

# CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:  
WEDNESDAY, NOVEMBER 20, 2013  
10:00 A.M. SPECTOR HALL  
22 READE STREET, NEW YORK, NY 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 110342 MMX	11	PONTON AVENUE CITY MAP AMENDMENT	Scheduled to be Heard 12/4/13
2	C 140115 HAK	16	BERGEN SARATOGA APARTMENTS	" "
3	C 070194 ZMQ	12	NORTH CONDUIT AVENUE REZONING	" "
4	C 090033 MMQ	12	" "	" "
5	C 140001 ZMM	4	FULTON HOUSES	Favorable Report Adopted
6	N 140002 ZAM	4	" "	" "
7	C 130040 MMK	2	LONG ISLAND UNIVERSITY	" "
8	N 140104 RCR	3	40 MURRAY STREET	Certification Approved
9	N 130141 ZAR	2	GURVITCH-RICHMONDTOWN RESIDENTIAL DEVELOPMENT	Laid Over
10	C 140093 ZSM	2	300 LAFAYETTE STREET	Hearing Closed
11	C 140095 ZSM	2	" "	" "
12	C 140096 ZSM	2	" "	" "
13	N 140092 ZRM	2	" "	" "
	Supplemental Cal.			
S1	Proposed Rule	CW	PROPOSED CEQR TYPE II RULE CHANGE	Hearing Closed

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD:												
		In Favor - Y Oppose - N Abstain - AB Recuse - R												
Calendar Numbers:		5	6	7	8	9								
Amanda M. Burden, FAICP, Chair	P	Y	Y	Y	Y									
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y									
Angela M. Battaglia	P	Y	Y	Y	Y	L								
Rayann Besser	P	Y	Y	Y	Y	A								
Irwin G. Cantor, P.E.	P	Y	Y	Y	Y	I								
Alfred C. Cerullo, III	P	Y	Y	Y	Y	D								
Betty Y. Chen	P	Y	Y	Y	Y									
Michelle R. De La Uz	P	Y	Y	Y	Y	O								
Maria M. Del Toro	P	Y	Y	Y	Y	V								
Joseph I. Douek	A					E								
Richard W. Eaddy	P	Y	Y	Y	Y	R								
Anna Hayes Levin	P	Y	Y	Y	Y									
Orlando Marin, Commissioners	P	Y	Y	Y	Y									

MEETING ADJOURNED AT: 10:53 A.M.

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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, NOVEMBER 20, 2013**

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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. 21]**

**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)**

**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)).

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**
- KENNETH J. KNUCKLES, Esq., Vice Chairman**
- ANGELA M. BATTAGLIA**
- RAYANN BESSER**
- IRWIN G. CANTOR, P.E.**
- ALFRED C. CERULLO, III**
- BETTY Y. CHEN**
- MICHELLE R. DE LA UZ**
- MARIA M. DEL TORO**
- JOSEPH I. DOUEK**
- RICHARD W. EADDY**
- ANNA HAYES LEVIN**
- ORLANDO MARIN, 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, NOVEMBER 20, 2013**

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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 December 4, 2013 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: \_\_\_\_\_

**NOVEMBER 20, 2013**

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**APPROVAL OF MINUTES OF the Regular Meeting of November 6, 2013**

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**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR  
WEDNESDAY, DECEMBER 4, 2013  
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**

***PONTON AVENUE CITY MAP AMENDMENT***

**CD 11**

**C 110342 MMX**

**IN THE MATTER OF** an application submitted by Gerald Messuri 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 Ponton Avenue between Blondell Avenue and Waters Avenue; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13132 dated February 6, 2012 and signed by the Borough President.

**Resolution for adoption scheduling December 4, 2013 for a public hearing.**

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**BOROUGH OF BROOKLYN**

**No. 2**

***BERGEN SARATOGA APARTMENTS***

**CD 16**

**C 140115 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 properties located at 317/335 Saratoga Avenue and 1943/1963 Bergen Street (Block 1447, Lots 1,3,4,5,6,7,8,9,73,74, 75,76 and 77) 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 a five-story building with approximately 80 residential units of affordable and supportive housing.

