



The New York City Council

City Hall
New York, NY 10007

Meeting Minutes Subcommittee on Zoning and Franchises

Francisco P. Moya, Chair

*Membes: Costa G. Constantinides, Barry S. Grodenchik, Rory I. Lancman,
Stephen T. Levin, Antonio Reynoso, Donovan J. Richards,
Carlina Rivera and Ritchie J. Torres*

Monday, September 17, 2018

9:30 AM

250 Broadway - Committee Rm, 16th Fl.

Roll Call

Present: Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: Levin

Other Council Members Attending: Van Bramer

LU 0192-2018

Application No. C 180216 ZMK (80 Flatbush Avenue Rezoning) submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from a C6-2 District to a C6-9 District property bounded by the southeasterly centerline prolongation of Schermerhorn Street, Flatbush Avenue, State Street and 3rd Avenue, Borough of Brooklyn, Community District 2, Council District 33.

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0193-2018

Application No. N 180217 ZRK (80 Flatbush Avenue Rezoning) submitted by the New York City Education Construction Fund and 80 Flatbush Avenue, 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 VII, Chapter 4 (Special Permits by the City Planning Commission) relating to modifications of the special permit for school construction in the Special Downtown Brooklyn District, modifying Article X, Chapter 1 (Special Downtown Brooklyn District) and modifying Appendix F (Inclusionary Housing Designated Areas) for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 2, Council District 33. This application is related to application nos. C 180216 ZMK and N 180217 ZRK.

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0194-2018

Application No. C 180218 ZSK (80 Flatbush Avenue Rezoning) submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-752* of the Zoning Resolution in connection with a proposed mixed-use development, on property located at 80 Flatbush Avenue (Block 174, Lots 1, 9, 13, 18, 23 & 24), in a C6-9 District, within the Special Downtown Brooklyn District, Borough of Brooklyn, Community District 2, Council District 33.**

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 13, 2018 - August 17, 2018, Hearing Testimony - Zoning 8-14-18, Hearing Testimony - Zoning 8-14-18 additional, Hearing Transcript - Zoning 8-14-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0199-2018

Application No. C 170213 ZMK (57 Caton Place Rezoning) submitted by 57 Caton Partners, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 16d, changing from a C8-2 District to an R7A District and establishing within such proposed R7A District a C2-4 District property located at Block 5322, Lots 1 and 4, Borough of Brooklyn, Community District 7, Council District 39.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

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

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: 1 - Levin

LU 0200-2018

Application No. N 170214 ZRK (57 Caton Place Rezoning) submitted by 57 Caton Partners, 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 Section 113-00 and Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 7, Council District 39.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

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

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: 1 - Levin

LU 0201-2018

Application No. C 180029 ZMK (1881-1883 McDonald Avenue Rezoning) submitted by Quentin Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d changing from an R5 District to an R7A District and establishing within the proposed R7A District a C2-4 District property located at Block 6633, Lots 45 and 48 and Block 6658, Lots 1 and 86, Borough of Brooklyn, Community District 15, Council District 44.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

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

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: 1 - Levin

LU 0202-2018

Application No. N 180030 ZRK (1881-1883 McDonald Avenue Rezoning) submitted by Quentin 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, Borough of Brooklyn, Community District 15, Council District 44.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

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

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: 1 - Levin

LU 0203-2018

Application No. N 170115 ZRM (27 East 4th Street) submitted by Kalodop II Park Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-712 (Developments in Historic Districts), concerning special permits within the NoHo Historic District Extension, Borough of Manhattan, Community District 2, Council District 2.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Laid Over by Subcommittee

LU 0204-2018

Application No. C 170116 ZSM (27 East 4th Street) submitted by Kalodop II Park Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 5 uses (transient hotel and accessory uses) and Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 8-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story building, on property located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension, Borough of Manhattan, Community District 2, Council District 2.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0205-2018

Application No. C 170117 ZSM (27 East 4th Street) submitted by Kalodop II Park Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of an eight-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story building, on property located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension, Borough of Manhattan, Community District 2, Council District 2.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0206-2018

Application No. C 170178 ZMR (3122-3136 Victory Boulevard Rezoning) submitted by C & A Realty Holding LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 20d, eliminating from within an existing R3X District a C2-2 District and changing from an R3X District to a C8-1 District, for property located at Block 2159, Lots 1, 10, 13, 15 and p/o Lot 18, Borough of Staten Island, Community District 2, Council District 50.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Laid Over by Subcommittee

LU 0207-2018 **Application No. C 180138 ZMQ (O' Neill's Rezoning) submitted by O'Neill's of Maspeth, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13c, changing from an R4 District to an R5D District, establishing within an existing R4 District a C2-2 District, and establishing within the proposed R5D District a C2-2 District for property located at Block 2374, Lots 101, 106, 197, 198 and 199, and Block 2381, Lots 1, 2 and 3, Borough of Queens, Community District 5, Council District 30.**

