



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR  
OF THE**

**LAND USE COMMITTEE**

**FOR THE WEEK OF NOVEMBER 10, 2014 - NOVEMBER 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 Monday, November 10, 2014:**

### **L.U. No. 134 BARCHETTA**

**MANHATTAN CB - 4**

**20155064 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of LDV 23, LLC, d/b/a Barchetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 461 West 23rd Street.

### **L.U. No. 143 LANTERN**

**MANHATTAN CB - 6**

**20155034 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Gramercy Thai, Inc., d/b/a Lantern, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 311 Second Avenue.

**L.U. Nos. 126, 127, 128, 129, 130 AND 131 ARE RELATED**

**L.U. No. 126**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**C 140323 (A) ZSQ**

Application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedures for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of total allowable floor area under the applicable district regulations without regard for zoning lot lines;
2. Section 74-743(a)(2) - to modify the minimum distance between building requirements of Section 23-711 (Standard minimum distance between buildings), and to allow the location of buildings without regard to the yard requirements of Section 23-47 (Minimum required rear yards) and the court requirements of Section 23-85 (Inner court regulations); and
3. Section 74-743(a)(6) - to modify the requirements of Section 23-86 (Minimum distance between legally required windows and walls or lot lines);

in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3<sup>rd</sup> Street, the U.S. Pierhead and Bulkhead Line, 9<sup>th</sup> Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development, within the Halletts Point Peninsula.

**L.U. No. 127**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**C 140324 (A) ZSQ**

Application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedures 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 62-340 (Height and Setback Regulations On Waterfront Blocks) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3<sup>rd</sup> Street, the U.S. Pierhead and Bulkhead Line, 9<sup>th</sup> Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in the proposed R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development.

**L.U. No. 128**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**C 140322 ZMQ**

Application submitted by 2030 Astoria Developers, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a:

1. changing from an M1-1 District to an R7-3 District property bounded by a line 280 feet southeasterly of 3rd Street and its northeasterly prolongation, the U.S. Pierhead and Bulkhead Line, 9th Street, and 26th Avenue;
2. changing from an R6 District to an R7A District property bounded by a line 250 feet southeasterly of 4th Street, 26th Avenue, 9th Street, and a line 100 feet southwesterly of 26th Avenue;

3. changing from an R6 District to an R6B District property bounded by a line 250 feet southeasterly of 4th Street, a line 100 feet southwesterly of 26th Avenue, 9th Street, a line 240 feet southwesterly of 26th Avenue;
4. establishing within a proposed R7-3 District a C2-4 District bounded by a line 280 feet southeasterly of 3rd Street and its northeasterly prolongation, the U.S. Pierhead and Bulkhead Line, 9th Street, and 26th Avenue; and
5. establishing within a proposed R7A District a C2-4 District bounded by a line 250 feet southeasterly of 3rd Street, 26th Avenue, 9th Street, and a line 100 feet southwesterly of 26<sup>th</sup>;

as shown on a diagram (for illustrative purposes only) dated April 21, 2014 and subject to the conditions of CEQR Declaration E-343.

**L.U. No. 129**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**N 140329 (A) ZRQ**

Application submitted by 2030 Astoria Developers, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article II Chapter 3 and Appendix F, relating to Inclusionary Housing,

Matter in underline is new, to be added;

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

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

\* \* \* indicates where unchanged text appears in the Zoning Resolution

**23-90**

**INCLUSIONARY HOUSING**

\* \* \*

**Special floor area compensation provisions in specified areas**

- (a) Optional provisions for #large-scale general developments# in C4-6 or C5 Districts

\* \* \*

- (b) Special provisions for #large-scale general developments# in Community District 1 in the Borough of Queens

Special provisions shall apply to #zoning lots# within a #large-scale general development# that contains R6B, R7A and R7-3 Districts within an #Inclusionary Housing designated area#, as follows:

- (1) For #zoning lots#, or portions thereof, that are located within R6B, R7A or R7-3 Districts, the base #floor area ratio# set forth in Section 23-952 shall not apply. No #residential development# or #enlargement# shall be permitted unless #affordable floor area# is provided pursuant to the provisions of this paragraph. The amount of #low-income floor area# provided shall equal no less than 10 percent of the #floor area# on such #zoning lot#, excluding any ground floor #non-residential floor area#, #floor area# within a #school#, or any #floor area# increase resulting from the provision of a #FRESH food store#. The sum of the amount of #low-income floor area#, plus two-thirds of the amount of #moderate-income floor area#, plus half of the amount of #middle-income floor area# shall equal no less than 20 percent of the #floor area# on such #zoning lot#, excluding any ground floor #non-residential floor area#, #floor area# within a #school#, or any #floor area# increase resulting from the provision of a #FRESH food store#; and
- (2) The amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of this Section, and the amount of #moderate-income floor area# or #middle-income floor area# that may be considered #low-income floor

area# for the purposes of satisfying the #affordable floor area# required in paragraph (b)(1) of this Section, shall be determined in accordance with procedures prescribed by the City Planning Commission pursuant to the provisions of Section 74-743(Special provisions for bulk modification).

