



CITY PLANNING COMMISSION

November 2, 2009/Calendar No. 1

N 090293 ZRM

IN THE MATTER OF an application submitted by SDS 15 William Street, LLC, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, concerning the Special Lower Manhattan District (Article IX, Chapter 1), Appendix A, Map 5, relating to curb cut prohibitions in Community District 1, Borough of Manhattan.

This application for an amendment of the Zoning Resolution was filed by SDS 15 William Street, LLC on January 22, 2009. The text amendment would allow curb cuts on the north side of Beaver Street as indicated in Appendix A, Map 5 of the Special Lower Manhattan District, Community District 1, Borough of Manhattan.

RELATED ACTION

In addition to the text amendment to Map 5 of the Special Lower Manhattan District, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 090294 ZSM: A special permit pursuant to 74-52 for a 195 space public parking garage

BACKGROUND

The project site (Block 25, Lot 35) is located at the corner of William and Beaver streets in Lower Manhattan and is improved with a 44-story building with 320 dwelling units and 6,127 square feet of retail space, completed in early 2009.

Existing Zoning and Context

The site is located at the northwest corner of William and Beaver Streets in the Financial District and is part of the Historic and Commercial core of Lower Manhattan as defined in the Special Lower Manhattan District of the Zoning Resolution. There are a mix of uses in the area including commercial office buildings, residential conversions, and ground floor retail. The site is in a C5-5 high-density zoning district and the Special Lower Manhattan District. Residential uses are as-of-right and the maximum floor area ratio is 15. The Special Lower Manhattan District (N 980314 ZRM) was established in 1998 and includes components such as height and setback controls, use regulations, and mandatory district plan elements including curb cut restrictions.

On the block to the north there is a public garage for 137 vehicles, and on the block to the south, there is a public garage for 400 vehicles. In the immediate vicinity is the New York Stock Exchange. Following 9/11, the City embarked on the pedestrianization of the security perimeter surrounding the Stock Exchange in order to provide an amenity for residents, visitors, and workers in the area while also maintaining a high security standard. The improvements include the installation of permanent vehicular screening devices, new sidewalks, paving, lighting, historic signage features, public seating, benches, and other amenities. The improvements are designed to enhance pedestrian mobility, beautify the area, and provide a space for Lower Manhattan visitors to enjoy. The project site is in this security study area. In addition, under these security improvements, portions of Broad Street, Beaver Street, New Street, Wall Street, and Exchange Place, are closed to vehicular activity unless the vehicle is screened. The site is also in close proximity to limited street closures of Stone Street and Mill Lane.

Project Site

The site's zoning lot includes the adjacent 20-story commercial office building at 40 Exchange Place (Block 25, Lot 27), to the north, and 15 William Street. Prior to the construction of 15 William Street, the project site served as a surface parking lot. Trucks would utilize the surface

parking lot in order to access the loading docks and bays of 40 Exchange Place and 25 Broad Street. To maintain access to these loading bays, a driveway was constructed along the western edge of the zoning lot leading to the loading docks in the rear of 15 William Street and 40 Exchange Place. To access this driveway, a 15-foot curb cut was constructed which was authorized under a pre-consideration by the Department of Buildings on February 13, 2008. This 15-foot authorization has since been revoked by the Department of Buildings on the basis that the curb cut is not permitted as of right under the Special Lower Manhattan District regulations and that a pre-existing curb cut of sufficient size and in the proposed location did not exist.

A 10-foot wide curb cut on Beaver Street formerly used for the surface parking lot was authorized by the Department of Buildings on February 13, 2008, to be used, on a “grandfathered” basis. The applicant would use this curb cut to access an as-of-right accessory parking garage containing 65 spaces.

Project Description

The applicant is requesting two curb cuts on the north side of Beaver Street. One curb cut would be used to access the loading docks and the other used to widen the “grandfathered” 10 foot wide curb cut to facilitate access for the proposed public parking garage requested under the related special permit action. To facilitate the proposed project, the following actions are requested:

Text amendment to Map 5 in Appendix A of the Special Lower Manhattan District

In order to access the loading driveway and to access the proposed 195 space public parking garage, Map 5 (Curb Cut Restrictions) in Appendix A of the Special Lower Manhattan District would be modified. Map 5 highlights streets that were specifically selected as part of a Lower Manhattan pedestrian network when the Special District was established and upon which curb cuts are prohibited. In addition to Beaver Street, other streets where curb cuts are prohibited include Wall, Water, Broad, Nassau, John, and Whitehall Streets. Beaver Street is an east-west connector from Wall Street to Broadway and also intersects Broad and William streets.

The applicant requests that Map 5 be amended so that curb cuts would no longer be prohibited on the north side of Beaver Street between William and Broad Streets. This would facilitate new curb cuts consisting of a 20-foot wide curb cut to access the loading driveway and a widened 10 foot wide curb cut – to 20 feet – for access to the proposed public parking garage requested under the related special permit application.

Special Permit pursuant to 74-52 for a public parking garage

Section 74-52 allows public parking garages in C5 districts if the Commission makes a set of findings relating to traffic congestion, pedestrian flow, and adequacy of reservoir space. The special permit requests that a 195 space public parking garage be permitted. The garage entrance would be located on the north side of Beaver Street and be accessed by a 20-foot wide curb cut, if approved under the text amendment. The garage would contain 195 spaces including 77 stackers on portions of the ground floor, 1st, 2nd and 3rd cellar levels of the building. As proposed by the applicant, all of the spaces in the garage would be leased on a monthly basis. Vehicles would enter the garage on Beaver Street, which is a west bound, one-way, narrow street, from the proposed 20-foot curb cut and proceed down a 20-foot wide ramp. At the 1st cellar level, the customer would stop, and an attendant would park the car on one of the cellar floors below. There are no parking spaces proposed for the 1st floor of the cellar.

Under Section 74-52 of the Zoning Resolution, the garage would require 10 reservoir spaces. It would be an attended public parking garage open 24 hours a day. The applicant would provide audio/visual signals to alert pedestrians to approaching vehicles.

ENVIRONMENTAL REVIEW

This application (N 090293 ZRM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is the City Planning Commission. The designated CEQR number is 09DCP037M.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on June 29, 2009.

A Revised Negative Declaration was issued on November 2, 2009.

UNIFORM LAND USE REVIEW PROCEDURE

This application (N 090293 ZRM) was duly referred to Community Board 1 and the Manhattan Borough President on June 29, 2009, in accordance with the procedure for referring non-ULURP matters, in conjunction with the related action (C 090294 ZSM), which was certified as complete by the Department of City Planning on June 29, 2009, and was duly referred to Manhattan Community Board 1 and the Manhattan Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Review

Community Board 1 held a public hearing on this application (N 090293 ZRM) and the related application (C 090294 ZSM) on July 28, 2009, and on that date, by a vote of 26 in favor, 9 opposed with 3 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (N 090293 ZRM) and the related application (C 090294 ZSM) were considered by the Borough President who issued a recommendation approving the applications on September 2, 2009, with a condition for the zoning text amendment (N 090293 ZRM) that:

“DCP and the applicant re-evaluate the minimum curb cut dimension needed to operate a garage without compromising the pedestrian environment, and reconsider the total number of parking and/or reservoir spaces that should be permitted in light of a potentially narrower curb cut.”

On the related application for the special permit (C 090294 ZSM), the Borough President recommended approval of the application subject to conditions that:

- (1) the proposed garage will be used for monthly parking for neighborhood residents only;
- (2) signage will be installed that indicates that the garage is for monthly parking only;
- (3) no cashier or cash register will be located in the existing attendant booth;

- (4) parking insignias that indicate monthly parker status will be required on all cars;
- (5) City agencies will be provided with a right of inspection to confirm compliance with the above measures;
- (6) the applicant will work with the Manhattan Borough President's office and DCP on a mechanism that will ensure the garage's compliance with monthly parking for neighborhood residents only; and
- (7) such commitments be codified as conditions of the special permit and/or in a restrictive declaration.

City Planning Commission Public Hearing

On September 9, 2009 (Calendar No. 5), the City Planning Commission scheduled September 23, 2009, for a public hearing on this application (N 090293 ZRM) and the related application (C 090294 ZSM). The hearing was duly held on September 23, 2009 (Calendar No. 14), in conjunction with the hearing on the related application (C 090294 ZSM). There were four speakers in favor.

Those speaking in favor of the applications included the applicant's attorney, traffic consultant, and the applicant. The applicant's representative described the public parking garage proposal and the necessity for two curb cuts. He described changes to the application since certification including the applicant's commitments to restrict parking in the garage to residents of the surrounding area, and to lease spaces on a monthly basis only. He also described an agreement with the New York City Department of Transportation to change the existing parking regulation on Beaver Street, so that Department of Sanitation vehicles, which are currently allowed to park on the north and south sides of Beaver Street, would not be allowed to park on the north side. This would facilitate truck movements in and out of the loading driveway. He also stated that in re-evaluating the width of the curb cut, the application would be revised for a 15-foot loading curb cut and a 19-foot garage curb cut. Finally, he also stated that the proposed public parking garage would not work with a ten foot curb cut.

The traffic consultant representing the applicant spoke about the garage and pedestrian and vehicular safety concerns related to narrowing the proposed garage's curb cut. The consultant noted that a curb cut of 19 feet "is the minimum amount that can function safely, where you can make the turn in and out, in the worst case scenario where you would have people walking and in

and out maneuvers.” The consultant described the operations of a garage with ins and outs and pedestrians on the sidewalk and described the safety issues with a ten foot curb cut: “They [15 William Street] have a ten foot curb cut, someone coming out, someone coming in...You’re going to have that opportunity for disaster. And they may hop the curb, they may be able to do it, but my feeling is on this matter, if you hop a curb you’re going to be startled, and you’re not going to be thinking about what’s in front of you, you’re going to be thinking about what you just did to your car, what happened, what’s going on, did I break something, you’re not going to be concerned about what you should be concerned about as a motorist, everything in front.” The representative concluded by saying that nineteen feet is the absolute minimum width of the garage curb cut for it to function safely.

The applicant reiterated the commitment to monthly parking for neighborhood residents only and described the need for parking in the neighborhood.

The Director of Land Use for the Manhattan Borough President reiterated the Borough President’s recommendations and commented on the unique nature of the street grid in Lower Manhattan. He expressed a desire for the parking to be restricted to monthly leases for area residents only and that the curb cut issues be resolved in such a way as to reduce vehicular back-ups and harm to pedestrians.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this application for the proposed text amendment (N 090293 ZRM), as modified herein, is appropriate. The Commission believes that the related application for the proposed public parking garage (C 090294 ZSM) is inappropriate.

Text Amendment

The Commission notes that the existing curb cut restrictions on the north side of Beaver Street reflect the policy of preserving and improving the Lower Manhattan pedestrian environment enunciated in the Commission's report for the Special Lower Manhattan District, and as set forth in Section 91-00 of the Zoning Resolution.

The Commission notes that in approving the Special Lower Manhattan District, adopted in 1998, the Commission stated that the "Mandatory District Elements" of the special district incorporate "several design elements to provide an improved pedestrian environment, including pedestrian circulation spaces, mandatory street wall, required ground floor retail, and limits on vehicular access," and that this network is critical for the efficient and safe movement of people through what are often very narrow and congested sidewalks and streets.

