

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Tuesday, December 10, 2013**

**9:30 AM**

**250 Broadway - Committee Rm, 16th Fl.**

### **Subcommittee on Zoning and Franchises**

*Mark S. Weprin, Chair*

*Members: Leroy G. Comrie, Jr., Daniel R. Garodnick, Robert Jackson,  
Jessica S. Lappin, Diana Reyna, Joel Rivera,  
Albert Vann, Vincent M. Ignizio and Ruben Wills*

**Present:** Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

*Other Council Members Attending: Cabrera, Ulrich and Koppell*

LU 0993-2013

**Application No. C 140079 ZMQ submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 18a, 18b, 18c and 18d, to rezone all or portions of approximately 530 blocks in Ozone Park, Borough of Queens, Community Board Nos. 9 and 10, Council Districts 28 and 32.**

**Attachments:** Application No. C 140079 ZMQ - Ozone Park Rezoning - Zoning Map Section Nos 18a, 18b, 18c and 18d, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12/10/13, Hearing Transcript - Zoning 12-10-13, Committee Report, Resolution, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Attachments:** Application No. C 140079 ZMQ - Ozone Park Rezoning - Zoning Map Section Nos 18a, 18b, 18c and 18d, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12/10/13, Hearing Transcript - Zoning 12-10-13, Committee Report, Resolution, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0951-2013

**Application No. C 080322 ZMK submitted by Forest Lots, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing the zoning from M1-1 to R6A, R7A, R6A/C2-4 and R7A/C2-4 and from M3-1 to M1-2 and establishing C2-4 District with the proposed R6A and R7A districts, for approximately five and a half blocks in the Borough of Brooklyn, Community District 4, Council District 34.**

**Attachments:** Land Use Calendar - Week of November 11, 2013 - November 15, 2013, Relocation of the Subcommittee Meetings, Reconvening of the Recessed Subcommittee Meeting, Land Use Calendar - Week of November 18, 2013 - November 22, 2013, Hearing Testimony - Zoning 11-12-13, Hearing Transcript - Zoning 11-12-13, Hearing Transcript - Zoning 11-13-13, Deferral of Subcommittee Meeting, Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Committee Report, Resolution, Hearing Testimony - Zoning 12-5-13, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of November 11, 2013 - November 15, 2013, Relocation of the Subcommittee Meetings, Reconvening of the Recessed Subcommittee Meeting, Land Use Calendar - Week of November 18, 2013 - November 22, 2013, Hearing Testimony - Zoning 11-12-13, Hearing Transcript - Zoning 11-12-13, Hearing Transcript - Zoning 11-13-13, Deferral of Subcommittee Meeting, Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Committee Report, Resolution, Hearing Testimony - Zoning 12-5-13, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0952-2013

**Application No. N 110179 ZRK submitted by Forrest Lots, LLC pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, concerning APPENDIX F (Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts in the Borough of Brooklyn, Community District 4, Council District 34.**

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**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 approved by Roll Call.**

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

**LU 0953-2013**      **Application no. C 070250 MMK submitted by Forrest Lots, LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City map to re-establish Stanwix Street between Montieth Street and Forest Street, and Noll Street between Stanwix Street and Evergreen Street, in the Borough of Brooklyn, Community District 4, Council District 34. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

**Attachments:** Land Use Calendar - Week of November 11, 2013 - November 15, 2013, Relocation of the Subcommittee Meetings, Reconvening of the Recessed Subcommittee Meeting, Land Use Calendar - Week of November 18, 2013 - November 22, 2013, Hearing Testimony - Zoning 11-12-13, Hearing Transcript - Zoning 11-13-13, Hearing Transcript - Zoning 11-12-13, Deferral of Subcommittee Meeting, Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Committee Report, Resolution, Hearing Testimony - Zoning 12-5-13, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

**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 approved by Roll Call.**

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0961-2013

**Application No. C 140047 ZSK submitted by Waterview at Greenpoint LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-836 of the Zoning Resolution to modify the height and setback requirements of Section 62-341 (Developments on land and platforms) and Section 62-354 (Special height and setback regulations) in connection with a proposed mixed-use development on property located at 77 Commercial Street (Block 2472, Lot 410), in R6 and R6/C2-4 Districts, in the Borough of Brooklyn, Community District 1, Council District 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Hearing Testimony - Zoning 12-5-13, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 19, 2013, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-10-13 (Con't)

**This Land Use Application was Hearing Held by Committee**

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**This Land Use Application was Laid Over by Subcommittee**

LU 0962-2013

**Application No. N 140046 ZRK submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution, concerning Section 11-13 (Public Parks) and Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), relating to the development of parkland, in the Borough of Brooklyn, Community District 1, Council District 33.**

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**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Hearing Testimony - Zoning 12-5-13, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 19, 2013, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-10-13 (Con't)

**This Land Use Application was Laid Over by Subcommittee**

LU 0963-2013

**Application No. N 140048 ZAK submitted by Waterview at Greenpoint LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 77 Commercial Street (Block 2472, Lot 410), in R6 and R6/C2-4 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 3), in the Borough of Brooklyn, Community District 1, Council District 33. This application is subject to review of the Council only if called up by a vote of the Council pursuant to 62-822(a) of the NYC Zoning Resolution.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Hearing Testimony - Zoning 12-5-13, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 19, 2013, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-10-13 (Con't)

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**This Land Use Application was Laid Over by Subcommittee**



**LU 0964-2013**      **Application No. C 140035 ZSX submitted by KNIC Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41(b) of the Zoning Resolution to allow an indoor arena with a maximum seating capacity of 5,800 seats located within 200 feet of a Residence District, and to allow the modifications of the sign provisions of Sections 32-64 (Surface Area and Illumination Provisions) and 32-655 (Height of Signs in all other Commercial Districts), and the loading provisions of Section 36-62 (Required Off-Street Loading Berths), in connection with the conversion of an existing building (Kingsbridge Armory), on property located at 29 West Kingsbridge Road (Block 3247, Lot 10 and p/o Lot 2), in the Borough of the Bronx, Community District 7, Council District 14. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

**LU 0965-2013      Application No. C 140033 ZMX submitted by KNIC Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 3c, changing from an R6 District to a C4-4 District property bounded by West 195th Street, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue, in the Borough of the Bronx, Community District 7, Council District 14.**

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

**LU 0966-2013      Application No. N 140034 ZRX submitted by KNIC partners, LLC pursuant to Section 201 of the New York City Charter, for an amendment of Zoning Resolution Section 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions) to allow by a special permit an indoor arena with a rated capacity in excess of 2,500 persons, but not greater than 6,000 persons, to be located within 200 feet of a residential district, and modifications of certain signage and loading berth requirements, in the Borough of the Bronx, Community District 7, Council District 14.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0967-2013

**Application No. C 140036 PPX submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o Lot 2), in the Borough of the Bronx, Community District 7, Council District 14. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

**LU 0975-2013**      **Application no. 20145095 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of PQ 550 Hudson Inc, d/b/a Le Pain Quotidien, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 550 Hudson Street, in the Borough of Manhattan, Community District 2, Council District 3. 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 11.20b of the Council and §20-226(e) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

**LU 0988-2013**      **Application No. C 140001 ZMM submitted by the NYC Department of Housing Preservation and Development, 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 R8A District to an R8 District property bounded by West 19th Street and West 18th Street, in the Borough of Manhattan, Community District 4, Council District 3.**

**Attachments:** Land Use Calendar - Week of December 2, 2013 - December 6, 2013, Land Use Calendar - December 10, 2013, Hearing Testimony - Zoning 12-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Land Use 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't)

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills