



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

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**CITY PLANNING COMMISSION**

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**MONDAY, OCTOBER 1, 2007**

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**SPECIAL MEETING AT 1:00 P.M.  
IN SPECTOR HALL  
22 READE STREET  
NEW YORK, NEW YORK**



**Michael R. Bloomberg, 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](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, AICP, Chair**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- IRWIN G. CANTOR, P.E.**
- ANGELA R. CAVALUZZI, R.A.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- RICHARD W. EADDY**
- LISA A. GOMEZ**
- NATHAN LEVENTHAL**
- JOHN MEROLO**
- KAREN A. PHILLIPS**
- DOLLY WILLIAMS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00a.m. in Spector Hall, 22 Reade Street, Manhattan, unless otherwise ordered.

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**I. REPORTS**

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**BOROUGH OF MANHATTAN**

**Nos. 1, 2, 3, 4 & 5**

**50 WEST STREET**

**No. 1**

**CD 1**

**C 070351 MMM**

**IN THE MATTER OF** an application, submitted by West Street Development LLC and the Department of Citywide Administrative Services (DCAS), pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of an 8 inch strip of Manhattan Approach to the Brooklyn Battery Tunnel between West Street and Washington Street;
- the elimination, discontinuance and closing of a portion of Manhattan Approach to the Brooklyn Battery Tunnel within an area bounded by Morris Street, West Street, Joseph P. Ward Street and the southerly extension of Washington Street;
- the elimination, discontinuance and closing of volumes of Joseph P. Ward Street and a portion of Manhattan Approach to the Brooklyn Battery Tunnel between West Street and the southerly extension of Washington Street above a lower limiting plane;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

in accordance with Map No. 30222 dated April 25, 2007 and signed by the Borough President.

(On July 25, 2007, Cal. No. 4, the Commission scheduled August 8, 2007 for a public hearing. On August 8, 2007, Cal. No. 31, the hearing was continued. On August 22, 2007, Cal. No. 11, the hearing was closed.)

**For consideration.**

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No. 2

CD 1

N 070412 ZRM

**IN THE MATTER OF** an application submitted by West Street Development, LLC, pursuant to Section 201 of the New York City Charter, concerning the Special Lower Manhattan District (Article IX, Chapter 1), relating to modifications of the applicability of urban plazas, height and setback regulations and a special permit for development over or adjacent to the approaches to the Brooklyn Battery Tunnel.

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

**91-70  
SPECIAL REGULATIONS FOR CERTAIN AREAS**

\* \* \*

**91-73  
Special Permit for Development ~~o~~Over or Adjacent to the Approaches to the Brooklyn Battery Tunnel**

The City Planning Commission, by special permit, may allow:

- (a) the unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single #zoning lot# and may allow the #development# or #enlargement# of a #building# on such unmapped air space, ~~where the #zoning lot# for such #development# or #enlargement# shall include only that portion of the area above the approaches to the Brooklyn Battery Tunnel and contiguous areas of land or property that are covered by a permanent platform and not designated as approaches to the Brooklyn Battery Tunnel.~~
- (b) the unmapped air space above the approaches to the Brooklyn Battery Tunnel, the unmapped air space above Joseph P. Ward Street and at-grade parcels bounding the northern #street line# of Joseph P. Ward Street to be deemed a single #zoning lot#, and in connection therewith:
  - (1) such #zoning lot# shall generate #floor area# only from such at-grade parcels and only those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by a permanent platform or #building# existing on (effective date of amendment);
  - (2) no #floor area# shall be generated from the unmapped air space above Joseph P. Ward Street; and
  - (3) unused #floor area# generated from those portions of the unmapped air space above the approaches to the Brooklyn Battery Tunnel covered by

a permanent platform or #building# existing on (effective date of amendment) shall only be located on the at-grade parcels bounding the northern #street line# of Joseph P. Ward Street and shall only be used for #residential floor area#.

