

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
WEDNESDAY, DECEMBER 18, 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 140089 PPX	6	DISPOSITION OF CITY-OWNED PROPERTY	Scheduled to be Heard 1/8/14
2	N 140099 ZRK	1	EAST RIVER TEXT AMENDMENT	" "
3	C 140087 MCM	5	TIMES SQUARE CONCESSION	" "
4	C 120178 ZMQ	8	UNION TURNPIKE REZONING	" "
5	C 140093 ZSM	2	300 LAFAYETTE STREET	Favorable Report Adopted
6	C 140095 ZSM	2	" "	" "
7	C 140096 ZSM	2	" "	" "
8	N 140092 ZRM	2	" "	" "
9	N 130232 ZRY	6	2 ND AVENUE TEXT AMENDMENT	Fav. Report Adopted as Modified
10	N 140164 HKM	1	39 WORTH STREET BUILDING LANDMARK	Forward Report to City Council
11	N 140165 HKM	1	41 WORTH STREET BUILDING LANDMARK	" "
12	N 140166 HKM	3	339 GRAND STREET HOUSE LANDMARK	" "
13	N 140163 HKM	5	TAMMANY HALL LANDMARK	" "
14	N 140186 PXR	1	135 CANAL STREET OFFICE SPACE	Favorable Report Adopted
15	N 130179 RCR	3	246 DETROIT AVENUE	Certification Approved
16	N 130180 RCR	3	" "	" "
17	C 140077 HAQ	14	OCEAN VILLAGE	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	10	11	12	13	14	15	16	S1		
Amanda M. Burden, FAICP, Chair	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Kenneth J. Knuckles, Esq., Vice Chairman	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Angela M. Battaglia	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Rayann Besser	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Irwin G. Cantor, P.E.	A															
Alfred C. Cerullo, III	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Betty Y. Chen	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Michelle R. De La Uz	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Maria M. Del Toro	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Joseph I. Douek	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Richard W. Eaddy	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Anna Hayes Levin	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Orlando Marin, Commissioners	P	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		

MEETING ADJOURNED AT: 11:30 A.M.

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

CITY PLANNING COMMISSION

WEDNESDAY, DECEMBER 18, 2013

**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. 23]

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

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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**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 January 8, 2014 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: _____

DECEMBER 18, 2013

APPROVAL OF MINUTES OF the Regular Meeting of December 4, 2013

**I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR
WEDNESDAY, JANUARY 8, 2014
STARTING AT 10:00 A. M. AT SPECTOR HALL
22 READE STREET
NEW YORK, NEW YORK**

BOROUGH OF THE BRONX

No. 1

DISPOSITION OF CITY-OWNED PROPERTY

CD 6

C 140089 PPX

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of two (2) city-owned properties located on Block 3055, Lot 8 and Block 3113, Lot 8, pursuant to zoning.

Resolution for adoption scheduling January 8, 2014 for a public hearing.

BOROUGH OF BROOKLYN

No. 2

EAST RIVER TEXT AMENDMENT

CD 1

N 140099 ZRK

IN THE MATTER OF an application submitted by the New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, pertaining to the regulations governing ferry and water taxi docking facilities.

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

**Article II
Residence District Regulations**

* * *

**Chapter 2
Use Regulations**

* * *

**22-00
GENERAL PROVISIONS**

In order to carry out the purposes and provisions of this Resolution, the #uses# of #buildings or other structures# and the open #uses# of #zoning lots#, or portions thereof, have been classified and combined into Use Groups. A brief statement is inserted at the start of each Use Group to describe and clarify the basic characteristics of that Use Group. Use Groups 1, 2, 3, ~~and~~ 4 and 6, including each #use# listed separately therein, are permitted in #Residence Districts# only as indicated in Sections 22-11 to ~~22-14~~ 22-15, inclusive.

The following chart sets forth the Use Groups permitted in the #Residence Districts#.

* * *

Whenever a #use# is specifically listed in a Use Group and also could be construed to be incorporated within a more inclusive #use# listing, either in the same or another Use Group, the more specific listing shall control.

The #uses# listed in the various Use Groups set forth in Sections 22-11 to ~~22-14~~22-15, inclusive, are also listed in alphabetical order in the Index at the end of this Resolution for the convenience of those using this Resolution. Whenever there is any difference in meaning or implication between the text of these Use Groups and the text of the Index, the text of these Use Groups shall prevail.

* * *

22-10
USES PERMITTED AS-OF-RIGHT

* * *

22-15
Use Group 6C

R6 R7 R8 R9 R10

In the districts indicated, when located within Community District 1 in the Borough of Brooklyn, Use Group 6C, as set forth in Section 32-15 (Use Group 6), shall be limited to docks for ferries, other than #gambling vessels#, with a vessel capacity of up to 399 passengers, and docks for water taxis, with a vessel capacity of up to 99 passengers, provided that such docks are certified by the Chairperson of the City Planning Commission, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). Vessel capacity is the U.S. Coast Guard certified capacity of the largest vessel using a dock.

* * *

22-20
USES PERMITTED BY SPECIAL PERMIT

* * *

22-22
By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4, or as otherwise indicated in this Section.

R3 R4 R5 R6 R7 R8 R9 R10

Docks for ferries or water taxis as listed in Use Group 6 pursuant to Section 62-832 (Docks for ferries or water taxis in Residence Districts), except in R6 through R10 Districts in Community District 1 in the Borough of Brooklyn.

* * *

**Article III
Commercial District Regulations**

* * *

**Chapter 2
Use Regulations**

* * *

**32-10
USES PERMITTED AS-OF-RIGHT**

* * *

**32-15
Use Group 6
C1 C2 C4 C5 C6 C8**

* * *

C. Retail or Service Establishments

* * *

Clothing rental establishments, limited to 10,000 square feet of #floor area# per establishment [PRC-B]

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour. In Community District 1 in the Borough of Brooklyn, docks for ferries with a vessel capacity of up to 399 passengers shall be allowed, provided that such docks are certified by the Chairperson of

the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas).The maximum dock capacity is the U.S. Coast Guard certified capacity of the largest vessel using the dock. [PRC-H]

Docks for water taxis, with a vessel capacity of up to 99 passengers. ~~with vessel capacity limited to 99 passengers~~ In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the U.S. Coast Guard certified capacity of the largest vessel using the dock.

Docks or mooring facilities for non-commercial pleasure boats [PRC-H]

* * *

32-19
Use Group 10

C4 C5 C6 C8

* * *

A. Retail or Service Establishments

* * *

Depositories for storage of office records, microfilm or computer tapes, or for data processing [PRC-G]

Docks for ferries, other than #gambling vessels#, with no restriction on passenger load. In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). [PRC-H]

Dry goods or fabric stores, with no limitation on #floor area# per establishment [PRC-B]

* * *

32-23

Use Group 14

C2 C3 C7 C8

Use Group 14 consists of the special services and facilities required for boating and related activities.

- (a) Retail or Service

* * *

Candy or ice cream stores [PRC-B]

Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour. In Community District 1 in the Borough of Brooklyn, docks for ferries with a vessel capacity of up to 399 passengers shall be allowed, provided that such docks are certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). [PRC-H]

Docks for sightseeing, excursion or sport fishing vessels, other than #gambling vessels#, limited to the following aggregate dock capacities per #zoning lot#:

200 in C2, C3 Districts; 500 in C7, C8-1, C8-2, C8-3 Districts; 2,500 in C8-4 Districts.

"Dock capacity" is the U.S. Coast Guard certified capacity of the largest vessel using a dock. "Aggregate dock capacity" is the sum of the dock capacities of all docks on the #zoning lot#.

Docks for water taxis, with a vessel capacity of up to 99 passengers. ~~with vessel capacity limited to 99 passengers~~ In Community District 1 in the Borough of Brooklyn, such docks shall be certified by the Chairperson of the City Planning Commission pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). The maximum dock capacity is the is the U.S. Coast Guard certified capacity of the largest vessel using the dock.

Docks or mooring facilities for non-commercial pleasure boats [PR-H]

* * *

**Article VI
Special Regulations Applicable To Certain Areas**

**Chapter 2
Special Regulations Applying in the Waterfront Area**

* * *

**62-50
GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT
PUBLIC ACCESS AREAS**

* * *

**62-52
Applicability of Waterfront Public Access Area Requirements**

Waterfront public access shall be provided for all #waterfront zoning lots# with a #lot area# of at least 10,000 square feet and a #shoreline# of at least 100 feet that are #developed#, and for all #developments# on #floating structures#, in accordance with the provisions of the following Sections:

* * *

(b) #Waterfront public access areas# required in conjunction with the following #developments# shall be subject to the minimum #waterfront public access area# set forth in the table in Section 62-57 and the requirements of Section 62-58 (Requirements for Water-Dependent Uses and Other Developments):

(1) #developments# comprised #predominantly# of the following WD #uses#: docks for non-commercial pleasure boats, ferries, sightseeing, excursion or sport fishing vessels, #boatels# or commercial beaches;

- (2) #developments# on #piers# or #platforms# that involve existing #buildings or other structures# that are either New York City-designated landmarks or have been calendared for consideration, or are listed or eligible to be listed in the National or New York State Registers of Historic Places; or
- (3) changes of #use# or #extensions# within #buildings# existing on October 25, 1993, which involve, in aggregate, an amount of #floor area# that is less than 30 percent of the maximum #floor area# permitted on the #zoning lot# for either #commercial# or #residential use#, whichever is greater.

In Community District 1 in the Borough of Brooklyn, on #zoning lots# with #developments# comprised exclusively of docks for ferries with a vessel capacity of up to 399 passengers, and #accessory# amenities for such docking facilities, such #zoning lots# shall be exempt from the waterfront public access requirements of this Section, provided that such docking facilities are certified by the Chairperson of the City Planning Commission, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas). However, for any subsequent #development# on such #zoning lot# that is not comprised exclusively of docks for ferries, the public access requirements of this Section shall apply, and any public access exemptions for such docks for ferries shall no longer apply.

* * *

62-60
DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS

* * *

62-611
Permitted obstructions

#Waterfront public access areas# shall be unobstructed from their lowest level to the sky except that the obstructions listed in this Section shall be permitted, as applicable. However, no obstructions of any kind shall be permitted within a required circulation path.

- (a) In all areas

* * *

- (c) Beyond 20 feet of the #shoreline#

Tot-lots, playgrounds, dog runs, public telephones, toilets, bicycle racks.

- (d) In Community District 1 in the Borough of Brooklyn

In Community District 1 in the Borough of Brooklyn, any amenity #accessory# to docking facilities for ferries or water taxis shall be considered a permitted obstruction only where such amenity is certified by the Chairperson of the City Planning Commission in conjunction with the docking facility, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas).

* * *

62-63

Design Requirements for Public Access on Piers and Floating Structures

62-631

Design requirements for public access on piers

The design requirements of this Section shall apply to #waterfront public access areas# on #piers#, pursuant to Section 62-54.

- (a) Circulation and access

At least one circulation path having a minimum clear width of ten feet shall be provided throughout the public access area required on the #pier#.

- (b) Permitted obstructions

In addition to permitted obstructions pursuant to Section 62-611, #pier# public access areas may include one freestanding open or enclosed public pavilion, provided such structure does not exceed one #story#, is no taller than 30 feet and has an area no larger than 1,600 square feet. At least 50 percent of the perimeter wall area on all sides, up to a height of 15 feet, shall consist of clear or glazed materials which may include #show windows#, glazed transoms, glazed portions of doors or latticework. Such structures shall be exempt from #building# spacing requirements on #piers# provided they maintain a spacing of at least 12 feet from other #buildings# and from any water edge of the #pier#, except that when a #pier# is 30 feet or less in width, a pavilion may abut one water edge.

