



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF THE
LAND USE COMMITTEE
FOR THE WEEK OF APRIL 17, 2017 – APRIL 21, 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>

SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **9:30 A.M., Wednesday, April 19, 2017:**

L.U. No. 592

901 MANOR ROAD COMMERCIAL OVERLAY

STATEN ISLAND CB - 2

C 160378 ZMR

Application submitted by Clara Fazzino pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 21b and 27a by establishing within an existing R3-1 District a C1-1 District bounded by a line 100 feet easterly of Manor Road, a line midway between Norwalk Avenue and Tillman Street, a line 190 feet easterly of Manor Road, and Tillman Street, Borough of Staten Island, Community District 2, as shown on a diagram (for illustrative purposes only) dated November 14, 2016.

L.U. No. 601

FIVE MILE STONE

MANHATTAN CB - 8

20175241 TCM

Application 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 the renewal of a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 1640 2nd Avenue.

L.U. NOS. 589 AND 590 ARE RELATED

L.U. No. 589

*The public hearing on this item was held on March 28, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ROSE CASTLE

BROOKLYN CB - 3

C 160221 ZMK

Application submitted by Riverside Developers USA Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an M1-2 District to an R7A District property bounded by Flushing Avenue, Franklin Avenue, the easterly prolongation of the northerly street line of Little Nassau Street, the terminus of Little Nassau Street, Little Nassau Street, and Kent Avenue;
2. changing from an M1-2 District to an M1-2/R6A District property bounded by the easterly prolongation of the northerly street line of Little Nassau Street, Skillman Street, a line 330 feet northerly of Park Avenue, and Franklin Avenue;
3. establishing within the proposed R7A District a C2-4 District bounded by Flushing Avenue, Franklin Avenue, the easterly prolongation of the northerly street line of Little Nassau Street, the terminus of Little Nassau Street, Little Nassau Street, and Kent Avenue; and
4. establishing a Special Mixed Use District (MX-4) bounded by the easterly prolongation of the northerly street line of Little Nassau Street, Skillman Street, a line 330 feet northerly of Park Avenue, and Franklin Avenue;

as shown on a diagram (for illustrative purposes only), dated October 4, 2016 and subject to the conditions of the CEQR Declaration E-395.

L.U. No. 590

*The public hearing on this item was held on March 28, 2017
and **closed**. It was laid over by the Subcommittee on
Zoning and Franchises*

ROSE CASTLE

BROOKLYN CB - 3

N 160222 ZRK

Application submitted by Riverside Developers USA, 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 Appendix F (Inclusionary Housing Designated Areas) and a related section in Article XII, Chapter 3 (Special Mixed Use District) to apply Inclusionary Housing regulations in Borough of Brooklyn.

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 XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

* * *

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#
MX 2 - Community District 2 Brooklyn	R7A R8A

<u>MX 4 - Community District 3</u> <u>Brooklyn</u>	<u>R6A</u>
<u>MX 8 - Community District 1</u> <u>Brooklyn</u>	R6 R6A R6B R7A

