

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

CITY PLANNING COMMISSION

WEDNESDAY, OCTOBER 5, 2011

**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. 19]

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

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).

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.

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

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

B

CITY PLANNING COMMISSION

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

- AMANDA M. BURDEN, FAICP, Chair**
- RICHARD W. EADDY, Vice Chairman**
- ANGELA M. BATTAGLIA**
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- MARIA M. DEL TORO**
- NATHAN LEVENTHAL**
- ANNA HAYES LEVIN**
- ORLANDO MARIN**
- SHIRLEY A. MCRAE**
- KAREN A. PHILLIPS, Commissioners**
- YVETTE V. GRUEL, Calendar Officer**

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

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**Community Board Public Hearing Notices are available in the
Calendar Information Office, Room 2E, 22 Reade Street,
New York, N.Y. 10007**

The next regular public meeting of the City Planning Commission is scheduled for October 19, 2011 at Spector Hall, 22 Reade Street, New York at 10:00 a.m.

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 _____ ULURP No.: _____ CD No.: _____

Position: Opposed _____

 In Favor _____

Comments:

Name: _____

Address: _____

Organization (if any) _____

Address: _____ Title: _____

OCTOBER 5, 2011

APPROVAL OF MINUTES OF the Regular Meeting of September 21, 2011

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, OCTOBER 19, 2011**

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

BOROUGH OF MANHATTAN

No. 1

THEATER SUBDISTRICT FUND

PROPOSED RULE CHANGE

In accordance with Sections 192 and 1043 of the New York City Charter, and pursuant to Section 81-744(a)(5) of the New York City Zoning Resolution (the “Zoning Resolution”), the New York City Planning Commission (“City Planning Commission”) proposes to amend Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York. This rule was not included in the agency’s 2011-2012 regulatory agenda.

Instructions

- Any person in attendance at this hearing shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes.
- Each speaker shall be allotted a maximum of three (3) minutes.
- Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Wesley O’Brien by September 28th, 2011 at the following address: Office of the Counsel, New York City Department of City Planning, 22 Reade Street, New York, NY 10007.
- Prior to the hearing, you may submit written comments about the proposed rule to Wesley O’Brien by mail or electronically through NYC Rules at www.nyc.gov/nycrules.

- Until November 2, 2011, written comments received and a recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at 22 Reade Street, New York, NY 10007, by contacting the Records Access Officer at (212) 720-3208.

Statement of Basis and Purpose of Proposed Rule

Statutory Authority

This rule is promulgated pursuant to the authority of the City Planning Commission under Sections 192 and 1043 of the New York City Charter and pursuant to Section 81-744(a)(5) of the Zoning Resolution. Section 81-744 of the Zoning Resolution requires that every three to five years the City Planning Commission must review and adjust the contribution amount that is required in conjunction with transfers of development rights from listed theaters in the Theater Subdistrict. Such adjustment must specifically reflect the change in assessed value of all properties on zoning lots wholly within the Theater Subdistrict. This rule is exempt from Local Law 46 of 2010 pursuant to section 1043(d)(4)(iii) of the New York City Charter.

Statement of Purpose

In accordance with Section 81-744 of the Zoning Resolution, the City Planning Commission shall allow the transfer of development rights from listed theaters in the Theater Subdistrict by certification or authorization. Certification or authorization shall be granted, provided that, among other requirements, the appropriate legal documents are executed ensuring that a contribution in an amount, which is presently established to be \$14.91 per square foot of transferred floor area, is deposited in the Theater Subdistrict Fund. The City Planning Commission is required to periodically review the contribution amount and to adjust such amount to reflect any change in the assessed value of all properties on zoning lots situated entirely within the Theater Subdistrict.

Based on data provided by the New York City Department of Finance (“DOF”), it was determined that from 1998 to 2006 the assessed value of all properties situated entirely within the Theater Subdistrict increased 49.06% per square foot. Accordingly, a 2006 rule increased the required Theater Subdistrict Fund contribution from \$10.00 to \$14.91 per square foot of development rights transferred from designated theaters.

Based on DOF data, it has been determined that from 2006 to 2011 the assessed value of all properties situated entirely within the Theater Subdistrict has increased 18% per square foot. DOF data shows that in 2006, the total built floor area of the Theater Subdistrict was 81,642,687 square feet, the total assessed value of such properties was \$8,621,852,552, and therefore the total assessed value per square foot was \$105.60. DOF data also shows that in 2011, the total built floor area in the Theater Subdistrict was 95,701,919 square feet, the total assessed value of such properties was \$11,926,866,079, and therefore the total assessed value per square foot was \$124.63. Given that the assessed value of all properties has increased

\$19.02 per square foot or 18% from 2006 to 2011, the proposed rule would correspondingly increase the required Theater Subdistrict Fund contribution by 18%, from \$14.91 to \$17.60 per square foot of development rights transferred from the listed theaters.

All DOF data referenced above is on file at the Department of City Planning and available for public inspection between the hours of 9:00 A.M. and 5:00 P.M. at 22 Reade Street, New York, NY 10007, by contacting the Records Access Officer at (212) 720-3208.

Summary of Provisions

The proposed rule amends Section 3-08 of Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York to provide that a contribution of \$17.60 per square foot must be made in conjunction with development rights transferred from the listed theaters.

Material to be deleted is enclosed in [brackets] and material to be added is underlined.

Section 1. Section 3-08 of Subchapter C of Chapter 3 of Title 62 of the Rules of the City of New York is amended to read as follows:

SUBCHAPTER C. CONTRIBUTIONS

§3-08. Contributions to Theater Subdistrict Fund Pursuant to Section 81-744 of the New York City Zoning Resolution.