**Resolution for adoption scheduling December 4, 2013 for a public hearing.**

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**BOROUGH OF QUEENS**

**Nos. 3 & 4**

***NORTH CONDUIT AVENUE REZONING***

**No. 3**

**CD 12**

**C 070194 ZMQ**

**IN THE MATTER OF** an application submitted by Tserpes Holding LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning map, Section No. 18d:

1. changing from an R3-2 District to a C4-2 District property bounded by 135<sup>th</sup> Avenue, 142<sup>nd</sup> Street, North Conduit Avenue, and a line 105 feet westerly of 142<sup>nd</sup> Street; and
2. changing from an R3A District to a C4-2 District property bounded by a line 40 feet northerly of North Conduit Avenue (straight line portion), a line 105 feet westerly of 142<sup>nd</sup> Street, North Conduit Avenue\*, and 140<sup>th</sup> Street;

as shown on a diagram (for illustrative purposes only), dated August 19, 2013, and subject to the conditions of CEQR Declaration E-319.

\*Note: a portion of North Conduit Avenue is proposed to be demapped under a concurrent related application (C 090033 MMQ).

**Resolution for adoption scheduling December 4, 2013 for a public hearing.**

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**No. 4**

**CD 12**

**C 090033 MMQ**

**IN THE MATTER OF** an application submitted by Tserpes Holding LLC 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 a portion of North Conduit Avenue;
- the extinguishment of an easement north of North Conduit Avenue between 140<sup>th</sup> and 142<sup>nd</sup> streets;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5005 dated January 22, 2009 and signed by the Borough President.

**Resolution for adoption scheduling December 4, 2013 for a public hearing.**

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**II. REPORTS**

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**BOROUGH OF MANHATTAN**

**Nos. 5 & 6**

***FULTON HOUSES***

**No. 5**

**CD 4**

**C 140001 ZMM**

**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 amendment of the Zoning Map, Section No. 8b, changing from an R8A District to an R8 District property bounded by a line midway between West 19th Street and West 18th Street, a line 400 feet westerly of Ninth Avenue, West 18th Street, and a line 450 feet westerly of Ninth Avenue, as shown on a diagram (for illustrative purposes only) dated July 8, 2013.

(On October 9, 2013, Cal. No. 1, the Commission scheduled October 23, 2013 for a public hearing. On October 23, 2013, Cal. No. 14, the hearing was closed.)

**For consideration.**

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**No. 6**

**CD 4**

**N 140002 ZAM**

**IN THE MATTER OF** an application submitted by the NYC Department of Housing Preservation and Development and 18<sup>th</sup> Street Fulton Equities LLC for the grant of an authorization pursuant to Section 23-635 of the Zoning Resolution to modify the height and setback requirements of Section 23-632 (Front setbacks in districts where front yards are not required) and rear setback requirements of Section 23-663 (Required rear setbacks for tall buildings in other districts) in connection with a proposed 18-story predominantly residential building, on property located at 429-433 West 18<sup>th</sup> Street (Block 716, Lot 17), in R8\* and R8/C2-5 Districts.

\*Note: A portion of the site is proposed to be rezoned from an R8A District to an R8 District under a concurrent related application (C 140001 ZMM) for a change in the Zoning Map.

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

**For consideration.**

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**BOROUGH OF BROOKLYN**

**No. 7**

***LONG ISLAND UNIVERSITY***

**CD 2**

**C 130040 MMK**

**IN THE MATTER OF** an application submitted by Long Island University 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 narrowing by elimination, discontinuance and closing of Willoughby Street between Fleet Place and Ashland Place;
- the narrowing by elimination, discontinuance and closing of Ashland Place between Willoughby Street and DeKalb Avenue;
- the elimination of Public Place between Willoughby Street, Fleet Street, and Fleet Place;
- the delineation of public access easements in Willoughby Street and Ashland Place;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2737 and X-2738 dated June 26, 2013 and signed by the Borough President.

(On October 9, 2013, Cal. No. 2, the Commission scheduled October 23, 2013 for a public hearing. On October 23, 2013, Cal. No. 15, the hearing was closed.)

**For consideration.**

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**BOROUGH OF STATEN ISLAND**

**No. 8**

***40 MURRAY STREET***

**CD 3**

**N 140104 RCR**

**IN THE MATTER OF** an application submitted by Murray Page LLC for the grant of certification pursuant to Section 107-08 of the Zoning Resolution, for the subdivision of two existing zoning lots at 40 Murray Street (Block 8008, Existing Lots 71 & 74) into two new zoning lots within the Special South Richmond Development District.