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

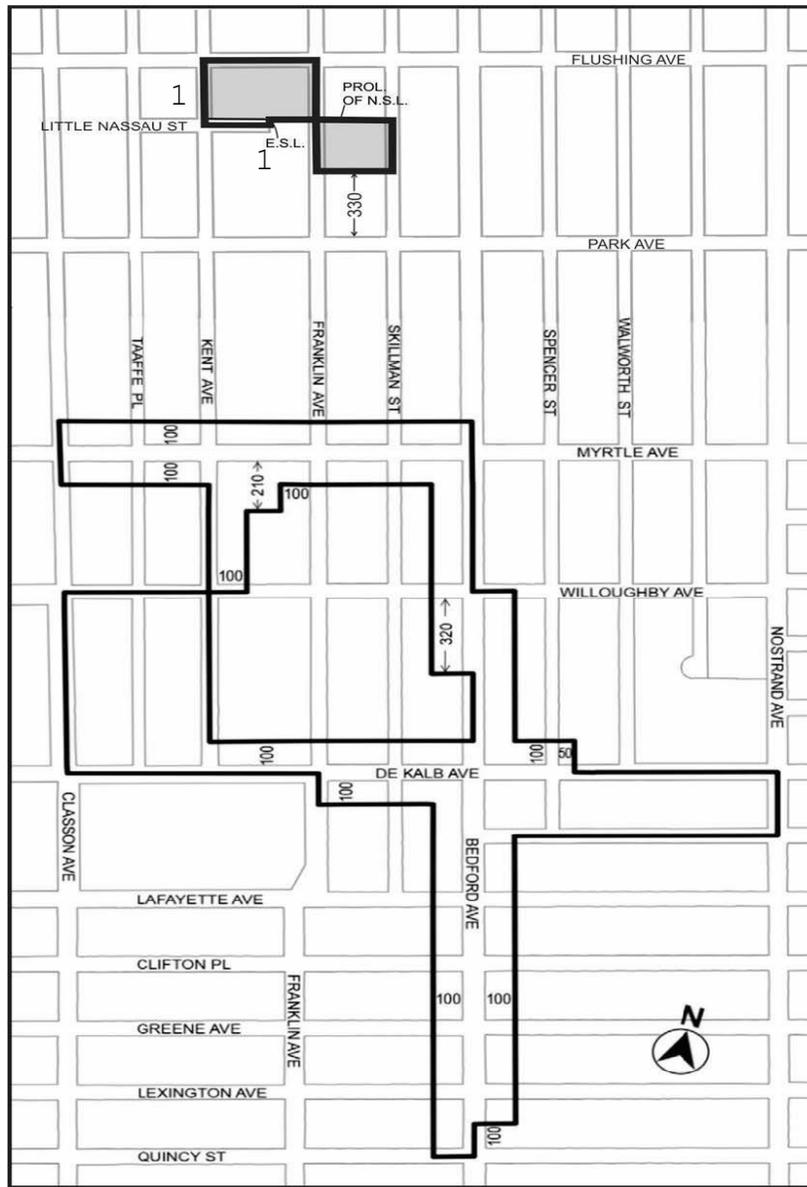
Brooklyn Community District 3

In the R6A, R7A, and R7D Districts within the areas shown on the following Maps 1, 2, 3, 4, and 5:

* * *

Map 3 – [date of adoption]

[PROPOSED MAP]



Inclusionary Housing Designated Area

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

Area 1 (date of adoption) — MIH Program Option 1, Option 2 and Workforce Option

Portion of Community District 3, Brooklyn

* * *

L.U. No. 591

*The public hearing on this item was held on March 28, 2017
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

WEST 23RD STREET TEXT AMENDMENT

MANHATTAN CB - 4

N 160396 ZRM

Application submitted by 23rd and 11th Associates, L.L.C. 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 IX, Chapter 8 (Special West Chelsea District) to permit the distribution of floor area across C6-3/Subarea D and C6-3A zoning districts and subarea boundaries for zoning lots fronting on 11th Avenue and West 23rd Street within Community District 4, Borough of Manhattan.

Matter in underline is new, to be added;

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

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

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

Article IX - Special Purpose Districts

Chapter 8

Special West Chelsea District

* * *

98-20

FLOOR AREA AND LOT COVERAGE REGULATIONS

The #floor area# provisions of this Section, inclusive, shall apply. Furthermore, special #floor area# transfer provisions are set forth in Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive.

* * *

98-22

Maximum Floor Area Ratio and Lot Coverage in Subareas

For all #zoning lots#, or portions thereof, located in Subareas A through J, the maximum #floor area ratios#, #open space ratios# and #lot coverages# of the applicable underlying district shall not apply. In lieu thereof, the maximum #floor area

ratio# permitted for #commercial#, #community facility# and #residential uses#, separately or in combination, shall be as specified in the table in this Section. For #residential use#, the maximum #lot coverage# shall be 70 percent for #interior# or #through lots# and no maximum #lot coverage# shall apply to any #corner lot#. For the #conversion# to #dwelling units# of non-#residential floor area# where the total #residential floor area# on the #zoning lot# will exceed the applicable basic maximum #floor area ratio# specified in the table in this Section, such excess #residential floor area# shall only be permitted pursuant to Section 98-26 (Modifications of Inclusionary Housing Program).