The Commission notes in particular that the Special Lower Manhattan District created curb cut restrictions consistent with the goal of enhancing and protecting the street network of Lower Manhattan and that the report stated that "the streets where curb cut prohibitions will apply are critical to the pedestrian network" and that "streets with curb cut prohibitions have been carefully selected and are appropriate." The Commission notes that the selected streets, as shown in Map 5 of Special Lower Manhattan District, continue to significantly contribute to the pedestrian network of Lower Manhattan. Indeed, the Commission believes that with the increase in population, residents, pedestrians, and traffic in the area since the adoption of the Special Lower Manhattan District the curb cut and other regulations that serve to enhance and protect the pedestrian environment are even more critical.

Beaver Street was included in the Special Lower Manhattan Plan as one of the several streets for which no new curb cuts are allowed, except in very limited circumstances as described below. Beaver Street is a narrow, east-west running street, and part of the historic, non-orthogonal, street plan of New Amsterdam. It is an especially narrow street at the location of the proposed parking garage, with a road bed of 20 feet in width. The sidewalk in front of 15 William Street is only 9'-4" wide. Existing sidewalk grates located just to the east of the proposed curb cuts in front of

the applicant's property further narrow the usable sidewalk width to three feet. An existing loading curb cut of 25 feet for 55 Broad Street is located just to the west of the two curb cuts proposed as part of this application.

As certified, the applicant's proposal included two, 20-foot wide curb cuts, one accessing the loading driveway, and another accessing the proposed public parking garage. The two curb cuts would be located within five feet of each other.

The Commission notes that Section 91-52 of the Special Lower Manhattan District regulations allows the Commission to approve curb cuts through authorization "where there are no alternative means of access to required off-street loading berths from other streets bounding the zoning lot" and on a certain subset of the selected streets, "for *accessory* parking for residences...[emphasis added]," provided certain findings are met. The Commission notes that no similar mechanism, through authorization or other means, was created to approve curb cuts for *public* parking garages. This distinction reflects recognition that public parking garages, unlike loading docks and accessory parking, are typically not necessary to support a development, and that the disruption to the Lower Manhattan pedestrian network on the selected streets that would result from vehicles entering and exiting on curb cuts was not warranted for this use.

The proposed curb cut accessing the loading driveway would facilitate loading for the applicant's property, 15 William Street, and two other buildings on the block, 40 Exchange Place and 25 Broad Street, which have existing loading docks in the rear of their buildings that have historically been accessed through the applicant's site. The Commission recognizes that loading and servicing is a necessity for the operations and functionality of these buildings. The Commission notes further that 15 William Street, as design and constructed, leaves no alternative means of access to the loading berths of 40 Exchange Place and 25 Broad Street. The Commission thus believes that removing curb cut prohibitions on this portion of Beaver Street to allow for the curb cut for loading is warranted and consistent with the above-cited provisions of

the Lower Manhattan District regulations which allow for a limited exception to the curb cut prohibition policy in order to accommodate loading.

However, in the case of the second curb cut proposed to service the public parking garage, the Commission believes that a further diminishment of the pedestrian network and sidewalk conditions on the north side of Beaver Street and a concomitant increase in the potential of pedestrian and vehicular conflicts, is inappropriate. The Commission believes that the distinction drawn herein between the two requested curb cuts is consistent with the framework of the 1998 regulations, which recognized that the strict policy against curb cuts on the selected streets would have to be balanced in certain instances against a need for curb cuts to service loading docks and accessory parking, but not public parking.

Given the existing streetscape and sidewalk pattern, the widening of the ten foot curb cut to twenty feet would further compromise the streetscape and erode the primacy of pedestrians over vehicular traffic on the sidewalk. As proposed, this portion of Beaver Street would have 65 feet of curb cuts if the existing curb cut used for loading for 55 Broad Street is included in the calculation. In addition, there would be a gap of only five feet between the two, twenty foot wide curb cuts proposed for 15 William Street and a gap of only 2 feet and 6 inches between the proposed loading dock curb cut of 15 William Street and the existing loading curb cut at 55 Broad Street. The Commission also notes also that under the proposed condition the usable surface of the sidewalk is reduced from an already narrow 9'-4" to 7'-0" in between the curb cut and the garage. This condition is exacerbated by the close proximity of the sidewalk grates located immediately east of the proposed curb cuts.

For all the foregoing reasons, therefore, the Commission believes that the proposed widening of the existing 10 foot curb cut to facilitate access into the public parking garage is not appropriate.

Public Parking Garage

The Commission believes that the application for the public parking garage is inappropriate. The Commission's basis for disapproval reflects a number of considerations, including the

inadequacy of the 10 foot curb cut to serve this public parking garage and inadequate provision of reservoir spaces, resulting in potential vehicular traffic conflicts as well as potential conflict between pedestrian and vehicles.

Curb cut widths

The Commission has typically required curb cuts of a minimum 20 feet in width for new public parking garages where such curb cut represents the only way into and out of the garage, in order to ensure their safe and efficient operation. This width allows simultaneous ingress and egress into and out of such garages in two separate vehicular lanes. The Commission notes that public parking garages with curb cuts less than 20 feet in width, and which do not allow for simultaneous ingress and egress, can lead to several problems, including potential vehicular conflicts, blockage of the sidewalk and pedestrian conflicts, and queuing of cars on the street leading to traffic congestion, all of which run counter to sound transportation planning practices and policy. For these reasons, the Commission has typically required 20 foot wide curb cuts for new public parking garages. The Commission recognizes that in some instances, approvals have been given for public parking garages serviced by curb cuts less than 20 feet wide. However, in the experience of this Commission, it would be unprecedented to approve a public parking garage of this size with a 10 foot wide curb cut.

The Commission notes that the applicant itself has acknowledged these same concerns regarding operation of a public parking garage with a curb cut less than 19 feet in width. At the CPC public hearing, the applicant's traffic consultant stated that a curb cut narrower than 19 feet would not be safe, noting in particular the possibility that a motorist entering the garage via a smaller curb cut might abruptly hit the sidewalk curb and momentarily lose control of the vehicle.

