



The New York City Council

City Hall
New York, NY 10007

Meeting Minutes Subcommittee on Zoning and Franchises

Francisco P. Moya, Chair

*Membes: Costa G. Constantinides, Barry S. Grodenchik, Rory I. Lancman,
Stephen T. Levin, Antonio Reynoso, Donovan J. Richards,
Carlina Rivera and Ritchie J. Torres*

Wednesday, May 30, 2018

9:30 AM

250 Broadway - Committee Rm, 16th Fl.

Roll Call

Present: Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: Richards

Other Council Members Attending: Menchaca, Powers and Cumbo

LU 0070-2018

Application No. 20185240 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Il Posto Trattoria Rustica Corp., for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 221 Dyckman Street, Borough of Manhattan, Community Board 12, Council District 10. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Transcript - Stated Meeting 4-25-18, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Transcript - Stated Meeting 4-25-18, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0082-2018

Application No. 20185237 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Coliemore Inc., d/b/a Five Mile Stone, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1640 2nd Avenue, Borough of Manhattan, Community Board 8, Council District 5. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20(b) of the Council and Section 20-226 of the New York City Administrative Code.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Laid Over by Subcommittee

LU 0083-2018

Application No. N 180157 ZAK submitted by the Thor 280 Richards Street LLC pursuant to Section 62-822(A) of the Zoning Resolution for a waterfront authorization to modify the requirements of Sections 62-50 and 62-332 to facilitate the development of a five-story building on property located at 280 Richards Street (Block 612, Lot 150), Borough of Brooklyn, Community District 6, Council District 38. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20(b) of the Council and Section 62-822(A) of the Zoning Resolution.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Laid Over by Subcommittee

LU 0084-2018

Application No. C 180063 ZSM submitted by Madison 45 Broad Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 91-251 and 74-634 of the Zoning Resolution to allow a floor area bonus on a zoning lot where major improvements to adjacent subway stations are provided in accordance with the provisions of Section 74-634, in connection with a proposed mixed-use development on property located at 45 Broad Street (Block 25, Lots 7 and 10), Borough of Manhattan, Community District 1, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20(b) of the Council and Section 197-d(b)(3) of the New York City Charter.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0085-2018

Application No. N 180238 ZRM 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, amending Article IX, Chapter 3 (Special Hudson Yards District) for the purpose of modifying floor area regulations in the Phase 2 Hudson Boulevard and Park, Borough of Manhattan Community District 4, Council District 3.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0086-2018

Application No. C 180088 ZMX submitted by Markland 745 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b, changing from an M1-2 District to an M1-2/R6A District, changing from an M1-2 District to an M1-4/R7D District, changing from an M1-2/R6A District to an M1-4/R7D District, and establishing a Special Mixed Use District (MX-1), on property in the vicinity of Willow Avenue and East 133rd Street, Borough of the Bronx, Community District 1, Council District 17.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

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A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0087-2018 Application No. N 180089 ZRX submitted by Markland 445 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 Article XII, Chapter 3 (Special Mixed Use District) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 1, Council District 17.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

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A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0088-2018 Application No. 20185334 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a real property tax exemption for property located at Block 2562, Lots 49, 56, 58 and 60, Community District 1, Borough of the Bronx, Council District 17.

Attachments: May 9, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 14, 2018 - May 18, 2018, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - June 5, 2018, Hearing Testimony - Zoning 5-30-18, Hearing Transcript - Zoning 5-30-18

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A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Levin, Reynoso, Rivera and Torres

Absent: 1 - Richards

LU 0108-2018 **Application No. C 180096 ZMK submitted by South Portland, LLC and Randolph Haig Day Care Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of Zoning Map Section No. 16c, changing from an R7A District to an R8A District, establishing within a proposed R8A District a C2-4 District, and establishing a Special Downtown Brooklyn District, for an area for an area bounded by Hanson Place to the north, South Portland Avenue to the east, Academy Place to the south, and South Elliot Place to the west. (Block 2003, Lots 19, 29, 30, 31, 32, 33, 34, and 37), Borough of Brooklyn, Community District 2, Council District 35.**

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Laid Over by Subcommittee

LU 0109-2018 **Application No. N 180097 ZRK submitted by South Portland, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of eliminating a portion of an Inclusionary Housing designated area to establish a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections, Borough of Brooklyn, Community District 2, Council District 35.**

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Laid Over by Subcommittee

LU 0110-2018

Application No. 20185361 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2003, Lot 37, Borough of Brooklyn, Community District 2, Council District 35.

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

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This Land Use Application was Laid Over by Subcommittee

LU 0111-2018

Application No. C 180170 ZMM submitted by QT Soho Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a, eliminating from within an existing R7-2 District a C1-5 District on certain residential properties along Sullivan Street (Block 504, Lots 31, 34 and p/o Lot 36). and establishing within an existing R7-2 District a C2-5 District along portions of Avenue of the Americas and Spring Street (Block 504, Lots 7501, 43, 39, and p/o Lots 36 and 11), Borough of Manhattan, Community District 2, Council District 3.

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

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This Land Use Application was Laid Over by Subcommittee

LU 0112-2018 **Application No. N 180184 ZRM submitted by Times Square Hotel Owner, 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 the Special Times square signage requirements and the Special street wall and setback regulations of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community District 5, Council District 4.**

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

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This Land Use Application was Laid Over by Subcommittee

LU 0113-2018 **Application No. C 150348 ZSM submitted by Zhongyin Apparel LLC pursuant to Sections 197 c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74 781 of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(a) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing 5-story building on property located at 85 Mercer Street (Block 485, Lot 25), in an M1-5A District, Borough of Manhattan, Community District 2, Council District 1.**

Attachments: May 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of May 28, 2018 - June 1, 2018, Hearing Testimony - Zoning 5-30-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Hearing Transcript - Zoning 5-30-18

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee