



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF THE
LAND USE COMMITTEE
FOR THE WEEK OF AUGUST 7, 2017 – AUGUST 11, 2017**

DAVID G. GREENFIELD, *Chair*, Land Use Committee

DONOVAN J. RICHARDS, *Chair*, Subcommittee on Zoning and Franchises

PETER KOO, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

RAFAEL SALAMANCA, JR., *Chair*, Subcommittee on Planning, Dispositions
and Concessions

<http://legistar.council.nyc.gov/Calendar.aspx>

Table of Contents

	Page
<i>Subcommittee on Zoning & Franchises</i>	
1. Pret A Manger (L.U. 712)	2
2. Baychester Square (L.U. Nos. 694-699)	2-8
3. ECF East 96 th Street (L.U. Nos. 700-703)	8-12
4. Manhattan West-Phase III Text Amendment (L.U. 715)	13
5. 34 th Street Heliport (L.U. 720)	13
 <i>Land Use Committee</i>	
 <i>Subcommittee on Landmarks, Public Siting & Maritime Uses</i> <i>The meeting has been deferred to August 21, 2017</i>	
 <i>Subcommittee on Planning, Dispositions & Concessions</i> <i>The meeting has been deferred to August 21, 2017</i>	

SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Committee Room, City Hall**, New York City, New York 10007, commencing at **10:30 A.M., Wednesday, August 9, 2017:**

L.U. No. 712

*The public hearing on this item was held on July 27, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

PRET A MANGER

MANHATTAN CB - 1

20175332 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Pret A Manger (USA) Limited d/b/a Pret A Manger, for a new revocable consent to maintain and operate an unenclosed sidewalk café located at 125 Chambers Street.

L.U. NOS. 694 THROUGH 699 ARE RELATED

L.U. No. 694

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

C 170217 PPX

Application submitted by the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located on Block 4804, p/o Lot 100, pursuant to zoning.

L.U. No. 695

*The public hearing on this item was held on July 17, 2017
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

C 170218 ZMX

Application submitted by Gun Hill Square, LLC pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4a, changing from an M1-1 District to a C4-3 District property bounded by East Gun Hill Road, a line 320 feet southeasterly of Allerton Avenue and its southwesterly prolongation, a line 490 feet southwesterly of Edson Avenue, a line 465 feet southeasterly of Allerton Avenue and its northeasterly prolongation, and Edson Avenue.

L.U. No. 696

*The public hearing on this item was held on July 17, 2017
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

N 170219 ZRX

Application submitted by Gun Hill Square, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission) and related sections to modify the use regulations to allow a physical culture or health establishment and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

**ARTICLE VII
ADMINISTRATION**

Chapter 4
Special Permits by the City Planning Commission

* * *

74-74
Large-Scale General Development

* * *

74-744
Modification of use regulations

(a) #Use# modifications

* * *

(4) #physical culture or health establishments#

Within community district 12 in the borough of the bronx, #physical culture or health establishment# shall be allowed in conjunction with an application for a #large-scale general development# in #commercial districts#, and the provisions of sections 32-31 (by the board of standards and appeals) and 73-36 (physical culture or health establishments) shall be inapplicable. Prior to obtaining a temporary certificate of occupancy from the department of buildings for any #building# containing a #physical culture or health establishment#, the applicant shall demonstrate to the satisfaction of the commissioner of buildings that a vibration and noise control plan has been established for such #building#.

(b) Location of #commercial uses#

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Table of
Inclusionary Housing Designated Areas
and
Mandatory Inclusionary Housing Areas
By Zoning Map

Zoning Map	Community District	Maps of Inclusionary Housing Designated Areas	Maps of Mandatory Inclusionary Housing Areas
1d	Bronx CD 7	Map 1	
3b	Bronx CD 4	Map 1	
3c	Bronx CD 6	Maps 1 - 3	
3c	Bronx CD 7	Map 1	
3d	Bronx CD 3	Map 1	
3d	Bronx CD 6	Maps 2 - 5	
<u>4a</u>	<u>Bronx CD 12</u>		<u>Map 1</u>

