

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Monday, July 17, 2017

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, Reynoso, Torres and Gentile

**Absent:** Williams and Wills

*Other Council Members Attending: Speaker Mark-Viverito, King and Salamanca*

LU 0682-2017

**Application No. C 170087 ZMX submitted by The Ader Group 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 an existing M1-1 District to an R8A/C2-4 District on property on Whitlock Avenue and 165th Street, Borough of the Bronx, Community Board 2, Council District 17.**

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Affirmative:** 5 - Richards, Garodnick, Reynoso, Torres and Gentile

**Absent:** 2 - Williams and Wills

LU 0683-2017

**Application No. N 170088 ZRX submitted by The Ader Group LLC pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, Borough of the Bronx, Community Board 2, Council District 17.**

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Affirmative:** 5 - Richards, Garodnick, Reynoso, Torres and Gentile

**Absent:** 2 - Williams and Wills

LU 0684-2017

**Application No. N 170286 ZRM submitted by Lightstone Acquisitions X, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying regulations of Article IX, Chapter 1 (Special Lower Manhattan District) allowing a floor area bonus for public plazas, Borough of Manhattan, Community Board 1, Council District 1.**

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Affirmative:** 5 - Richards, Garodnick, Reynoso, Torres and Gentile

**Absent:** 2 - Williams and Wills

LU 0689-2017

**Application No. N 170251 ZRM submitted by 517 West 35th LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Section 93-122 to change development phasing regulations, Borough of Manhattan, Community Board 4, Council District 3.**

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Affirmative:** 5 - Richards, Garodnick, Reynoso, Torres and Gentile

**Absent:** 2 - Williams and Wills

LU 0690-2017

**Application No. 20175520 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 1205, p/o lot 28 (Tentative Lot 127), Borough of Brooklyn, Community Board 1, Council District 35.**

**Attachments:** June 15, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of June 19, 2017 - June 23, 2017, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Land Use Calendar - July 19, 2017, Hearing Testimony - Zoning 6-20-17, Hearing Transcript - Zoning 6-20-17, Hearing Testimony - Zoning 7-17-17, Committee Report, Resolution, Hearing Transcript - Zoning 7-17-17

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

**Affirmative:** 5 - Richards, Garodnick, Reynoso, Torres and Gentile

**Absent:** 2 - Williams and Wills

LU 0694-2017

**Application No. C 170217 PPX submitted by the Department of Citywide Administrative Services pursuant to Sections 197-c of the New York City Charter, for the disposition of one city-owned property located on Block 4804, p/o Lot 100, Borough of the Bronx, Community Board 12, Council District 12. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0695-2017

**Application No. C 170218 ZMX submitted by Gun Hill Square, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 4a, changing an existing M1-1 District to a C4-3 District on property located at East Gun Hill Road and Edson Avenue, Borough of the Bronx, Community Board 12, Council District 12.**

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**LU 0696-2017**      **Application No. N 170219 ZRX submitted by Gun Hill Square, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission) to modify use regulations to allow a physical culture or health establishment and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community Board 12, Council District 12.**

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**LU 0697-2017**      **Application No. C 170221 ZSX submitted by Gun Hill Square, LLC pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements and rear yard requirements in connection with a proposed mixed-use development located at 1769-1771 East Gun Hill Road (Block 4804, p/o Lot 100), Borough of the Bronx, Community Board 12, Council District 12. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0698-2017

**Application No. C 170222 ZSX submitted by Gun Hill Square, LLC pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify signage regulations in connection with a proposed mixed-use development located at 1769-1771 East Gun Hill Road (Block 4804, p/o Lot 100), Borough of the Bronx, Community Board 12, Council District 12. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0699-2017

**Application No. C 170223 ZSX submitted by Gun Hill Square, LLC pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-531 of the Zoning Resolution to modify parking regulations in connection with a proposed mixed-use development located at 1769-1771 East Gun Hill Road (Block 4804, p/o Lot 100), Borough of the Bronx, Community Board 12, Council District 12. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0700-2017      **Application No. C 170226 ZMM submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 6b, changing existing R7-2 and R10A Districts to R10 and C2-8 Districts on property located between 96th and 97th Streets and 1st and 2nd Avenues, Borough of the Manhattan, Community Board 11, Council District 8.**

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0701-2017      **Application No. N 170227 ZRM submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Section 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, relating to Article VII, Chapter 4 (Special Permits by the City Planning Commission) and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Manhattan, Community Board 11, Council District 8.**

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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



LU 0702-2017

**Application No. C 170228 ZSM submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-75 of the Zoning Resolution to modify height and setback, floor area, and lot coverage requirements in connection with a proposed mixed-use development on property bounded by East 97th Street, First Avenue, East 96th Street and Second Avenue (Block 1668, Lot 1) Borough of the Manhattan, Community Board 11, Council District 8. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

LU 0703-2017

**Application No. C 170229 ZSM submitted by the NYC Educational Construction Fund and AvalonBay Communities, Inc. pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive parking requirements in connection with a proposed mixed-use development on property bounded by East 97th Street, First Avenue, East 96th Street and Second Avenue (Block 1668, Lot 1) Borough of the Manhattan, Community Board 11, Council District 8. 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:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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

**Attachments:** June 21, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of July 17, 2017 - July 21, 2017, Hearing Testimony - Zoning 7-17-17, Hearing Transcript - Zoning 7-17-17

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