

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

CITY PLANNING COMMISSION

MONDAY, MARCH 30, 2015

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



Bill de Blasio, Mayor

City of New York

Prepared by Yvette V. Gruel, Calendar Officer

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

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CITY PLANNING COMMISSION

GENERAL RULES OF PROCEDURE AS PERTAINING TO
PUBLIC MEETINGS

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

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

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

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

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

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

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

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CITY PLANNING COMMISSION

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

CARL WEISBROD, *Chairman*

KENNETH J. KNUCKLES, *Esq.*, *Vice Chairman*

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ALFRED C. CERULLO, III

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JOSEPH I. DOUEK

RICHARD W. EADDY

CHERYL COHEN EFFRON

BOME E JUNG

ANNA HAYES LEVIN

ORLANDO MARIN,

LARISA ORTIZ *Commissioners*

YVETTE V. GRUEL, *Calendar Officer*

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

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MARCH 30, 2015

I. REPORTS

BOROUGH OF MANHATTAN

Nos. 1 & 2

VANDERBILT CORRIDOR

No. 1

CD 5

C 140440 MMM

IN THE MATTER OF an application, submitted by The New York City Department of City Planning, 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 Vanderbilt Avenue between East 42nd Street and East 43rd Street;
- the establishment of Public Place above a lower limiting plane; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30244 dated October 17, 2014 and signed by the Borough President.

(On January 21, 2015, Cal. No. 6, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 22, the hearing was closed.)

For consideration.

No. 2

CD 5, 6

N 150127 ZRM

IN THE MATTER OF an application submitted by the Department of City Planning 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 VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community Districts 5 and 6.

The proposed text amendment may be seen in the Comprehensive City Planning Calendar of February 4, 2015 (Cal. No. 23) and at the Department of City Planning web site:

(www.nyc.gov/planning).

(On January 21, 2015, Cal. No. 7, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 23, the hearing was closed.)

For consideration.

Nos. 3, 4, 5 & 6

ONE VANDERBILT AVENUE

No. 3

CDs 5 & 6

C 150128 ZSM

IN THE MATTER OF an application submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-635* of the Zoning Resolution to allow the transfer of 114,050.25 square feet of floor area (2.63 FAR) from property located at 110 East 42nd Street (Block 1296, Lots 1001-1007) that is occupied by a landmark building (Bowery Savings Bank Building) to property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue** (Block 1277, Lots 20, 27, 46, and 52) to facilitate the development of a commercial building, in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

*Note: A zoning text amendment is proposed to modify Section 81-635 under a concurrent related application (N 150127 ZRM).

**Note: Vanderbilt Avenue between 42nd Street and 43rd Street is proposed to be demapped and designated as a public place under a concurrent related application (C 140440 MMM) for a change to the city 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.

(On January 21, 2015, Cal. No. 8, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 24, the hearing was closed.)

For consideration.

No. 4

CDs 5 & 6

C 150129 ZSM

IN THE MATTER OF an application submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-641* of the Zoning Resolution to allow an increase in floor area in excess of the basic maximum floor area ratio established in Row A of the Table in Section 81-211* (Maximum floor area ratio for non-residential or mixed buildings) up to a maximum floor area as set forth in Row O of such Table, to facilitate the development of a commercial building on property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue** (Block 1277, Lots 20, 27, 46, and 52), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

*Note: A zoning text amendment is proposed to modify Section 81-211 and to create a new Section 81-641 under a concurrent related application (N 150127 ZRM).

**Note: Vanderbilt Avenue between 42nd Street and 43rd Street is proposed to be demapped and designated as a public place under a concurrent related application (C 140440 MMM) for a change to the city 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.

(On January 21, 2015, Cal. No. 9, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 25, the hearing was closed.)

For consideration.

No. 5

CDs 5 & 6

C 150130 ZSM

IN THE MATTER OF an application submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-642* of the Zoning Resolution to modify, in conjunction with the special permit pursuant to Section 81-641* (Additional floor area for the provisional of public realm improvements):

1. the street wall requirements of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-621 (Special street wall requirements);
2. the height and setback requirements of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation), and 81-622 (Special height and setback requirements); and
3. the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-45 (Pedestrian Circulation Space) and the requirements of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), 81-47 (Major Building Entrances), 81-623 (Building lobby entrance requirements), and 81-624 (Curb cut restrictions and loading requirements);

to facilitate the development of a commercial building on property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue** (Block 1277, Lots 20, 27, 46, and 52), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

*Note: A zoning text amendment is proposed to modify Section 81-211 and to create new Sections 81-641 and 81-642 under a concurrent related application (N 150127 ZRM).

**Note: Vanderbilt Avenue between 42nd Street and 43rd Street is proposed to be demapped and designated as a public place under a concurrent related application (C 140440 MMM) for a change to the city 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.

(On January 21, 2015, Cal. No. 10 the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 26, the hearing was closed.)

For consideration.

