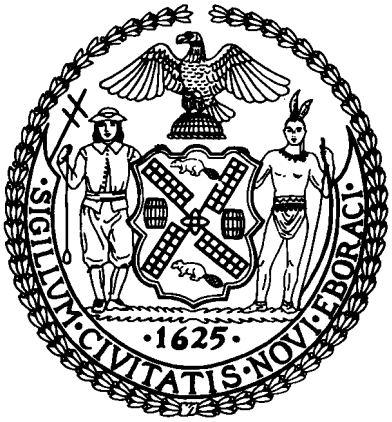


COUNCIL OF THE CITY OF NEW YORK

AGENDA
OF
THE LAND USE COMMITTEE
FOR THE MEETING OF DECEMBER 10, 2013

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

http://legistar.council.nyc.gov/Calendar.aspx

AGENDA
OF THE
LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the **Council Committee Room, 250 Broadway, 16th Floor,** New York City, New York 10007, commencing at **10:00 A.M. on Tuesday, December 10, 2013**, and will consider the following items and conduct such other business as may be necessary:

PRECONSIDERED L.U. NO.
OZONE PARK REZONING
QUEENS CB's - 9 & 10 C 140079 ZMQ

Application by the New York City Department of City Planning pursuant to Section 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, encompassing portions of Community Board Nos. 9 and 10, Borough of Queens, in the area generally bounded by Rockaway Boulevard, Atlantic Avenue and 101st Avenue to the north; the Van Wyck Expressway and Lefferts Boulevard to the east; the Belt Parkway to the south; and the Brooklyn borough line to the west, see Council Website - **http://legistar.council.nyc.gov/Calendar.aspx** for further information.

L.U. No. 975
LE PAIN QUOTIDIEN

Public Hearing held on December 5, 2013 and laid over from the meeting of the Subcommittee on Zoning and Franchises on December 5, 2013.

MANHATTAN CB - 2 20145095 TCM

Application pursuant to Section 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.

L.U. NOS. 951 THROUGH 953 ARE RELATED

Public Hearing held on November 12, 2013 and laid over from the meetings of the Subcommittee on Zoning and Franchises on November 12, 2013, November 21, 2013, and December 5, 2013.

L.U. NO. 951

RHEINGOLD REZONING AND TEXT AMENDMENT

BROOKLYN CB - 4 C 080322 ZMK

Application submitted by Forrest 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:

1. changing from an M1-1 District to an R6A District property bounded by:

    a. Flushing Avenue, Bushwick Avenue, the southwesterly centerline prolongation of Forrest Street, Garden Street, a line 100 feet southeasterly of Flushing Avenue, and Beaver Street;

    b. a line midway between Flushing Avenue and Montieth Street, a line 100 feet southwesterly of Stanwix Street, Forrest Street, and a line 100 feet northeasterly of Bushwick Avenue; and

    c. a line 100 feet southeasterly of Noll Street, a line 100 feet southwesterly of Evergreen Avenue, Melrose Street, and Stanwix Street;

2. changing from an M1-1 District to an R7A District property bounded by:

    a. Flushing Avenue, Stanwix Street, Forrest Street, a line 100 feet southwesterly of Stanwix Street, a line midway between Flushing Avenue and Montieth Street, a line 100 feet northeasterly of Bushwick Avenue, Forrest Street, and Bushwick Avenue; and

    b. Noll Street, Evergreen Avenue, Melrose Street, and a line 100 feet southwesterly of Evergreen Avenue, a line 100 feet southeasterly of Noll Street, and Stanwix Street;

3. changing from an M3-1 District to an M1-2 District property bounded by Flushing Avenue, Evergreen Avenue, Noll Street, and Stanwix Street;

4. establishing within a proposed R6A District a C2-4 District bounded by Flushing Avenue, Bushwick Avenue, the southwesterly centerline prolongation of

Forrest Street, Garden Street, a line 100 feet southeasterly of Flushing Avenue, and Beaver Street;

