



**COUNCIL OF THE CITY OF NEW YORK**

**REVISED CALENDAR  
OF THE**

**LAND USE COMMITTEE**

**FOR THE WEEK OF NOVEMBER 28, 2016 - DECEMBER 2, 2016**

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

**DONOVAN J. RICHARDS**, *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, 16<sup>th</sup> Floor**, New York City, New York 10007, commencing at **9:30 A.M., Thursday, December 1, 2016:**

### **L.U. Nos. 506, 507, 508, 509, 510 AND 511 ARE RELATED**

*The public hearing on these items was held and **closed** on November 1, 2016*

*These items were laid over by the Subcommittee on*

*Zoning and Franchises*

### **L.U. No. 506**

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT  
MANHATTAN - CB 2 N 160308 ZRM**

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, relating to Article VIII, Chapter 9 (Special Hudson River Park District) to establish the Special Hudson River Park District within Community District 2, Borough of Manhattan.

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 I: GENERAL PROVISIONS**

### **Chapter 1 - Title, Establishment of Controls and Interpretation of Regulations**

\* \* \*

**11-122**

**Districts established**

\* \* \*

## Special Purpose Districts

\* \* \*

### Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

### Establishment of the Special Hudson River Park District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 9, the #Special Hudson River Park District# is hereby established.

### Establishment of the Special Hudson Square District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 8, the #Special Hudson Square District# is hereby established.

\* \* \*

## Chapter 2 – Construction of Language and Definitions

### 12-10

#### DEFINITIONS

\* \* \*

#### Special Hillside Preservation District

The “Special Hillside Preservation District” is a Special Purpose District mapped in Staten Island designated by the letters “HS” in which special regulations set forth in Article XI, Chapter 9, apply.

#### Special Hudson River Park District

The “Special Hudson River Park District” is a Special Purpose District designated by the letters “HRP” in which special regulations set forth in Article VIII, Chapter 9, apply.

## Special Hudson Square District

The “Special Hudson Square District” is a Special Purpose District designated by the letters “HSQ” in which special regulations set forth in Article VIII, Chapter 8, apply.

\* \* \*

## Article VIII: SPECIAL PURPOSE DISTRICTS

### Chapter 9: Special Hudson River Park District

#### 89-00

#### GENERAL PURPOSES

The “Special Hudson River Park District” established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include, among others, the following specific purposes:

- (a) facilitate the repair and rehabilitation of piers, bulkheads and infrastructure within Hudson River Park, and to facilitate their maintenance and development, through the transfer of development rights within the Special Hudson River Park District;
- (b) promote an appropriate range of uses that complements Hudson River Park and, to the extent housing is included, to serve residents of varied income levels; and
- (c) promote the most desirable use of land and development in this area and thus to conserve the value of land and buildings and thereby protect the City’s tax revenues.

## **89-01**

### **General Provisions**

The provisions of this Chapter shall apply within the #Special Hudson River Park District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

## **89-02**

### **Definitions**

For the purposes of this Section, matter in italics is defined in Section 12-10 (DEFINITIONS) or within this Section.

#### Granting site

Within the #Special Hudson River Park District#, the “granting site” is a #zoning lot#, within the area identified as “A1” on the map in the Appendix to this Chapter, upon which development is regulated by contract, lease, covenant, declaration or otherwise to assure compliance with the purposes of this Special District and from which #floor area# may be transferred.

#### Receiving site

Within the #Special Hudson River Park District#, the “receiving site” is a #zoning lot#, within the area identified as “A2” on the map in the Appendix to this Chapter, to which #floor area# of the #granting site# may be transferred.

## **89-03**

### **District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Hudson River Park District# Plan. The District Plan includes the map, “Special Hudson River Park

District” in the Appendix to this Chapter which is hereby incorporated and made part of this Resolution for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

## **89-10**

### **USE AND BULK REGULATIONS**

The #use# and #bulk# regulations applicable to the #receiving site# shall be modified as follows:

(a) C6-4 Districts

The #use# and #bulk# regulations of the C6-4 District shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M1-5 District shall apply.

(b) C6-3 and M1-5 Districts

The #use# and #bulk# regulations of the C6-3 and M1-5 Districts shall not apply. In lieu thereof, the #use# and #bulk# regulations of an M2-4 District shall apply.