MAXIMUM FLOOR AREA RATIO BY SUBAREA

Sub-area	Basic #floor area ratio# (max)	Increase in FAR from #High Line Transfer Corridor # (98-30)	Increase in FAR with #High Line# Improvement Bonuses (98-25)	Inclusionary Housing		Permitted #floor area ratio# (maximum)
				FAR required to be transferred ¹ (minimum)	Increase in FAR for Inclusionary Housing Program (98-26)	
A	6.5	2.65	___ ²	2.65	2.85	12.0
B	5.0	2.5	___ ²	1.25	1.25	7.5
C	5.0	2.5	NA	1.25	1.25	7.5
D ⁵	5.0	2.5 ³	2.5 ³	1.25	1.25	7.5
E	5.0	1.0 ³	1.0 ^{2,3}	NA	NA	6.0
F	5.0	NA	NA	NA	NA	5.0
G	5.0	1.0 ³	1.0 ³	NA	NA	6.0
H	7.5	NA	2.5	NA	NA	10.0
I	5.0	2.5	NA	1.25	1.25	7.5
I ⁴	5.0	NA	2.5	NA	NA	7.5
J ⁶	5.0	NA	2.5	NA	NA	7.5

¹ Minimum #floor area ratios# required to be transferred pursuant to Section 98-30 (HIGH LINE TRANSFER CORRIDOR), inclusive, before Inclusionary Housing #floor area# bonus can be utilized

- 2 In Subareas A, B, and E, the applicable maximum basic #floor area ratio# of that portion of the #zoning lot# that is within the #High Line Transfer Corridor# may be increased up to a maximum of 1.0, and the applicable maximum permitted #floor area ratio# increased accordingly, by certification of the Chairperson of the City Planning Commission, pursuant to Section 98-35 (High Line Transfer Corridor Bonus)
- 3 For certain zoning lots located in Subareas D, E and G, the provisions of Section 98-25 (High Line Improvement Bonus) may apply in lieu of the provisions of Section 98-30, subject to the provisions of Section ~~98-24~~ 98-241 (Special Floor Area Rules for Zoning Lots Divided by District Boundaries in In Subareas D, E and G)
- 4 For #zoning lots# over which the #High Line# passes
- 5 For #zoning lots# between West 22nd Street and West 24th Street, the #floor area ratios# shall be 7.5, and no #floor area# increases shall be permitted
- 6 Bonus contribution subject to provisions of Section 98-25 governing first contribution to Affordable Housing Fund

* * *

98-24

Special Floor Area Rules for Zoning Lots Divided by District Boundaries ~~in Subareas D, E and G~~

98-241

In Subareas D, E and G

For #zoning lots# fronting on West 18th Street and located partially in Subarea D, partially in Subarea E and partially in Subarea G, #floor area# may be transferred across zoning district and subarea boundaries without restriction. Either the provisions of Sections 98-25 (High Line Improvement Bonus) or 98-30 (HIGH LINE TRANSFER CORRIDOR) may apply to such #zoning lot#, as applicable, and the maximum permitted #floor area ratio# specified in the table in Section 98-22 shall apply, as applicable, for each subarea.

98-27 98-242

Zoning Lots Located Partly partially Wwithin Subarea C and Partly partially Wwithin M1-5 Districts

For #zoning lots# existing prior to June 23, 2005, and located ~~partly~~ partially within an M1-5 District and ~~partly~~ partially within a C6-3 District in Subarea C, the permitted #floor area ratio# for the C6-3 District portion of the #zoning lot# may be increased to the #floor area ratio# existing in the C6-3 District portion on June 23, 2005, up to a maximum #floor area ratio# of 7.5, provided that the Chairperson of the City Planning Commission has certified that a payment has been made to the #High Line# Improvement Fund, established under Section 98-25, to be used at the discretion of the Chairperson to assure that the #High Line# is restored and reused as a public accessible open space. The amount of such contribution shall be determined in the manner prescribed in Section 98-35 (High Line Transfer Corridor Bonus).

No building permit for any #development# or #enlargement# may be issued for any #building or other structure# on the #zoning lot# that will contain #floor area# made available to the #zoning lot# as a result of the application of this Section unless and until such certification has been made.

98-243

Located partially within Subarea D and C6-3A Districts

For a #zoning lot# fronting on West 23rd Street and 11th Avenue, located partially within Subarea D and partially within a C6-3A District, #floor area# may be transferred from the portion of the #zoning lot# in the C6-3A District to the portion in Subarea D.