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 9-5-18, Land Use Calendar - Week of September 17, 2018 - September 21, 2018, Hearing Testimony - Zoning 9-5-18

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

Affirmative: 8 - Moya, Constantinides, Grodenchik, Lancman, Reynoso, Richards, Rivera and Torres

Absent: 1 - Levin

LU 0208-2018 **Application No. C 180304 ZMQ (Lefferts Boulevard Rezoning) submitted by Opos Sou Kapnisi, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 18a: establishing within an existing R4-1 District a C2-3 District; and establishing within an existing R6A District a C2-3 District, to facilitate development of a one-story commercial building at 104-12 Lefferts Boulevard (Block 9572, Lot 10), Borough of Queens, Community District 10, Council District 28.**

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This Land Use Application was Laid Over by Subcommittee

LU 0209-2018 **Application No. C 180386 PPQ (26-32 Jackson Avenue) submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Housing, Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition pursuant to zoning of city-owned property located on the south side of Jackson Avenue between Purvis Street and Dutch Kills Street (Block 267, Lot 25), Borough of Queens, Community District 2, Council District 26.**

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This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0210-2018 **Application No. C 180384 ZSQ (26-32 Jackson Avenue) submitted by 2632 Jackson LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 117-533 to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 49-story mixed-use development on property located at 26-32 and 26-46 Jackson Avenue (Block 267, Lots 21 & 25), in an M1-5/R9 District, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Area B), Borough of Queens, Community District 2, Council District 26).**

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This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0211-2018 **Application No. C 180385 PPQ (27-01 Jackson Avenue) submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition pursuant to zoning of city-owned property located on the north side of Jackson Avenue between 43rd Avenue and 42nd Road (Block 432, Lots 18 and 29), Borough of Queens, Community District 2, Council District 26.**

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0212-2018 **Application No. C 180382 ZSQ (27-01 Jackson Avenue) submitted by 2701 Jackson Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 117-533 to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the maximum base height) to facilitate a proposed 27-story mixed-use development on property located at 27-01 Jackson Avenue (Block 432, Lots 18, 21 & 29), in M1-5/R9 and M1-5/R7-3 Districts, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Areas B and C), Borough of Queens, Community District 2, Council District 26.**

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0213-2018

Application No. C 180383 ZSQ (27-01 Jackson Avenue) submitted by 2701 Jackson Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 16-352 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 91 spaces on portions of the ground floor, 2nd floor, and 3rd floor and to allow floor space on one or more stories and up to a height of 23 feet above curb level, to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), of a proposed 27-story mixed-use development on property located at 27-01 Jackson Avenue (Block 432, Lots 18, 21 & 29), in M1-5/R9 and M1-5/R7-3 Districts, within the Special Long Island City Mixed Use District (Queens Plaza Subdistrict - Areas B and C). Borough of Queens, Community District 2, Council District 26.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0214-2018

Application No. C 180263 ZSM (110 East 16th Street) submitted by East 16th Street Owner LLC and Trinity Christian Center of Santa Ana, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback regulations of Section 23-662 (Maximum height of buildings and setback regulations), side yard regulations of Section 23-462 (Side yards for all other buildings containing residences), and distance between buildings regulations of Section 23-711 (Standard minimum distance between buildings) to facilitate the development of a 21-story mixed-use building, on property located at 110 East 16th Street (Block 871, Lot 74) on a zoning lot in a C6-2A District containing a landmark designated by the Landmarks Preservation Commission at 109-115 East 15th Street (Block 871, Lots 10 and 12), Borough of Manhattan, Community District 5, Council District 2.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0215-2018

Application No. C 180264 ZSM (110 East 16th Street) submitted by East 16th Street Owner LLC and Trinity Christian Center of Santa Ana, Inc. 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 (Special Permits for Additional Parking Spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an automated accessory off-street parking facility with a maximum capacity of 23 spaces on property located in a C6-2A District at 109-115 East 15th Street a.k.a. 110-112 East 16th Street (Block 871, Lots 10, 12, and 74), Borough of Manhattan, Community District 5, Council District 2.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Laid Over by Subcommittee

LU 0216-2018

Application No. N 180188 ZRK (180 Myrtle Avenue Text Amendment) submitted by Red Apple Real Estate, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying Article X, Chapter 1, Section 11 (Special Ground Floor Use Regulations within the Special Downtown Brooklyn District) and related Sections, Borough of Brooklyn, Community District 2, Council District 35.

Attachments: September 12, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of September 17, 2018 - September 21, 2018

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0217-2018

Application No. 20185544TCX pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of HK Kitchen Corp, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 3599 East Tremont Avenue, Borough of Bronx, Community District 10, Council District 13. 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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