5. establishing within a proposed R7A District a C2-4 District bounded by:

   a. Flushing Avenue, Stanwix Street, Montieth Street, a line 100 feet southwesterly of Stanwix Street, a line midway between Flushing Avenue and Montieth Street, a line 100 feet northeasterly of Bushwick Avenue, Forrest Street, and Bushwick Avenue; and

   b. Noll Street, Evergreen Avenue, Melrose Street, and a line 100 feet southwesterly of Evergreen Avenue;

as shown on a diagram (for illustrative purposes only) dated June 3, 2013, and subject to the conditions of CEQR Declaration E-315.

L.U. NO. 952
RHEINGOLD REZONING AND TEXT AMENDMENT
BROOKLYN CB - 4 N 110179 ZRK

Application submitted by Forrest Lots, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning APPENDIX F Inclusionary Housing Designated Areas), relating to the application of the Inclusionary Housing Program to proposed R6A and R7A Districts.

Matter in <u>underline</u> 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

* * *

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#.

Where #Inclusionary Housing Designated Areas# are mapped in #Commercial districts#, the residential district equivalent has instead been specified for each map.

Table of #Inclusionary Housing Designated Areas# by Zoning Map

Zoning Map	**Community District**	**Inclusionary Housing Map**
1d	Bronx CD 7	Map 1
3b	Bronx CD 4	Map 1
3c	Bronx CD 6	Maps 1-3
3c	Bronx CD 7	Map 1
3d	Bronx CD 3	Map 1
3d	Bronx CD 6	Maps 2-5
5d	Manhattan CD 7	Map 1
6a	Manhattan CD 9	Map 1, Map 2
6a	Manhattan CD 10	Map 1
6a	Manhattan CD 11	Map 1
6a	Bronx CD 1	Map 1
6a	Bronx CD 4	Map 1
6b	Manhattan CD 10	Map 1
6b	Manhattan CD 11	Map 1
8b	Manhattan CD 4	Map 1
8c	Manhattan CD 4	Map 2
8c	Manhattan CD 7	Map 2
8d	Manhattan CD 4	Map 3, Map 4
8d	Manhattan CD 5	Map 1
8d	Manhattan CD 6	Map 1
8d	Queens CD 2	Map 3
9a	Queens CD 1	Map 1
9b	Queens CD 1	Map 2
9b	Queens CD 2	Map 1
9d	Queens CD 2	Map 1, Map 2
12a	Manhattan CD 1	Map 1
12a	Manhattan CD 2	Map 1
12c	Manhattan CD 3	Map 1
12c	Brooklyn CD 1	Map 1, Map 2
12d	Brooklyn CD 1	Map 2, Map 3

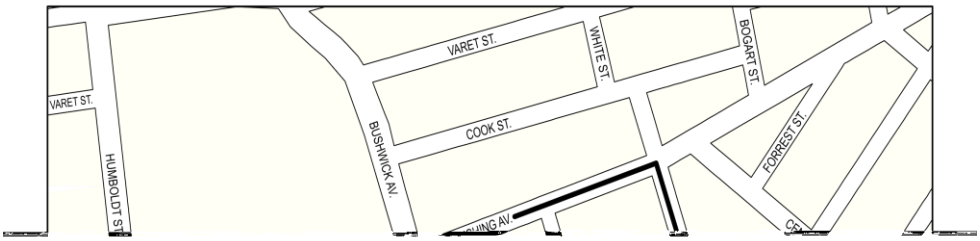
12d	Brooklyn CD 2	Map 1, Map 4
12d	Brooklyn CD 3	Map 3
13a	Brooklyn CD 1	Map 1, Map 2
13b	Brooklyn CD 1	Map 2, Map 4
13b	Brooklyn CD 3	Maps 3-5
13b	Brooklyn CD 4	Map 1
14d	Queens CD 8	Map 1
14d	Queens CD 12	Map 1
16b	Brooklyn CD 7	Map 2
16c	Brooklyn CD 2	Map 1-3
16c	Brooklyn CD 3	Map 1
16c	Brooklyn CD 6	Map 1
16c	Brooklyn CD 8	Map 1
16d	Brooklyn CD 7	Map 1
16d	Brooklyn CD 8	Map 1
16d	Brooklyn CD 14	Map 2
17a	Brooklyn CD 3	Map 1-5
17a	Brooklyn CD 8	Map 1
17b	Brooklyn CD 8	Map 1
17b	Brooklyn CD 14	Map 2
22a	Brooklyn CD 7	Map 2
22c	Brooklyn CD 7	Map 2
22c	Brooklyn CD 14	Maps 1-3
23a	Brooklyn CD 14	Map 2
28d	Brooklyn CD 13	Map 1