Contributions to the Theater Subdistrict Fund pursuant to Section 81-744 of the New York City Zoning Resolution shall be made in an amount equal to \$[14.91]17.60 per square foot of floor area transferred.

Resolution for adoption scheduling October 19, 2011 for a public hearing.

II. REPORTS

BOROUGH OF BROOKLYN**No. 2*****CONEY ISLAND GRADE CHANGE*****CD 13****C 100469 MMK**

IN THE MATTER OF an application submitted by the Department of City Planning and Coney Island Holdings, L.L.C., pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the modification of grades in West 21st Street between Surf Avenue and the Public Beach, and in Ocean Way between West 22nd Street and Parachute Way, in accordance with Map No. X-2726, dated April 25, 2011 and signed by the Borough President.

(On August 24, 2011, Cal. No. 3, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 13, the hearing was closed.)

For consideration.

BOROUGH OF MANHATTAN**No. 3*****151 WEST 17TH STREET PARKING GARAGE*****CD 4****C 080194 ZSM**

IN THE MATTER OF an application submitted by Global Parking Solutions, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 20 spaces on portions of the ground floor and cellar of an existing residential building on property located at 151 West 17th Street (Block 793, Lot 5), in a C6-2A District.

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

(On August 24, 2011, Cal. No. 1, the Commission scheduled September 7, 2011 for a public hearing. On September 7, 2011, Cal. No. 11, the hearing was closed.)

For consideration.

BOROUGH OF STATEN ISLAND

Nos. 4 & 5

TYRELLAN AVENUE

No. 4

CD 3

N 100414 RAR

IN THE MATTER OF an application submitted by the Charleston Property Group for the grant of authorizations pursuant to Sections 107-64 and 107-65 of the Zoning Resolution for the removal of trees and the modification of existing topography to allow the construction of 3 commercial buildings on property located at the corner of Tyrellan Avenue and Veterans Road West (Block 7469, Tax Lot 190) in an M1-1 District, within the Special South Richmond District.

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

For consideration.

No. 5

CD 3

N 100415 RAR

IN THE MATTER OF an application submitted by the Charleston Property Group for the grant of authorization pursuant to Section 107-68 of the Zoning Resolution for the modification of group parking facility and access regulations to allow the construction of 3 commercial buildings on property located at the corner of Tyrellan Avenue and Veterans Road West (Block 7469, Tax Lot 190) in an M1-1 District, within the Special South Richmond District.

Plans for the proposal are on file with the City Planning Commission and may be seen at 130 Stuyvesant Place, 6th Floor, Staten Island, New York 10301.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF THE BRONX

No. 6

EL RIO RESIDENCE

CD 6

C 110365 HAX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at East 179th Street (Block 3140, part of Lot 32), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story building with approximately 65 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

(On September 21, 2011, Cal. No. 1, the Commission scheduled October 5, 2011 for public hearing which has been duly advertised.)

Close the hearing.

No. 7

BRONX RIVER ARTS CENTER

CD 6

C 110366 HAX

PUBLIC HEARING:

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property consisting of a portion of the former sidewalk of demapped Bronx Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, Lot 1) 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 provide egress for emergency access purposes to the existing Bronx River Arts Center.

(On September 21, 2011, Cal. No. 2, the Commission scheduled October 5, 2011 for public hearing which has been duly advertised.)

Close the hearing.

IV. CITY PLANNING COMMISSION 2011 SCHEDULE OF MEETINGS

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

V. CITY PLANNING COMMISSION 2012 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT	
JANUARY	1 New Year's Day	2 New Year's Observed	3 REVIEW SESSION	4 CPC PUBLIC MEETING	5	6	7	
	8	9	10	11	12	13	14	
	15 Martin Luther King, Jr. Day	16	17	18	19	20	21	
	22 Chinese New Year	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28	
	29	30	31					
FEBRUARY				1	2	3	4	
	5	6 REVIEW SESSION	7	8 CPC PUBLIC MEETING	9	10	11	
	12 Lincoln's Birthday	13	14	15	16	17	18	
	19 President's Day	20	21	22 Ash Wednesday Washington's Birthday	23	24	25	
	26	27 REVIEW SESSION	28	29 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	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30	31	
APRIL	1 Palm Sunday	2	3	4	5	6 Good Friday	7 Passover	
	8	9 REVIEW SESSION	10	11 CPC PUBLIC MEETING	12	13	14	
	15 Easter	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	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 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9	
	10	11	12	13	14	15	16	
	17	18 REVIEW SESSION	19	20 CPC PUBLIC MEETING	21	22	23	
	24	25	26	27	28	29	30	
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 First Day Ramadan	21	
	22	23 REVIEW SESSION	24	25 CPC PUBLIC MEETING	26	27	28	
	29	30	31					
					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			
AUGUST							1	
	2	3	4	5	6	7	8	
	9	10 Labor Day	11	12	13	14	15	
	16	17	18	19	20	21	22	
	23	24	25	26	27	28	29	
	30							
SEPTEMBER	2	3	4	5	6	7	8	
	9	10	11	12	13	14	15	
	16	17 Rosh Hashanah	18	19 CPC PUBLIC MEETING	20	21	22	
	23	24	25	26	27	28	29	
	30							
OCTOBER		1 REVIEW SESSION	2	3 CPC PUBLIC MEETING	4	5	6	
	7	8	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	4	5	6	7	8	9	10	
	11	12	13	14	15	16	17	
	18	19	20	21	22	23	24	
	25	26 REVIEW SESSION	27	28 CPC PUBLIC MEETING	29	30		
DECEMBER	2	3	4	5	6	7	8	
	9	10	11	12	13	14	15	
	16	17 REVIEW SESSION	18	19 CPC PUBLIC MEETING	20	21	22	
	23	24	25	26	27	28	29	
	30	31						

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