

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, May 31, 2022

10:00 AM

REMOTE HEARING (VIRTUAL ROOM 1)

Subcommittee on Zoning and Franchises

Kevin C. Riley, Chair

*Members: Shaun Abreu, Erik D. Bottcher, David M. Carr, Kamillah Hanks,
Farah N. Louis, Francisco P. Moya and Lynn C. Schulman*

Roll Call

Present: Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

Other Council Members Attending: Brooks-Powers, Dinowitz and Restler

LU 0050-2022

Application number C 210299 ZMK (840 Lorimer Street Rezoning) submitted by Zucker Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13a, eliminating from within an existing R6A District a C2-4 District, eliminating a Special Mixed Use District (MX-8), changing from an R6A District to a C4-5D District, and changing from an M1-2/R6 District to a C4-5D District, Borough of Brooklyn, Community District 1, Council District 33.

Attachments: Calendar of the Subcommittee Meetings and Land Use Meeting - April 26 and 27, 2022, April 28, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 209, Committee Report, Hearing Transcript - Stated Meeting 4-28-22, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Zoning 4-26-22, Minutes of the Stated Meeting - April 28, 2022, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings and Land Use Meeting - April 26 and 27, 2022, April 28, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 209, Committee Report, Hearing Transcript - Stated Meeting 4-28-22, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Zoning 4-26-22, Minutes of the Stated Meeting - April 28, 2022, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0051-2022

Application number N 210300 ZRK (840 Lorimer Street Rezoning) submitted by Zucker Enterprises, 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 1, Council District 33.

Attachments: Calendar of the Subcommittee Meetings and Land Use Meeting - April 26 and 27, 2022, April 28, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 210, Committee Report, Hearing Transcript - Stated Meeting 4-28-22, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Zoning 4-26-22, Minutes of the Stated Meeting - April 28, 2022, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings and Land Use Meeting - April 26 and 27, 2022, April 28, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 210, Committee Report, Hearing Transcript - Stated Meeting 4-28-22, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Zoning 4-26-22, Minutes of the Stated Meeting - April 28, 2022, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0053-2022

Application number C 220134 ZMM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, eliminating from an existing R7-2 District a C1-4 District, changing from an R7-2 District to a C4-6 District, changing from a C8-3 District to a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 211, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 211, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0054-2022

Application number N 220135 ZRM (One 45/Museum of Civil Rights) submitted by One45 Lenox, 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 for the purpose of amending location of commercial use regulations, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 10, Council District 9.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 212, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 212, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0055-2022

Application number C 220136 ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the tower regulations of Section 35-64 (Special Tower Regulations for Mixed Buildings) of a mixed-use building (Building 1), in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 213, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 213, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0056-2022

Application number C 220137(A) ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197-c and 201 and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure of the New York City Charter for the grant of special permits pursuant to Section 74-744(b) of the Zoning Resolution to modify requirements of Section 32-42 (Location Within Buildings) to allow commercial uses (banquet hall use & office amenity space) to be located above residential use, and to modify the requirements of Section 32-423 (Limitation on ground floor location) to allow Use Group 9 uses (banquet hall use) to be located within 50 feet of the street wall of a mixed-use building (Building 1); and Section 74-744(c) of the Zoning Resolution to modify the signage regulations of Section 32-641 (Total Surface Area of Signs), 32-642 (Non-Illuminated Signs), 32-644 (Illuminated or Flashing Signs in C4, C5-4, C6 & C7 Districts), Section 32-652 (Permitted Projection in all other Commercial Districts) and Section 32-655 (Height of Signs in all other Commercial Districts); in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 214, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 214, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0057-2022

Application number C 220142 ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the required accessory off-street parking spaces to 130 spaces (20%) for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 215, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Hearing Testimony - Zoning 5-10-22, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Withdrawal Letter, Res. No. 215, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0058-2022

Application number C 210391 ZMX (1930 Adee Avenue Rezoning) submitted by Centerland Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 2b and 4a, by changing from an R4 District to an R6B District, Borough of the Bronx, Community District 12, Council District 12.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 216, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 216, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0059-2022

Application number N 210392 ZRX (1930 Adee Avenue Rezoning) submitted by Centerland 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, Borough of the Bronx, Community District 12, Council District 12.

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 217, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 5, 2022 - Stated Meeting Agenda, Calendar of the Subcommittee Meetings and Land Use Meeting - May 10 - May 12, 2022, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Res. No. 217, Committee Report, June 2, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-5-22, Hearing Transcript - Zoning 5-10-22, Hearing Transcript - Zoning 5-31-22

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

Affirmative: 8 - Riley, Abreu, Bottcher, Carr, Hanks, Louis, Moya and Schulman

LU 0063-2022

Application number C 200228 ZMX (4541 Furman Avenue Rezoning) submitted by Markland 4551, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a, changing from an M1-1 District to an R7D District and establishing within the proposed R7D District a C2-4 District, Borough of the Bronx, Community District 12, Council District 11.

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, June 16, 2022 - Stated Meeting Agenda, City Planning Commission Approval Letter, Res. No. 270, Committee Report, July 14, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, June 16, 2022 - Stated Meeting Agenda, City Planning Commission Approval Letter, Res. No. 270, Committee Report, July 14, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Laid Over by Subcommittee

LU 0064-2022

Application number N 200229 ZRX (4541 Furman Avenue Rezoning) submitted by Markland 4551, 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 and Appendix I for the purpose of modifying the existing Transit Zone, Borough of the Bronx, Community District 12, Council District 11.

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, June 16, 2022 - Stated Meeting Agenda, City Planning Commission Approval Letter, Res. No. 271, Committee Report, July 14, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, June 16, 2022 - Stated Meeting Agenda, City Planning Commission Approval Letter, Res. No. 271, Committee Report, July 14, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Laid Over by Subcommittee

LU 0065-2022

Application number C 200335 ZMK (98 Third Avenue) submitted by 98 Third 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. 16c, changing from an M1-2 District to an R6B District, changing from an M1-2 District to an R7D District, and establishing within the proposed R7D District a C2-4 District, Borough of Brooklyn, Community District 2, Council District 33.

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, Res. No., Committee Report, June 16, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, Res. No., Committee Report, June 16, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Laid Over by Subcommittee

LU 0066-2022

Application number N 200336 ZRK (98 Third Avenue) submitted by 98 Third Avenue 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, Borough of Brooklyn, Community District 2, Council District 33.

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, Res. No. 253, Committee Report, June 16, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Hearing Held by Committee

Attachments: May 19, 2022 - Stated Meeting Agenda, Calendar of the Zoning Subcommittee and Land Use Meetings - May 31, 2022 and June 1, 2022, Calendar of the Subcommittee Meetings and Land Use Meeting - June 14, 2022, Res. No. 253, Committee Report, June 16, 2022 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 5-19-22, Hearing Transcript - Zoning 5-31-22

This Land Use Application was Laid Over by Subcommittee