

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Wednesday, November 15, 2017**

**11:00 AM**

**Committee Room - City Hall**

### **Committee on Land Use**

*David G. Greenfield, Chair*

*Members: Vincent J. Gentile, Annabel Palma,  
Daniel R. Garodnick, Darlene Mealy, Rosie Mendez,  
Ydanis A. Rodriguez, Peter A. Koo, Brad S. Lander, Stephen T. Levin,  
Jumaane D. Williams, Deborah L. Rose, Donovan J. Richards,  
Inez D. Barron, Andrew Cohen, Ben Kallos, Antonio Reynoso,  
Ritchie J. Torres, Mark Treyger, Rafael Salamanca, Jr. and Barry S. Grodenchik*

## Roll Call

**Present:** Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** Mendez, Rose, Barron and Torres

## Int 1692-2017

**A Local Law to amend the administrative code of the city of New York, in relation to technical corrections to local law 116 for the year 2017**

**Attachments:** Summary of Int. No. 1692-A, Summary of Int. No. 1692, Int. No. 1692, August 24, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Land Use Calendar - October 26, 2017, Committee Report 10/26/17, Hearing Testimony 10/26/17, Hearing Transcript - Land Use 10-26-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Proposed Int. No. 1692-A - 11/15/17, Committee Report 11/15/17, Fiscal Impact Statement, Land Use Calendar - November 15, 2017, Committee Report - Stated Meeting, November 16, 2017 - Stated Meeting Agenda with Links to Files, Int. No. 1692-A (FINAL), Hearing Transcript - Stated Meeting 11-16-17, Hearing Transcript - Land Use 11-15-17

*Proposed Int. No. 1692-A*

**This Introduction was Hearing Held by Committee**

**Attachments:** Summary of Int. No. 1692-A, Summary of Int. No. 1692, Int. No. 1692, August 24, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Land Use Calendar - October 26, 2017, Committee Report 10/26/17, Hearing Testimony 10/26/17, Hearing Transcript - Land Use 10-26-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Proposed Int. No. 1692-A - 11/15/17, Committee Report 11/15/17, Fiscal Impact Statement, Land Use Calendar - November 15, 2017, Committee Report - Stated Meeting, November 16, 2017 - Stated Meeting Agenda with Links to Files, Int. No. 1692-A (FINAL), Hearing Transcript - Stated Meeting 11-16-17, Hearing Transcript - Land Use 11-15-17

**This Introduction was Amendment Proposed by Comm**

**Attachments:** Summary of Int. No. 1692-A, Summary of Int. No. 1692, Int. No. 1692, August 24, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Land Use Calendar - October 26, 2017, Committee Report 10/26/17, Hearing Testimony 10/26/17, Hearing Transcript - Land Use 10-26-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Proposed Int. No. 1692-A - 11/15/17, Committee Report 11/15/17, Fiscal Impact Statement, Land Use Calendar - November 15, 2017, Committee Report - Stated Meeting, November 16, 2017 - Stated Meeting Agenda with Links to Files, Int. No. 1692-A (FINAL), Hearing Transcript - Stated Meeting 11-16-17, Hearing Transcript - Land Use 11-15-17

**This Introduction was Amended by Committee**

**Int 1692-2017-A      A Local Law to amend the administrative code of the city of New York, in relation to technical corrections to local law 116 for the year 2017**

**Attachments:** Summary of Int. No. 1692-A, Summary of Int. No. 1692, Int. No. 1692, August 24, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Land Use Calendar - October 26, 2017, Committee Report 10/26/17, Hearing Testimony 10/26/17, Hearing Transcript - Land Use 10-26-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Proposed Int. No. 1692-A - 11/15/17, Committee Report 11/15/17, Fiscal Impact Statement, Land Use Calendar - November 15, 2017, Committee Report - Stated Meeting, November 16, 2017 - Stated Meeting Agenda with Links to Files, Int. No. 1692-A (FINAL), Hearing Transcript - Stated Meeting 11-16-17, Hearing Transcript - Land Use 11-15-17

**A motion was made that this Introduction be Approved by Committee approved by Roll Call.**

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

**LU 0784-2017      Application No. C 170464 ZSM submitted by 449 Broadway, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-781 of the Zoning Resolution to modify the requirements of Section 42-14(D) (2)(b) to allow Use Group 6 uses (retail uses) on portions of the ground floor and cellar of an existing 5-story building on property located at 449 Broadway (Block 231, Lot 36), in an M1-5B District, Borough of Manhattan, Community District 2, Council District 1.**

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

LU 0787-2017

**Application No. C 170025 ZMK submitted by JMS Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, to change an M1-1 and M1-2 zoning district to an R7D/C2-4 and an R6A/C2-4 zoning district on portions of three blocks fronting on Myrtle Avenue, between Walworth Street and Nostrand Avenue, Borough of Brooklyn, Community District 3, Council District 33.**

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, November 16, 2017 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, November 16, 2017 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

LU 0788-2017

**Application No. N 170026 ZRK submitted by JMS Realty Corp., 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 3, Council District 33.**

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, November 16, 2017 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, November 16, 2017 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

LU 0789-2017

**Application No. 20175287 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of KioRestaurant, LLC, d/b/a KHE-YO, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 157 Duane Street, Borough of Manhattan, Community Board 1, Council District 1. 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:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Zoning 10-24-17, Hearing Testimony - Zoning 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Testimony - Zoning 11-14-17, Hearing Transcript - Zoning 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

LU 0791-2017

**Application No. C 170352 PQQ submitted by the New York City Office of Emergency Management and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 930 Flushing Avenue (Block 3140, Lot 1), for use as a warehouse and ancillary office space, Borough of Brooklyn, Community District 4, Council District 34.**

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Landmarks 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Transcript - Landmarks 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

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

**Attachments:** October 17, 2017 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of October 23, 2017 - October 27, 2017, REVISED - Land Use Calendar - Week of October 23, 2017 - October 27, 2017, Hearing Transcript - Landmarks 10-24-17, Hearing Transcript - Stated Meeting 10-17-17, Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Land Use Calendar - November 15, 2017, Hearing Transcript - Landmarks 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres

LU 0815-2017

**Application No. N 180108 HKQ pursuant to Section 3020 of the New York City Charter concerning the designation by the Landmarks Preservation Commission of Old Saint James Episcopal Church (now Old Saint James Parish Hall) (Block 1549, p/o, Lot 1), as a landmark, Borough of Queens, Community Board 4, Council District 25.**

**Attachments:** Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Hearing Testimony - Landmarks 11-14-17, Land Use Calendar - November 15, 2017, Hearing Transcript - Landmarks 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

**This Land Use Application was Hearing on P-C Item by Comm**

**Attachments:** Land Use Calendar - Week of November 13, 2017 - November 17, 2017, Hearing Testimony - Landmarks 11-14-17, Land Use Calendar - November 15, 2017, Hearing Transcript - Landmarks 11-14-17, Hearing Transcript - Stated Meeting 11-16-17, Committee Report, Resolution, Hearing Transcript - Land Use 11-15-17

**A motion was made that this Land Use Application be P-C Item Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Williams, Richards, Cohen, Kallos, Reynoso, Treyger, Salamanca Jr. and Grodenchik

**Absent:** 4 - Mendez, Rose, Barron and Torres