* * *

Brooklyn, Community District 4

In the R6A and R7A Districts within the area shown on the following Map 1:

Map 1.



Portion of Community District 4, Brooklyn

* * *

L.U. NO. 953
RHEINGOLD REZONING AND TEXT AMENDMENT
BROOKLYN CB - 4 C 070250 MMK

Application 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 involving:

- the establishment of Stanwix Street between Montieth Street and Forrest Street;
- the establishment of Noll Street between Stanwix Street and Evergreen Avenue;
- the extinguishment of a sewer easement; and
- the modification and adjustment of block dimensions and grades;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2722 dated June 9, 2010 and signed by the Borough President.

* * *

L.U. No. 967
KINGSBRIDGE NATIONAL ICE CENTER

BRONX CB - 7 **C 140036 PPX**

Application 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), restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 74-41(b) Special Permit.

L.U. NOS. 971 THROUGH 974 AND 990 ARE RELATED

Public Hearing held on December 5, 2013 and laid over from the meeting of the Subcommittee on Planning, Dispositions, and Concessions on December 5, 2013.

L.U. NO. 971
GREENPOINT LANDING

BROOKLYN CB - 1 **C 140019 HAK**

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 16 Dupont Street (Block 2494, Lot 6) and 219 West Street (Block 2472, p/o Lot 32), 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 development of a mixed-use development including affordable housing and open space.

L.U. NO. 972
GREENPOINT LANDING
BROOKLYN CB - 1 N 140028 ZRK

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 11-13 (Public Parks), Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), and 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg) relating to the development of parkland and schools.

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 1
Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-10
ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS, AND INCORPORATION OF MAPS

* * *

11-13
Public Parks

District designations indicated on #zoning maps# do not apply to #public parks#, except as set forth in Section 105-91 (Special District Designation on Public Parks) and in paragraph (c) of Section 62-351 (Special floor area regulations). In the event that a #public park# or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks and Recreation, no building permit shall be issued, nor shall any #use# be permitted on such former #public park# or portion thereof, until a zoning amendment designating a zoning

district therefore has been adopted by the City Planning Commission and has become effective after submission to the City Council in accordance with the provisions of Section 71-10 (PROCEDURE FOR AMENDMENTS).

* * *

Article IV
Chapter 2
Special Regulations Applying in the Waterfront Area

* * *

62-35
Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn

On #waterfront blocks# in #Inclusionary Housing designated areas# in Community District 1, Borough of Brooklyn, the special #bulk# regulations of this Chapter are further modified as set forth in this Section, inclusive.

62-351
Special floor area regulations

* * *

(c) Special regulations for Parcel 5e within Waterfront Access Plan BK-1

On Parcel 5e within Waterfront Access Plan BK-1, in the event that a property is #developed# as a #public park#, such property shall continue to be considered part of a #zoning lot# for the purposes of generating #residential floor area# based on the #residential floor area ratio# applicable to the property prior to its #development# as a #public park#. In no event shall the #floor area# generated

by the property #developed# as a #public park# be utilized within the #public park#, but may be utilized pursuant to Section 62-353 (Special floor area, lot coverage and residential density distribution regulations). Floor space

within any structure constructed pursuant to an agreement with the Department of Parks and Recreation within such #public park# shall be exempt from the definition of #floor area#.

