



COUNCIL OF THE CITY OF NEW YORK

CALENDAR

OF

THE LAND USE COMMITTEE

FOR THE WEEK OF FEBRUARY 10, 2014 - FEBRUARY 14, 2014

DAVID G. GREENFIELD, *Chair*, Land Use Committee

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

PETER KOO, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

INEZ DICKENS, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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

SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **9:30 A.M. on Tuesday, February 11, 2014:**

L.U. No. 15

PIG N' WHISTLE ON 3RD

MANHATTAN CB - 6

20145204 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Belcantata Rest. Inc., d/b/a Pig N' Whistle, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 922 3rd Avenue.

L.U. No. 16

RED ROOSTER HARLEM

MANHATTAN CB - 10

20145231 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Red Rooster Harlem LLC, d/b/a Red Rooster Harlem, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 310 Malcolm X Boulevard.

L.U. No. 11
2ND AVENUE TEXT AMENDMENT

CITYWIDE

N 130232 ZRY

Application submitted by 945 Realty Holdings, 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 Article III, Chapter 2 to amend Section 32-421 to permit commercial use on the second floors of buildings in C1 and C2 districts mapped within R9 & R10 districts and in C1-8, C1-9, C2-7, & C2-8 districts.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter in # # is defined in Section 12-10;

* * * indicate where unchanged text appears in the Zoning Resolution

Article III: Commercial District Regulations

* * *

Chapter 2: Use Regulations

* * *

32-421

Limitation on floors occupied by commercial uses

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, no #commercial uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level

of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no

event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14.

~~Non #residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970 in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.~~

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-#residential uses# listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two #stories# in any #building# constructed after September 17, 1970. For #buildings# constructed in such districts prior to September 17, 1970 located in Manhattan Community District Six, such non-#residential uses# may occupy the lowest two #stories# in such #building#, provided that:

- (a) the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the second #story# has not been occupied by a #community facility use#, a #dwelling unit# or a #rooming unit#, notwithstanding the certificate of occupancy, if any, for a continuous period from May 1, 2013 until a certification has been issued pursuant to this Section; and
- (b) the second #story# of at least one other #building# on the same #block# frontage is occupied by a #use# listed in Use Groups 6, 7, 8, 9, or 14.

End Text

L.U. NOS. 12 AND 13 ARE RELATED

L.U. No. 12

NORTH CONDUIT AVENUE REZONING

QUEENS CB - 12

C 070194 ZMQ

Application submitted by Tserpes Holding LLC pursuant to Sections 197c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18d:

1. changing from an R3-2 District to a C4-2 District property bounded by 135th Avenue, 142nd Street, North Conduit Avenue, and a line 105 feet westerly of 142nd Street; and
2. changing from an R3A District to a C4-2 District property bounded by a line 40 feet northerly of North Conduit Avenue (straight line portion), a line 105 feet westerly of 142nd Street, North Conduit Avenue, and 140th Street.

as shown on a diagram (for illustrative purposes only), dated August 19, 2013, and subject to the conditions of CEQR Declaration E-319.

L.U. No. 13

NORTH CONDUIT AVENUE REZONING

QUEENS CB - 12

C 090033 MMQ

Application submitted by Tserpes Holding LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of North Conduit Avenue;
- the extinguishment of an easement north of North Conduit Avenue between 140th and 142nd Streets; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5005 dated January 23, 2009 and signed by the Borough President.

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES

The Subcommittee on Landmarks, Public Siting and Maritime Uses public hearing scheduled for **Tuesday, February 11, 2014** in the **Council Committee Room, 16th Floor, 250 Broadway**, has been **DEFERRED**.

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the **Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **1:00 P.M. on Tuesday, February 11, 2014**:

L.U. No. 14

FAIRMONT PLACE

BRONX CB - 6

20145276 HAX

Application submitted by the New York City Department of Housing Preservation and Development for Council approval of an amendment to a previously approved tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the property located at 793 Fairmont Place (Block 2955, Lot 44), in the Borough of the Bronx, Council District 15. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.

L.U. No. 17
OCEAN VILLAGE

QUEENS CB - 14

C 140077 HAQ

Application submitted by the New York City 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 57-21 Rockaway Beach Boulevard (Block 15926, part of Lot 200) 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 repair and rehabilitate the existing entrance way, planters and landscaping adjoining the Ocean Village development.



LAND USE COMMITTEE

The Land Use Committee will hold a meeting in the **Council Committee Room, 16th Floor, 250 Broadway**, New York City, New York 10007, commencing at **11:00 A.M. on Thursday, February 13, 2014**, and will consider all items reported out of the Subcommittees at the meetings held on Tuesday, February 11, 2014, and conduct such other business as may be necessary.