Notwithstanding any of the foregoing, the use and occupancy of the unmapped air space and the adjacent areas by the New York State Triborough Bridge and Tunnel Authority, as such use and occupancy is set forth in Board of Estimate Resolution No. 123 dated December 2, 1965, may be continued and in effect as set forth therein and as otherwise permitted by law

The at-grade parcels of the #zoning lot# bounding the northern #street line# of Joseph P. Ward Street shall be considered a #through lot# bounded by Washington Street and West Street from its lowest level to the sky, and only such at-grade parcels shall be used to determine compliance with applicable #bulk# regulations other than #floor area# and #lot area# regulations.

In order to grant such special permit, the Commission shall find that ~~(a)~~ adequate access and #street# frontage to one or more #streets# is provided; and ~~(b)~~ the streetscape, site design and the location of building entrances of the proposed #development# or #enlargement# will contribute to the overall improvement of pedestrian circulation within the surrounding area.

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

\* \* \*

**91-30  
HEIGHT AND SETBACK AND LOT COVERAGE REGULATIONS**

\* \* \*

**91-31  
Street Wall Regulations**

Within the #Special Lower Manhattan District#, all portions of #buildings or other structures# located above the maximum base heights specified in paragraph (a) of this Section shall provide a setback in accordance with the regulations of Section 91-32 (Setback Regulations).

- (a) Within the Special District, the maximum base height shall be 85 feet or 1.5 times the width of the #street# upon which the #building# fronts, whichever is greater, except as provided for the following types of #street wall# regulations:

\* \* \*

- (1) #Street wall# regulations: Type 2A  
For #developments# or #enlargements# that front upon a #street# indicated as "Type 2A" on Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3) in Appendix A, #street walls# shall extend along ~~the~~ such entire #street# frontage of the #zoning lot# to a minimum base height

of 85 feet or the height of the #building#, whichever is less. The maximum base height shall be 150 feet.

(2) #Street wall# regulations: Type 2B  
For #developments# or #enlargements# that front upon a #street# indicated as "Type 2B" on Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3) in Appendix A, #street walls# shall extend along at least 60 percent of such #street# frontage of the #zoning lot# to a minimum base height of 85 feet or the height of the #building#, whichever is less. The maximum base height shall be 150 feet.

~~(3)~~(4) #Street wall# regulations: Type 3  
For #developments# or #enlargements# that front upon a #street# indicated as "Type 3" on Map 2 (Street Wall Continuity Types 1, 2A, 2B & 3) in Appendix A, #street walls# shall extend along the entire #street# frontage of the #zoning lot# to a minimum base height of 60 feet, five stories, or the height of the #building#, whichever is less. The maximum base height shall be 85 feet or 1.5 times the width of the #street# upon which the #building# fronts, whichever is greater.