(d) Special regulations for Parcel 5d within Waterfront Access Plan BK-1

On Parcel 5d within Waterfront Access Plan BK-1, up to 120,000 square feet of floor space within a public #school#, constructed in whole or in part pursuant to agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, shall be exempt from the definition of #floor area# and from #lot coverage# requirements for the purposes of calculating the permitted #floor area ratio# and #lot coverage# for #community facility uses# and the maximum #floor area ratio# and total permitted #lot coverage# of the #zoning lot#.

* * *

62-354
Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified, as follows:

* * *

(j) On Parcel 5d, the provisions of paragraphs (c)(1) and (c)(2) shall be modified for public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education, as follows:

(1) the maximum base height provisions of paragraph (c)(1) shall not apply; and

(2) the maximum #building# height provisions of paragraph (c)(2) shall be modified to permit a maximum #building# height of 100 feet or six #stories#, whichever is less.

62-355
Special yard regulations

On Parcel 5d within Waterfront Access Plan BK-1, the #yard# provisions of Section 24-36 (Minimum Required Rear Yards) shall not apply to public #schools# constructed in whole or in part pursuant to an agreement with the New York City School Construction Authority and subject to the jurisdiction of the New York City Department of Education.

* * *

62-90
WATERFRONT ACCESS PLANS

* * *

62-93
Borough of Brooklyn

* * *

62-931
Waterfront Access Plan BK-1: Greenpoint-Williamsburg

Maps BK-1a through BK-1c in paragraph (f) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on May 11, 2005, as follows:

* * *

Parcel 5a: Block 2472, Lot 100
Parcel 5b: Block 2472, Lot 32, south of the prolongation of the northern #street line# of DuPont Street

Block 2494, Lot 6

Parcel 5c: Block 2472, Lot 2
~~Block 2494, Lot 1~~

Block 2502, Lot 1
Block 2510, Lot 1
Block 2520, Lot 57

Parcel 5d: Block 2494, Lot 1

Parcel 5e: Block 2472, Lot 32, north of the prolongation of the northern #street line# of DuPont Street

Parcel 6: Block 2472, Lot 75

* * *

(d) Special public access provisions by parcel

The provisions of Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map BK-1b in paragraph (f) of this Section:

(1) Parcels 1 and 2

* * *

(4) Parcel 5b

The portion of Block 2472, Lot 32, located within Parcel 5b shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

~~(4)~~(5) Parcel 5c

(ii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided on Parcel 5c. A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway#required in Parcel 7.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, one shade tree shall be required for each 1,000 square feet of #supplemental public access area#, but in no event shall more than four shade trees be required. A shading element may be substituted for the required shade trees at a rate of 450 square feet of shade element per tree.

The total #lot area# utilized in the calculation of required #supplemental public access area# for Parcel 5c, pursuant to Section 62-57, shall include the #lot area# within Parcel 5d.

(6) Parcel 5e

The portion of Block 2472, Lot 32, located within Parcel 5e shall constitute a #zoning lot# for the purpose of applying all #waterfront public access area# and #visual corridor# provisions of Sections 62-50 through 62-90, inclusive.

