, II, III, and IV concerning the parking of car sharing vehicles in off-street parking facilities.

Matter in underline is new, to be added;

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

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

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

**Article 1**

**GENERAL PROVISIONS**

\* \* \*

**Chapter 2**

**Construction of Language and Definitions**

\* \* \*

**12-10**

**DEFINITIONS**

\* \* \*

Bulk

\* \* \*

**Car sharing vehicle**

A “car sharing vehicle” is a vehicle maintained and owned or leased by a car sharing organization and which is available for use by its members. Membership shall mean that individuals have been pre-approved to use such vehicles and need not be approved by the car sharing organization at each time of proposed use. Membership must be open to the public and shall only be denied based upon driving record, credit record or other legitimate business need of the car sharing organization. Vehicles must be made available to members

for periods of use as short as one hour. The car sharing organization must provide all legally required insurance as part of the membership.

Vehicles shall be reserved by members through a self-service reservation system which is available at all times.. A #car sharing vehicle# shall be located in a parking facility that is accessible to members of the car sharing organization at all times. No employees or agents of the car sharing organization shall provide services to members or conduct business transactions with members within such parking facility. Attended parking facilities may be serviced by a parking attendant unaffiliated with any car sharing organization.

A #car sharing vehicle# shall be no more than 216 inches in length and shall bear a decal or other mark that identifies the car sharing organization and is securely affixed to the exterior of the vehicle, in accordance with criteria specified by the Commissioner of Buildings.

\* \* \*

### **Public parking garage**

A "public parking garage" is a #building or other structure#:

- (a) that provides parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- (b) some or all of whose parking spaces are non-#accessory#.

#Car sharing vehicles# may occupy a maximum of 40 percent of parking spaces in a #public parking garage#. A #public parking garage# may include #accessory# off-street parking spaces limited to such spaces that are #accessory# to other #uses# on the same #zoning lot#. Sale of motor fuel or motor oil or minor repairs incidental to the parking or storage of motor vehicles are permitted #accessory uses#.

### **Public parking lot**

A "public parking lot" is any tract of land that is:

- (a) used for the parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- (b) not #accessory# to a #use# on the same or another #zoning lot#.

#Car sharing vehicles# may occupy a maximum of 40 percent of parking spaces in a #public parking lot#.

Minor repairs incidental to the parking or storage of motor vehicles are a permitted #accessory use#.

\* \* \*

### **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**

\* \* \*

**13-012**

**Existing off-street parking facilities**

- (a) Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens. However, #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.
- (b) Nothing herein contained shall be deemed to permit a reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens.
- (c) For all existing required or permitted #accessory# off-street parking spaces established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens, up to five spaces or 20 percent of all such spaces, whichever is greater, may be occupied by #car sharing vehicles#. Up to 40 percent of all spaces in #public parking lots# and #public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens may be occupied by #car sharing vehicles#.

\* \* \*

**13-14**

**Additional Regulations for Permitted Accessory Off-Street Parking Spaces**

\* \* \*

**13-144**

**Car sharing vehicles**

Notwithstanding the provisions of Sections 13-12, 13-131, 13-132, 13-133, and 13-134, up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater, may be occupied by #car sharing vehicles#.

\* \* \*

**13-42**

**Residential Development**

#Accessory# off-street parking spaces are required for new #residential developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

- (a) For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a percentage of such new #dwelling units# are as follows:

\* \* \*

- (f) All such parking spaces shall be used exclusively by the occupants of the #residential development# and occupants of nearby public or publicly-assisted housing projects, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

\* \* \*

### **13-55 Authorizations**

#### **13-551**

##### **Accessory off-street parking spaces**

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

\* \* \*

#### **13-56**

##### **Special Permits**

#### **13-561**

##### **Accessory off-street parking spaces**

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES) provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater;

\* \* \*

**Chapter 2**  
**Use Regulations**

\* \* \*

**22-30**  
**SIGN REGULATIONS**

\* \* \*

**22-323**  
**Signs for parking areas**  
 R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

One #sign#, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such #sign# shall be higher than seven feet above #curb level#.

In addition, an off-street parking facility that contains #car sharing vehicles# may provide #signs# that in the aggregate total no more than two square feet in area identifying organizations that have #car sharing vehicles# available at such parking area. Such #sign# shall be placed at the entrance so that it is directly visible, without any obstruction, to customers accessing such parking facility, and at a height not higher than seven feet above #curb level#.

\* \* \*

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

**Off-street Parking Regulations**

\* \* \*

**25-40**  
**Restrictions on operation of accessory off-street parking spaces**

\* \* \*

**25-412**  
**In other Residence Districts**  
 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such #residences# except for spaces that are:

- (a) ~~such spaces may be~~ rented for periods of not less than one week and not more than one month to persons who are not occupants of the #residences# to which such spaces are #accessory# for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with ~~the~~ regulations promulgated by the Commissioner of Buildings, in a manner which will not adversely affect the residential character of the neighborhood. ~~Such spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord; or~~
- (b) occupied by #car sharing vehicles# as follows:
  - (1) In R3-2 and R4 Districts, except R4A, R4B and R4-1 Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in a #group parking facility# than contains 20 or more spaces, and
  - (2) In R5, R6, R7, R8, R9 and R10 Districts, except R5A Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.

Such spaces provided pursuant to paragraph (a) and (b) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

**25-42**  
**Use of Spaces Accessory to Permitted Non-Residential Uses**  
 R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off-street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared parking facilities for houses of worship). However, #car sharing vehicles# may occupy such spaces pursuant to the provisions of paragraphs (a) and (b) of this Section:

R1 R2 R3-1 R3A R3X R4A R4B R4-1 R5A

- (a) #car sharing vehicles# may occupy not more than 10 percent of parking spaces in a #group parking facility# of 20 spaces or more that is #accessory# to a college or university #use# listed in Use Group 3.

R3-2 R4 R5 R5B R5D R6 R7 R8 R9 R10

- (b) #car sharing vehicles# may occupy not more than 10 percent of parking spaces in any #group parking facility# of 20 spaces or more.

\* \* \*

**25-68****For parking facilities containing #car sharing vehicles#****R1 R2 R3 R4 R5 R6 R7 R8 R9 R10**

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) “Total parking spaces in facility:” and shall specify the total number of parking spaces permitted within such parking facility, and
- (b) “Maximum number of car sharing vehicles:” and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

\* \* \*

**Chapter 6****Accessory Off-Street Parking and Loading Regulations**

\* \* \*

**36-46****Restrictions on Use of Accessory Off-Street Parking Spaces****C1 C2 C3 C4 C5 C6 C7 C8**

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents, or visitors of the #use# or #uses# to which such spaces are #accessory#, except as set forth in this Section.

- (a) Any off-street parking spaces #accessory# to #residences# which are not needed by the occupants of such #residences# may be rented to persons who are not occupants of such #residences# for the accommodation of private passenger motor vehicles used by such persons or may be occupied by #car sharing vehicles# as set forth in the following paragraphs:
- (1) In C1 or C2 Districts mapped within Residence Districts
- In C1 or C2 Districts mapped within R3, R4 or R5A Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in #group parking facilities# containing 20 or more spaces. In C1 or C2 Districts mapped within R5 except R5A Districts, and in R6, R7, R8, R9 or R10 Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.
- (2) In C1 or C2 districts not mapped within Residence Districts, or in C3, C4, C5, C6 Districts

In the districts indicated, except C3 Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater. In C3 Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in #group parking facilities# containing 20 or more spaces.

Such spaces provided pursuant to paragraph (a) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

(b) #Car sharing vehicles# may occupy not more than 10 percent of off-street parking spaces #accessory# to non-#residential uses# in #group parking facilities# of 20 spaces or more.

In addition, the rental of such spaces to non-residents shall be subject to the restrictions applying to the specified districts as set forth in ~~this~~ Sections 36-461 and 36-462, except that such restrictions shall not apply to spaces occupied by #car sharing vehicles#.

\* \* \*

**36-51**

**General Provisions**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of ~~the following Sections:~~ Section 36-50, inclusive.

- Section 36-52 \_\_\_\_\_ (Size of Spaces)
- Section 36-53 \_\_\_\_\_ (Location of Access to the Street)
- Section 36-54 \_\_\_\_\_ (Restrictions on Use of Required Residential Open Space for Parking)
- Section 36-55 \_\_\_\_\_ (Surfacing)
- Section 36-56 \_\_\_\_\_ (Screening).

Special regulations applying to #large-scale community facility developments# or #large-scale residential developments# are set forth in Article VII, Chapter 8.

**36-52**

**Size, ~~and~~ Location and Identification of Spaces**

\* \* \*

**36-523**

**Identification of #car sharing vehicles#**

C1 C2 C3 C4 C5 C6 C7 C8

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The

plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

(a) “Total parking spaces in facility:” and shall specify the total number of parking spaces permitted within such parking facility, and

(b) “Maximum number of car sharing vehicles:” and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

\* \* \*

**Chapter 4  
Accessory Off-Street Parking and Loading Regulations**

\* \* \*

**44-30  
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET  
PARKING SPACES**

\* \* \*

**44-35  
Restriction on Use of Accessory Off-Street Parking Spaces  
M1 M2 M3**

In all districts, as indicated, #accessory# off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the #use# or #uses# to which such spaces are #accessory#. However, in #group parking facilities# containing 20 spaces or more, #car sharing vehicles# may occupy no more than 10 percent of such spaces.

\* \* \*

**44-41  
General Provisions  
M1 M2 M3**

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section 44-40, inclusive, the following Sections:

Section 44-42 \_\_\_\_\_ (Size of Spaces)

Section 44-43 \_\_\_\_\_ (Location of Access to the Street)

Section 44-44 \_\_\_\_\_ (Surfacing)

Section 44-45 \_\_\_\_\_ (Screening)

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

**44-42**

**Size and Identification of Spaces**

**(a) Size of Spaces**  
M1 M2 M3

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

\* \* \*

**(b) Identification of #car sharing vehicles#**  
M1 M2 M3

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (1) “Total parking spaces in facility:” and shall specify the total number of parking spaces permitted within such parking facility, and
- (2) “Maximum number of car sharing vehicles:” and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

\* \* \*

(On June 23, 2010, Cal. No. S1, the Commission scheduled July 14, 2010 for a public hearing which has been duly advertised.)

**Close the hearing.**



**IV. CITY PLANNING COMMISSION 2010 SCHEDULE OF MEETINGS  
July 1 to December 31**

	SUN	MON	TUE	WED	THU	FRI	SAT
<b>JULY</b>					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
<b>AUGUST</b>	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				
<b>SEPTEMBER</b>				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		
<b>OCTOBER</b>	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						
<b>NOVEMBER</b>		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 THANKSGIVING	26	27
	28	29 REVIEW SESSION	30				
<b>DECEMBER</b>				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.