



COUNCIL OF THE CITY OF NEW YORK

**AGENDA
OF
THE LAND USE COMMITTEE
FOR THE MEETING OF AUGUST 24, 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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**AGENDA
OF THE
LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at **10:00 A.M. on Tuesday, August 24, 2010**, and will consider the following items and conduct such other business as may be necessary:

PRECONSIDERED L.U. NO.

665 SEAT PRIMARY/INTERMEDIATE SCHOOL

QUEENS CB - 2

20085696 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 665-Seat Primary/Intermediate School Facility, to be located at the southwest corner of 46th Avenue and 5th Street (Block 21, Lot 30 in portion), Borough of Queens, Community School District No. 30.

PRECONSIDERED L.U. NO.

CYPRESS VILLAGE II

BROOKLYN CB - 5

20115135 HAK

Application submitted by the New York City Department of Housing Preservation and Development for Council approval, pursuant to Article 16 of the General Municipal Law, for modifications to a previously approved Urban Development Action Area Project located at 371 Van Sicken Avenue in Council District No. 37.

L.U. NOS. 159-163 ARE RELATED

**L.U. No. 159
15 PENN PLAZA**

MANHATTAN CB - 5

C 100047 ZMM

Application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d, by changing from a C6-4.5 District to a C6-6 District property bounded by West 33rd Street, a line 150 feet westerly of Avenue of the Americas, West 32nd Street, and a line 200 feet easterly of Seventh Avenue - Fashion Avenue, as shown on a diagram (for illustrative purposes only) dated February 8, 2010.

**L.U. No. 160
15 PENN PLAZA**

MANHATTAN CB - 5

N 100048 ZRM

Application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article VIII, Chapter 1 (Special Midtown District) relating to the applications for modification of height and setback and mandatory plan elements for the 15 Penn Plaza proposal.

**L.U. No. 161
15 PENN PLAZA**

MANHATTAN CB - 5

C 100049 ZSM

Application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 8 1-066(b) and 81-254 of the Zoning Resolution to modify:

1. the height and setback regulations of Section 81-27 (Alternative Height and Setback Regulations - Daylight Evaluation); and
2. the Mandatory District Plan Elements of Sections 8 1-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity Along Designated Streets), 81-45 (Pedestrian Circulation Space), 81-47 (Major Building Entrances), and the design standards for pedestrian circulation spaces of Section 37-53(f) (Sidewalk Widening);

in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District, within the Special Midtown District (partially within the Penn Center Subdistrict).

L.U. NO. 162
15 PENN PLAZA

MANHATTAN CB - 5

C 100050 ZSM

Application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 8 1-541 and 74-634 of the Zoning Resolution to allow a floor area bonus not to exceed 20 percent of the basic maximum floor area ratio permitted by the underlying district regulations for subway station and/or rail mass transit facility improvements, in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District, within the Special Midtown District (partially within the Penn Center Subdistrict).

L.U. NO. 163
15 PENN PLAZA

MANHATTAN CB - 5

C 100237 PQM

Application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of permanent easements bounded by Sixth and Seventh avenues, West 32nd and West 33rd streets (Block 808, Lots 40, 1001 and 1002), to facilitate the construction of transit entrances, a below-ground pedestrian passageway, and other mass transit improvements.

L.U. NO. 164
WILLIAM ULMER BREWERY

BROOKLYN CB - 4

20105715 HKK (N 100417 HKK)

Designation (List No. 429/LP No. 2280) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the William Ulmer Brewery, located at 31 Belvidere Street (Block 3135, Lot 34), 71-83 Beaver Street (Block 3135, Lot 27), 35-43 Belvidere Street (Block 3135, Lot 27), and 26-28 Locust Street (Block 3135, Lot 16), as an historic landmark.

L.U. No. 165
SOHO CAST-IRON HISTORIC DISTRICT EXTENSION
MANHATTAN CB - 2 **20105716 HKM (N 100418 HKM)**

Designation (List No. 429/LP No. 2362) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the SoHo Cast-Iron Historic District Extension.

L.U. No. 166
GROOVE
MANHATTAN CB - 2 **20105571 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Groove Enterprises, Inc., d/b/a Groove, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 125 Macdougall Street.

L.U. No. 167
SMORGAS CHEF
MANHATTAN CB - 2 **20105585 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 283 West 12th Street.

L.U. No. 168
WATAWA
QUEENS CB - 1 **20105611 TCQ**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Watawa, Inc., for a revocable consent to modify, maintain and operate an unenclosed sidewalk café at 33-10 Ditmars Boulevard.

RES. NO. 191

MOBILE TELECOMMUNICATIONS SERVICES

CITYWIDE

20105618 GFY

Proposed authorizing resolution submitted by the Mayor pursuant to Section 363 of the Charter for the granting of franchises for installation of telecommunications equipment and facilities on, over and under the inalienable property of the City in connection with the provision of mobile telecommunications services.

PRECONSIDERED L.U. NOS.

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 Non-ULURP No. 20115133 HAK; and pursuant to Section 696 of the General Municipal Law for Non-ULURP No. 20115131 HAX.

| L.U. No. | Non-ULURP No. | Address | Block/Lot | Program | CB | Tax Exemption |
|----------|---------------|-------------------------------|-----------|-----------------------|----|---------------|
| Pre. | 20115131 HAX | 1341 Chisholm Street Bronx | 2971/28 | Asset Control Area | 03 | Section 696 |

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|-------------|--------------|---------------------------------|--------|--------|----|-------------|
| Pre. | 20115133 HAK | 31 St. Mark's Place Brooklyn | 389/57 | Rehab. | 02 | Section 577 |
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| Pre. | 20115134 HAK | 315 Jerome Street 521 Linwood Street 525-27 Linwood Street 535 Linwood Street Brooklyn | 3998/6 4035/115 4035/13 4035/113 | Low Income Rental | 05 | |
|-------------|--------------|--|---|----------------------|----|--|