



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR**  
**OF THE**  
**LAND USE COMMITTEE**  
**FOR THE WEEK OF JUNE 17, 2019 – JUNE 21, 2019**

**RAFAEL SALAMANCA, JR.**, *Chair*, Land Use Committee

**FRANCISCO P. MOYA**, *Chair*, Subcommittee on Zoning and Franchises

**ADRIENNE ADAMS**, *Chair*, Subcommittee on Landmarks, Public Siting  
and Maritime Uses

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

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## 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 Tuesday, June 25, 2019**, to consider some items reported out of the Subcommittees at the meetings held June 20, 2019, and conduct such other business as may be necessary.

## **SUBCOMMITTEE ON ZONING AND FRANCHISES**

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Committee Room, City Hall**, New York City, New York 10007, commencing at **9:30 A.M., Thursday, June 20, 2019:**

### **L.U. No. 438**

#### **AMERICAN BRASS**

**QUEENS CB - 2**

**20195511 TCQ**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of Center Boulevard Restaurant, LLC, d/b/a American Brass, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 201 50<sup>th</sup> Avenue.

### **PRECONSIDERED L.U.**

#### **38-01 23<sup>rd</sup> Avenue Rezoning**

**QUEENS CB - 1**

**C 180315 ZMQ**

Application submitted by 23rd Avenue Realty pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c:

1. establishing within the existing R5B District a C2-3 District bounded by 38th Street, a line 150 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, and a line 100 feet northeasterly of 23rd Avenue; and
2. establishing within the existing R5D District a C2-3 District bounded by 38th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, a line 150 feet northeasterly of 23rd Avenue, Steinway Street, and 23rd Avenue;

as shown on a diagram (for illustrative purposes only) dated February 11, 2019, and subject to the conditions of CEQR Declaration E-524.

**PRECONSIDERED L.U.**

**76TH DRIVE AND AUSTIN STREET REZONING**

**QUEENS CB - 6**

**C 180399 ZMQ**

Application submitted by Able Orthopedic & Sports Medicine, PC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14b, changing from an R2 District to an R3-2 District property bounded by 76<sup>th</sup> Drive, a line perpendicular to the southeasterly street line of 76<sup>th</sup> Drive distant 55 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 76<sup>th</sup> Drive and northeasterly street line of Austin Street, 77<sup>th</sup> Avenue, and Austin Street, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated February 11, 2019, and subject to the conditions of CEQR Declaration E-522.

**L.U. NOS. 464 AND 465 ARE RELATED**

**L.U. No. 464**

**QUEENS CB - 7**

**C 190202 ZMQ**

Application submitted by Kimco Kissena Center, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10d:

1. eliminating from within an existing R3-2 District a C2-2 District bounded by Holly Avenue, line 100 feet northeasterly of Kissena Boulevard, Laburnum Avenue, and Kissena Boulevard;
2. changing from an R3-2 District to an R7A District property bounded by the northeasterly centerline prolongation of Geranium Avenue, a line 100 feet southwesterly of Union Street, Holly Avenue, a line 100 feet northeasterly of Kissena Boulevard, a line 100 feet southeasterly of Holly Avenue, a line 100 feet southwesterly of Union Street, Laburnum Avenue, and Kissena Boulevard; and
3. establishing within the proposed R7A District a C2-3 District bounded by Holly Avenue, a line 100 feet northeasterly of Kissena Boulevard, a line 100 feet southeasterly of Holly Avenue, a line 100 feet southwesterly of Union Street, Laburnum Avenue, and Kissena Boulevard,

as shown on a diagram (for illustrative purposes only) dated January 7, 2019, and subject to the conditions of CEQR Declaration E-514.

Application submitted by Kimco Kissena Center, 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 Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 7.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is 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 and Mandatory Inclusionary Housing Areas**

\* \* \*

**QUEENS**

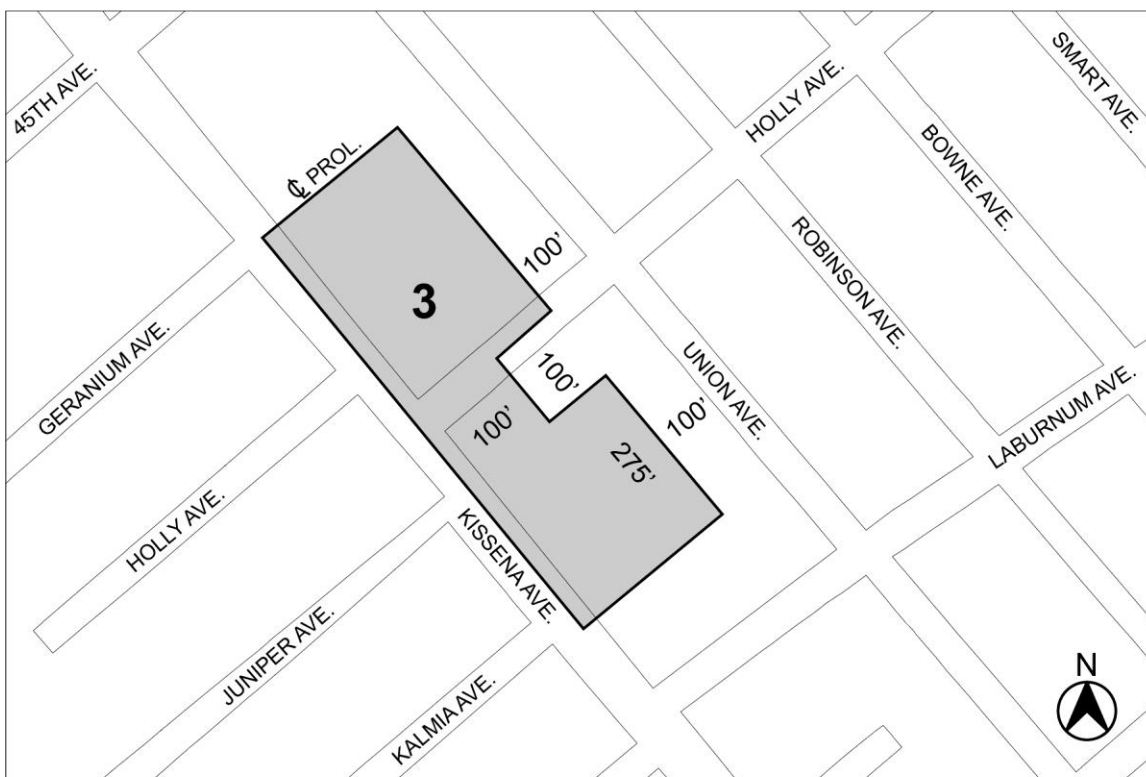
\* \* \*

**Queens Community District 7**

\* \* \*

Map 3 - [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area **3** - [date of adoption] MIH Program Option 2

Portion of Community District 7, Queens

\* \* \*

**L.U. No. 466**

**MANHATTAN CB - 4**

**C 190213 ZSM**

Application submitted by 18<sup>th</sup> Highline Associates, L.L.C., pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of special permits pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 180 spaces on portions of the ground floor and cellar of a proposed mixed-use building on property located at 515 West 18<sup>th</sup> Street (Block 690, Lots 12, 20, 29, 40, 54 and 1001-1026), in C6-2 and C6-3 Districts, within the Special West Chelsea District, Borough of Manhattan, Community District 4. \*

\*197-d (b)(2) eligible

1. The property that is the subject of this application (C 190213 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plan, prepared by Philip Habib & Associates, filed with this application and incorporated in this resolution:

Drawing No.	Title	Last Date Revised
1 OF 2	Ground Level/Site Plan	9/28/2018
2 OF 2	Cellar Level Parking Plan	5/28/2019

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

**L.U. No. 419**

*The public hearing on this item was held on **May 14, 2019**  
**and closed**. It was laid over by the Subcommittee on  
Zoning and Franchises*

**COURTHOUSE SQUARE**

**QUEENS CB - 2**

**N 190036 ZRQ**

Application submitted by Court Square 45th Ave 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 XI, Chapter 7 (Special Long Island City Mixed Use District).