In Community District 1 in the Borough of Brooklyn, any amenity #accessory# to docking facilities for ferries or water taxis shall be considered a permitted obstruction only where such amenity is certified by the Chairperson of the City Planning Commission in conjunction with the docking facility, pursuant to Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas).

(c) Seating

At least one linear foot of seating is required for every 100 square feet of #pier# public access area, subject to the provisions of paragraphs (a) through (d) of Section 62-652.

* * *

62-80

SPECIAL REVIEW PROVISIONS

* * *

62-81

Certifications by the Chairperson of the City Planning Commission

* * *

62-813

Docking facilities for ferries or water taxis in certain waterfront areas

In Community District 1 in the Borough of Brooklyn, docking facilities for ferries or water taxis set forth in paragraph (a) of this Section shall be permitted, provided that the Chairperson of the City Planning Commission certifies to the Commissioner of the Department of Buildings that such docking facilities comply with the standards for required amenities set forth in paragraph (b) of this Section and, where provided, the standards for permitted amenities set forth in paragraph (c) of this Section. In conjunction with such certification, parking and drop-off and pick-up area requirements for docking facilities with a vessel capacity of up to 399 passengers shall be waived, as applicable. Where such docking facilities are proposed within a #waterfront public access area#, such docking facilities shall also comply with the provisions of paragraph (d) of this Section. Where modifications to a docking facility certified pursuant this Section are made, including the amount or configuration of docking facility amenities, establishment of, or

modification to, #waterfront public access areas# on the same #waterfront zoning lot#, or the cessation of ferry or water taxi service to such docking facility, the provisions of paragraph (e) of this Section shall apply.

The amount of amenities permitted or required pursuant to paragraphs (b) and (c) of this Section shall be calculated for each docking facility on the #waterfront zoning lot# and not according to the number of vessels a single docking facility can accommodate.

(a) Docking facilities

The following docking facilities are subject to the certification provisions of this Section:

- (1) docks for water taxis, with a vessel capacity of up to 99 passengers, as listed in Use Group 6C, when located within R6 through R10 Districts, or C1, C2, C4, C5, C6 or C8 Districts, and as listed in Use Group 14A, when located in C2, C3, C7 or C8 Districts and #Manufacturing Districts#;
- (2) docks for ferries, other than #gambling vessels#, with a vessel capacity of up to 399 passengers, as listed in Use Group 6C, when located within R6 through R10 Districts or C1, C2, C4, C5, C6 or C8 Districts, and as listed in Use Group 14A, when located in C2, C3, C7 or C8 Districts and #Manufacturing Districts#; and
- (3) docks for ferries with an unlimited capacity, as listed in Use Group 10A, in C4, C5, C6, C8 Districts and #Manufacturing Districts#.

(b) Required amenities

Passenger queuing space, bicycle parking and a trash receptacle shall be provided in accordance with the applicable provisions of this paragraph, (b), inclusive. All applications shall include a site plan denoting the location of each required amenity, dimensioned plans and elevations of individual amenities, as applicable, as well as any other material required to demonstrate compliance with such provisions.

(1) Passenger queuing space

Passenger queuing space shall be provided in accordance with the provisions of this paragraph, (b)(1), inclusive.

(i) Amount

A minimum of four square feet of queuing space per passenger shall be provided on the #waterfront zoning lot# for 40 percent of the U.S. Coast Guard certified passenger capacity of the largest vessel proposed to dock at such facility. Queuing space may be either standing space or seating space, and may be either open to the sky or provided within a sheltered space for passengers in accordance with the provisions of paragraph (c)(1), inclusive, of this Section.

(ii) Standing space

All standing queuing space shall be contiguous and clear of obstructions, except for any interruption by circulation paths required for access to docking facilities through a gangway, or pier access thereto. However, such standing queuing space may be non-contiguous and temporary dividers may be permitted as obstructions within such queuing space where the applicant signs an affidavit, or provides materials demonstrating in a manner that is satisfactory to the Chairperson, that an attendant will manage queues whenever such measures are implemented.

(iii) Seating space

A minimum of ten percent of required queuing space shall be provided as seating, and up to 50 percent of required queuing space may be provided as seating. However, no seating shall be required within a previously approved #waterfront public access area#. For the purpose of applying seating towards the queuing requirement, one linear foot of seating shall equal one square foot of queuing space.

All seating provided for queuing space shall comply with the applicable dimensional criteria of Section 62-652 (Seating), but need not comply with the percentage requirements for different types of seating required pursuant to such Section. However, moveable chairs shall not constitute seating for queuing.

Any seating space provided pursuant to this Section within an existing or proposed #waterfront public access area# shall not count towards the

maximum amount of seating permitted to be located seaward of the #shore public walkway# pursuant to paragraph (b) of Section 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas).

(iv) Location

Queuing space shall be provided on the #waterfront zoning lot# within 150 feet of the landward terminus of the gangway leading to the docking facility.

(2) Bicycle parking

Bicycle racks sufficient to provide at least four bicycle parking spaces shall be provided on the #waterfront zoning lot#. Such bicycle racks shall comply with the standards of Section 62-657.

(3) Trash receptacle

One trash receptacle shall be provided on the #waterfront zoning lot# within 25 feet of the landward terminus of the gangway leading to the docking facility. Such trash receptacle shall comply with the standards of Section 62-658.

(c) Permitted amenities

Passenger queuing shelters and ticketing machines may be provided only in accordance with the applicable standards of this paragraph, (c), or, where applicable, the authorization provisions set forth in Section 62-824 (Modifications to passenger queuing shelters for ferry or water taxi docking facilities).

All applications shall include a site plan denoting the location of such amenities, dimensioned plans and elevations of individual amenities, as well as any other material required to demonstrate compliance with the following standards:

(1) Passenger queuing shelter

Where provided, passenger queuing shelters shall comply with the provisions of this paragraph, (c)(1), inclusive. All heights are measured from adjoining grade.