\* \* \*

~~(b)~~(c) Special provisions for #compensated zoning lots#

\* \* \*

**74-74  
Large-Scale General Development**

\* \* \*

**74-743  
Special provisions for bulk modification**

(a) For a #large-scale general development#, the City Planning Commission may permit:

\* \* \*

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

\* \* \*

~~In addition, w~~Within the former Washington Square Southeast Urban Renewal Area, within Manhattan Community District 2, where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

Within Community District 1 in the Borough of Queens, the Commission may prescribe additional conditions to ensure that the purpose of the Inclusionary Housing

program as set forth in Section 23-92 (General Provisions) is achieved in a #large-scale general development#. The Commission may establish procedures resulting in limiting the amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953, and in conjunction therewith, the Commission may also institute procedures that result in establishing an amount of #moderate-income floor area# or #middle-income floor area# that may be considered #low-income floor area# for the purposes of satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953. Any such procedures established by the Commission shall be set forth in the restrictive declaration required in connection with the grant of a special permit for such #large-scale general development#.

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

\* \* \*

## **APPENDIX F**

### **Inclusionary Housing Designated Areas**

\* \* \*





**L.U. No. 130**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**N 140325 ZAQ**

Application submitted by 2030 Astoria Developers, LLC for the grant of an authorization pursuant to Sections 62-822(a) of the Zoning Resolution to modify the location, area and minimum dimensions of waterfront public access areas and visual corridor requirements of Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) in connection with a proposed mixed use development on property generally bounded by a line 280 feet southeasterly of 3<sup>rd</sup> Street, the U.S. Pierhead and Bulkhead Line, 9<sup>th</sup> Street, and 27th Avenue (Block 906, Lots 1 and 5; Block 907, p/o Lots 1 and 8; Block 908, Lot 12; Block 909, Lot 35; portions of land underwater adjacent to Blocks 907 and 906) in R7-3/C2-4, R7A/C2-4, R6B and R6 Districts, within a large-scale general development.

**L.U. No. 131**

*Public Hearing held on October 20, 2014 and laid over from the meeting of the Subcommittee on Zoning and Franchises on October 20, 2014.*

**ASTORIA COVE DEVELOPMENT**

**QUEENS CB - 1**

**C 130384 MMQ**

Application submitted by 2030 Astoria Developers LLC pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of 8<sup>th</sup> Street between 27<sup>th</sup> Avenue and the U.S. Pierhead and Bulkhead line;
- the establishment of 4<sup>th</sup> Street from 26<sup>th</sup> Avenue to a point 438.62 feet northeasterly along the westerly street line therefrom; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5021 dated April 17, 2014 and signed by the Borough President.





**L.U. No. 137**

**THE GREEN-WOOD CEMETERY**

**BROOKLYN CB - 7**

**20155175 CCK**

Application submitted by The Green-Wood Cemetery, pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law, for approval of the acquisition of land located at 242 25<sup>th</sup> Street, Borough of Brooklyn, for non-burial purposes, Community Board 7, Council District 38.

**L.U. No. 138**

**DRAPER HALL**

**MANHATTAN CB - 11**

**20155169 HHM**

Application submitted by New York City Health and Hospitals Corporation (“HHC”), pursuant to Section 7385(6) of the HHC Enabling Act, for approval to lease 105,682 square feet of land on the campus of The Metropolitan Hospital Center, located at 1918 First Avenue, Borough of Manhattan, for development of low-income housing, Community Board 11, Council District 9.



## **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 Monday, November 10, 2014:**

### **L.U. No. 133**

#### **TIL II-SPECIAL PROJECTS**

**MANHATTAN CB - 9**

**20155113 HAM**

Application submitted by the New York City Department of Housing Preservation and Development (HPD) for Council approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at 3603 Broadway (Block 2095, Lot 31) and 3605 Broadway (Block 2095, Lot 32), in the Borough of Manhattan, Council District 7. 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. 139**

#### **890 FLUSHING AVENUE TPT**

**BROOKLYN CB - 4**

**20155062 HAK**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of Urban Development Action Area and Project and a real property tax exemption pursuant to Section 696 of the GML and Section 577 of the Private Housing Finance Law for property located at 890 Flushing Avenue (Block 3139, Lot 12), Borough of Brooklyn, Community Board 4, Council District 34. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL and Section 696 of the GML.

**L.U. No. 140**

**MORRISANIA ASSOCIATES**

**BRONX CB - 4**

**20155171 HAX**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties located at Block 2426, Lots 4, 8 and 12; Block 2432, Lot 5; Block 2433, Lots 23, 28 and 36; Block 2434, Lots 47; Block 2447, Lots 51 and 56; Block 2450, Lots 29 and 31; Block 2453, Lot 55; Block 2457, Lot 50; Block 2456, Lot 51; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of the Bronx, Community Board 4, Council District 16. 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. 141**

**MORRISANIA III ASSOCIATES**

**BRONX CB - 4**

**20155172 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 2433, Lots 23, 28 and 36; and Block 2456, Lot 51, Borough of the Bronx, Community Board 4, Council District 16.

**L.U. No. 142**

**MORRISANIA IV ASSOCIATES**

**BRONX CB - 4**

**20155173 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for approval of the termination of an existing tax exemption pursuant to Section 125 of the Private Housing Finance Law (PHFL) and, pursuant to PHFL Section 123(4), to consent to the voluntary dissolution of the current owner of properties located at Block 2453, Lot 55; Block 2457, Lot 50; Block 2816, Lots 1 and 70; Block 2831, Lot 32, Borough of the Bronx, Community Board 4, Council District 16.

## **LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the **Committee Room, City Hall, New York City, New York 10007**, commencing at **11:00 A.M. on Wednesday, November 12, 2014**, and will consider all items reported out of the Subcommittees at the meetings held on Monday, November 10, 2014, and conduct such other business as may be necessary.