* * *

The Bronx

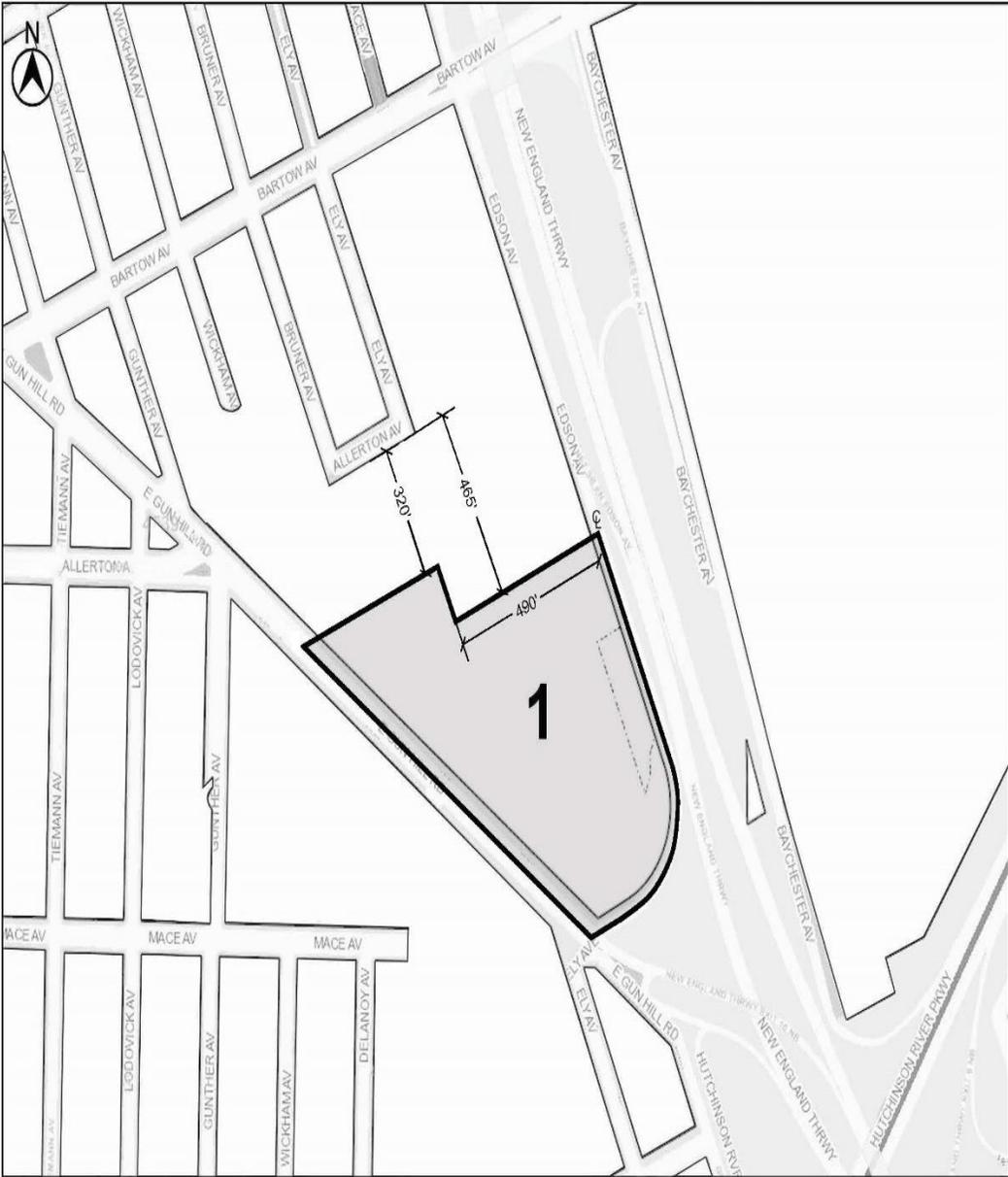
* * *

The Bronx Community District 12

In the C4-3 District (R6 residential equivalent) within the area shown on the following Map 1:

Map 1 – [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*

Area 1 - [date of adoption] MIH Program Option 1

Portion of Community District 12, The Bronx

* * *

L.U. No. 697

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

C 170221 ZSX

Application submitted by Gun Hill Square, LLC pursuant to Section 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements of Section 23-64 (Basic Height and Setback Requirements) and the rear yard requirements of Sections 23-47 (Minimum Required Rear Yards) and 33-26 (Minimum Required Rear Yards), in connection with a proposed mixed-use development on a property located at 1769-1771 East Gun Hill Road (Block 4804, part of Lot 100), in a C4-3 District, within a large-scale general development.

L.U. No. 698

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

C 170222 ZSX

Application submitted by Gun Hill Square, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the signage regulations of Sections 32-641 (Total Surface Area of Signs), 32-642 (Non-Illuminated Signs), 32-644 (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts), 32-655 (Height of signs in all other Commercial Districts), 32-656 (Height of signs above roof) and 32-657 (Roof signs), in connection with a proposed mixed-use development on a property located at 1769-1771 East Gun Hill Road (Block 4804, part of Lot 100), in a C4-3 District, within a large-scale general development.

L.U. No. 699

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

BAYCHESTER SQUARE

BRONX CB - 12

C 170223 ZSX

Application submitted by Gun Hill Square, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-531 of the Zoning Resolution to modify the requirements of:

1. Section 36-12 (Maximum Size of Accessory Group Parking Facilities) to allow an accessory group parking facility with a maximum capacity of 1169 spaces; and
2. Section 36-11 (General Provisions) to allow some of such off-street parking spaces to be located on the roof of a building;

in connection with a proposed mixed-use development on a property located at 1769-1771 East Gun Hill Road (Block 4804, part of Lot 100), in a C4-3 District, within a large-scale general development.