(i) Maximum dimensions and permitted enclosing walls

The maximum height of a shelter shall be ten feet. Below a height of seven feet, the maximum width shall be four feet, and above a height of seven feet, the maximum width shall be eight feet. The maximum length of a shelter shall not exceed 16 feet, except that where a ticketing machine provided pursuant to paragraph (c)(2) of this Section is located within such shelter, such maximum length may be increased to 20 feet.

Shelters shall be permitted a total of three enclosing walls, one along the long dimension of the shelter, and one along each narrow end.

(ii) Support structures below the roof

A maximum of two vertical columns may support the enclosing walls and the roof of a shelter, except that where a ticketing machine provided pursuant to paragraph (c)(2) of this Section is located within such shelter, an additional column shall be permitted. The maximum width and depth of such columns shall not exceed twelve inches. All such columns shall be aligned so that when viewed in elevation view along the narrow end of the shelter, only one column shall be visible.

Below a height of 30 inches, one horizontal structural element shall be permitted along the long dimension of the shelter. The maximum depth and height of such structural element shall not exceed twelve inches. Between a height of 30 inches and seven feet no horizontal structural elements shall be permitted, and above a height of seven feet, horizontal structural elements shall be considered part of the roof structure.

Additional support structures needed to support glazing in the enclosing walls are permitted, provided that such structures are to the minimum amount necessary.

(iii) Roof structure

The roof of the shelter, including all associated structural elements and materials, shall be located above a height of seven feet.

The maximum depth of the roof, including all associated structural elements and materials, shall not exceed twelve inches, as measured perpendicular to the roof surface. In addition, within six inches of the edge of any portion of the roof that cantilevers over passenger queuing space, as viewed in elevation along the narrow end of the shelter, the depth of the roof shall be limited to three inches.

No slopes or curves shall be permitted in the roof along the long dimension of the shelter. Along the narrow end of the shelter, slopes not to exceed fifteen degrees and curves with a radius of at least ten feet shall be permitted. Where two slopes are provided, in no event shall both portions of the roof angle downward from the same point.

(iv) Materials, lighting and permitted signage

On each narrow end of the shelter, the enclosing wall or associated vertical support column may accommodate up to six square feet of way-finding ferry #signs#, with a width not to exceed twelve inches. In addition, the enclosing wall on the long end of the shelter or a face of a ticketing machine provided in accordance with paragraph (c)(2) of this Section may accommodate up to six square feet of materials related to ferry operations, including maps and schedules of ferry service. No #advertising signs# shall be permitted.

All structural elements shall be composed of unpainted, metallic materials. The entire surface area of all enclosing walls shall be composed of untinted, transparent materials, except for transparency distraction markers and any support structures or signage permitted pursuant to this paragraph, (c)(1). A minimum of 50 percent of the surface area of the roof shall be composed of translucent materials, except that any portion occupied by solar panels shall be excluded from such calculation. Benches provided within a shelter shall either match or complement such shelter materials.

Where lighting is provided within a shelter, the luminaire shall be shielded so the light source is not visible.

(v) Location and orientation

Shelters shall be provided on the #waterfront zoning lot# within 100 feet of the landward terminus of the gangway leading to the docking facility.

The long dimension of the shelter shall be oriented so as to be within 15 degrees of being perpendicular to the shoreline or, where located on a pier, within 15 degrees of being parallel to such pier.

Where a shelter is provided within a previously approved #waterfront public access area#, the Chairperson may modify the location and orientation provisions of this Section, to the minimum extent necessary, where site limitations would make compliance with such provisions infeasible.

(2) Ticketing machines

Ticketing machines provided in conjunction with a docking facility shall comply with the provisions of this paragraph, (c)(2).

(i) Maximum square footage

The maximum area of all ticket machines, as measured in plan around the furthest extent of such machines, shall not exceed 12 square feet.

(ii) Location

Ticketing machines shall be provided on the #waterfront zoning lot# within 100 feet of the landward terminus of the gangway leading to the docking facility.

Where a passenger queuing shelter is provided in conjunction with the ferry or water taxi docking facility pursuant to paragraph (c)(1) of this Section, ticketing machines shall be located either within, or immediately adjacent to the upland portion of such shelter.

Any ticketing machine not placed within a passenger queuing shelter shall be placed in a location open to the sky.

Ticketing machines shall either front directly upon a required circulation path or shall be connected thereto by a walkway with an unobstructed minimum clear width of at least five feet.

Where a ticketing machine is provided within a previously approved #waterfront public access area#, the Chairperson may modify the location provisions of this Section, to the minimum extent necessary, where site limitations would make compliance with such provisions infeasible.

(d) Provisions for adding amenities for docking facilities to a #waterfront public access area#

Docking facilities proposed within a previously approved #waterfront public access area# or in conjunction with a certification for such approval, pursuant to Section 62-811 (Waterfront public access areas and visual corridors), shall comply with the applicable provisions of this paragraph, (d).

(1) Permitted obstructions

In no event shall amenities provided pursuant to paragraphs (b) or (c) of this Section be permitted to encroach upon the minimum circulation paths required pursuant to the applicable provisions of Sections 62-62 (Design Requirements for Shore Public Walkways and Supplemental Public Access Areas), 62-63 (Design Requirements for Public Access on Piers and Floating Structures), and 62-64 (Design Requirements for Upland Connections).

(2) Providing amenities in previously approved #waterfront public access areas#

All seating, bicycle parking and trash receptacles provided for docking facilities in accordance with the provisions of paragraph (b) of this Section, within a previously approved #waterfront public access area#, shall be provided in addition to the amount of seating, bicycle parking, or trash receptacles required for such #waterfront public access area# pursuant to the applicable provisions of Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS). Where excess seating, bicycle parking or trash receptacles have been provided within such previously approved #waterfront public access areas#, such additional amenities may be applied towards compliance with the provisions for docking facilities of this Section, provided that such amenities comply with the applicable provisions of paragraph (b) of this Section. Where

previously approved #waterfront public access areas# are #non-complying# as to the provision of required amenities, in no event shall the minimum amount of amenity provided for docking facilities pursuant to paragraph (b) reduce the degree of #non-compliance# of such #waterfront public access area#.

