

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

CITY PLANNING COMMISSION

MONDAY, AUGUST 6, 2018

**SPECIAL MEETING AT 1:00 P.M.
NYC CITY PLANNING COMMISSION HEARING ROOM
LOWER CONCOURSE, 120 BROADWAY
NEW YORK, NEW YORK**



**Bill de Blasio, Mayor
City of New York**

Prepared by Yvette V. Gruel, Calendar Officer

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

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CITY PLANNING COMMISSION

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

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

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

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

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

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

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

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

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

CITY PLANNING COMMISSION

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

- MARISA LAGO, *Chair***
- KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman***
- ALLEN P. CAPPELLI, *Esq.***
- ALFRED C. CERULLO, III**
- MICHELLE R. DE LA UZ**
- JOSEPH I. DOUEK**
- RICHARD W. EADDY**
- CHERYL COHEN EFFRON**
- HOPE KNIGHT**
- ANNA HAYES LEVIN**
- ORLANDO MARIN,**
- LARISA ORTIZ *Commissioners***
- YVETTE V. GRUEL, *Calendar Officer***

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a.m. in NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, Manhattan, unless otherwise ordered.

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

The next regular public meeting of the City Planning Commission is scheduled for August 8, 2018.

AUGUST 6, 2018

I. REPORTS

BOROUGH OF BROOKLYN

Nos. 1, 2 & 3

80 FLATBUSH AVENUE REZONING

No. 1

CD 2

C 180216 ZMK

IN THE MATTER OF an application submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from a C6-2 District to a C6-9 District property bounded by the southeasterly centerline prolongation of Schermerhorn Street, Flatbush Avenue, State Street and 3rd Avenue, as shown on a diagram (for illustrative purposes only) dated February 26th, 2018.

(On May 23, 2018, Cal. No. 5, the Commission scheduled June 13, 2018 for a public hearing. On June 13, 2018, Cal. No. 28, the hearing was closed.)

For consideration.

No. 2

CD 2

N 180217 ZRK

IN THE MATTER OF an application submitted by the New York City Education Construction Fund and 80 Flatbush Avenue, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission) relating to modifications of the special permit for school construction in the Special Downtown Brooklyn District, modifying Article X, Chapter 1 (Special Downtown Brooklyn District) and modifying Appendix F (Inclusionary Housing Designated Areas) for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck-out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
*** indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII
ADMINISTRATION
Chapter 4
Special Permits by the City Planning Commission

* * *

74-75
Educational Construction Fund Projects

74-751
Educational Construction Fund in certain districts

In R5, R6, R7, R8, R9 or R10 Districts, in C1 or C2 Districts mapped within such #Residence Districts#, or in C1-6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4, C5, C6 or C7 Districts, for combined #school# and #residences# including air rights over #schools# built on a #zoning lot# owned by the New York City Educational Construction Fund, the City Planning Commission may permit utilization of air rights; modify the requirements that open area be accessible to and usable by all persons occupying a #dwelling unit# or #rooming unit# on the #zoning lot# in order to qualify as #open space#; permit ownership, control of access and maintenance of portions of the #open space# to be vested in the New York City Educational Construction Fund or City agency successor in title; permit modification of #yard# regulations and height and setback regulations; permit the distribution of #lot coverage# without regard for #zoning lot lines# for a #zoning lot# containing the Co-op Tech High School in Manhattan Community District 11; authorize the total #floor area#, #open space#, #dwelling units# or #rooming units# permitted by the applicable district regulations on such site to be distributed without regard for district boundaries; and authorize an increase of 25 percent in the number of #dwelling units# or #rooming units# permissible under the applicable district regulations. For the purposes of this Section, a #zoning lot# owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school listed in the following table.

School	Community District
P.S. 151	CD 8, Manhattan

The total number of #dwelling units# or #rooming units# and #residential floor area# shall not exceed that permissible for a #residential building# on the same #zoning lot#.

The distribution of #bulk# on the #zoning lot# shall permit adequate access of light and air to the surrounding #streets# and properties.

As further conditions for such modifications:

- (a) the #school# and the #residence# shall be #developed# as a unit in accordance with a plan approved by the Commission;
- (b) at least 25 percent of the total #open space# required by the applicable district regulations, or such greater percentage as may be determined by the Commission to be the appropriate minimum percentage, shall be accessible exclusively to the occupants of such #residence# and under the direct control of its management;
- (c) notwithstanding the provisions of Section 23-12 (Permitted Obstructions in Open Space), none of the required #open space# shall include driveways, private streets, open #accessory# off-street parking spaces or open #accessory# off-street loading berths; and
- (d) the Commission shall find that:
 - (1) a substantial portion of the #open space# which is not accessible exclusively to the occupants of such #residence# will be accessible and usable by them on satisfactory terms part-time;
 - (2) playgrounds, if any, provided in conjunction with the #school# will be so designed and sited in relation to the #residence# as to minimize any adverse effects of noise; and
 - (3) all #open space# will be arranged in such a way as to minimize friction among those using #open space# of the #buildings or other structures# on the #zoning lot#.

The Commission shall give due consideration to the landscape design of the #open space# areas. The Commission shall also give due consideration to the relationship of the #development# to the #open space# needs of the surrounding area and may require the provision of a greater amount of total #open space# than the minimum amount required by the applicable district regulation where appropriate for the purpose of achieving the #open space# objectives of the #Residence District# regulations.

The Commission may prescribe other appropriate conditions and safeguards to enhance the character of the surrounding area.

74-752**Educational Construction Fund projects in certain areas**

In C6-9 Districts within the #Special Downtown Brooklyn District#, for #developments#, #enlargements# or #conversions# that include one or more #schools# on a tract of land owned by the New York City Educational Construction Fund, the City Planning Commission may permit the modifications set forth in paragraph (a) of this Section. For the purposes of this Section, a tract of land owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school.

(a) Modifications

The Commission may modify:

- (1) applicable ground floor #use# regulations;
- (2) in a #Mandatory Inclusionary Housing area#, the affordable housing requirements of paragraph (d) of Section 23-154 (Inclusionary Housing);
- (3) other #bulk# regulations, except that the maximum permitted #floor area ratio# may not be increased; and
- (4) #accessory# off-street parking and loading berth requirements.

(b) Findings

To grant a special permit pursuant to this Section, the Commission shall find that:

- (1) such modifications will facilitate the construction of one or more #schools# on the #zoning lot#;
- (2) such ground floor #use# modifications will improve the layout and design of the #school# or #schools# , shall not have an adverse effect on the #uses# located within any portion of the #zoning lot# and will not impair the essential character of the surrounding area;
- (3) such modifications to the affordable housing requirements in a #Mandatory Inclusionary Housing area# will facilitate significant public infrastructure or public facilities, including one or more #schools#, addressing needs that are not created by the proposed #development#, #enlargement# or #conversion#;
- (4) such #bulk# modifications will result in a better site plan for the #school# or #schools# and will have minimal adverse effects on the surrounding area;

(5) such parking and loading modifications will improve the layout and design of the school and will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area.

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

* * *

**ARTICLE X
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Downtown Brooklyn District**

* * *

**101-05
Applicability of Special Permits by the Board of Standards and Appeals**

Within the #Special Downtown Brooklyn District#, Section 73-68 (Height and Setback and Yard Modifications) shall not be applicable.

* * *

**101-21
Special Floor Area and Lot Coverage Regulations**

R7-1 C6-1 C6-4.5 C6-6 C6-9

* * *

(e) In C6-9 Districts

In C6-9 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.0, and the maximum #residential floor area ratio# shall be 12.0. No #floor area# bonuses shall be permitted.

* * *

**101-22
Special Height and Setback Regulations**

The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Section 101-221 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Brooklyn District#.

In R7-1, C5-4, C6-1, ~~and C6-4~~ and C6-9 Districts, except C6-1A Districts, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the provisions of Section 101-222 (Standard height and setback regulations) or, as an option where applicable, Section 101-223 (Tower regulations). #Buildings or other structures# within the Flatbush Avenue Extension and Schermerhorn Street Height Limitation Areas shall comply with the provisions of Section 101-30 (SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS). However, the underlying height and setback regulations shall apply to any #Quality Housing building#, except that Quality Housing height and setback regulations shall not be applicable within any R7-1 District mapped within a C2-4 District.

* * *

**101-222
Standard Height and Setback Regulations**

C2-4/R7-1 C6-1 C6-4.5 C6-6 C6-9

* * *

**MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS
IN C2-4/R7-1, C6-1, C6-4.5, ~~AND~~ C6-6 AND C6-9 DISTRICTS**

District	Maximum Base Height		Maximum #building# Height	
	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#	Beyond 100 feet of a #wide street#	Within 100 feet of a #wide street#
C2-4/R7-1	85	85	160	160
C6-1	125	150	185	210
C6-4.5 C6-6 <u>C6-9</u>	125	150	250	250

* * *

**101-223
Tower regulations**

C5-4 C6-1 C6-4 C6-6 C6-9

* * *

(d) Maximum #building# height

In C6-1 Districts, the maximum height of a #building or other structure# shall be 495 feet. No height limit shall apply within a C5-4, C6-4, ~~C6-6~~ or C6-9 District.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 2

* * *

Map 8 – [date of adoption]





Mandatory Inclusionary Housing Area - see Section 23-154(d)(3)
Area 5 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 2, Brooklyn

* * *

(On May 23, 2018, Cal. No. 6, the Commission scheduled June 13, 2018 for a public hearing. On June 13, 2018, Cal. No. 29, the hearing was closed.)

For consideration.



No. 3

CD 2

C 180218 ZSK

IN THE MATTER OF an application submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-752* of the Zoning Resolution to modify:

1. the use regulations of Section 101-11 (Special Ground Floor Use Regulations);
2. the affordable housing requirements of Section 23-154 (Inclusionary Housing) and Section 23-90 (Inclusionary Housing);
3. the bulk requirements of Section 101-223* (Tower Regulations) and Section 101-41 (Special Street Wall Location Regulations);
4. the requirements of Section 101-50 (Off-Street Parking and Off-Street Loading Regulations) and Section 25-23 (Requirements Where Group Parking Facilities Are Provided) to waive all required accessory parking; and
5. the requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to waive one required loading berth;

in connection with a proposed mixed-use development, on property located at 80 Flatbush Avenue (Block 174, Lots 1, 9, 13, 18, 23 & 24), in a C6-9** District, within the Special Downtown Brooklyn District.

*Note: A zoning text amendment is proposed to create a new Section 74-752 and to change Section 101-223 of the Zoning Resolution under a concurrent related application (N 180217 ZRK).

**Note: This site is proposed to be rezoned by changing a C6-2 District to C6-9 District under a concurrent related application for a Zoning Map change (C 180216 ZMK).

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

(On May 23, 2018, Cal. No. 7, the Commission scheduled June 13, 2018 for a public hearing. On June 13, 2018, Cal. No. 30, the hearing was closed.)

For consideration.

II. CITY PLANNING COMMISSION 2018 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY		1 New Year's Day	2 REVIEW SESSION	3 CPC PUBLIC MEETING	4	5	6
	7	8	9	10	11	12	13
	14	15 Martin Luther King, Jr. Day	16 REVIEW SESSION	17 CPC PUBLIC MEETING	18	19	20
	21	22	23	24	25	26	27
	28	29 REVIEW SESSION	30	31 CPC PUBLIC MEETING			
FEBRUARY					1	2	3
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION Lincoln's B'day	13	14 CPC PUBLIC MEETING Ash Wednesday	15	16 Chinese New Year	17
	18	19 Presidents' Day	20	21	22 Washington's Birthday	23	24
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING			
MARCH					1	2	3
	4	5	6	7	8	9	10
	11	12 REVIEW SESSION	13	14 CPC PUBLIC MEETING	15	16	17 St. Patrick's Day
	18	19	20	21	22	23	24
	25 Palm Sunday	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30 Good Friday	31 First Day Passover
APRIL	1 Easter	2	3	4	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30					
MAY			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16 First Day Ramadan	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28 Memorial Day Observed	29	30	31		
JUNE						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22 Eid al Fitr	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30

Review Sessions start at 1:00 PM

	SUN	MON	TUE	WED	THU	FRI	SAT
JULY	1	2	3	4 Independence Day	5	6	7
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14
	15	16	17	18	19	20	21
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28
	29	30	31				
AUGUST				1	2	3	4
	5	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11
	12	13	14	15	16	17	18
	19	20 REVIEW SESSION	21	22 CPC PUBLIC MEETING	23	24	25
	26	27	28	29	30	31	
SEPTEMBER							1
	2	3 Labor Day	4 REVIEW SESSION	5 CPC PUBLIC MEETING	6	7	8
	9	10 Rosh Hashanah	11	12	13	14	15
	16	17	18	19 Yom Kippur	20	21	22
	23	24 REVIEW SESSION	25	26 CPC PUBLIC MEETING	27	28	29
30							
OCTOBER		1	2	3	4	5	6
	7	8 Columbus Day Observed	9	10	11	12	13
	14	15 REVIEW SESSION	16	17 CPC PUBLIC MEETING	18	19	20
	21	22	23	24	25	26	27
	28	29 REVIEW SESSION	30	31 CPC PUBLIC MEETING			
NOVEMBER			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14	15	16 First Day Ramadan	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28 Memorial Day Observed	29	30	31		
DECEMBER						1	2
	3	4	5	6	7	8	9
	10	11 REVIEW SESSION	12	13 CPC PUBLIC MEETING	14	15	16
	17	18	19	20	21	22 Eid al Fitr	23
	24	25 REVIEW SESSION	26	27 CPC PUBLIC MEETING	28	29	30

Public Meetings start at 10:00 AM