

COUNCIL OF THE CITY OF NEW YORK

AGENDA

OF

THE LAND USE COMMITTEE

FOR THE MEETING OF FEBRUARY 25, 2010

LEROY G. COMRIE, *Chair*, Land Use Committee

MARK WEPRIN, *Chair*, Subcommittee on Zoning and Franchises

BRAD LANDER, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

STEPHEN LEVIN, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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L.U. NOS. 28 THROUGH 32 ARE RELATED

L.U. No. 28

WEST 44TH STREET/11TH AVENUE REZONING

MANHATTAN - CB 4

N 100052 ZRM

Application submitted by the New York City Department of Housing Preservation and Development 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 6 (Special Clinton District), Borough of Manhattan, Community District.

Matter in underline is new, to be added; Matter in strike out is old, to be deleted; Matter within # # is defined in Section 12-10 (DEFINITIONS)

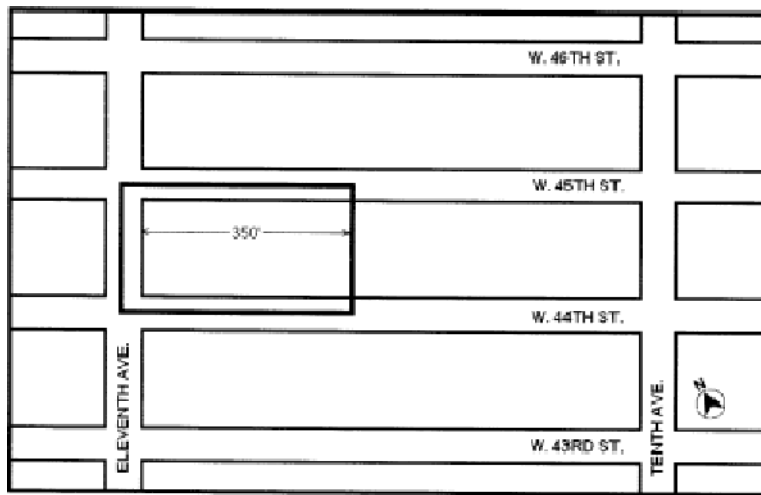
*** indicates where unchanged text appears in the Resolution

* * *

96-82

R10 Inclusionary Housing Designated Area

The R10 district in the area shown on the map in this Section shall be an #Inclusionary Housing designated area# pursuant to Section 12-10 (Definitions) for the purpose of making the Inclusionary Housing Program regulations of Section 23-90, inclusive, applicable as modified within the Special District. The provisions of paragraph (a) of Section 23-954 (Additional requirements for compensated developments) shall not apply.



* * *

APPENDIX F INCLUSIONARY HOUSING DESIGNATED AREAS

The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by #bulk# regulations of such #residence districts#.

* * *

In addition, the following special purpose districts contain #Inclusionary Housing designated areas#, as set forth within the special purpose district:

Special 125th Street District – see Section 97-42 1 (Inclusionary Housing)

Special Clinton District – see Sections 96-81 (C6-3X Designated District) and 96-82 (R10 Inclusionary Housing Designated Area)

Special Coney Island District – see Section 131-321 (Special floor area regulations for residential uses)

Special Downtown Jamaica District – see Section 115-211 (Special Inclusionary Housing Regulations)

Special Garment Center District – see Section 93-23 (Modifications of Inclusionary Housing Program)

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L.U. No. 29
WEST 44TH STREET/11TH AVENUE REZONING
MANHATTAN - CB 4 **C 100051 ZMM**

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 an amendment of the Zoning Map, Section No. 8c:

1. changing from an M1-5 District to an R8 District property bounded by West 45th Street, the easterly boundary line of a Railroad Right-Of-Way, West 44th Street, and a line 450 feet westerly of Tenth Avenue;
2. changing from an M1-5 District to an R10 District property bounded by West 45th Street, a line 450 feet westerly of Tenth Avenue, West 44th Street, and Eleventh Avenue;
3. establishing within the proposed R8 District a C2-5 District bounded by West 45th Street, the easterly boundary line of a Railroad Right-Of-Way, West 44th Street, and a line 450 feet westerly of Tenth Avenue; and
4. establishing within the proposed R10 District a C2-5 District bounded by West 45th Street, a line 450 feet westerly of Tenth Avenue, West 44th Street, and Eleventh Avenue;

as shown on a diagram (for illustrative purposes only) dated August 17, 2009.

L.U. No. 30
WEST 44TH STREET/11TH AVENUE REZONING
MANHATTAN - CB 4 **C 100053 ZSM**

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 74-681(a)(1) of the Zoning Resolution to allow that portion of the railroad or transit right-of-way which will be completely covered over by a permanent platform to be included in the lot area in connection with a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44th Street a.k.a. 508-558 West 45th Street (Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5 and R10/C2-5 Districts, within the Special Clinton District (Excluded Area).

L.U. No. 31
WEST 44TH STREET/11TH AVENUE REZONING
MANHATTAN - CB 4 **C 100054 ZSM**

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 the following Sections of the Zoning Resolution:

1. Section 74-743(a)(1) to allow the distribution of open space without regard for zoning district boundaries; and
2. Section 74-743(a)(2) to modify the rear yard regulations of Sections 23-532 (Required rear yard equivalents) and 33-283 (Required rear yard equivalents), to modify the height and setback regulations of Sections 23-632 (Front setbacks in districts where front yards are not required), 33-43 (Maximum Height of Walls and Required Setbacks), 35-62 (Maximum Height of Wall in Initial Setback Distance) and 23-663 (Street wall location and height and setback regulations in certain districts), and to modify the minimum required distance between two or more buildings regulations of Section 23-711 (Standard minimum distance between buildings);

to facilitate a proposed mixed-use development on property located at 592-608 Eleventh Avenue a.k.a. 507-533 West 44th Street a.k.a. 508-558 West 45th Street

(Block 1073, Lot 1), within a General Large Scale Development, in R8/C2-5

and R10/C2-5 Districts, within the Special Clinton District (Excluded Area), in a general large-scale development.

L.U. No. 32

WEST 44TH STREET/11TH AVENUE REZONING

MANHATTAN - CB 4

C 100055 HAM

Application submitted by the 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 property located at 592-608 11th Avenue, 507- 553 West 44th Street and 508-558 West 45th Street (Block 1073, p/o Lot 1), 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 a portion of Lot 1, Block 1073, to a developer to be selected by HPD;

to facilitate the development of mixed-use buildings of varying heights, tentatively known as West 44th Street and 11th Avenue.

L.U. No. 33

LOVELY DAY

MANHATTAN CB - 2

20105118 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Cantaloupe LLC, d/b/a Lovely Day, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 196th Elizabeth Street.

L.U. No. 34

IVY'S BISTRO

MANHATTAN CB - 1

20105167 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Ivy's Bistro LLC, d/b/a Ivy's Bistro, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 385 Greenwich Street.

L.U. No. 35

TARGEE STREET PRIMARY SCHOOL

STATEN ISLAND CB - 2

20105061 SCR

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 844-Seat Primary School Facility, to be located at 1034-1050 Targee Street between Venice Avenue and Ralph Place (Block 3168, Lots 4, 20, and 195), Borough of Staten Island, Community School District No. 31.

L.U. No. 36

P.S. 51 (REPLACEMENT)

MANHATTAN CB - 4

20105081 SCM

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 630-Seat Primary/Intermediate School Facility (P.S. 51 Replacement), to be located at 515-533 West 44th Street (Block 1073, Lot 1 in part), Borough of Manhattan, Community School District No. 2.

L.U. NOS. 19 AND 20

Proposals subject to Council review and action pursuant to the Urban Development

Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the projects from real property taxes pursuant to Section 577 of the Private Housing Finance Law for L.U. No. 20; and pursuant to Section 696 of the General Municipal Law for L.U. No. 19.

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
19	20105186 HAK	64 Harman Street 1231 Putnam Avenue 69 Cornelia Street Brooklyn	3285/22 3368/51 3374/57	Asset Control Area	4	Section 696
<i>Laid over from meeting of Subcommittee on Planning, Disposition and Concessions on October 26, 2009, November 17, 2009, November 23, 2009, December 1, 2009, December 15, 2009, January 26, 2010 and February 8, 2010.</i>						
20	20105213 HAM	342 E. 100 th Street Manhattan	1671/30	Tenant Interim Lease	11	Section 577
<i>Laid over from meeting of Subcommittee on Planning, Dispositions and Concessions on December 1, 2009, December 15, 2009, January 26, 2010 and February 8, 2010.</i>						