However, on a #receiving site#, for any #development#, #enlargement# or #conversion# that is the subject of a special permit granted by the City Planning Commission pursuant to Section 89-21 (Transfer of Floor Area from Hudson River Park), the #use# and #bulk# regulations of the underlying C6-3, C6-4 or M1-5 District shall only apply to such approved #development#, #enlargement# or #conversion#.

## **89-20**

### **SPECIAL PERMITS**

## **89-21**

### **Transfer of Floor Area from Hudson River Park**

The City Planning Commission may permit a transfer of #floor area# from a #granting site# to a #receiving site#, may permit distribution of total allowable #floor area# of a #receiving site# without regard for zoning district boundaries, may permit that such #receiving site# be treated as a single #zoning lot# for all purposes of this Resolution,

and may modify #bulk# regulations for a #development#, #enlargement# or #conversion# located on such #receiving site#.

**(a) Application requirements**

All applications for a special permit pursuant to this Section shall include the following:

- (1) a survey of the #granting site# illustrating existing #buildings# to remain on the #granting site# and zoning calculations indicating the #floor area# on the #granting site# and within such #buildings#;
- (2) a survey of the #receiving site# and a site plan illustrating the proposed #development#, #enlargement# or #conversion# on such lot, and associated zoning calculations demonstrating compliance with the conditions and limitations set forth in this special permit;
- (3) drawings that illustrate any proposed #bulk# modifications for the proposed #development#, #enlargement# or #conversion# on the #receiving site#; and
- (4) a statement from the Hudson River Park Trust identifying improvements to be made to Hudson River Park, and indicating that the transfer of #floor area# pursuant to this Section, in combination with any other available funding, would be sufficient, according to the Trust's estimate, to complete such identified improvements.

**(b) Conditions and limitations**

All applications for a special permit pursuant to this Section shall comply with the following conditions:

- (1) the maximum #floor area# that may be transferred from the #granting site# shall be the maximum #floor area# permitted for the #granting site# under the applicable district regulations if it were undeveloped, less the #floor

area# of all #buildings# on such #granting site#;

- (2) the increase in #floor area# on the #receiving site# allowed by the transfer of #floor area# to such #receiving site# shall in no event exceed 20 percent of the maximum #floor area# permitted on such #receiving site# by the underlying district;
- (3) the transfer, once completed, shall irrevocably reduce the amount of #floor area# that can be utilized by the #granting site# by the amount of #floor area# transferred;
- (4) the #granting site# and location of identified improvements to be made to the Hudson River Park in connection with the proposed transfer of #floor area# are located in the same Community District as the #receiving site#, or within one-half mile of the #receiving site#;
- (5) if the proposed #development#, #enlargement# or #conversion# on the #receiving site# includes #residential floor area#, it shall provide #affordable housing# in accordance with Section 23-90 (Inclusionary Housing);
- (6) the portion of the #receiving site# located over West Houston Street shall not generate #floor area#, and no #floor area# shall be located directly above West Houston Street; and
- (7) the height and setback requirements of the applicable district shall apply to the portions of the #receiving site# located on each side of the mapped #street lines# of West Houston Street.

**(c) Findings**

The Commission may grant the transfer of #floor area# and any associated #bulk# modifications, provided that:

- (1) such transfer of #floor area# will facilitate the repair, rehabilitation, maintenance and development of Hudson River Park, including its piers, bulkheads and infrastructure; and
- (2) the transfer of #floor area# will support the completion of improvements to Hudson River Park as identified in the statement submitted to the Commission by the Trust as part of this application; and
- (3) for the #receiving site#:
  - (i) the proposed configuration and design of #buildings#, including any associated structures and open areas, will result in a superior site plan, and such #buildings# and open areas will relate harmoniously with one another and with adjacent #buildings# and open areas;
  - (ii) the location and quantity of the proposed mix of #uses# will complement the site plan;
  - (iii) the proposed transfer of #floor area# and any modification to #bulk# regulations will not unduly increase the #bulk# of any #building# on the #receiving site# or unduly obstruct access of adequate light and air to the detriment of the occupants or users of #buildings# on the #block# or nearby #blocks#, or of people using the public #streets# and other public spaces;
  - (iv) such transferred #floor area# and any proposed modifications to #bulk# are appropriate in relation to the identified improvements to Hudson River Park; and
  - (v) any #affordable housing#, as defined in Section 23-90

(Inclusionary Housing), that is provided as part of the project will support the objectives of the Inclusionary Housing Program.