All seating, bicycle parking and trash receptacles provided in accordance with the provisions of paragraph (b) of this Section in an existing #waterfront public access area# shall either match or shall be comparable with such existing amenities, with regard to quality, materials, finishes, and form.

Modifications to a previously approved #waterfront public access area# in order to accommodate amenities to be provided for a docking facility in accordance with paragraphs (b) or (c) of this Section shall not constitute a design change to such #waterfront public access area#, and shall not necessitate a new certification pursuant to Section 62-811, provided that the applicant demonstrates to the Chairperson of the City Planning Commission that such modifications are to the minimum extent necessary in order to accommodate the amenities being provided for such docking facility.

(3) Providing amenities in conjunction with a new #waterfront public access area#

All amenities provided for docking facilities in accordance with the provisions of paragraph (b) of this Section shall be provided in addition to all required seating, bicycle parking, or trash receptacles for a #waterfront public access area# being #developed# in conjunction with the provision of a docking facility. All such proposed amenities for the docking facility shall complement the proposed amenities for such #waterfront public access area#.

(e) Modifications of certified docking facilities

Any modification to a docking facility certified pursuant to this Section, shall comply with the applicable provisions of this paragraph, (e).

(1) Modification of amenities

Any modification of the required or permitted amenities for a docking facility certified pursuant to this Section, including the configuration of such amenities, shall be subject to a new certification pursuant to this Section.

Any ferry or water taxi service modification resulting in a reduction of passenger capacity of the largest vessel docking at such facility shall not be subject to a new certification provided that the amount of queuing space required at the time of approval, pursuant to paragraph (b) of this Section, is not diminished.

(2) Establishment of or modifications to #waterfront public access areas#

Any establishment of a #waterfront public access area# or modification to a previously approved #waterfront public access area# where a docking facility certified pursuant to this Section is located, shall require a new certification, pursuant to this Section, in conjunction with the certification set forth in Section 62-811 (Waterfront public access areas and visual corridors).

(3) Cessation of ferry or water taxi service

Where ferry or water taxi service ceases operations to a docking facility certified pursuant to this Section, and ferry docking infrastructure is removed from the #waterfront zoning lot# which would preclude further service, the following shall apply:

- (i) Passenger queuing shelters and ticketing machines provided pursuant to paragraph (c) of this Section shall be removed from the #waterfront public access area#;
- (ii) Seating, bicycle racks, and litter receptacles provided pursuant to paragraph (b) of this Section need not be removed; and
- (iii) any breach in a guardrail along a #pier# or along the #shore public walkway# to accommodate a gangway to a docking facility shall be repaired and shall match the adjacent guardrail.

* * *

62-82
Authorizations by the City Planning Commission

62-821

Modification of requirements for ferries and sightseeing, excursion or sport fishing vessels

- (a) In C1, C2, C3 and C7 Districts, the City Planning Commission may authorize modification of the #use# regulations of Section 32-10 (USES PERMITTED AS-OF-RIGHT) in order to allow docks for ferries with an operational passenger load greater than 150 passengers per half hour, or in Community District 1 in the Borough of Brooklyn, a vessel capacity larger than 399 passengers, provided the Commission finds that:
- (1) such facility will not create serious pedestrian or vehicular traffic congestion that would adversely affect the surrounding area;
 - (2) the #streets# providing access to such facility will be adequate to handle the traffic generated thereby; and
 - (3) such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in adjoining residential areas.

* * *

62-824

Modifications to passenger queuing shelters for ferry or water taxi docking facilities

In Community District 1 in the Borough of Brooklyn, the City Planning Commission may authorize a ferry passenger queuing shelter exceeding the dimensions set forth in paragraph (c)(1) of Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas), provided that the Commission finds that:

- (a) the public benefit derived from the proposed shelter merits the larger dimensions authorized;
- (b) the proposed shelter utilizes the design standards set forth in paragraph (c)(1) of Section 62-813 regarding permitted support structures, materials, signage and roof construction to the greatest extent feasible;
- (c) any modification to such provisions of Section 62-813 will not unduly limit views from the #waterfront public access area#; and

- (d) the design of the proposed shelter will result in a quality structure that complements the #waterfront public access area# or the publicly accessible area of a #waterfront zoning lot# accommodating the ferry or water taxi docking facility.

62-83

Special Permits by the City Planning Commission

* * *

62-832

Docks for ferries or water taxis in Residence Districts

In all #Residence Districts#, except R1 and R2 Districts, and except within Community District 1 in the Borough of Brooklyn, where the certification provisions of Section 62-813 (Docking facilities for ferries or water taxis in certain waterfront areas) shall apply, the City Planning Commission may permit docks for ferries or water taxis as listed in Use Group 6-, provided that:

~~As a condition for granting a special permit, the Commission shall find that:~~

- (a) such facility will not create serious pedestrian or vehicular traffic congestion that would adversely affect surrounding residential #streets#;
- (b) such #use# is so located as to draw a minimum of vehicular traffic to and through local #streets# in the adjoining residential area;
- (c) there is appropriate landscaping along #lot lines# to enable such #use# to blend harmoniously with the adjoining residential area;
- (d) #accessory# off-street parking spaces are provided in accordance with Section 62-43 (Parking Requirements for Commercial Docking Facilities) and the entrances and exits for such #accessory# parking facilities are so located as to not adversely affect #residential# properties fronting on the same #street#; and
- (e) such #use# will not impair the character or the future use or development of the surrounding residential area.

The Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area and to protect #residential# properties which are adjoining or across the #street# from the facility. Such additional conditions and safeguards may include provisions for temporary parking of vehicles for passenger drop-off and pick-up, additional #accessory# off-street parking spaces and limitations on lighting and signage.

* * *

**62-90
WATERFRONT ACCESS PLANS**

* * *

**62-93
Borough of Brooklyn**

The following Waterfront Access Plans are hereby established within the Borough of Brooklyn. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BK-1: Greenpoint-Williamsburg, as set forth in Section 62-931.

**62-931
Waterfront Access Plan BK-1: Greenpoint-Williamsburg**

Maps BK-1a through BK-1c in paragraph (f) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on May 11, 2005, as follows:

* * *

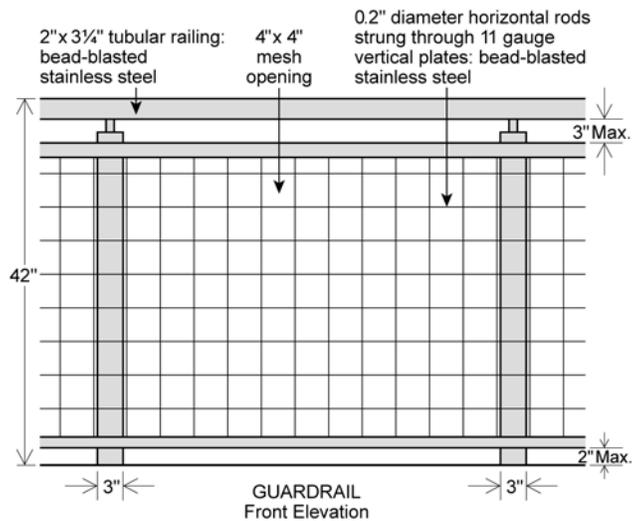
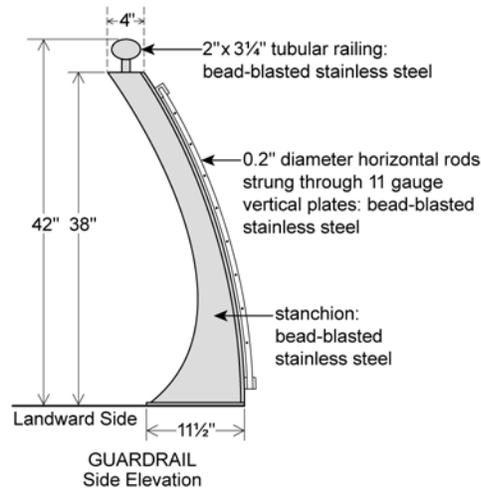
(c) Public access design reference standards

Section 62-65 is hereby modified by the following provisions.

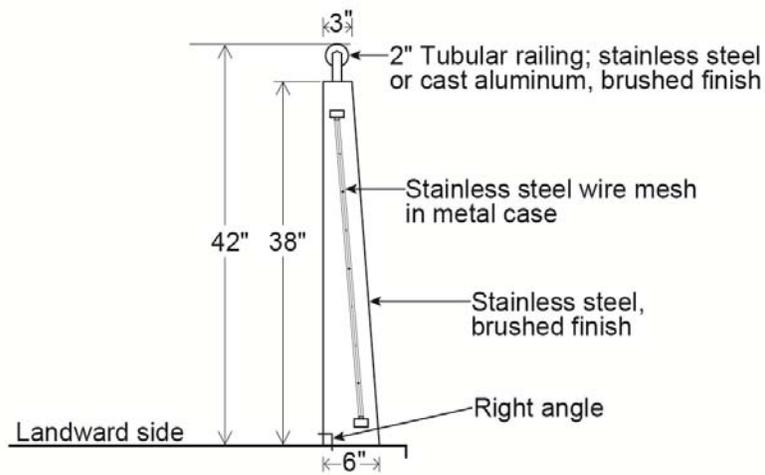
(1) Guardrails

In addition to the provisions of paragraph (a) of Section 62-651 (Guardrails, gates and other protective barriers), guardrails shall comply with Illustration A1 of this Section.

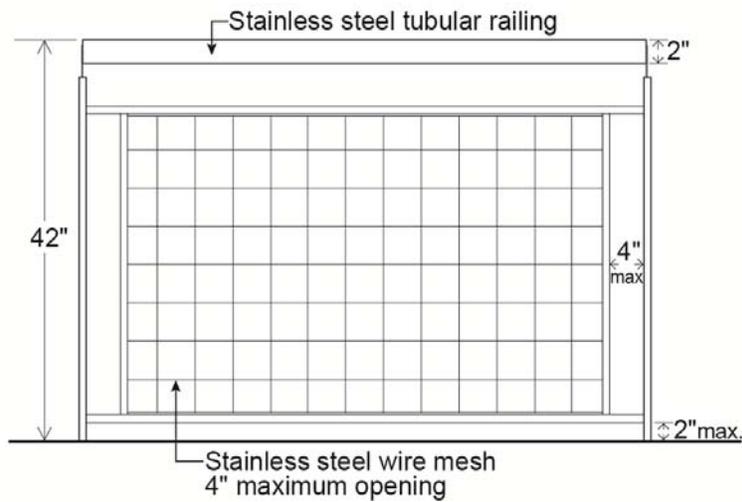
[DELETE EXISTING ILLUSTRATION]



[REPLACE WITH THIS ILLUSTRATION]



GUARDRAIL WITH METAL TOP
Side Elevation



GUARDRAIL WITH METAL TOP
Front Elevation

Illustration A1

All guardrail components and hardware shall be in No. 316 Stainless Steel, passivated and bead blasted.

(2) Seating

In addition to the provisions of Section 62-652, at least 50 percent of the required seating along any shore public walkway or supplemental public access area shall comply with Illustration B1 or B2 in this Section.