The Commission notes that while a single lane garage entrance and exit for a public parking garage is a matter of concern under any circumstances, conditions in and around Beaver Street make this a matter of special concern.

As noted previously, Beaver Street is particularly narrow with a roadbed approximately 20 feet wide in the location of the proposed public parking garage. 15 William Street is located on a corner lot, and on the William Street frontage, the roadbed width of William Street is 25 feet. South William Street, which also intersects at this corner, has a roadbed dimension of 22 feet. These narrow streets combined with on-street parking make this area difficult for trucks and vehicles to maneuver. The potential for vehicle back up at a garage entrance to result in traffic congestion is therefore high. The Commission notes that because of the narrowness of Beaver Street, it would be impossible for traffic to maneuver around any vehicles queuing on the street. Further, the Commission notes, as described above, that the sidewalks adjacent to the site are already less than optimal for pedestrian use. The narrow sidewalks complicate pedestrian movement, which would be exacerbated by any vehicles queuing on the sidewalk as a result of the single lane garage entrance.

This combination of narrow sidewalks, narrow streets, and the non-orthogonal street grid and pattern makes the use of a single ingress and egress lane for the garage especially problematic, and suggest a clear potential to result in pedestrian and vehicular conflicts on the narrow sidewalk of Beaver Street, as well as vehicular back-up on Beaver Street and the surrounding network of streets in the tight Lower Manhattan grid.

Since the CPC public hearing, the applicant has made two proposals to address these issues. First, on October 14, 2009, the applicant proposed that it would retain a full time attendant to monitor conditions. Second, on October 23, 2009, the applicant argued that “no danger will exist because at the top of the exit ramp there will be a stop bar that will be kept in a down position unless it is electronically raised by an attendant. The attendant, who will be stationed near the property line, will have a clear view from the curb cut to the intersection of Beaver and William Streets, approximately 100 feet to the east. The attendant will not raise the stop bar until there are no vehicles on Beaver Street between the intersection and the curb cut. This procedure will not cause any significant delays in cars exiting the garage as Beaver Street has very light traffic...” The applicant also proposed that the number of permitted spaces in the garage be reduced from 195 to 95 spaces.

The Commission notes that implicit in the applicant's offer to retain a full time attendant to monitor conditions is a continued acknowledgement that a single lane entrance/exit to the garage would not function effectively and has the potential to create vehicular and pedestrian conflicts. The Commission does not believe that such measures can compensate for an inadequate physical configuration, and that they create an excessive reliance on human judgment susceptible to error. Such measures are also inherently difficult to enforce, and would require constant City monitoring and supervision.

The Commission recognizes that the commitment to monthly parking, combined with a reduction in the size of the garage from 195 to 95 spaces, would reduce the number of vehicles entering and exiting the garage, overall. However, the problems created by a single garage entrance/exit lane system at Beaver Street would continue to exist, and would be present any time vehicles seek to enter and exit the facility.

Reservoir spaces

Reservoir spaces are required for the purpose of providing a smooth and efficient flow of vehicles entering a public garage. Section 74-52 of the Zoning Resolution requires ten reservoir spaces for public parking garages with between 50 and 200 parking spaces, in order to accommodate vehicles driving from the street into the garage. For the proposed 195-space garage, 10 reservoir spaces are required, pursuant to Section 74-52 of the Zoning Resolution. The Commission notes that reservoir spaces are not required for as-of-right accessory garages, but are required for public parking garages, even if these are dedicated solely to monthly parking.

In order to perform this function of helping to control potential conflicts between entering and exiting vehicles and minimize vehicle-pedestrian conflicts, the CPC has consistently required that reservoir spaces must be dedicated to serve that purpose only and may not be used for parking or as a travel lane for exiting cars. Consistent with this, the reservoir spaces should be located at the beginning of a dedicated entrance lane.

Likewise, the location and use of reservoir spaces should not block or encroach upon egress lanes or block access to internal ramps. Vehicles entering any garage that proceed into the reservoir space progression need adequate space to complete the entrance turning movement without the possibility of encountering or being blocked by exiting cars. If accessing the reservoir spaces requires crossing the egress lane, inbound cars may have to stop temporarily to avoid exiting vehicles, which creates a potential to both block the sidewalk and generate a queue backing up into the street. Vehicles moving in either direction may have to back up in order to clear the path, creating a hazard for pedestrians and other vehicles. In addition, reservoir spaces should not obstruct internal ramps, as this creates a further safety issue. In short, the reservoir lane must be capable of operating as an easily accessible and clear path free of obstructions and competing uses.

The Department's analysis of the proposed 15 William Street garage concludes that, with a ten foot curb cut, the required ten reservoir spaces cannot be provided consistent with the above.

Under the application, there would be a twenty foot curb cut with access to two lanes at the garage entrance, one of which would function as the reservoir lane. Reservoir spaces would descend down the curve of the ramp and end at the attendant booth located at the mouth of the ramp leading to the 2nd cellar level. The reservoir spaces would be positioned with sufficient area to allow attendants to turn down the ramp without having to engage in complex maneuvers, such as a three-point turn.

A ten foot curb cut would require a single, shared ingress and egress lane at the mouth of the entrance to the garage. This shared ingress and egress lanes eliminates the entrance to the garage as the location for the first reservoir space. (See Exhibit A) With a ten foot curb cut, cars entering the garage have only the width of the sidewalk (9 feet 4 inches) to complete the turn. A tight turn to align the vehicle with the first reservoir space would be extremely difficult. More likely, entering vehicles would make a wider turn that would result in a crossing of the egress lane and alignment with the reservoir procession at a point past the first reservoir space. As a result,

dedicated reservoir spaces would not be functional until a distance of about 29 feet from the entrance, resulting in a loss of one, possibly two, reservoir spaces.