**(d) Additional requirements**

The City Planning Commission shall receive a copy of a transfer instrument legally sufficient in both form and content to effect such a transfer of #floor area#. Notices of the restriction upon further #development#, #enlargement# or #conversion# of the #granting site# and the #receiving site# shall be filed by the owners of the respective #zoning lots# in the Office of the Register of the City of New York (County of New York). Proof of recordation of the notices shall be submitted to the Chairperson of the City Planning Commission, in a form acceptable to the Chairperson.

Both the transfer instrument and the notices of restriction shall specify the total amount of #floor area# transferred and shall specify, by lot and block numbers, the #granting site# and the #receiving site# that are a party to such transfer.

On a #receiving site#, for any #development#, #enlargement# or #conversion# that is the subject of a special permit granted by the Commission pursuant to Section 89-21 (Transfer of Floor Area from Hudson River Park), the Department of Buildings shall not:

- (1) issue a building permit until the Chairperson of the Commission has certified that the owner of the #receiving site# and the Hudson River Park Trust have jointly executed documents sufficient to facilitate a payment schedule associated with the transfer of #floor area#; or
- (2) issue a temporary certificate of occupancy until the Chairperson of the Commission has certified that the Hudson River Park Trust has submitted a letter to the Chairperson confirming that payment of all required funds has been made by the owner of such #receiving site# to the Hudson River Park Trust, and that all required funding tools and/or payments are in satisfactory compliance with the executed payment schedule.

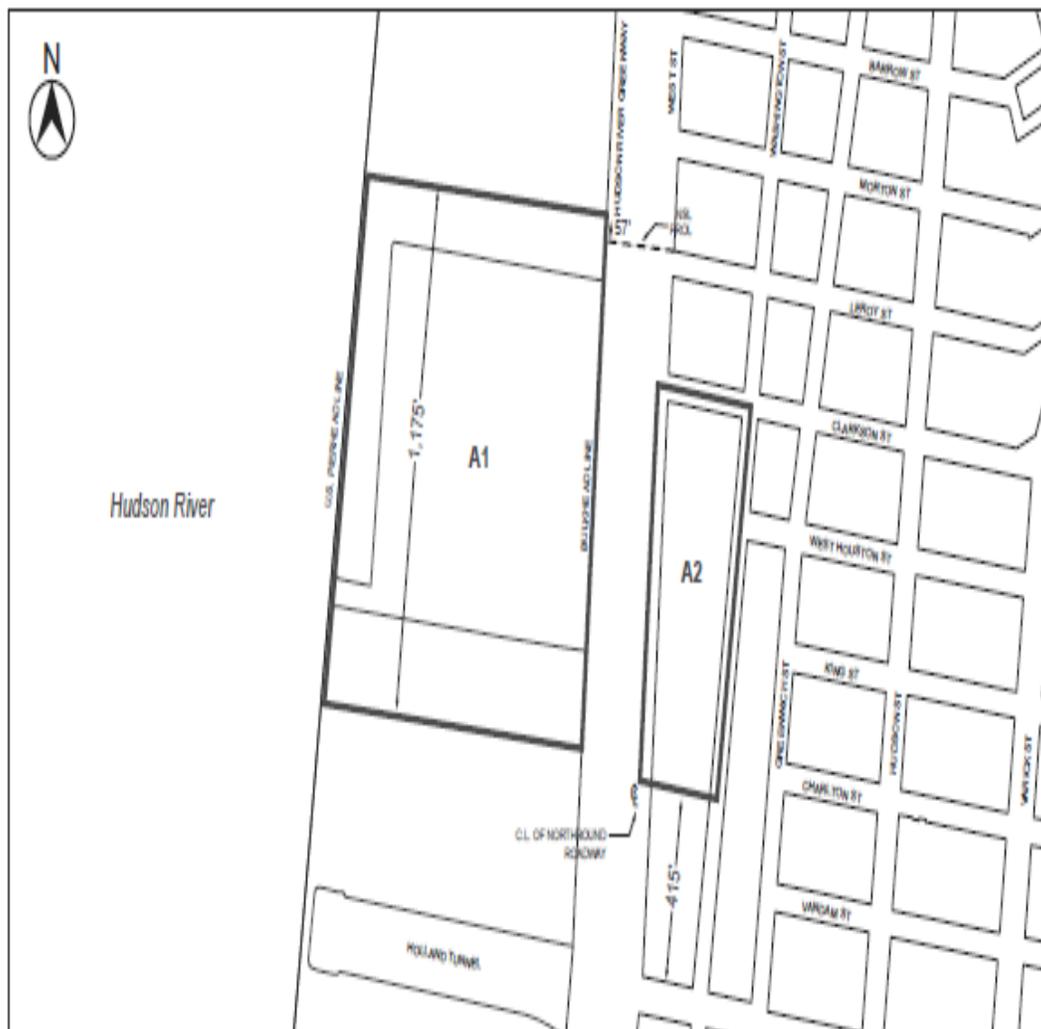
The Commission may prescribe additional, appropriate conditions and safeguards to