* * *

98-27

Zoning Lots Located Partly Within Subarea C and Partly Within M1-5 Districts

~~For #zoning lots# existing prior to June 23, 2005, and located partly within an M1-5 District and partly within a C6-3 District in Subarea C, the permitted #floor area ratio# for the C6-3 District portion of the #zoning lot# may be increased to the #floor area ratio# existing in the C6-3 District portion on June 23, 2005, up to a maximum #floor area ratio# of 7.5, provided that the Chairperson of the City Planning Commission has certified that a payment has been made to the #High Line# Improvement Fund, established under Section 98-25, to be used at the discretion of the Chairperson to assure that the #High Line# is restored and reused as a public accessible open space. The amount of such contribution shall be determined in the manner prescribed in Section 98-35 (High Line Transfer Corridor Bonus).~~

~~No building permit for any #development# or #enlargement# may be issued for any #building or other structure# on the #zoning lot# that will contain #floor area# made available to the #zoning lot# as a result of the application of this Section unless and until such certification has been made.~~

* * *

98-423

Street wall location, minimum and maximum base heights and maximum building heights

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (g) of this Section.

* * *

(d) Subarea E

The #street wall# location provisions set forth in paragraph (a) of this Section shall not apply on a #zoning lot# fronting on West 18th Street and located partially in Subareas D, E and G, where #floor area# has been transferred pursuant to Section ~~98-24~~ 98-241. A maximum of 60 percent of the West 18th Street frontage within Subarea E may rise without setback to a maximum #building# height of 250 feet, and a minimum of 20 percent of the West 18th Street frontage within Subarea E shall rise without setback to a minimum height of 60 feet and a maximum height of 85 feet and be located within 10 feet of the #street line#.

* * *



SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES

The Subcommittee on Landmarks, Public Siting and Maritime Uses public hearing scheduled for **Wednesday, April 19, 2017 in the Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **11:00 A.M.**, has been DEFERRED.

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the **Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **1:00 P.M.**, **Wednesday, April 19, 2017:**

L.U. No. 604

CONCOURSE VILLAGE WEST

BRONX CB - 4

20175318 HAX

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law, Section 577, for the approval of a new real property tax exemption for property located at Block 2458, Lots 13, 35, and 49, Borough of the Bronx, Community District 4, Council District 17.

L.U. NOS. 594, 595 AND 596 ARE RELATED

L.U. No. 594

*The public hearing on this item was held on March 28, 2017 and **closed**. It was laid over by the Subcommittee on Planning, Dispositions and Concessions*

CATON FLATS DEVELOPMENT

BROOKLYN CB - 14

C 170127 PPK

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 city-owned property located at 794 Flatbush Avenue (Block 5063, Lot 58), pursuant to zoning.

L.U. No. 595

*The public hearing on this item was held on March 28, 2017 and **closed**. It was laid over by the Subcommittee on Planning, Dispositions and Concessions*

CATON FLATS DEVELOPMENT

BROOKLYN CB -14

C 170128 ZMK

Application submitted by the New York City Department of Citywide Administrative Services and New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map, Section No. 16d:

1. changing from an R7A District to an R8A District property bounded by a line perpendicular to the westerly street line of Flatbush Avenue distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Flatbush Avenue and the northwesterly street line of Caton Avenue, Flatbush Avenue, Caton Avenue, a line perpendicular to the northwesterly street line of Caton Avenue distant 140 feet southwesterly (as measured along the street line) from the point of intersection of the westerly street line of Flatbush Avenue and the northwesterly street line of Caton Avenue, a line 125 feet northwesterly of Caton Avenue, and a line 135 feet westerly of Flatbush Avenue; and

2. establishing within the proposed R8A District a C2-4 District bounded by a line perpendicular to the westerly street line of Flatbush Avenue distant 200 feet northerly (as measured along the street line) from the point of intersection of the westerly street line of Flatbush Avenue and the northwesterly street line of Caton Avenue, a line 100 feet westerly of Flatbush Avenue, Caton Avenue, a line perpendicular to the northwesterly street line of Caton Avenue distant 140 feet southwesterly (as measured along the street line) from the point of intersection of the westerly street line of Flatbush Avenue and the northwesterly street line of Caton Avenue, a line 125 feet northwesterly of Caton Avenue, and a line 135 feet westerly of Flatbush Avenue;

as shown on a diagram (for illustrative purposes only) dated October 31, 2016, and subject to the conditions of CEQR Declaration E-397.