Moreover, lost reservoir spaces could not be regained at the cellar level by shifting reservoir spaces further down the ramp, as shown in the cellar level diagram (Exhibit B). The ability to shift the reservoir spaces further down the ramp, and therefore deeper into the garage, is prevented by the existing ramp leading from the 1st cellar level to the 2nd cellar level. Adding the lost reservoir spaces to this end of the queue would block access to this ramp, and a vehicle in this location would not be able to make the turn smoothly down the ramp without interfering with existing columns and building floor area. An attendant would likely have to make a three-point turn to head down the ramp, creating a potential for cellar level congestion and backup.

In its October 14 submission to the Commission, the applicant showed a 10-foot wide curb cut serving the proposed 195 space public parking garage, relocated to the center of the ingress and egress lanes. The Commission notes that the relocation of the existing curb cut is subject to DOB approval. In any event, while this configuration might slightly improve the required maneuvering for an entering vehicle to access a proper reservoir space, it would still result in the loss of at least one reservoir space.

As noted above, on October 23, 2009, the applicant proposed that the size of the garage be reduced by 100 spaces to a 95 space facility. Also as previously noted, however, any public parking garage with 50 parking spaces or more must provide the minimum of 10 reservoir spaces. A reduction of the number of parking spaces to 95 spaces thus does not affect the inability to provide the required number of reservoir spaces. Accordingly, the Commission is unable to make the required finding (d) of Section 74-52 related to reservoir space adequacy.

The Commission acknowledges the support for the application by Community Board 1 and the conditional support by the Borough President and recognizes local residents' desire for parking. The Commission notes in this regard that several streets in the Special Lower Manhattan District do not have restrictions for curb cuts and potentially allow for vehicular access into public

parking garages. As discussed above, however, the regulations of the Special Lower Manhattan District governing curb cuts recognize that Beaver Street is a critical east-west corridor in the pedestrian network upon which curb cuts should generally be restricted and believes that this decision is consistent with that policy.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

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

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

8/27/98

APPENDIX A

Lower Manhattan District Plan Maps

Map 5.Curb Cut Prohibitions



* * *

The above resolution (N 090293 ZRM), duly adopted by the City Planning Commission on November 2, 2009 (Calendar No. 1), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, ANNA HAYES LEVIN, NATHAN LEVENTHAL,
SHIRLEY A. McRAE, KAREN A. PHILLIPS, Commissioners

SLCE Architects

841 BROADWAY, NEW YORK, N.Y. 10003

15 WILLIAM STREET
15 WILLIAM STREET NEW YORK
SDS INVESTMENTS, L.L.C

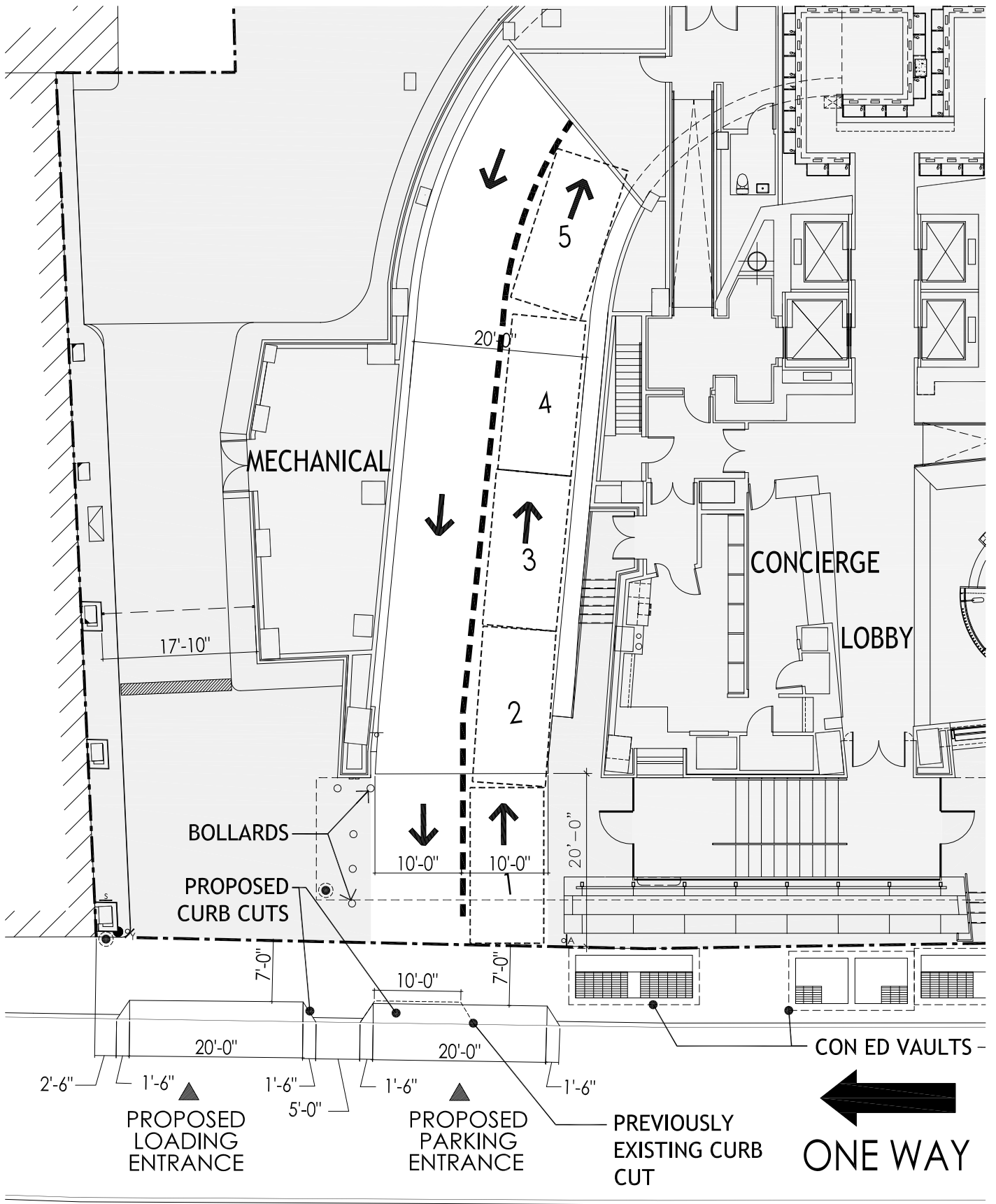
GROUND FLOOR PLAN

SCALE : N.T.S.

