

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Wednesday, October 5, 2016

9:30 AM

Council Chambers - City Hall

### Subcommittee on Zoning and Franchises

*Donovan J. Richards, Chair*

*Members: Daniel R. Garodnick, Jumaane D. Williams,  
Antonio Reynoso, Ritchie J. Torres,  
Vincent J. Gentile and Ruben Wills*

Roll Call

**Present:** Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

*Other Council Members Attending: Levin and Greenfield*

LU 0470-2016

**Application No. 20175051 TCQ pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 10802 72nd Rest LLC, d/b/a Reef, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 108-02 72nd Avenue, Borough of Queens, Community Board 6, Council District 29. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Land Use Calendar - October 20, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Land Use Calendar - October 20, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Laid Over by Subcommittee**

LU 0471-2016

**Application No. 20165243 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Happy Cooking Bistro LLC, for a revocable consent to establish, maintain and operate an enclosed sidewalk café located at 322 Spring Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.**

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**This Land Use Application was Laid Over by Subcommittee**

LU 0472-2016

**Application No. C 160030 ZMK submitted by 385 Gold Property Investors IIA, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9a, changing existing C6-4 and C6-1 districts to a C6-6 District on property located at Willoughby Street and Flatbush Avenue Extension, Borough of Brooklyn, Community Board 2, Council District 33.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Laid Over by Subcommittee**

**LU 0473-2016**      **Application No. C 160054 MMK submitted by the New York City Department of Housing Preservation and Development and the New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the elimination, discontinuance and closing of a portion of Flatbush Avenue Extension and its intersection with Gold Street, Borough of Brooklyn, Community Board 2, Council District 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Laid Over by Subcommittee**

**LU 0474-2016**      **Application No. N 160029 ZRK submitted by 385 Gold Property Investors IIA, 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 X, Chapter 1 to add a new C6-6 District and update its bulk and envelope regulations in the Special Downtown Brooklyn District, and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area on property located at Willoughby Street and Flatbush Avenue Extension, Borough of Brooklyn, Community Board 2, Council District 33.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Hearing Testimony - Zoning 10-5-16, Land Use Calendar - Week of October 17, 2016 - October 21, 2016, Hearing Testimony - Zoning 10-19-16, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Laid Over by Subcommittee**

LU 0475-2016

**Application No. N 160250 ZRX submitted by MLK Plaza, 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 on property located on either side of 147th Street between Austin Place and Southern Boulevard, Borough of the Bronx, Community Board 1, Council District 8.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, October 13, 2016 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 10-6-16, City Planning Commission Modification Letter, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, October 13, 2016 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 10-6-16, City Planning Commission Modification Letter, Hearing Transcript - Zoning 10-5-16

**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0476-2016

**Application No. C 160251 ZMX submitted by MLK Plaza, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6c changing existing M1-2 and M1-3 districts to an R7X and C1-4 District, on property located on either side of 147th Street between Austin Place and Southern Boulevard, Borough of the Bronx, Community Board 1, Council District 8.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, October 13, 2016 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 10-6-16, City Planning Commission Modification Letter, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, October 13, 2016 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 10-6-16, City Planning Commission Modification Letter, Hearing Transcript - Zoning 10-5-16

**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0477-2016

**Application No. C 160148 ZSM submitted by 221 W29 Residential LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 and 13-451 of the Zoning Resolution to allow an attended accessory off-street parking garage with a maximum capacity of 45 spaces in portions of a proposed mixed use building on property located at 217 West 29th Street, Borough of Manhattan, Community Board 5, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0478-2016

**Application No. N 160147 ZRM submitted by 221 W29 Residential LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, establishing Section 42-486 relating to streetscape provisions in M1-6D districts in Community Board 5, Borough of the Manhattan, Council District 3.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0480-2016

**Application No. C 160219 ZMQ submitted by Rockaway Beach Hotel, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 30b changing an existing R5B and C1-3 District to a R6A and C2-5 District, on property bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive, and Beach 109th Street, Borough of the Queens, Community Board 14, Council District 32.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0481-2016

**Application No. N 160220 ZRQ submitted by Rockaway Beach Hotel, 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 on property bounded by Rockaway Beach Boulevard, Beach 108th Street, Rockaway Beach Drive, and Beach 109th Street, Borough of the Queens, Community Board 14, Council District 32.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills



LU 0489-2016

**Application No. N 160377 ZRK submitted by Community Board 10, Brooklyn, 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 73-622 (Enlargement of single- and two-family detached and semi-detached residences), Borough of Brooklyn, Community Board 10, Council District 43 and 38.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, October 13, 2016 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 10-6-16, City Planning Commission Modification Letter, Hearing Transcript - Zoning 10-5-16

**This Land Use Application was Hearing Held by Committee**

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**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0490-2016

**Application No. C 160194 ZMM submitted by 1968 Second Avenue Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, establishing within an existing R7A district a C1-5 District, on property located in the vicinity of Second Avenue and East 101st Street, Borough of Manhattan, Community Board 11, Council District 8.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0491-2016

**Application No. C 160033 ZMQ submitted by Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 31a, establishing within an existing R5 District a C1-3 District, on property bounded by Heyson Road, Seagirt Boulevard, and Beach 13th Street, Borough of Queens, Community Board 14, Council District 31.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills

LU 0492-2016

**Application No. C 160351 ZMQ submitted by Gleitman Realty Associates pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 31a, changing an existing R4-1 District to an R5 and C1-3 District, on property in the vicinity of Seagirt Boulevard and Fernside Place, Borough of Queens, Community Board 14, Council District 31.**

**Attachments:** September 28, 2016 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 3, 2016 - October 7, 2016, Land Use Calendar - October 6, Hearing Testimony - Zoning 10-5-16, Hearing Transcript - Land Use 10-6-16, Committee Report, Resolution, Hearing Transcript - Zoning 10-5-16

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**A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.**

**Affirmative:** 7 - Richards, Garodnick, Williams, Reynoso, Torres, Gentile and Wills