[DELETE EXISTING ILLUSTRATIONS]

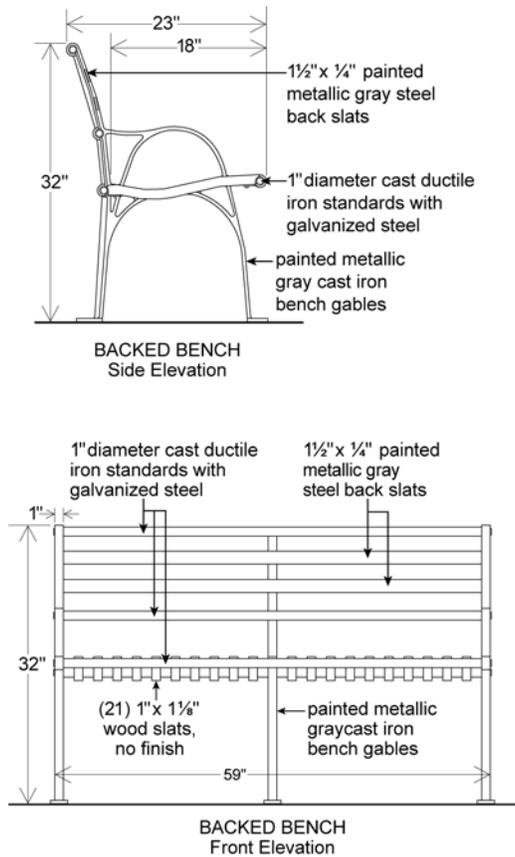


Illustration B1

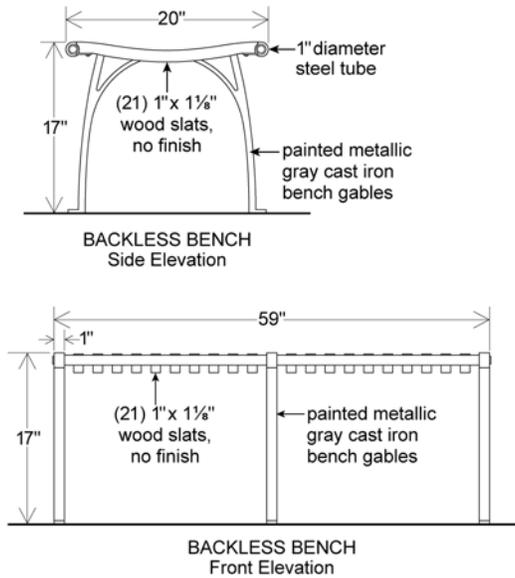


Illustration B2

~~All wood boards shall be made of domestically grown non-tropical hardwoods, such as American White Oak (*Quercus alba*), and be treated for external use without stain or varnish.~~

(3)(2) Lighting

In addition to the illumination provisions of Section 62-653, the required lighting along any public access area shall comply with Illustration C1 in this Section.

* * *

(4)(3) Paving

In addition to the provisions of Section 62-656, the paving for the required clear path within the #shore public walkway# shall be gray. At least 50 percent of all other paved areas within the #shore public walkway# and #supplemental public access areas# shall be paved in the same color range.

* * *

Resolution for adoption scheduling January 8, 2014 for a public hearing.

BOROUGH OF MANHATTAN

No. 3

TIMES SQUARE CONCESSION

CD 5

C 140087 MCM

IN THE MATTER OF an application submitted by the Department of Transportation, pursuant to Section 197-c of the New York City Charter, for a major concession to facilitate the expansion of existing concession boundaries in Times Square on Broadway and 7th Avenue between West 41st and West 47th Streets, and Broadway from West 47th to West 53rd Streets.

Resolution for adoption scheduling January 8, 2014 for a public hearing.

BOROUGH OF QUEENS

No. 4

UNION TURNPIKE REZONING

CD 8

C 120178 ZMQ

IN THE MATTER OF an application submitted by Zirk Union Tpke, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by 79th Avenue, a line 100 feet easterly of Parsons Boulevard, Union Turnpike, and Parsons Boulevard;
2. changing from an R3-2 District to an R5D District property bounded by 79th Avenue, a line 540 feet easterly of Parsons Boulevard, Union Turnpike, and Parsons Boulevard; and
3. establishing within a proposed R5D District a C1-3 District bounded by 79th Avenue, a line 540 feet easterly of Parsons Boulevard, Union Turnpike, and Parsons Boulevard;

as shown on a diagram (for illustrative purposes only) dated September 23, 2013 and subject to the conditions of CEQR Declaration E-321.

Resolution for adoption scheduling January 8, 2014 for a public hearing.

II. REPORTS

BOROUGH OF MANHATTAN

Nos. 5, 6, 7 & 8

300 LAFAYETTE STREET

No. 5

CD 2

C 140093 ZSM

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. On November 20, 2013, Cal. No. 10, the hearing was closed.)

For consideration.

No. 6

CD 2

C 140095 ZSM

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. On November 20, 2013, Cal. No. 11, the hearing was closed.)

For consideration.

No. 7

CD 2

C 140096 ZSM

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. On November 20, 2013, Cal. No. 12, the hearing was closed.)

For consideration.

No. 8**CD 2****N 140092 ZRM**

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. On November 20, 2013, Cal. No. 13, the hearing was closed.)

For consideration.

No. 9**2ND AVENUE TEXT AMENDMENT****CD 6****N 130232 ZRY**

IN THE MATTER OF an application submitted by 945 Realty Holdings, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article III, Chapter 2 to amend Section 32-421 to permit commercial use on the second floors of buildings in C1 and C2 districts mapped within R9 & R10 districts and in C1-8, C1-9, C2-7, & C2-8 districts.

Matter in underline is new, to be added;

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

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

* * * indicate where unchanged text appears in the Zoning Resolution

32-421**Limitation on floors occupied by commercial uses**

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, no #commercial uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14.