DATE : 01-09-09 (REV.06-01-09)

DWG. NO. :

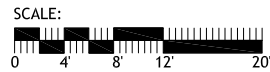
A-101A



NOTE :
ALL GRAY TONED AREAS ARE NOT
PART OF SPECIAL PERMIT
APPLICATION AND ARE SHOWN FOR
ILLUSTRATIVE PURPOSES ONLY

LEGEND:

WARNING FEATURES	PARKING
TRAFFIC MIRROR	RESERVOIR*
PROPOSED MOVABLE SIGN "ACTIVE DRIVEWAY PROCEED WITH CAUTION"	STACKERS
PROPOSED MOVABLE SIGN "YIELD TO EXITING VEHICLES WHEN FLASHING"	* RESERVOIR SPACE DIMENSIONS 8'-6" x 18'-0"
PROPOSED STOP SIGN	
PROPOSED AUDIO/ VISUAL WARNING FEATURE	
BOLLARD	
PROPOSED YELLOW SPEED BUMP	



SLCE Architects

841 BROADWAY, NEW YORK, N.Y. 10003

15 WILLIAM STREET
15 WILLIAM STREET NEW YORK
SDS INVESTMENTS, L.L.C

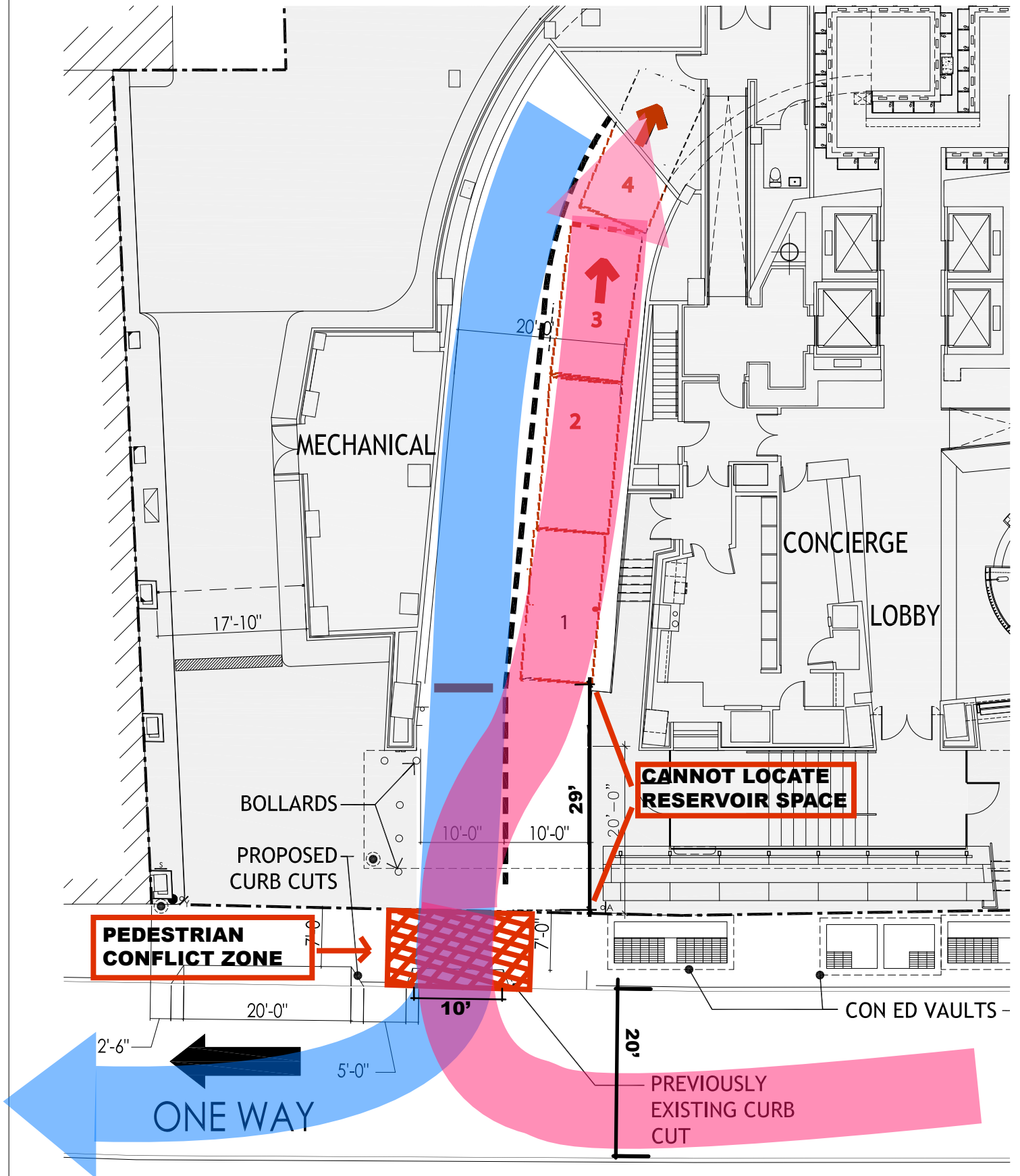
GROUND FLOOR PLAN

SCALE : N.T.S.