L.U. NOS. 700 THROUGH 703 ARE RELATED

L.U. No. 700

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ECF EAST 96TH STREET

MANHATTAN CB - 11

C 170226 ZMM

Application submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6b:

1. changing from an R7-2 District to a C2-8 District property bounded by Second Avenue, East 97th Street, a line 100 feet easterly of Second Avenue, and a line midway between East 97th Street and East 96th Street;

2. changing from an R7-2 District to an R10 District property bounded by a line 100 feet easterly of Second Avenue, East 97th Street, First Avenue, and a line midway between East 97th Street and East 96th Street;
3. changing from an R10A District to a C2-8 District property bounded by Second Avenue, a line midway between East 97th Street and East 96th Street, a line 100 feet easterly of Second Avenue, and East 96th Street; and
4. changing from an R10A District to an R10 District property bounded by a line 100 feet easterly of Second Avenue, a line midway between East 97th Street and East 96th Street, First Avenue, and East 96th Street.

L.U. No. 701

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ECF EAST 96TH STREET

MANHATTAN CB - 11

N 170227 ZRM

Application submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. 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 VII, Chapter 4 (Special Permits by the City Planning Commission) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

* * *

**ARTICLE VII
ADMINISTRATION**

Chapter 4

Special Permits by the City Planning Commission

* * *

74-75

Educational Construction Fund Projects

In R5, R6, R7, R8, R9 or R10 Districts, in C1 or C2 Districts mapped within such #Residence Districts#, or in C1-6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4, C5, C6 or C7 Districts, for combined #school# and #residences# including air rights over #schools# built on a #zoning lot# owned by the New York City Educational Construction Fund, the City Planning Commission may permit utilization of air rights; modify the requirements that open area be accessible to and usable by all persons occupying a #dwelling unit# or #rooming unit# on the #zoning lot# in order to qualify as #open space#; permit ownership, control of access and maintenance of portions of the #open space# to be vested in the New York City Educational Construction Fund or City agency successor in title; permit modification of #yard# regulations and height and setback regulations; permit the distribution of #lot coverage# without regard for #zoning lot lines# for a #zoning lot# containing the Co-op Tech High School in Manhattan Community District 11; authorize the total #floor area#, #open space#, #dwelling units# or #rooming units# permitted by the applicable district regulations on such site to be distributed without regard for district boundaries; and authorize an increase of 25 percent in the number of #dwelling units# or #rooming units# permissible under the applicable district regulations. For the purposes of this Section, a #zoning lot# owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school listed in the following table.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Manhattan

* * *

Manhattan Community District 11

* * *

In the R10 and C2-8 Districts within the areas shown on the following Map 2:

Map 2 – [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing Program Area See Section 23-154(d)(3)
Area 2 - [date of adoption] MIH Program Option 1

Portion of Community District 11, Borough of Manhattan

* * *

L.U. No. 702

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ECF EAST 96TH STREET

MANHATTAN CB - 11

C 170228 ZSM

Application submitted by NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-75 of the Zoning Resolution to modify the height and setback requirements of Sections 23-64 (Basic Height and Setback Requirements), 23-65 (Tower Regulations), 23-651 (Tower-on-a-base) and 24-50 (Height and Setback Regulations), and to modify the requirements of Section 24-11 (Maximum Floor Area and Percentage of Lot Coverage), in connection with a proposed mixed-use development, on property bounded by East 97th Street, First Avenue, East 96th Street and Second Avenue (Block 1668, Lot 1), in R10 and C2-8 Districts, within a Large-Scale General Development.

L.U. No. 703

*The public hearing on this item was held on July 17, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ECF EAST 96TH STREET

MANHATTAN CB - 11

C 170229 ZSM

Application submitted by NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-533 of the Zoning Resolution to waive all required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property bounded by East 97th Street, First Avenue, East 96th Street and Second Avenue (Block 1668, Lot 1), in R10 and C2-8 Districts, within a Large-Scale General Development.

L.U. No. 715

*The public hearing on this item was held on July 27, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

MANHATTAN WEST-PHASE III TEXT AMENDMENT

MANHATTAN CB - 4

N 170317 ZRM

Application submitted by BOP NW, 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 IX, Chapter 3 (Special Hudson Yards District), Borough of Manhattan, Community District 4.

L.U. No. 720

*The public hearing on this item was held on July 27, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

34TH STREET HELIPORT

MANHATTAN CB - 6

C 170158 ZSM

Application submitted by the NYC Department of Small Business Services and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-66 of the Zoning Resolution to allow a heliport on property generally located between the U.S. Pierhead Line of the East River and the north-bound service road of the Franklin D. Roosevelt Drive, south of East 34th Street, (Block 962, part of Lot 50) in an M2-3 District.



LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the **Committee Room, City Hall**, New York City, New York 10007, commencing at **11:00 A.M. on Wednesday, August 9, 2017**, to consider all items reported out of the Subcommittees at the meetings held on Thursday, July 27, 2017 and Wednesday, August 9, 2017, and conduct such other business as may be necessary.