No. 6

CDs 5 & 6

C 150130(A) ZSM

IN THE MATTER OF an application submitted by Green 317 Madison LLC and Green 110 East 42nd LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedures for the grant of a special permit pursuant to Section 81-642* of the Zoning Resolution to modify, in conjunction with the special permit pursuant to Section 81-641* (Additional floor area for the provisional of public realm improvements):

1. the street wall requirements of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-621 (Special street wall requirements);
2. the height and setback requirements of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation), and 81-622 (Special height and setback requirements); and
3. the mandatory district plan elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-45 (Pedestrian Circulation Space) and the requirements of Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), 81-47 (Major Building Entrances), 81-623 (Building lobby entrance requirements), and 81-624 (Curb cut restrictions and loading requirements);

to facilitate the development of a commercial building on property bounded by 42nd Street, Madison Avenue, 43rd Street, and Vanderbilt Avenue** (Block 1277, Lots 20, 27, 46, and 52), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

*Note: A zoning text amendment is proposed to modify Section 81-211 and to create new Sections 81-641 and 81-642 under a concurrent related application (N 150127 ZRM).

****Note:** Vanderbilt Avenue between 42nd Street and 43rd Street is proposed to be demapped and designated as a public place under a concurrent related application (C 140440 MMM) for a change to the city 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.

(On January 21, 2015, Cal. No. 11, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 27, the hearing was closed.)

For consideration.

Nos. 7 & 8

39-41 WEST 23RD STREET

No. 7

CD 5

C 140404 ZSM

IN THE MATTER OF an application submitted by 39 West 23rd Street, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the use regulations of Section 42-00 to allow residential uses (Use Group 2 uses) on portions of the ground floor, cellar and sub-cellar, and on the 2nd – 24th floors; and
2. the bulk regulations of Section 43-28 (Special Provisions for Through Lots), Section 43-313 (For zoning lots with multiple rear lot lines), and Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks);

to facilitate the construction of a 10-story and 24-story mix use building on property located at 39-41 West 23rd Street a.k.a. 20-22 West 24th Street (Block 825, Lots 20, 60 and 1001-1005), in an M1-6 District, within the Ladies' Mile 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 January 21, 2015, Cal. No. 4, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 20 the hearing was closed.)

For consideration.

No. 8

CD 5

C 140405 ZSM

IN THE MATTER OF an application submitted by 39 West 23rd Street, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 (Special Permits for additional parking spaces) and 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory parking facility with a maximum capacity of 50 spaces on portions of the ground floor and sub-cellar of a proposed mixed-use building on property located at 39-41 West 23rd Street a.k.a. 20-22 West 24th Street (Block 825, Lots 20, 60 and 1001-1005), in an M1-6 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 January 21, 2015, Cal. No. 5, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 21, the hearing was closed.)

For consideration.

BOROUGH OF BROOKLYN

No. 9

CHERRY HILL GOURMET TEXT AMENDMENT

CD 15

N 150109 ZRK

IN THE MATTER OF an application submitted by Cherry Hill Gourmet Market pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the

City of New York, concerning use regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), in Community District 15 in the Borough of Brooklyn.

Matter in underline is new, to be added;

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

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

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

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS**

* * *

**Chapter 4
Special Sheepshead Bay District**

* * *

**94-06
Special Use Regulations**

In order to preserve the character of the area and to encourage waterfront and related #uses#, special limitations are imposed on the location, size and kinds of #uses# permitted within the Special District as set forth in this Section.

~~(2/2/11)~~

**94-061
Permitted residential, community facility and commercial U uses permitted by right**

(a) #Residential# and #community facility uses#

#Uses# listed in Use Groups 1, 2, 3 and 4 shall be allowed anywhere within the Special District, except as set forth in Section 94-065 (Restriction on ground floor use).

(b) #Commercial uses#

In ~~a~~ Areas A, B, C, D and E, as indicated in Appendix A (District Map) in this Chapter, only those #commercial uses# shall be limited to those listed in Section 94-062 (Use Group SB), and those #uses# listed in Section 62-211 (Water-Dependent (WD) uses) from Use Groups 6, 7, 9 and 14, except for and those #uses# permitted under pursuant to Section 94-063 (Uses permitted by special permit), shall be

allowed, except that in Area B, food stores, as listed in Section 32-15 (Use Group 6), shall also be allowed with no limitation on #floor area# or frontage per establishment.

In Area F, only #commercial uses# ~~permitted by~~ listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts# boundaries.

In Area G, only #commercial uses# ~~permitted by~~ listed in Use Groups 6, 7, 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying #Commercial Districts# boundaries.

In Area H, except for #uses# permitted ~~under~~ pursuant to Section 94-063, #commercial uses# shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 and the following #uses#:

* * *

(On January 21, 2015, Cal. No. 1, the Commission scheduled February 4, 2015 for a public hearing. On February 4, 2015, Cal. No. 17, the hearing was continued. On February 18, 2015, Cal. No. 23, the hearing was closed.)

For consideration.

II. CITY PLANNING COMMISSION 2015 SCHEDULE OF MEETINGS

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