

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Friday, September 10, 2021

10:00 AM

HYBRID HEARING - Council Chambers - City Hall

### Subcommittee on Zoning and Franchises

*Francisco P. Moya, Chair  
Membes: Diana Ayala, Joseph C. Borelli, Barry S. Grodenchik,  
Stephen T. Levin, Antonio Reynoso and Carlina Rivera*

Roll Call

**Present:** Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

*Other Council Members attending: Levine*

LU 0826-2021

**Application No. C 210249 ZMK (840 Atlantic Avenue Rezoning) submitted by Vanderbilt Atlantic Holdings, 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 an R6B District to a C6-3X District and changing from an M1-1 District to a C6-3X District, Borough of Brooklyn, Community District 8, Council District 35.**

**Attachments:** Calendar of the Subcommittee Meetings - August 3 and 4, 2021, Hearing Testimony - Zoning 8-3-21, Hearing Testimony - Zoning 8-3-21 additional, Hearing Transcript - Zoning 8-3-21, August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, City Planning Commission Approval Letter, September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Committee Report, Res. No. 1750, Hearing Transcript - Land Use 9-13-21, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** Calendar of the Subcommittee Meetings - August 3 and 4, 2021, Hearing Testimony - Zoning 8-3-21, Hearing Testimony - Zoning 8-3-21 additional, Hearing Transcript - Zoning 8-3-21, August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, City Planning Commission Approval Letter, September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Committee Report, Res. No. 1750, Hearing Transcript - Land Use 9-13-21, Hearing Transcript - Zoning 9-10-21

**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 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0827-2021

**Application No. N 210250 ZRK (840 Atlantic Avenue Rezoning) submitted by Vanderbilt Atlantic Holdings, 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 III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 8, Council District 35.**

**Attachments:** Calendar of the Subcommittee Meetings - August 3 and 4, 2021, Hearing Testimony - Zoning 8-3-21, Hearing Testimony - Zoning 8-3-21 (Con't), Hearing Transcript - Zoning 8-3-21, August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, City Planning Commission Approval Letter, September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Committee Report, Res. No. 1751, Hearing Transcript - Land Use 9-13-21, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** Calendar of the Subcommittee Meetings - August 3 and 4, 2021, Hearing Testimony - Zoning 8-3-21, Hearing Testimony - Zoning 8-3-21 (Con't), Hearing Transcript - Zoning 8-3-21, August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, City Planning Commission Approval Letter, September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Committee Report, Res. No. 1751, Hearing Transcript - Land Use 9-13-21, Hearing Transcript - Zoning 9-10-21

**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 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0832-2021

**Application No. C 200203 ZMK (2840 Knapp Street Rezoning) submitted by Lipkaw Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 29a, changing from an R5 to an R6 District property bounded by the Shore Parkway (northerly portion), Knapp Street, a line 250 feet northerly of Emmons Avenue, and Brigham Street and its northerly centerline prolongation, Borough of Brooklyn, Council District 48, Community District 15.**

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

LU 0833-2021

**Application No. N 200204 ZRK (2840 Knapp Street Rezoning) submitted by Lipkaw Realty, 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 for property bounded by the Shore Parkway (northerly portion), Knapp Street, a line 250 feet northerly of Emmons Avenue, and Brigham Street and its northerly centerline prolongation, Borough of Brooklyn, Council District 48, Community District 15.**

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

LU 0834-2021

**Application No. C 210202 ZSM (The Windmere) submitted by Windermere Properties LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit pursuant to Section 74-711 of the NYC Zoning Resolution to facilitate a proposed conversion, alteration and enlargement of the Windermere apartment building, located at 400-406 West 57th Street, Borough of Manhattan, Council District 3, Community District 4.**

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, City Planning Commission Letter, Hearing Transcript - Zoning 9-10-21

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

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

LU 0836-2021

**Application No. C 210261 ZMM (629-633 West 142nd Street Rezoning) submitted by Soma 142, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, by changing from an existing R6A District to an R9A District property bounded by a line midway between West 142rd Street and West 143rd Street and its westerly prolongation, a line 365 feet westerly of Broadway, West 142nd Street and its westerly prolongation, and the easterly boundary line of Riverside Park, Borough of Manhattan, Council District 7, Community District 9.**

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Hearing Testimony - Zoning 9/10/21, Hearing Testimony - Zoning 9/10/21, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Hearing Testimony - Zoning 9/10/21, Hearing Testimony - Zoning 9/10/21, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

LU 0837-2021

**Application No. N 210262 ZRM (629-633 West 142nd Street Rezoning submitted by Soma 142, 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 Manhattan, Council District 7, Community District 9.**

**Attachments:** August 26, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 8-26-21, Calendar of the Zoning Subcommittee Meeting - September 10, 2021, Hearing Testimony - Zoning 9/10/21, Hearing Testimony - Zoning 9/10/21 cards, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

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

LU 0838-2021

**Application No. N 210270 ZRY (Elevate Transit: Zoning for Accessibility) submitted by the Metropolitan Transportation Authority (MTA) and the New York City 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, creating Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations) and modifying related sections, Citywide.**

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 9/10/21, Hearing Testimony - Zoning 9/13/21, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, City Planning Commission Approval Letter, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 9/10/21, Hearing Testimony - Zoning 9/13/21, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, City Planning Commission Approval Letter, Hearing Transcript - Zoning 9-10-21

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

LU 0839-2021

**Application No. C 180395 ZMQ (106-02 Rockaway Beach Boulevard Rezoning) submitted by RBB II LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 30a and 30b by eliminating from an existing R5D District a C2-3 District bounded by Rockaway Freeway, Beach 106th Street, Rockaway Beach Boulevard and Beach 108th Street and changing from an R5D District to an M1-3 District property bounded by Rockaway Freeway, the centerline of a Railroad Right of Way, Beach 106th Street, Rockaway Beach Boulevard, and Beach 108th Street, Borough of Queens, Council District 32, Community District 14.**

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

LU 0840-2021

**Application No. C 200306 ZMK (307 Kent Avenue Rezoning) submitted by 307 Kent Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, by changing from an M3-1 District to an M1-5 District property bounded by South 2nd Street, a line 300 feet northwesterly of Wythe Avenue, South 3rd Street, and Kent Avenue; changing from an M3-1 District to an M1-4/R6A District property bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet northwesterly of Wythe Avenue; and establishing a Special Mixed Use District (MX-8) bounded by South 2nd Street, a line 210 feet northwesterly of Wythe Avenue, South 3rd Street, and a line 300 feet northwesterly of Wythe Avenue; Borough of Brooklyn, Council District 33, Community District 1.**

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

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

LU 0841-2021

**Application No. N 200307 ZRK (307 Kent Avenue Rezoning) submitted by 307 Kent Associates 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 for property in the Borough of Brooklyn, Council District 33, Community District 1.**

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021, September 9, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - September 30, 2021, Hearing Transcript - Zoning 9-10-21

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

**Attachments:** Calendar of the Zoning Subcommittee Meeting - September 10, 2021,  
September 9, 2021 - Stated Meeting Agenda with Links to Files, Calendar  
of the Zoning Subcommittee Meeting - September 24, 2021, Calendar of the  
Zoning Subcommittee and Land Use Meetings - September 30, 2021,  
Hearing Transcript - Zoning 9-10-21

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