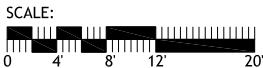
DATE : 01-09-09 (REV.06-01-09)

DWG. NO. :

A-101A



NOTE :
ALL GRAY TONED AREAS ARE NOT
PART OF SPECIAL PERMIT
APPLICATION AND ARE SHOWN FOR
ILLUSTRATIVE PURPOSES ONLY



LEGEND:

WARNING FEATURES	PARKING
TRAFFIC MIRROR	RESERVOIR*
PROPOSED MOVABLE SIGN "ACTIVE DRIVEWAY PROCEED WITH CAUTION"	STACKERS
PROPOSED MOVABLE SIGN "YIELD TO EXITING VEHICLES WHEN FLASHING"	* RESERVOIR SPACE DIMENSIONS 8'-6" x 18'-0"
PROPOSED STOP SIGN	
PROPOSED AUDIO/ VISUAL WARNING FEATURE	
BOLLARD	
PROPOSED YELLOW SPEED BUMP	

DCP ANALYSIS

: INGRESSING VEHICULAR PATH

: EGRESSING VEHICULAR PATH

DATE: NOVEMBER 2, 2009
EXHIBIT A-2: DCP ANALYSIS

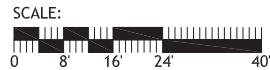
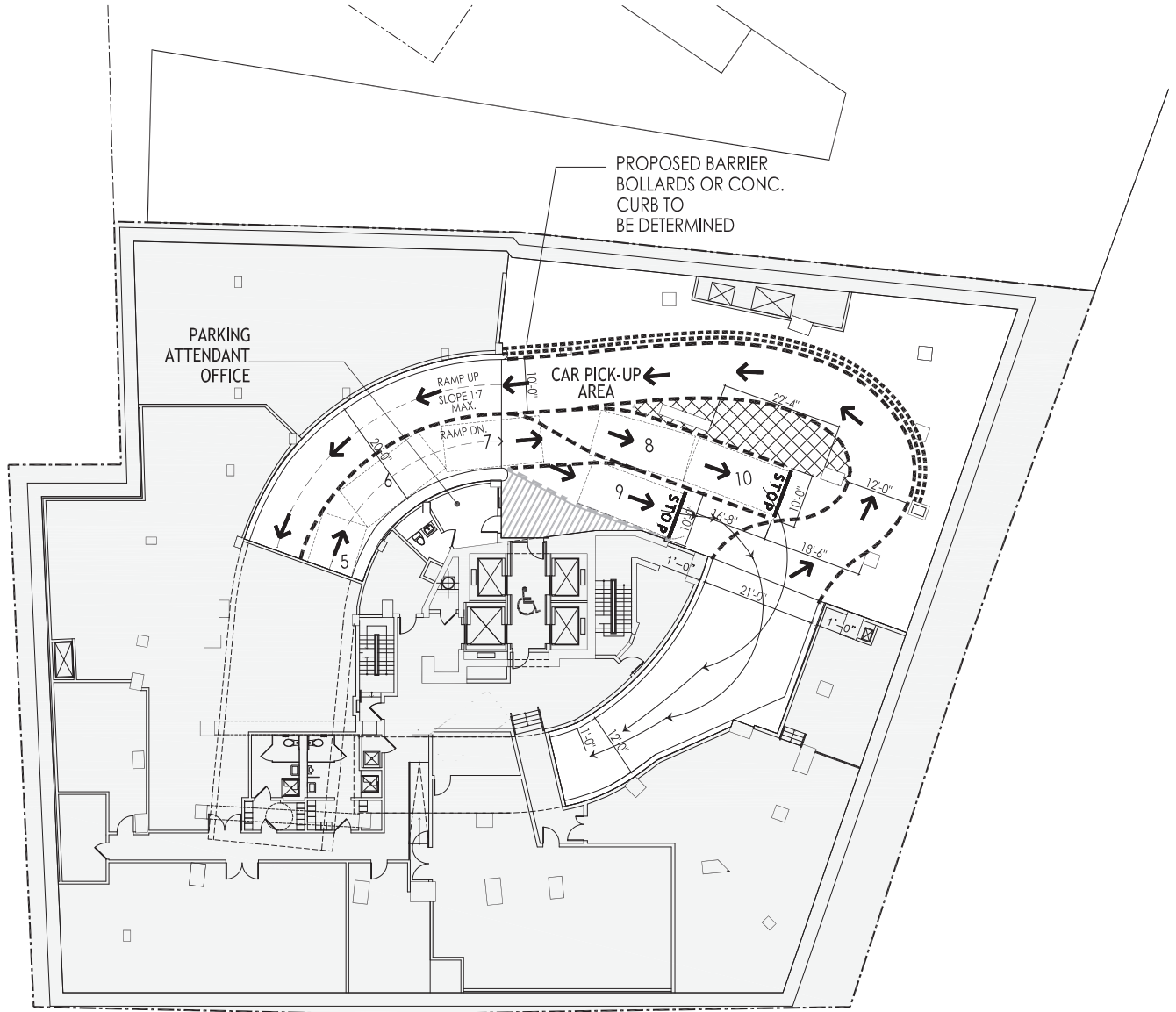
SLCE Architects

841 BROADWAY, NEW YORK, N.Y. 10003

15 WILLIAM STREET
15 WILLIAM STREET NEW YORK
SDS INVESTMENTS, L.L.C

CELLAR 1 PLAN
SCALE: N.T.S.
DATE: 01-09-09 (REV.04-17-09)
DWG. NO.:

A-102



NOTE: ALL GRAY TONED AREAS ARE NOT PART OF SPECIAL PERMIT APPLICATION AND ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY

PARKING SCHEDULE				
FLOOR	AREA	RESERVOIR SPACES	2-LEVEL STACKERS	TOTAL PARKING
GROUND	2,018 SF			
CELLAR 1	8,376 SF			
CELLAR 2	18,508 SF		47	
CELLAR 3	10,776 SF		30	
TOTAL	39,678 SF	10	77	195