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

**ARTICLE XI SPECIAL PURPOSE DISTRICTS**

**Chapter 7 Special Long Island City Mixed Use District**

\* \* \*

**117-40**

**COURT SQUARE SUBDISTRICT**

\* \* \*

**117-421 Special bulk regulations**

\* \* \*

(a) The height and setback regulations of the underlying C5-3 District shall apply, except that:



- (1) no #building or other structure# shall exceed a height of 85 feet above the #base plane# within the area bounded by 23rd Street, 44th Road, a line 60 feet east of and parallel to 23rd Street, and ~~a line 75 feet north of and parallel to 45th Road~~ 45th Avenue; and
- (2) on Blocks 1 and 3, the #street wall# of a #building or other structure# shall be located on the #street line# or sidewalk widening line, where applicable, and extend along the entire #street# frontage of the #zoning lot# up to at least a height of 60 feet and a maximum height of 85 feet before setback, except any portion of a #building# on Block 3 fronting upon 23rd Street may rise to a maximum height of 125 feet before setback. Recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be located beyond the #street line#, provided no such recesses are within 15 feet of an adjacent #building#.

Above ~~a height of 85 feet~~ the highest applicable maximum #street wall# height, the underlying height and setback regulations shall apply. However, the underlying tower regulations shall be modified:

- (i) to permit portions of #buildings# that exceed a height of 85 feet to be set back at least five feet from a #wide street line#, provided no portion of such #building# that exceeds a height of 85 feet is located within 15 feet of a #side lot line#., and
- (ii) so that the provisions of Section 33-451 (In certain specified Commercial Districts) regulating the aggregate area of a tower within 50 feet of a #narrow street# shall not apply to any #building# or portion of such #building# on Block 3 fronting upon 45th Avenue.

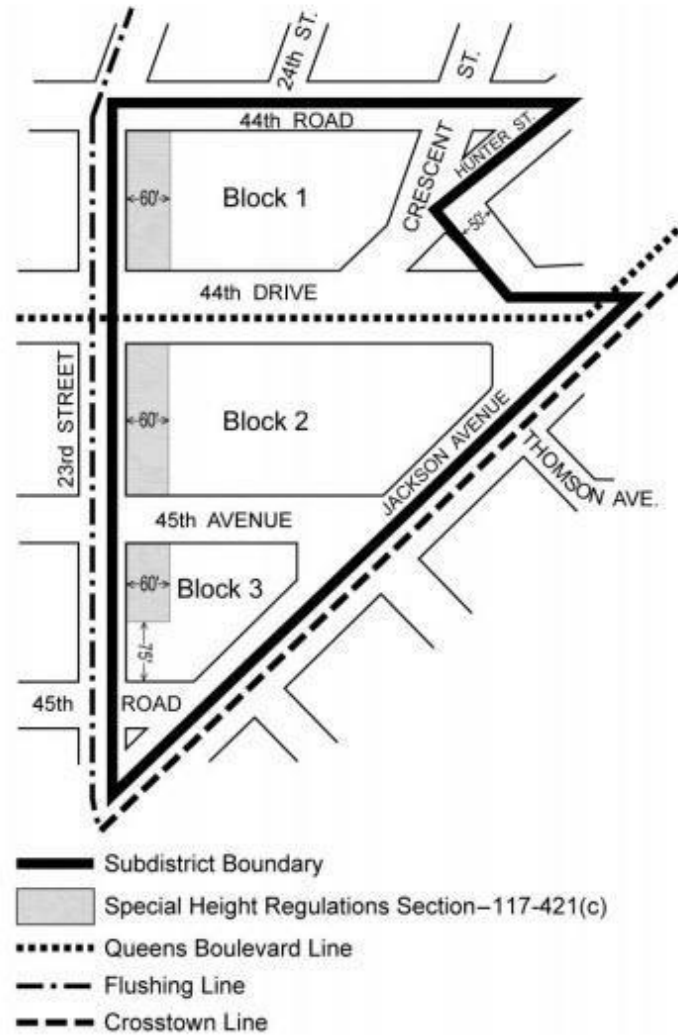
The provisions of this paragraph (c)(2) shall not apply to #enlargements# on #zoning lots# existing on June 30, 2009, where such #zoning lot# includes an existing #building# to remain with at least 300,000 square feet of #floor area#.

\* \* \*

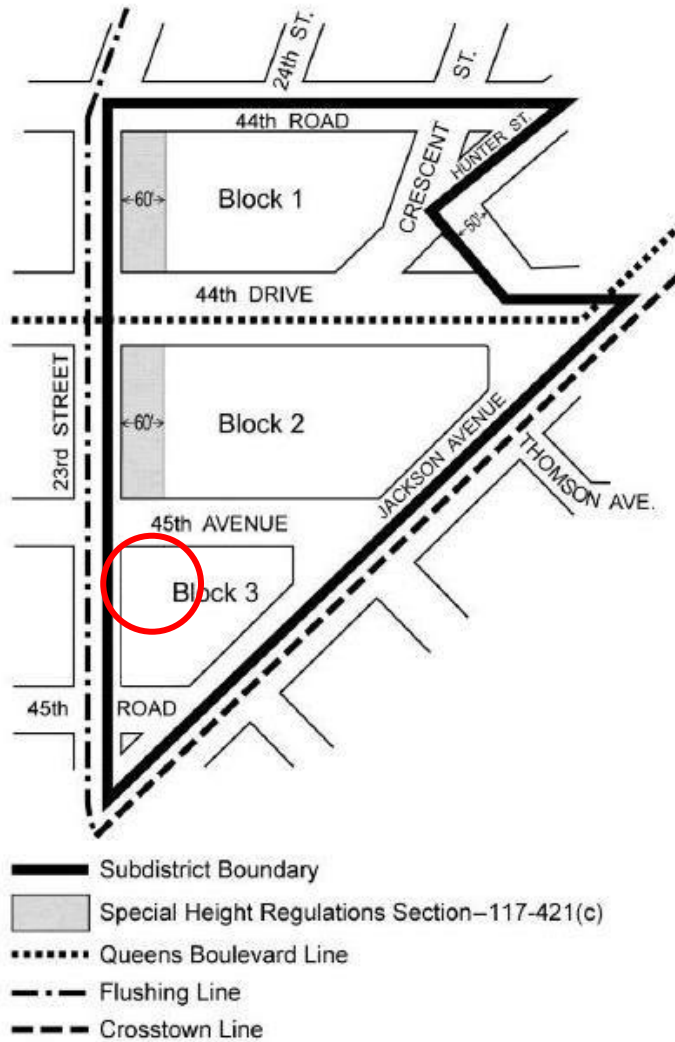
# Appendix B

## Court Square Subdistrict Plan Map and Description of Improvements

[EXISTING]



[PROPOSED]



## 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 **1:00 P.M. Thursday, June 20, 2019:**

**PRECONSIDERED L.US. ARE RELATED**

**PRECONSIDERED L.U.**

**784 COURTLANDT AVENUE**

**BRONX CB - 1**

**C 190292 HUX**

Application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the fourth amendment to the Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area.

**PRECONSIDERED L.U.**

**784 COURTLANDT AVENUE**

**BRONX CB - 1**

**C 190293 HAX**

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 359 East 157<sup>th</sup> Street and 784 Courtlandt Avenue (Block 2404, Lots 1 and 2) 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 building containing approximately 20 affordable housing units, retail and community facility space.



## 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 Tuesday, June 25, 2019**, to consider some items reported out of the Subcommittees at the meetings held June 20, 2019, and conduct such other business as may be necessary.