



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*

Tuesday, June 19, 2018

9:30 AM

250 Broadway - Committee Rm, 16th Fl.

Roll Call

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

Absent: Grodenchik, Richards and Torres

Other Council Members Attending: Cumbo and Rosenthal

LU 0089-2018

Application No. C 180127 ZMM submitted by DD West 29th LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 8b, changing from an M2-3 District to a C6-4X District and establishing a Special Hudson River Park District (HRP), 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0090-2018 Application No. N 180128(A) ZRM submitted by DD West 29th 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 VIII, Chapter 9 (Special Hudson River Park District), and related Sections, and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0091-2018 Application No. C 180129(A) ZSM submitted by DD West 29th 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 Title 62 of the New York City Rules and Regulations, for the grant of a special permit pursuant to Section 89-21 of the Zoning Resolution in connection with a proposed mixed used development on property located at 601-613 West 29th Street (Block 675, Lots 11, 16, and 19), 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, EXHIBIT A - RESTRICTIVE DECLARATION, EXHIBIT B - HRPT LETTER, Hearing Transcript - Zoning 6-19-18

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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, EXHIBIT A - RESTRICTIVE DECLARATION, EXHIBIT B - HRPT LETTER, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0092-2018

Application No. C 180150 ZMM submitted by West 30th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 8b, changing from an M2-3 District to a C6-4X District and establishing a Special Hudson River Park District, 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0093-2018 **Application No. N 180151(A) ZRM submitted by West 30th Street 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 VIII, Chapter 9 (Special Hudson River Park District) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0094-2018 **Application No. C 180152(A) ZSM submitted by West 30th Street LLC pursuant to Sections 197-c and 201 of the New York City Charter and modified pursuant to Section 2 06(c)(1) of Title 62 the New York City Rules and Regulations, for the grant of a special permit pursuant to Section 89-21 of the Zoning Resolution, in connection with a proposed mixed use development on property located at 606-616 West 30th Street (Block 675, Lots 38 & 39), 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, Hearing Testimony - Zoning 5-18-18, Hearing Transcript - Zoning 5-15-18, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, EXHIBIT A - RESTRICTIVE DECLARATION, EXHIBIT B - HRPT LETTER, Hearing Transcript - Zoning 6-19-18

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 with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0107-2018

Application No. 20185267 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Ephesus Corp. d/b/a Seven Hills Mediteranean Grill, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 158 West 72nd Street, Borough of Manhattan, Community Board 7, Council District 7. 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 23, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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 June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Land Use Calendar - June 20, 2018, City Planning Commission Approval Letter, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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, Land Use Calendar - June 20, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres

LU 0114-2018

Application No. 20185408 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Madison Entertainment Associates, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 625 Madison Avenue, Borough of Manhattan, Community District 5, Council District 4. 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: Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, Hearing Transcript - Stated Meeting 6-7-18, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 18, 2018 - June 22, 2018, Land Use Calendar - June 20, 2018, Hearing Transcript - Stated Meeting 6-7-18, Committee Report, Resolution, Hearing Transcript - Zoning 6-19-18

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

Affirmative: 6 - Moya, Constantinides, Lancman, Levin, Reynoso and Rivera

Absent: 3 - Grodenchik, Richards and Torres