**For consideration.**



**No. 9**

***GURVITCH-RICHMONDTOWN RESIDENTIAL DEVELOPMENT***

**CD 2**

**N 130141 ZAR**

**IN THE MATTER OF** an application submitted by Island Realty Associates, LLC for grant of authorizations pursuant to Sections 105-421, 105-422 and 105-425 of the Zoning Resolution to authorize modification of topographic features on a Tier I site, modification of steep slope and steep slope buffer and modification of botanic environments to facilitate development of a private road and 13 single-family residences on one zoning lot at Block 2260, Lots 3,4,8,10,24,26,28,30,36,60,62,64,66 and 68 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.

(On November 6, 2013, Cal. No. 22, the item was laid over.)

**For consideration.**



**III. PUBLIC HEARINGS**

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**BOROUGH OF MANHATTAN**

**Nos. 10, 11, 12 & 13**

***300 LAFAYETTE STREET***

**No. 10**

**CD 2**

**C 140093 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b)\* to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

\*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application N 140092 ZRM.

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 November 6, 2013, Cal. No. 1, the Commission scheduled November 20, 2013 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 11**

**CD 2**

**C 140095 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), 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.

(On November 6, 2013, Cal. No. 2, the Commission scheduled November 20, 2013 for a public hearing which has been duly advertised.)

**Close the hearing.**



**No. 12**

**CD 2**

**C 140096 ZSM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a)\* of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

\*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application N 140092 ZRM.

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 November 6, 2013, Cal. No. 3, the Commission scheduled November 20, 2013 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**No. 13**

**CD 2**

**N 140092 ZRM**

**PUBLIC HEARING:**

**IN THE MATTER OF** an application submitted by Paco Lafayette 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 Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts.

Matter in underline is new, to be added;

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

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

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

**74-712**

**Developments in Historic Districts**

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, ~~or~~ has not more than 20 percent of the #lot area# occupied by existing #buildings#, or has #street# frontages on two or more #wide streets# and not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development#, and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided ~~that~~:

(1) the #use# modifications shall meet the following conditions, that:

(i) ~~that~~ #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance

Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;

- (ii) ~~that~~ total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
- (iii) ~~that~~ the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
- (iv) ~~that~~ all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and
- (v) ~~that~~ eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and

(2) the Commission shall find that such #use# modifications:

- (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
- (ii) are compatible with the character of the surrounding area; and
- (iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.

- b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 20 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications: comply with the findings set forth below.

In addition, in M1-5A and M1-5B Districts, the Commission may also modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that has #street# frontages on two or more #wide streets# and that, as of December 15, 2003, has not more than 40 percent of the #lot area# occupied by existing #buildings#, provided the #development# contains no #residences# and the Commission finds that such #bulk# modifications:

- (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and

- (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

(On November 6, 2013, Cal. No. 4, the Commission scheduled November 20, 2013 for a public hearing which has been duly advertised.)