L.U. No. 596

*The public hearing on this item was held on March 28, 2017
and **closed**. It was laid over by the Subcommittee on
Planning, Dispositions and Concessions*

CATON FLATS DEVELOPMENT

BROOKLYN CB - 14

N 170129 ZRK

Application submitted by the New York City Department of Citywide Administrative Services and New York City Economic Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, modifying Appendix F to establish a Mandatory Inclusionary Housing Area in Community District 14.

Matter in underline is new, to be added;

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Brooklyn

* * *

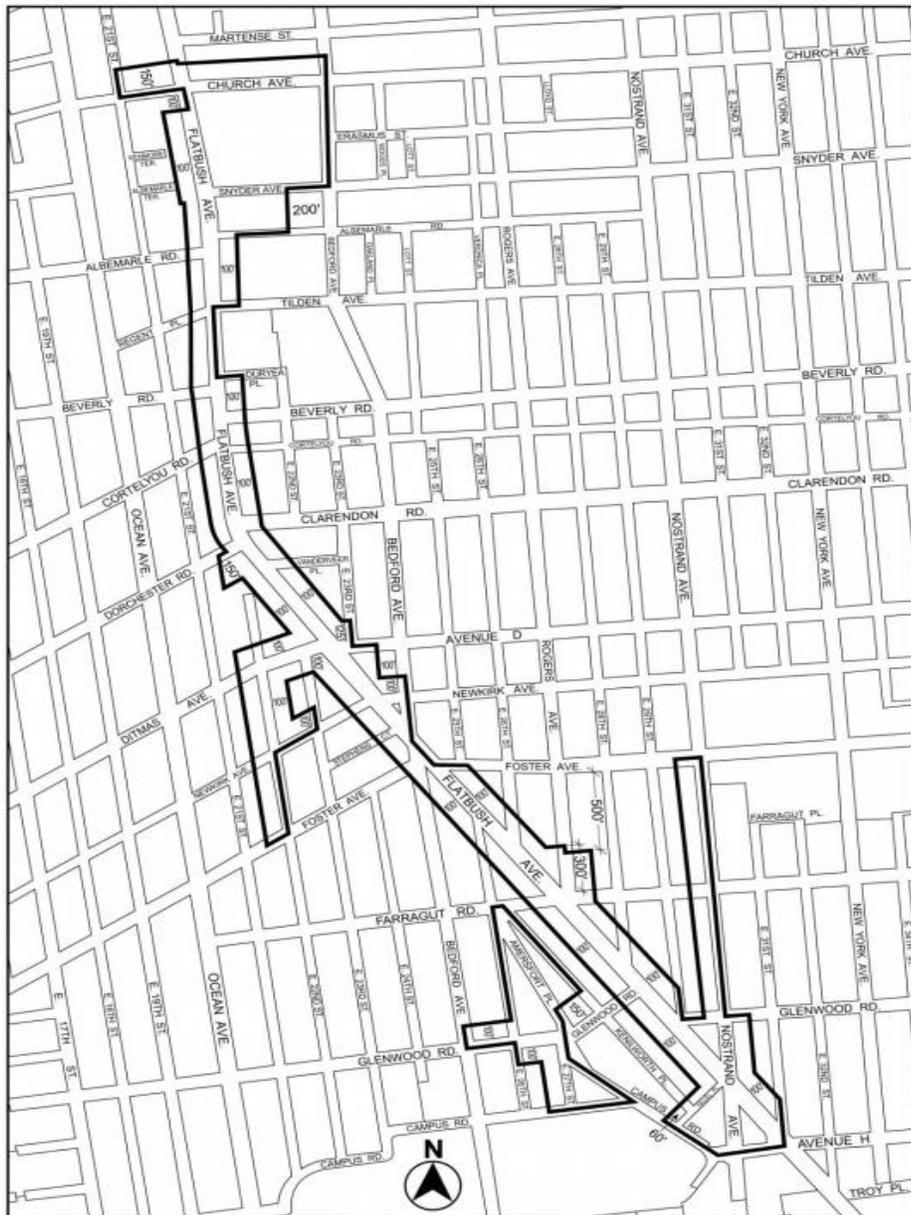
Brooklyn Community District 14

In the R7A and R8A Districts within the areas shown on the following Maps 1, 2 and 3:

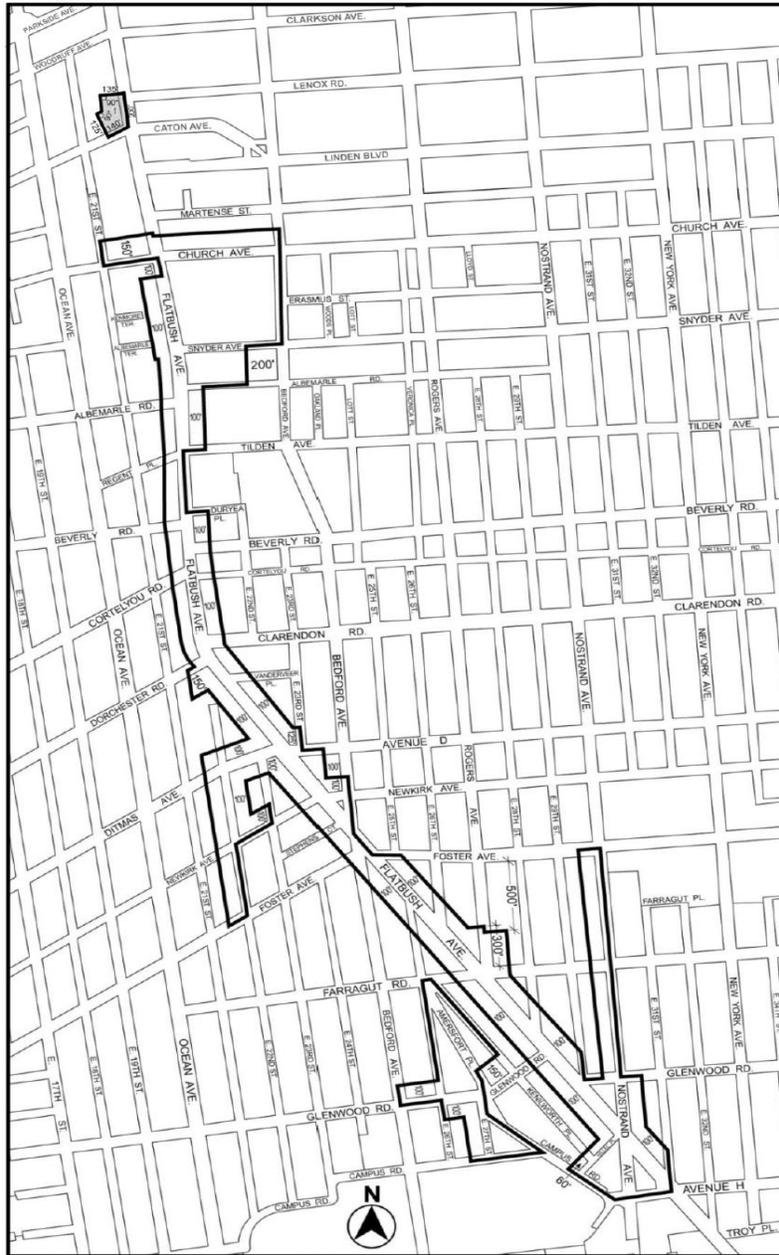
* * *

Map 2. (date of adoption)

[EXISTING MAP]



[PROPOSED MAP]



 Inclusionary Housing designated area

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

Area 1 (date of adoption) — MIH Program Option 2

Portion of Community District 14, Brooklyn

* * *

L.U. NOS. 597 AND 598 ARE RELATED

L.U. No. 597

*The public hearing on this item was held on March 28, 2017 and **closed**. It was laid over by the Subcommittee on Planning, Dispositions and Concessions*

210-214 HEGEMAN AVENUE

BROOKLYN CB - 16

C 170153 HAK

Application submitted by the New York City Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of properties located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37), as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the construction of an eight-story building with approximately 70 units of affordable and supportive housing in the Brownsville neighborhood of Community District 16.

L.U. No. 598

*The public hearing on this item was held on March 28, 2017
and **closed**. It was laid over by the Subcommittee on
Planning, Dispositions and Concessions*

210-214 HEGEMAN AVENUE

BROOKLYN CB - 16

C 170154 ZSK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ratio of ZR Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations in connection with a proposed eight-story building on property located at 210-214 Hegeman Avenue (Block 3639, Lots 35 and 37), in an R6 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 Thursday, April 20, 2017**, to consider all items reported out of the Subcommittees at the meetings held on Wednesday, April 19, 2017, and conduct such other business as may be necessary.