~~(5)~~(7) Parcel 7

* * *

~~(6)~~(8) Parcels 9, 10 and 11

* * *

~~(7)~~(9) Parcel 13

* * *

~~(8)~~(10) Parcel 14

* * *

~~(9)~~(11) Parcel 15

* * *

~~(10)~~(12) Parcels 19, 20, 21 and 22

* * *

~~(11)~~(13) Parcel 25

* * *

~~(12)~~(14) Parcel 26

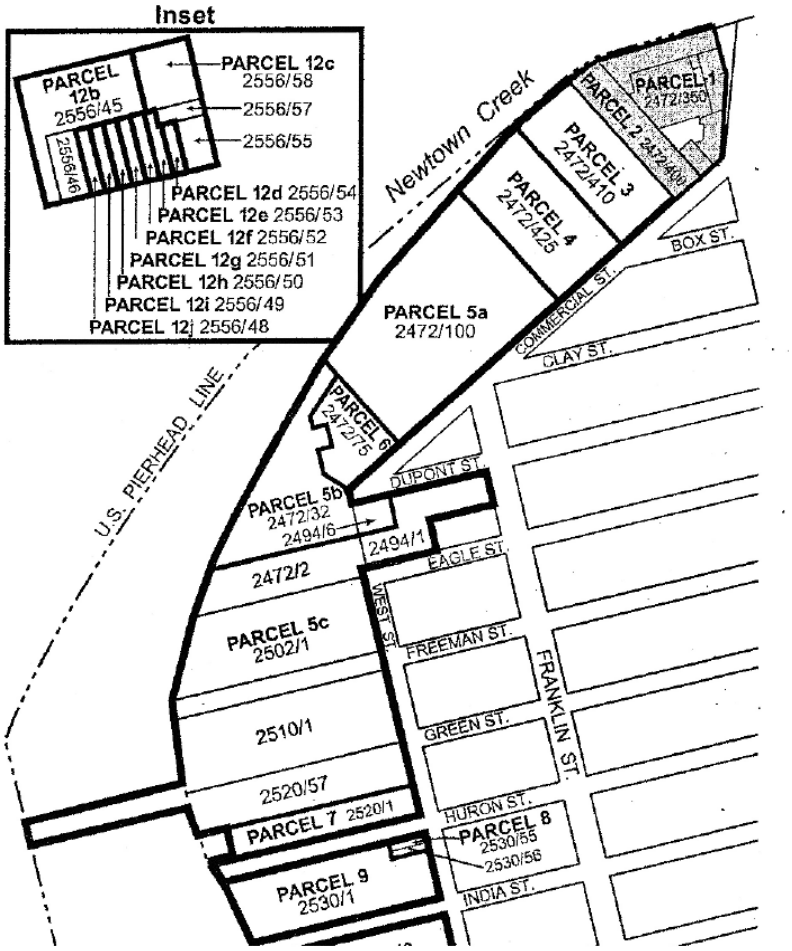
* * *

~~(13)~~(15) Parcel 27

* * *

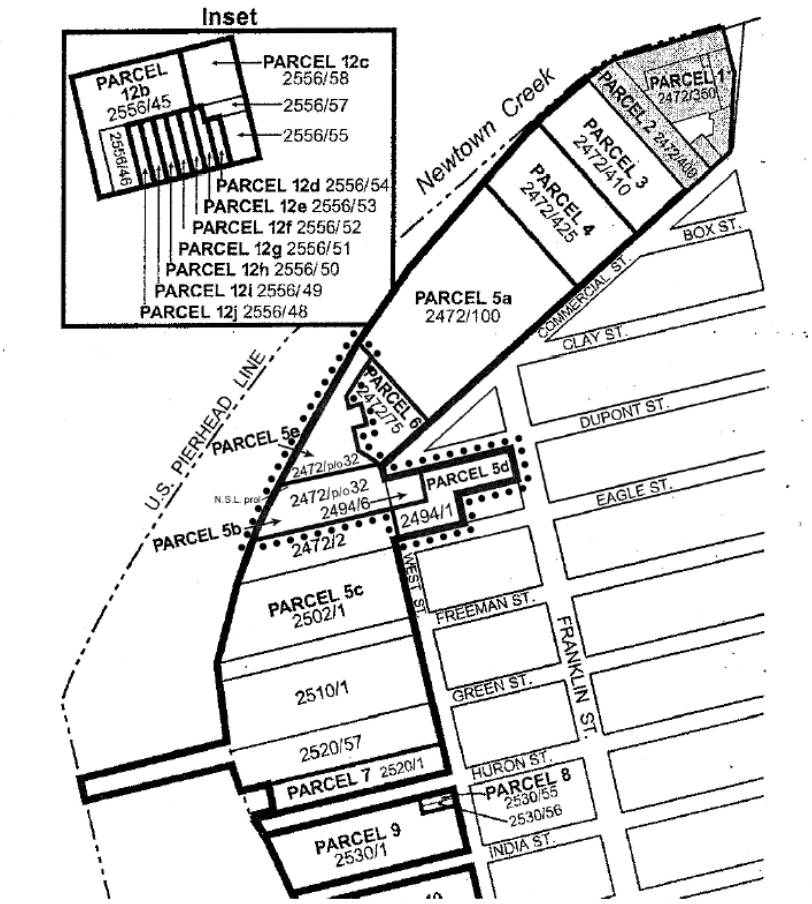
NOTE: Maps BK-1a to BK-1c to be amended to show Parcels 5d and 5e