~~(5)~~(6) #Street wall# regulations: Type 4  
\* \* \*

~~(7)~~(8) #Street wall# regulations: Type 5  
\* \* \*

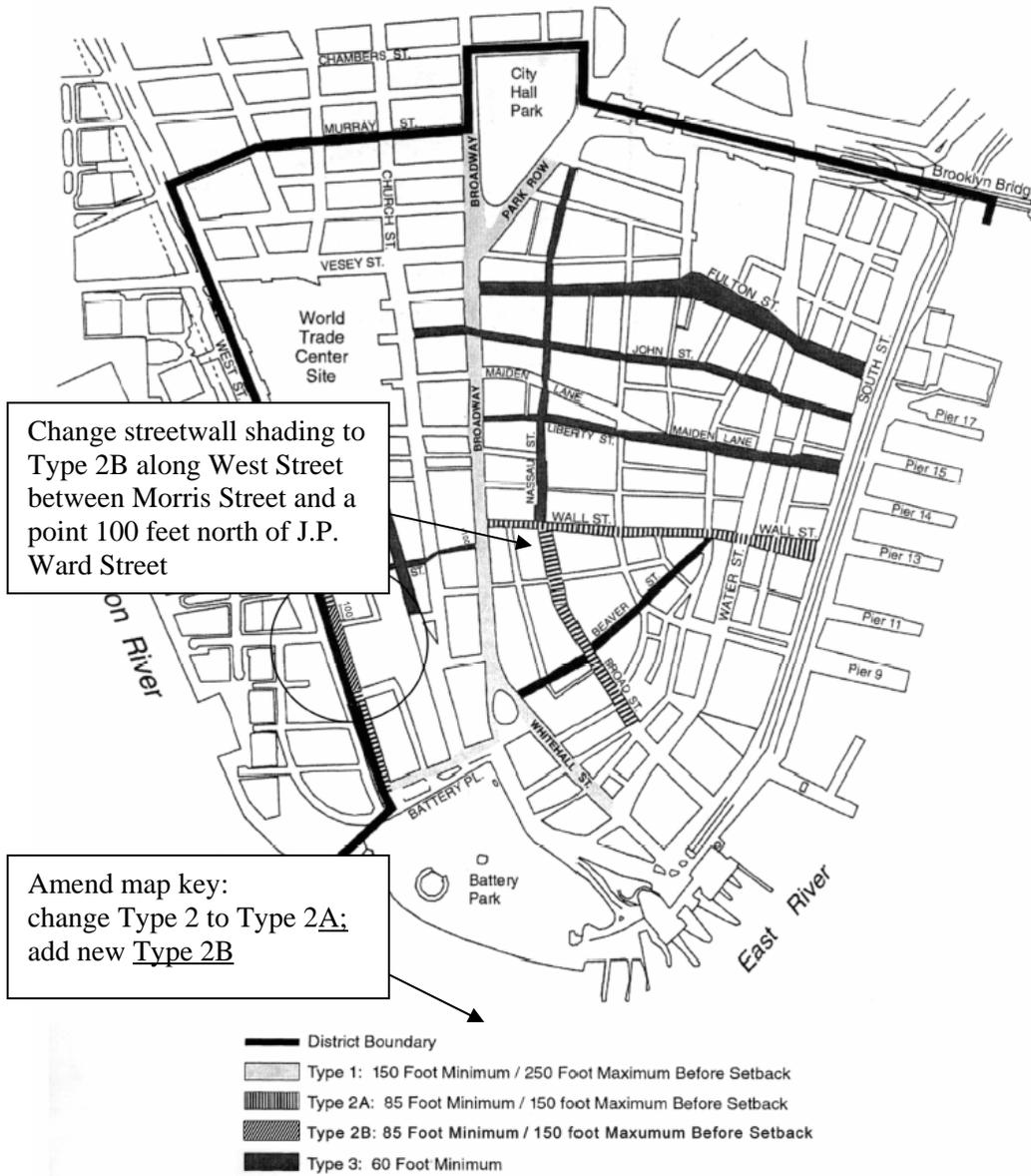
(b) For #developments# or #enlargements# that front upon a #street# indicated as "Type 1" or "Type 2A," at least 70 percent of the #aggregate width of street walls# shall be located on such #street line#. For #developments# or #enlargements# that front upon a #street# indicated as "Type 2B", at least 60 percent of the #aggregate width of street walls# shall be located within 10 feet of such #street line#. For #developments# or #enlargements# that front upon a #street# indicated as "Type 3," at least 70 percent of the #aggregate width of street walls# shall be located within 10 feet of ~~the~~ such #street line#. The remaining 30 percent of the #aggregate width of street walls# may be located beyond such #street lines# in compliance with:

- (1) the #outer court# regulations of Article II, Chapter 3, for #residential# portions of #buildings#;
- (2) the #outer court# regulations of Article II, Chapter 4, for all other portions of #buildings#; or
- (3) the requirements of Section 37-07 (Requirements for pedestrian circulation space) where such areas are pedestrian circulation spaces.

\* \* \*  
(d) Arcades and sidewalk widenings shall be permitted along any #street# indicated as "Type 1," "Type 2A" or "Type 3," pursuant to paragraphs (a), (b) or (c) of this Section, provided such arcade or sidewalk widening extends along the entire #block# frontage or abuts another arcade, existing on August 27, 1998, of equal width and height or another sidewalk widening of equal width. In such case, the #street wall# requirements for paragraph (b) of this Section shall be measured from the permitted arcade or sidewalk widening.

\* \* \*

3. Article IX, Chapter 1, Appendix A, Map 2: Street Wall Continuity Types 1, 2, & 3



**ARTICLE IX: SPECIAL PURPOSE DISTRICTS**

**Chapter 1: Special Lower Manhattan District**

\* \* \*

**91-23**

**As-of-Right Bonuses for Increased Floor Area**

\* \* \*

**91-231**

**Floor area bonus for urban plazas**

The maximum permitted #floor area# on a #zoning lot# may be increased in accordance with the following regulations, provided that an #urban plaza#, which shall meet the requirements of Section 37-04 (Requirements for Urban Plazas), is included in the #development# or #enlargement#.

(a) A #floor area# bonus for an #urban plaza# shall not be permitted for any #development# or #enlargement# located within:

\* \* \*

(1) 50 feet of a #street line# of a designated #street# on which:

(i) retail continuity is required pursuant to Section 91-41 (Regulations for Designated Retail Streets); or

(ii) #street wall# continuity is required pursuant to the regulations for Type 1 or Type 2A #street walls# pursuant to Section 91-31 (Street Wall Regulations).

\* \* \*

(On July 25, 2007, Cal. No. 5, the Commission scheduled August 8, 2007 for a public hearing. On August 8, 2007, Cal. No. 32, the hearing was continued. On August 22, 2007, Cal. No. 12, the hearing was closed.)

**For consideration.**



**No. 3**

**CD 1**

**C 070413 ZSM**

**IN THE MATTER OF** an application submitted by West Street Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 91-73\* of the Zoning Resolution to allow the unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single zoning lot and to allow such zoning lot to include contiguous area of land to facilitate the development of a mixed use development on property located at 50 West Street (Block 17, Lots 1001-1005 and Block 18, p/o Lot 100), in a C6-9 District, within the Special Lower Manhattan District.

\* Note: Section 91-73 is proposed to be changed under a related application (N 070412 ZRM) for a zoning text 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, N.Y. 10007.

(On July 25, 2007, Cal. No. 6, the Commission scheduled August 8, 2007 for a public hearing. On August 8, 2007, Cal. No. 33, the hearing was continued. On August 22, 2007, Cal. No. 13, the hearing was closed.)

**For consideration.**

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**No. 4**

**CD 1**

**C 070414 ZSM**

**IN THE MATTER OF** an application submitted by West Street Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 91-35 of the Zoning Resolution to modify the setback requirements of Section 91-32 (Setback Regulations) in connection with the construction of a mixed use development on property located at 50 West Street (Block 17, Lots 1001-1005 and Block 18, p/o Lot 100), in a C6-9 District, within the Special Lower Manhattan District.

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

(On July 25, 2007, Cal. No. 7, the Commission scheduled August 8, 2007 for a public hearing. On August 8, 2007, Cal. No. 34, the hearing was continued. On August 22, 2007, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**No. 5**

**CD 1**

**C 070415 ZSM**

**IN THE MATTER OF** an application submitted by West Street Development, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-91 of the Zoning Resolution to modify the provisions of Section 37-04 (Requirements for Urban Plazas) in connection with the construction of a mixed use development on property located at 50 West Street (Block 17, Lots 1001-1005

and Block 18, p/o Lot 100), in a C6-9 District, within the Special Lower Manhattan District.

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

(On July 25, 2007, Cal. No. 8, the Commission scheduled August 8, 2007 for a public hearing. On August 8, 2007, Cal. No. 35, the hearing was continued. On August 22, 2007, Cal. No. 15, the hearing was closed.)

**For consideration.**

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