improve the quality of the #development#, #enlargement# or #conversion# and minimize adverse effects on the character of the surrounding area.

## APPENDIX

### Special Hudson River Park District Plan

#### Transfer of Floor Area - Granting and Receiving Sites



- Special Hudson River Park District
- A1 Granting Site
- A2 Receiving Site

**L.U. No. 507**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a:

1. changing from an M1-5 District to a C6-4 District property bounded by Clarkson Street, Washington Street, West Houston Street, and West Street;
2. changing from an M2-4 District to a C6-3 District property bounded by West Houston Street, Washington Street, a line 596 feet northerly of Spring Street, and West Street;
3. changing from an M2-4 District to an M1-5 District property bounded by a line 596 feet northerly of Spring Street, Washington Street, a line 415 feet northerly of Spring Street, and West Street; and
4. establishing a Special Hudson River Park District (HRP) bounded by:
  - a. Clarkson Street, Washington Street, a line 415 feet northerly of Spring Street, and West Street; and
  - b. a line 57 feet northerly of the westerly prolongation of the northerly street line of Leroy Street, the U.S. Pierhead Line, a line 1118 feet southerly of the westerly prolongation of the northerly street line of Leroy Street, and the U.S. Bulkhead Line.

**L.U. No. 508****550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT  
MANHATTAN - CB 2****C 160310 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 89-21 of the Zoning Resolution to allow the distribution of 200,000 square feet of floor area from a granting site (A1, Block 656, Lot 1) to a receiving site (A2, Block 596, Lot 1), and to modify the height and setback requirements of Sections 23-60 (Height and Setback Regulations) and Section 43-40 (Height and Setback Regulations), the height

factor requirements of 23-151 (Basic regulations for R6 through R9 Districts) and the rear yard requirements of Section 43-20<sub>11</sub> (Rear Yard Regulations), in connection

with a proposed mixed use development, on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

**L.U. No. 509**

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT  
MANHATTAN - CB 2 C 160311 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 236 spaces on portions of the ground floor and cellar of a proposed mixed use development (North Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

**L.U. No. 510**

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT  
MANHATTAN - CB 2 C 160312 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 372 spaces on portions of the ground floor and cellar of a proposed mixed use development (Center Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

**L.U. No. 511**

**550 WASHINGTON STREET/SPECIAL HUDSON RIVER PARK DISTRICT  
MANHATTAN - CB 2 C 160313 ZSM**

Application submitted by SJC 33 Owner 2015 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 164 spaces on portions of the ground floor and cellar of a proposed mixed use development (South Site), on property located at 550 Washington Street (Block 596, Lot 1), in C6-3, C6-4 and M1-5 Districts, within the Special Hudson River Park District.

**L.U. No. 530**

**227<sup>TH</sup> STREET REZONING**

**QUEENS - CB 13 C 170031 ZMQ**

Application submitted by Idlelots LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 19b, by establishing within an existing R3-1 District a C2-2 District bounded by 227<sup>th</sup> Street, a line 100 feet northeasterly of 145<sup>th</sup> Road, a line 120 feet southeasterly of 227<sup>th</sup> Street and 145<sup>th</sup> Road.



**SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES**

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the **Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway**, New York City, New York 10007, commencing at **11:00 A.M., Thursday, December 1, 2016:**

**L.U. No. 533**

**646-SEAT INTERMEDIATE PUBLIC SCHOOL FACILITY**

**QUEENS CB - 3**

**20165186 SCQ**

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 646-Seat Intermediate Public School Facility to be located on the south side of Astoria Boulevard between 111<sup>th</sup> and 112<sup>th</sup> Streets (Block 1705, Lots 1, 5, 10 and 61), Borough of Queens, in Community School District No. 24.

**L.U. No. 534**

**180-SEAT PRE-KINDERGARTEN FACILITY**

**BROOKLYN CB - 6**

**20165205 SCK**

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 180-Seat Pre-Kindergarten Facility to be located on the block bounded by 3<sup>rd</sup> Avenue, 8<sup>th</sup> Street, 4<sup>th</sup> Avenue and 9<sup>th</sup> Street (Block 1003, Lot 11), Borough of Brooklyn, in Community School District No. 15.



## **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, 16<sup>th</sup> Floor, 250 Broadway**, New York City, New York 10007, commencing at **1:00 P.M., Thursday, December 1, 2016:**

### **L.U. No. 525**

#### **PRC FOX STREET/MARIA ESTELA I**

**BRONX - CB 2**

**20175118 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for an amendment of a previously approved plan and project pursuant to Section 115 of the Private Housing Finance Law and approval of a lease for a portion of the referenced property and approval of a new real property tax exemption pursuant to Section 577 of the PHFL for property located at Block 2724, part of Lot 5 (Tentative Lot 220) and the entirety of Lot 103 (“New Project Area”), Borough of the Bronx, Community Board 2, Council District 17.

### **L.U. No. 535**

#### **SMALL HOMES REHAB - NYCHA HABITAT FOR HUMANITY-PHASE 2**

**QUEENS - CB 12**

**20175123 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, and waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 91-09 1/2 138<sup>th</sup> Place (Block 9981, Lot 33), in Community Board 12, Council District 24, Borough of Queens.

**L.U. No. 536**

**SMALL HOMES REHAB - NYCHA  
HABITAT FOR HUMANITY-PHASE 3**

**QUEENS - CBs 12 & 13**

**20175124 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, and waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 195-09 119<sup>th</sup> Avenue (Block 12616, Lot 31), 115-69 224<sup>th</sup> Street (Block 11306, Lot 28), 115-46 198<sup>th</sup> Street (Block 11038, Lot 68), 111-33 205<sup>th</sup> Street (Block 10964, Lot 134), 104-17 187<sup>th</sup> Street (Block 10373, Lot 7), 113-10 201<sup>st</sup> Street (Block 10995, Lot 9), and 109-11 208<sup>th</sup> Street (Block 10918, Lot 46), in Community Boards 12 & 13, Council District 27, Borough of Queens.

**L.U. No. 537**

**SMALL HOMES REHAB - NYCHA  
HABITAT FOR HUMANITY-PHASE 4**

**QUEENS - CBs 9 & 12**

**20175125 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, and waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 101-64 132<sup>nd</sup> Street (Block 9499, Lot 31), 123-25 152<sup>nd</sup> Street (Block 12219, Lot 48), 146-10 123<sup>rd</sup> Avenue (Block 12050, Lot 42), and 107-16 Remington Street (Block 10070, Lot 121), in Community Boards 9 & 12, Council District 28, Borough of Queens.

**L.U. No. 538**

**SMALL HOMES REHAB - NYCHA  
HABITAT FOR HUMANITY-PHASE 5**

**QUEENS - CB 13**

**20175126 HAQ**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, and waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 131-68 225<sup>th</sup> Street (Block 12934, Lot 175), 218-38 140<sup>th</sup> Avenue (Block 13045, Lot 28), 221-02 131<sup>st</sup> Avenue (Block 12931, Lot 82), 228-39 Mentone Avenue (Block 13192, Lot 225), and 145-07 167<sup>th</sup> Street (Block 13285, Lot 57) in Community Board 13, Council District 31, Borough of Queens.

**L.U. No. 539**

**SMALL HOMES REHAB -NYCHA  
HABITAT FOR HUMANITY-PHASE 6**

**BROOKLYN - CBs 9 & 17**

**20175128 HAK**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law and Article 16 of the General Municipal Law for approval of a real property tax exemption, an urban development action area project, and waiver of the area designation requirement and Sections 197-c and 197-d of the New York City Charter for property located at 556 Schenectady Avenue (Block 4826, Lot 12), 978 Lenox Road (Block 4665, Lot 5), and 17 East 92<sup>nd</sup> Street (Block 4595, Lot 121), in Community Boards 9 & 17, Council District 41, Borough of Brooklyn.



## 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 Monday, December 5, 2016**, to consider all items reported out of the Subcommittees at the meetings held on Thursday, December 1, 2016, and conduct such other business as may be necessary.