~~Non #residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970 in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.~~

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-#residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970. For #buildings# constructed prior to September 17, 1970, such non-#residential uses# may occupy the lowest two #stories# in such #building# provided that:

- (a) the second #story#, on May 1, 2013, was not occupied by a #community facility use#, a #dwelling unit# or #rooming unit#; and
- (b) the second #story# of at least one other #building#, on the same #block# frontage as such #building#, is occupied by a #use# listed in Use Groups 6, 7, 8, 9, or 14.

* * *

(On July 10, 2013, Cal. No. 8, the Commission scheduled July 24, 2013 for a public hearing. On July 24, 2013, Cal. No. 28, the hearing was closed.)

For consideration.

No. 10

39 WORTH STREET BUILDING LANDMARK

CD 1

N 140164 HKM

IN THE MATTER OF a communication dated November 7, 2013, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the 39 Worth Street Building (Block 176, Lot 11), by the Landmarks Preservation Commission on October 29, 2013 (Designation List No. 469 / LP-2539).

For consideration.

No. 11

41 WORTH STREET BUILDING LANDMARK

CD 1

N 140165 HKM

IN THE MATTER OF a communication dated November 7, 2013, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of the 41 Worth Street Building (Block 176, Lot 10), by the Landmarks Preservation Commission on October 29, 2013 (Designation List No. 469 / LP-2540), Borough of Manhattan, Community District 1.

For consideration.

No. 12

339 GRAND STREET HOUSE LANDMARK

CD 3

N 140166 HKM

IN THE MATTER OF a communication dated November 7, 2013, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of 339 Grand Street House, 339 Grand Street (Block 309, Lot 19), by the Landmarks Preservation Commission on October 29, 2013, (List No. 469/LP-2413).

For consideration.



No. 13

TAMMANY HALL LANDMARK

CD 5

N 140163 HKM

IN THE MATTER OF a communication dated November 7, 2013, from the Executive Director of the Landmarks Preservation Commission regarding the landmark designation of Tammany Hall, 100 East 17th Street (Block 872, Lot 78), by the Landmarks Preservation Commission on October 29, 2013, (List No. 469/LP-2490).

For consideration.



BOROUGH OF STATEN ISLAND

No. 14

135 CANAL STREET OFFICE SPACE

CD 1

N 140186 PXR

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 135 Canal Street (Block 527, Lots 1, 5) (DOHMH offices).

(On November 20, 2013 the Commission duly advertised December 4, 2013 for a public hearing. On December 4, 2013, Cal. No. 19, the hearing was closed.)

For consideration.

Nos. 15 & 16

246 DETROIT AVENUE

No. 15

CD 3

N 130179 RCR

IN THE MATTER OF an application submitted by Alex Grinberg for the grant of certification pursuant to Section 107-08 of the Zoning Resolution for future subdivision of one zoning lot into two separate zoning lots in order to facilitate the construction of two detached two-family residences at 246 Detroit Avenue (Block 6259, Lots 12, 14) within the Special South Richmond Development District, Borough of Staten Island, Community District 3.

For consideration.

No. 16

CD 3

N 130180 RCR

IN THE MATTER OF an application submitted by Alex Grinberg for the grant of certification of Designated Open Space pursuant to Section 107-22 of the Zoning Resolution in order to facilitate the subdivision of one zoning lot containing Designated Open Space into two separate zoning lots, and the construction of two detached two-family residences at 246 Detroit Avenue (Block 6259, Lots 12, 14) within the Special South Richmond Development District.

For consideration.

III. PUBLIC HEARINGS

BOROUGH OF QUEENS

No. 17

OCEAN VILLAGE

CD 14

C 140077 HAQ

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 57-21 Rockaway Beach Boulevard (Block 15926, p/o Lot 200) 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 repair and rehabilitate the existing entrance way, planters, and landscaping.

(On December 4, 2013, Cal. No. 1, the Commission scheduled December 18, 2013 for a public hearing which has been duly advertised.)

Close the hearing.

No. 18

31-00 47TH AVENUE OFFICE SPACE

CD 2

N 140215 PXQ

PUBLIC HEARING:

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 31-00 47th Avenue (Block 281, Lot 1) (TLC and OATH offices).

(On December 5, 2013, the Commission duly advertised December 18, 2013 for a public Hearing.)

BOROUGH OF THE BRONX

No. 19

1775 GRAND CONCOURSE OFFICE SPACE

CD 5

N 140214 PXX

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 1775 Grand Concourse (Block 2822, Lot 7501) (Law Department offices).

On December 5, 2013, the Commission duly advertised December 18, 2013 for a public Hearing.)

IV. 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 CPC Public Meeting	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 CPC Public Meeting	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 CPC Public Meeting	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 CPC Public Meeting	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						
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						
NOVEMBER							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						
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						
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						

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**

CITY PLANNING COMMISSION

WEDNESDAY, DECEMBER 18, 2013

**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

A

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

B

CITY PLANNING COMMISSION



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

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 DECEMBER 18, 2013

I. Report1

I. REPORT**CITY WIDE****No. 1*****CEQR TYPE II RULE CHANGE*****A rule designating thirteen (13) actions as Type II, which will not require environmental review under City Environmental Quality Review****NOTICE OF ADOPTION OF RULES**

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, that the City Planning Commission adds new rules to Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York classifying an additional thirteen (13) actions as Type II, which will not require environmental review. These rules were proposed and published in the City Record on October 21, 2013, and a public hearing was held on November 20, 2013.

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

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, 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 rules exempt these actions from environmental review 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 rules also include prerequisites that certain types of projects must meet before they are exempted from environmental review. For example, the rules 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 rules will exempt approximately 184 projects from the environmental review requirements of CEQR over the next five years.

Summary of Provisions

The 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 lease 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), which is also classified as Type I pursuant to 6 NYCRR Part 617.4, shall remain Type I and subject to environmental review.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) An action listed in § 5-05(c)(2), (4), (5), (6), (8), or (11)-(13) 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.

For consideration.