LEGEND	
→ → → →	VEHICULAR TRAFFIC
- - - - -	TRAFFIC DIVIDER LINES
[Dashed Box]	8'-6" X 18'-0" RESERVOIR SPACE
[Vertical Lines Box]	PEDESTRIAN WAITING AREA
[Cross-hatch Box]	NO DRIVE AREA
[Wheelchair Icon]	HANDICAP ACCESS

SLCE Architects

841 BROADWAY, NEW YORK, N.Y. 10003

15 WILLIAM STREET
15 WILLIAM STREET NEW YORK
SDS INVESTMENTS, L.L.C

CELLAR 1 PLAN

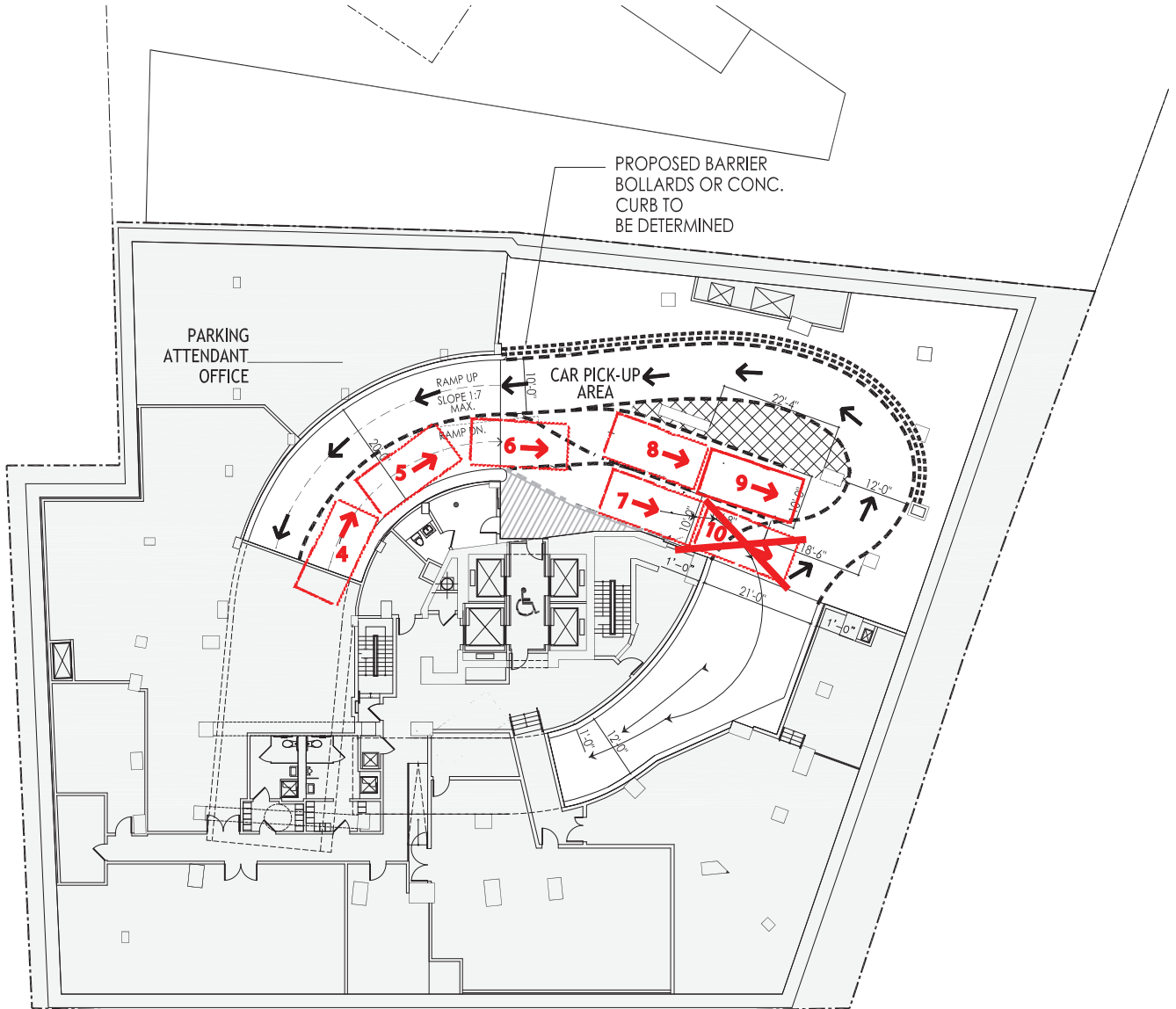
SCALE : N.T.S.

DATE : 01-09-09

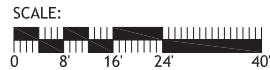
DWG. NO. :

(REV.04-17-09)

A-102



DCP ANALYSIS



RESERVOIR SPACE
DATE: NOVEMBER 2, 2009
EXHIBIT B-2

NOTE :
ALL GRAY TONED AREAS ARE NOT
PART OF SPECIAL PERMIT
APPLICATION AND ARE SHOWN FOR
ILLUSTRATIVE PURPOSES ONLY

PARKING SCHEDULE				
FLOOR	AREA	RESERVOIR SPACES	2-LEVEL STACKERS	TOTAL PARKING
GROUND	2,018 SF			
CELLAR 1	8,376 SF			
CELLAR 2	18,508 SF		47	
CELLAR 3	10,776 SF		30	
TOTAL	39,678 SF	10	77	195

LEGEND	
→ → → →	VEHICULAR TRAFFIC
- - - - -	TRAFFIC DIVIDER LINES
[Red outline]	8'-6" X 18'-0" RESERVOIR SPACE
[Vertical lines]	PEDESTRIAN WAITING AREA
[Cross-hatch]	NO DRIVE AREA
[Wheelchair symbol]	HANDICAP ACCESS