

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, September 18, 2019

9:30 AM

Committee Room - City Hall

Subcommittee on Zoning and Franchises

*Francisco P. Moya, Chair
Membes: Barry S. Grodenchik, Rory I. Lancman,
Stephen T. Levin, Antonio Reynoso, Donovan J. Richards
and Carlina Rivera*

Roll Call

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

Absent: Richards

LU 0508-2019

Application No. C 190299 ZMQ (Kew Gardens Hills Rezoning) submitted by Queens Community Board 8 pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 14a and 14c, changing from an R2 District to a R2X District, for property located in the Borough of Queens, Council District 24, Community District 8.

Attachments: August 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Stated Meeting 8-14-19, Hearing Transcript - Zoning 9-4-19, Hearing Testimony - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: August 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Stated Meeting 8-14-19, Hearing Transcript - Zoning 9-4-19, Hearing Testimony - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

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

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

Absent: 1 - Richards

LU 0509-2019

Application No. N 190301 ZRQ (Kew Gardens Hills Rezoning) submitted by Queens Community Board 8 pursuant to Section 201 of the New York City Charter, for an amendment of Article II, Chapter 1 (Statement of Legislative Intent) of the Zoning Resolution of the City of New York, to permit the R2X Residence District to be mapped in the Community District 8 in the Borough of Queens, Council District 24.

Attachments: August 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Stated Meeting 8-14-19, Hearing Transcript - Zoning 9-4-19, Hearing Testimony - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: August 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Stated Meeting 8-14-19, Hearing Transcript - Zoning 9-4-19, Hearing Testimony - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

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

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

Absent: 1 - Richards

LU 0517-2019

Application No. C 190222 ZMK (3513 Atlantic Avenue Rezoning) submitted by Leemilt's Petroleum, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 18a, by establishing within an existing R5 District a C2-4 District in the Borough of Brooklyn, Council District 37, Community District 5.

Attachments: Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 2, 2019 - September 6, 2019, Hearing Transcript - Zoning 9-4-19, Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

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

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

Absent: 1 - Richards

LU 0530-2019

Application No. 20195720 TCM (Hummus Kitchen) pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of E & R U.S. Ventures LLC d/b/a Hummus Kitchen, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 444 3rd Avenue, Borough of Manhattan, Council District 2, Community District 6. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 23, 2019 and September 26, 2019, Hearing Transcript - Land Use 9-23-19, Committee Report, Resolution, Hearing Transcript - Zoning 9-18-19

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

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

Absent: 1 - Richards

LU 0531-2019

Application No. C 100421 ZMQ (Vernon Boulevard Broadway Rezoning) submitted by Cipico Construction Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, changing from an R5 District to an R6B District, changing from an R5 District to an R7X District, and establishing within the proposed R7X District a C1-3 District, Borough of Queens, Council District 26, Community District 1.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0532-2019

Application No. N 190151 ZRQ (Vernon Boulevard Broadway Rezoning) submitted by Cipico Construction 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 for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Council District 26, Community District 1.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Laid Over by Subcommittee

LU 0533-2019

Application No. C 190386 ZSQ (Vernon Boulevard Broadway Rezoning) submitted by Cipico Construction Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to permit the distribution of total allowable floor area without regard for zoning lot lines or district boundaries and to modify the minimum base height requirements of Sections 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residence for seniors) to facilitate a proposed mixed-use development, within a large-scale general development, in R6B and R7X/C1-3 Districts, on property bounded by 10th Street, Vernon Boulevard, Broadway, 11th Street, and 33rd Road (Block 315, Lot 1), Borough of Queens, Council District 26, Community District 1.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Laid Over by Subcommittee

LU 0534-2019

Application No. C 190439 ZSQ (LeFrak City Parking Garage) submitted by the LSS Leasing Limited Liability Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution (as modified by concurrent application no. N 190440 ZQR) to allow: a public parking facility with a maximum capacity of 706 parking spaces including 356 self-park spaces and 350 attended parking spaces on the ground floor, 2nd floor and roof of an existing 2-story garage building; to allow up to 350 spaces to be located on the roof of such public parking facility; to allow floor space on one or more stories and up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS); and to waive the reservoir space requirements of Section 74-512(c) for a public parking garage existing before [date of adoption] that was previously granted a special permit pursuant to this Section; on property located on the northeasterly corner of Junction Boulevard and Horace Harding Expressway (Block 1918, Lots 1, 18, 25 and 114), in a C4-4 District, Borough of Queens, Council District 21, Community District 4.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Laid Over by Subcommittee

LU 0535-2019 **Application No. N 190440 ZRQ (LeFrak City Parking Garage) submitted by the LSS Leasing Limited Liability Company, 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 VII, Chapter 4 (Special Permits by the City Planning Commission) for the purpose of modifying the provision of required reservoir spaces for existing public parking garages with special permits in C4-4 Districts, Borough of Queens, Council District 21, Community District 4.**

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 12, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-12-19, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Laid Over by Subcommittee

LU 0538-2019 **Application No. C 180036 ZMQ (38th Street – 35th Avenue Rezoning) submitted by Empire MG Properties, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9b: changing from an M1-1 District to an R6A District and establishing within the proposed R6A District a C1-3 District, Borough of Queens, Council District 26, Community District 1.**

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was P-C Item Laid Over by Comm

LU 0539-2019

Application No. N 180037 ZRQ (38th Street – 35th Avenue Rezoning) submitted by Empire MG Properties, 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 Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Council District 26, Community District 1.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was P-C Item Laid Over by Comm

LU 0540-2019

Application No. C 180282 ZMQ (91-05 Beach Channel Drive) submitted by Denis S. O'Connor Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 30c, by establishing within an existing R4-1 District, a C2-3 District, Borough of Queens, Council District 32, Community District 14.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

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This Land Use Application was P-C Item Laid Over by Comm

LU 0541-2019

Application No. C 180291 ZMQ (15-33 Clintonville Street Rezoning) submitted by Enrico Scarda pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7d, by establishing within an existing R3-1 District, a C1-3 District, Borough of Queens, Council District 7, Community District 7.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was P-C Item Laid Over by Comm

LU 0542-2019

Application No. C 190422 ZMQ (112-06 71st Road Rezoning) submitted by Dr. T's Pediatrics PLLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a, changing from an R1-2A District to an R3-2 District, Borough of Queens, Council District 29, Community District 6.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

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This Land Use Application was P-C Item Laid Over by Comm

LU 0543-2019

Application No. C 190158 ZMM (Terence Cardinal Cooke) submitted by Catholic Health Care System pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 6b, by changing from an R7-2 District to an R8 District property bounded by East 106th Street, Madison Avenue, East 105th Street and a line 150 feet easterly of Fifth Avenue - Museum Mile, Borough of Manhattan, Council District 8, Community District 11.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

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This Land Use Application was P-C Item Laid Over by Comm

LU 0544-2019

Application No. N 190156 ZRM (Terence Cardinal Cooke) submitted by Catholic Health Care System, 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 Mandatory Inclusionary Housing Areas) for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Council District 8, Community District 11.

Attachments: Land Use Calendar - Week of September 16, 2019 - September 20, 2019, September 25, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - September 30, 2019 and October 4, 2019, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Testimony - Zoning 9-18-19, Hearing Transcript - Zoning 9-18-19

This Land Use Application was Hearing on P-C Item by Comm

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This Land Use Application was P-C Item Laid Over by Comm