**Close the hearing.**

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**IV. CITY PLANNING COMMISSION 2013 SCHEDULE OF MEETINGS**

	SUN	MON	TUE	WED	THU	FRI	SAT
<b>JANUARY</b>			1 New Year's Day	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 Martin Luther King, Jr. Day	22 REVIEW SESSION	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30	31		
<b>FEBRUARY</b>						1	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11 Chinese New Year	12 Lincoln's Birthday	13 Ash Wednesday	14	15	16
	17	18 Presidents' Day	19 REVIEW SESSION	20 CPC PUBLIC MEETING	21	22 Washington's Birthday	23
24	25	26	27	28			
<b>MARCH</b>						1	2
	3	4 REVIEW SESSION	5	6 CPC PUBLIC MEETING	7	8	9
	10	11	12	13	14	15	16
	17	18 St. Patrick's Day	19	20 CPC PUBLIC MEETING	21	22	23
	24	25 Palm Sunday	26	27	28	29	30
31	31 Easter	Passover					
<b>APRIL</b>		1	2	3	4	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
28	29	30					
<b>MAY</b>				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 Memorial Day Observed	28	29	30	31		
<b>JUNE</b>							1
	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
	23	24	25	26	27	28	29
30							
<b>JULY</b>		1	2	3	4 Independence Day	5	6
	7	8 REVIEW SESSION	9	10 CPC PUBLIC MEETING	11	12	13
	14	15	16	17	18	19	20
	21	22 REVIEW SESSION	23	24 CPC PUBLIC MEETING	25	26	27
	28	29	30	31			
<b>AUGUST</b>						1	2
	4	5 REVIEW SESSION	6	7 CPC PUBLIC MEETING	8	9	10
	11	12	13	14	15	16	17
	18	19 REVIEW SESSION	20	21 CPC PUBLIC MEETING	22	23	24
	25	26	27	28	29	30	31
<b>SEPTEMBER</b>	1	2 Labor Day	3	4	5 Rosh Hashanah	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					
<b>OCTOBER</b>			1	2	3	4	5
	6	7 REVIEW SESSION	8	9 CPC PUBLIC MEETING	10	11	12
	13	14 Columbus Day	15	16	17	18	19
	20	21 REVIEW SESSION	22	23 CPC PUBLIC MEETING	24	25	26
	27	28	29	30	31		
<b>NOVEMBER</b>						1	2
	3	4 REVIEW SESSION	5 Election Day	6 CPC PUBLIC MEETING	7	8	9
	10	11 Veterans' Day	12	13	14	15	16
	17	18 REVIEW SESSION	19	20 CPC PUBLIC MEETING	21	22	23
	24	25	26	27	28 Thanksgiving Hanukkah	29	30
<b>DECEMBER</b>	1	2 REVIEW SESSION	3	4 CPC PUBLIC MEETING	5	6	7
	8	9	10	11	12	13	14
	15	16 REVIEW SESSION	17	18 CPC PUBLIC MEETING	19	20	21
	22	23	24	25	26	27	28
	29	30	31	Christmas	Kwarzaa		

**Review Sessions** are held in Spector Hall at 22 Reade Street starting at 1:00 PM  
**Public Meetings** are held in Spector Hall at 22 Reade Street starting at 10:00 AM

V. CITY PLANNING COMMISSION 2014 SCHEDULE OF MEETINGS

	SUN	MON	TUE	WED	THU	FRI	SAT
JANUARY				1 New Year's Day	2	3	4
	5	6 Review Session	7	8 CPC Public Meeting	9	10	11
	12	13	14	15	16	17	18
	19 Martin Luther King Jr. Day	20 Review Session	21 Review Session	22 CPC Public Meeting	23	24	25
	26	27	28	29	30	31 Observed Winter Day	
FEBRUARY							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16 President Day	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22 Washington's Birthday
23	24	25	26	27	28		
MARCH							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
23	24	25	26	27	28	29	
30	31 St. Patrick's Day						
APRIL				1 CPC Public Meeting	2	3	4
	5	6	7	8	9	10	11
	12	13 Good Friday	14	15	16	17	18
	19 Easter Sunday	20 Review Session	21 Review Session	22 CPC Public Meeting	23	24	25
26	27	28	29	30			
MAY					1	2	3
	4	5 Review Session	6	7 CPC Public Meeting	8	9	10
	11	12	13	14	15	16	17
	18	19 Review Session	20 Review Session	21 CPC Public Meeting	22	23	24
25	26 Mother's Day Observed	27	28	29	30	31	
JUNE	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					31 Canada Day
JULY				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 Review Session	22 CPC Public Meeting	23	24	25
	26	27 Emancipation Day	28	29	30	31	
AUGUST							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
23	24	25	26	27	28	29	
30	31						
SEPTEMBER							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
23	24	25	26	27	28	29	
30	31 Labor Day						
OCTOBER							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
23	24	25	26	27	28	29	
30	31 Columbus Day						
NOVEMBER							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11 Veteran's Day	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
23	24	25	26	27	28	29	
30	31 Thanksgiving						
DECEMBER							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
	23	24	25	26	27	28	29
30	31 Hanukkah						
JANUARY							1
	2	3 Review Session	4	5 CPC Public Meeting	6	7	8
	9	10	11	12	13	14	15
	16	17 Review Session	18 Review Session	19 CPC Public Meeting	20	21	22
	23	24	25	26	27	28	29
30	31 Martin Luther King Jr. Day						

Review Sessions are held in Spector Hall at 22 Reade Street starting at 1:00 PM  
 Public Meetings are held in Spector Hall at 22 Reade Street starting at 10:00 AM

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

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**CITY PLANNING COMMISSION**

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**WEDNESDAY, NOVEMBER 20, 2013**

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**MEETING AT 10:00 A.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)**

A

**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.

**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  
22 Reade Street - Room 2E  
New York, New York 10007-1216

B

**CITY PLANNING COMMISSION**

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**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**

**MICHELLE R. DE LA UZ**

**MARIA M. DEL TORO**

**JOSEPH I. DOUEK**

**RICHARD W. EADDY**

**ANNA HAYES LEVIN**

**ORLANDO MARIN, *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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**WEDNESDAY NOVEMBER 20, 2013**

I. Public Hearing .....1

## I. PUBLIC HEARING

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### CITY WIDE

#### No. 1

#### *PROPOSED CEQR TYPE II RULE CHANGE*

#### **A proposed rule designating thirteen (13) actions as Type II, which will not require environmental review under City Environmental Quality Review**

NOTICE IS HEREBY GIVEN in accordance with the requirements of Section 1043 of the New York City Charter and pursuant to the authority vested in the City Planning Commission by Section 192(e) of the New York City Charter, the City Planning Commission proposes to add new rules to Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York. These rules were not included in a regulatory agenda for fiscal year 2014 because the need for this rulemaking was not known at the time that regulatory agendas were published.

#### Statement of Basis and Purpose

##### *Statutory Authority*

These rules are promulgated pursuant to the authority of the City Planning Commission under Section 192(e) of the New York City Charter. Section 192(e) vests in the City Planning Commission the authority to establish by rule procedures for environmental reviews by the City where such reviews are required by law. The State granted the City the authority to promulgate these rules through New York State Department of Environmental Conservation regulations, found in Title 6 of the New York Codes, Rules and Regulations (NYCRR). Subdivision (b) of Section 617.5 of Chapter 6 of Title 6 of the NYCRR authorizes agencies to adopt their own list of Type II actions to supplement the State list of Type II actions, which are found in Subdivision (c) of the same section.

##### *Statement of Purpose*

The proposed rules would exempt certain actions from the City Environmental Quality Review (CEQR) procedures. The proposed rules would also provide that some of the listed actions are exempt only if they meet one or more prerequisites.

Currently, the State Environmental Quality Review regulations and CEQR designate certain actions, which are likely to require the preparation of an Environmental Impact Statement, as

Type I. Section 617.5 of Title 6 of the NYCRR designates other actions, which have been determined not to have a significant adverse impact on the environment, and therefore are not subject to environmental review, as Type II.

Actions that are not designated as either Type I or Type II are referred to as “Unlisted.” For Unlisted actions, an Environmental Assessment Statement (EAS) must be prepared. The lead agency must determine whether the action has the potential for significant adverse environmental impacts. If it is determined, based on the Environmental Assessment Statement, that the action does not have the potential to result in significant impacts, then a Negative Declaration is issued providing the reasons for this determination.

Previous EASs have consistently shown that certain types of Unlisted actions do not have the potential to result in significant adverse environmental impacts. For example, over the past five years, 31 EASs have been prepared in conjunction with special permits for radio and television towers pursuant to Section 73-30 of the Zoning Resolution of the City of New York. Radio and television towers were consistently found not to result in significant adverse environmental impacts, and negative declarations were issued for each of the 31 special permits.

However, because actions such as the special permit for radio and television towers remain Unlisted, an EAS must still be prepared and a Negative Declaration must be issued every time that these actions are taken. Continuing to conduct environmental review of such actions places an administrative burden on government agencies and private businesses, but provides no environmental protection since significant adverse environmental impacts are never predicted. The review of such actions, therefore, constitutes a waste of public and private resources.

The New York City Mayor’s Office of Environmental Coordination, in consultation with the CEQR Task Force, has identified 13 Unlisted actions that lead agencies have determined do not have the potential to result in significant environmental impacts, based on the preparation and review of EASs in the past as well as on evaluation of the potentially significant environmental impacts associated with such actions.