~~Map BK-1a: PARCEL DESIGNATION~~



EXISTING (TO BE DELETED)

<u>MAP BK-1a: PARCEL DESIGNATION</u>



[Area being changed is outlined in dotted line]

PROPOSED

[Maps BK-1b and BK-1c to be changed consistent with changes to Map BK-1a shown above]

* * *

L.U. NO. 973
GREENPOINT LANDING

BROOKLYN CB - 1 **N 140022 ZAK**

Application submitted by Greenpoint Landing Associates, for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements and minimum dimensions 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 219 West Street (Zoning Lot 5b-1, Block 2472, p/o of Lot 32), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5b).

L.U. NO. 974
GREENPOINT LANDING

BROOKLYN CB - 1 **N 140020 ZAK**

Application submitted by Greenpoint Landing Associates, LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions requirements of Sections 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), and Section 62-931 (Waterfront Access Plan BK-1: Greenpoint-Williamsburg), in connection with a proposed mixed-use development on property located at 37 Commercial Street (Zoning Lot 5a, Block 2742, Lot 100), in R6/C2-4 and R8 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 5a).

L.U. NO. 990
640-SEAT PRIMARY/INTERMEDIATE SCHOOL

BROOKLYN CB - 1 **20145125 SCK**

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 640-Seat Primary/Intermediate School Facility located at the southwest corner of Franklin and Dupont Streets (Block 2494, Lot 1 in portion) in the Williamsburg section of Brooklyn, Community School District No. 14.

L.U. No. 988
FULTON HOUSES

Public Hearing held on December 5, 2013 and laid over from the meeting of the Subcommittee on Zoning and Franchises on December 5, 2013.

MANHATTAN CB - 4 **C 140001 ZMM**

Application 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 a line midway between West 19th Street and West 18th Street, and a line 450 feet westerly of Ninth Avenue, as shown on a diagram (for illustrative purposes only) dated July 8, 2013.

L.U. No. 991
503 ONDERDONK AVENUE

Public Hearing held on December 5, 2013 and laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on December 5, 2013.

QUEENS CB - 5 **20145166 HAQ**

Application submitted by the Department of Housing Preservation and Development (HPD), for approval pursuant to Section 694 of the New York General Municipal Law for an amendment to a project previously approved as a Urban Development Action Area and Project for property located at 503 Onderdonk Avenue (Block 3405, Lot 11), Borough of Queens, Council District 34.

L.U. No. 992
154-11 118TH AVENUE

Public Hearing held on December 5, 2013 and laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on December 5, 2013.

QUEENS CB - 12 **20145167 HAQ**

Application submitted by the Department of Housing Preservation and Development (HPD), for approval of a real property tax exemption pursuant to Section 696 of the New York General Municipal Law for a previously approved Urban Development Action Area and Project for property located at 154-11 118th Avenue (Block 12204, Lot 258), Borough of Queens, Council District 28.