The proposed rules would exempt these actions from environmental review under CEQR and simplify the environmental review process for applicants while freeing agency resources to focus on actions that may have the potential for significant adverse impacts on the environment.

The proposed rules also include prerequisites that certain types of projects must meet before they are exempted from the requirements. For example, the proposed rule would exempt certain actions that could involve the excavation of areas not previously excavated from environmental review only if they are located on a site that is not archeologically sensitive.

The Mayor's Office of Environmental Coordination estimates that the proposed rules will exempt approximately 184 projects from the environmental review requirements of CEQR over the next five years.

*Summary of Provisions*

The proposed rules would add two new subdivisions, subdivisions (c) and (d), to Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York.

Subdivision (c) would list 13 types of actions that are not subject to environmental review under CEQR. Subdivision (d) would list certain prerequisites that the actions listed in subdivision (c) must meet in order to be exempt from environmental review.

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

Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York is amended by adding two new subdivisions (c) and (d) to read as follows:

(c) Type II. The following actions are not subject to review under City Environmental Quality Review, the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) or the SEQRA Regulations, subject to § 5-05(d) of these rules:

- (1) Special permits for physical culture or health establishments of up to 20,000 gross square feet, pursuant to § 73-36 of the Zoning Resolution;
- (2) Special permits for radio and television towers, pursuant to § 73-30 of the Zoning Resolution;
- (3) Special permits for ambulatory diagnostic or treatment health care facilities, pursuant to § 73-125 of the Zoning Resolution;
- (4) Special permits to allow a building or other structure to exceed the height regulations around airports, pursuant to § 73-66 of the Zoning Resolution;
- (5) Special permits for the enlargement of buildings containing residential uses by up to 10 units, pursuant to § 73-621 of the Zoning Resolution;
- (6) Special permits for eating and drinking establishments of up to 2,500 gross square feet with accessory drive-through facilities, pursuant to § 73-243 of the Zoning Resolution;
- (7) Acquisition or disposition of real property by the City, not involving a change of use, a change in bulk, or ground disturbance;
- (8) Construction or expansion of primary or accessory/appurtenant park structures or facilities involving less than 10,000 square feet of gross floor area;
- (9) Park mapping, site selection or acquisition of less than ten (10) acres of existing open space or natural areas;

- (10) Authorizations for a limited increase in parking spaces for existing buildings without parking, pursuant to § 13-442 and § 16-341 of the Zoning Resolution;
- (11) Special permits for accessory off-street parking facilities, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 16-351 of the Zoning Resolution;
- (12) Special permits for public parking garages and public parking lots, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 16-352 of the Zoning Resolution; and
- (13) Special permits for additional parking spaces, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 13-45 of the Zoning Resolution.

(d) Type II Prerequisites.

- (1) An action listed in § 5-05(c)(2)-(5), or (8) of these rules involving ground disturbance shall remain subject to environmental review, unless it is determined that any potentially significant hazardous materials impacts will be avoided.
- (2) An action listed in § 5-05(c)(2), (3), (5), or (8) of these rules involving excavation of an area that was not previously excavated shall remain subject to environmental review, unless it is determined that the project site is not archaeologically sensitive.
- (3) An action listed in § 5-05(c)(4) of these rules shall remain subject to environmental review, unless it is determined that any potentially significant noise impacts will be avoided.
- (4) An action listed in § 5-05(c)(2), (3), (5), or (8) of these rules involving the removal or alteration of significant natural resources shall remain subject to environmental review.
- (5) An action listed in § 5-05(c)(2), (4) or (5) of these rules shall remain subject to environmental review if the project site is:
  - (i) wholly or partially within any historic building, structure, facility, site or district that is calendared for consideration or eligible for designation as a New York City Landmark, Interior Landmark or Scenic Landmark;
  - (ii) substantially contiguous to any historic building, structure, facility, site or district that is designated, calendared for consideration or eligible for designation as a New York City Landmark, Interior Landmark or Scenic Landmark; or
  - (iii) wholly or partially within or substantially contiguous to any historic building, structure, facility, site or district, or archaeological or prehistoric site that is listed, proposed for listing or eligible for listing on the State Register of Historic Places or National Register of Historic Places.

(On October 21, 2013, the Mayor's Office of Environmental Coordination duly advertised November 20, 2013 for a public hearing.

**Close the hearing.**

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