



COUNCIL OF THE CITY OF NEW YORK

**AGENDA
OF
THE LAND USE COMMITTEE
FOR THE MEETING OF NOVEMBER 17, 2011**

LEROY G. COMRIE, *Chair*, Land Use Committee

MARK WEPRIN, *Chair*, Subcommittee on Zoning and Franchises

BRAD LANDER, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

STEPHEN LEVIN, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

<http://legistar.council.nyc.gov/Calendar.aspx>

**AGENDA
OF THE
LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the **Council Committee Room, 250 Broadway, 16th Floor**, New York City, New York 10007, commencing at **10:00 A.M. on Thursday, November 17, 2011**, and will consider the following items and conduct such other business as may be necessary:

**PRECONSIDERED L.U. NO.
RICHMOND GARDENS**

STATEN ISLAND CB - 1

20125186 HAR

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for an exemption from real property taxes, a termination of the prior exemption and the voluntary dissolution of the current owner for property located at Block 44/Lot1, Block 45/Lot 1, Block 46/Lot 1, Block 47/Lot 62, Block 48/Lot 29, Block 49/Lot 1 and Block 52/Lot 133, Council District 49, Borough of Staten Island.

**PRECONSIDERED L.U. NO.
FAIRWAY GARDENS**

STATEN ISLAND CB - 1

20125187 HAR

Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for an exemption from real property taxes for property located at Block 2869/Lots 1, 23 and 65, Council District 49, Borough of Staten Island.

**L.U. No. 447
EL RIO RESIDENCE**

BRONX CB - 6

C 110365 HAX

Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at East 179th Street (Block 3140, part of Lot 32), as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story building with approximately 65 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

L.U. NO. 448
BRONX RIVER ART CENTER

BRONX CB - 6

C 110366 HAX

Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property consisting of a portion of the former sidewalk of demapped Bronx Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, Lot 1) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to provide egress for emergency access purposes to the existing Bronx River Arts Center.

L.U. No. 497

THIRD PARTY TRANSFER

MANHATTAN CB - 9

20125124 HAM

In Rem Action no. 48, application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York for the conveyance of property and related tax exemption pursuant to §577 of the Private Housing Finance Law.

L.U. No. 498

THIRD PARTY TRANSFER

MANHATTAN CB - 3, 9, 10, 11

20125125 HAM

In Rem Actions no. 48 and no. 49, application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law.

L.U. No. 508

VENIERO'S PASTICCERIA & CAFÉ

MANHATTAN CB - 3

20125046 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of A. Veniero, Inc., d/b/a Veniero's Pasticceria & Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 342 East 11th Street.

L.U. No. 509

RYAN'S IRISH PUB

MANHATTAN CB - 3

20125058 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 151 Second Ave. Rest. Inc., d/b/a Ryan's Irish Pub, for revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 151 Second Avenue.

L.U. No. 510
MEZZOGIORNO

MANHATTAN CB - 2

20125179 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Mezzogiorno Associates, d/b/a Mezzogiorno, for revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 195 Spring Street.

L.U. NOS. 511 THROUGH 518 ARE RELATED

L.U. No. 511
ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110382 ZMK

Application submitted by Brooklyn Navy Yard Development Corporation 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 M1-2 District to an M1-4 District property bounded by the easterly centerline prolongation of Sands Street, a line 400 feet easterly of Navy Street, a line 400 feet northerly of Nassau Street, a line 680 feet easterly of Navy Street, Nassau Street, and Navy Street, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

L.U. No. 512
ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

N 110383 ZRK

Application submitted by the Brooklyn Navy Yard Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4 (Special Permits by the City Planning Commission), relating to ownership requirements for Large Scale General Developments.

L.U. No. 513
ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110375 ZSK

Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to allow the location of a proposed building without regard for the rear yard regulations of Section 43-20 (Yard Regulations) in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

L.U. No. 514
ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110376 ZSK

Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the sign regulations of Section 32-64 (Surface Area and Illumination Provisions) and Section 32-65 (Permitted Projection or Height of Signs) in connection with a proposed commercial development, on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

L.U. No. 515
ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110377 ZSK

Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 44-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility accessory to uses in a large-scale general development, with a maximum capacity of 266 spaces in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in

an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

L.U. No. 516

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110378 ZSK

Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area, in connection with the proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

L.U. No. 517

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110380 PQQ

Application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at the Brooklyn Navy Yard (Block 2023, lot 50).

L.U. No. 518

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2

C 110381 PPK

Application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Brooklyn Navy Yard at 2 Wallabout Street, on the northeasterly corner of Navy and Nassau streets (Block 2023, Lots 50 and p/o Lot 1), Community District 2, subject to restrictions limiting development to the project that is the subject of a special permit for bulk modification to allow certain rear yard encroachments pursuant to ZR Section 74-743(a)(2), a special permit to provide a 266 space group parking facility

pursuant to ZR Section 74-53, and a special permit to construct and occupy five retail buildings with no limitation on floor area per establishment pursuant to ZR Section 74-922, respectively.

L.U. NOS. 519 AND 520 ARE RELATED

L.U. No. 519

SPECIAL 4TH AVE. ENHANCED COMMERCIAL DISTRICT
BROOKLYN CB - 2, 6 and 7 **C 110386 ZMK**

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 16c & 16d, by establishing a Special Fourth Avenue Enhanced Commercial District (EC) bounded by a line midway between Atlantic Avenue and Pacific Street, 4th Avenue, Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, the northeasterly boundary line of James J. Byrne Memorial Park and Playground, a line 100 feet southeasterly of 4th Avenue, 24th Street, 4th Avenue, Prospect Avenue, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

L.U. No. 520

SPECIAL 4TH AVE. ENHANCED COMMERCIAL DISTRICT
BROOKLYN CB - 2, 6 and 7 **N 110387 ZRK**

Application submitted by the 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, relating to Article I, Chapters I, II and IV, and Article XIII, Chapter 2, to establish the Special Fourth Avenue Enhanced Commercial District.

L.U. No. 521

LIFE QUALITY MOTORS
BROOKLYN CB - 7 **M 830094(B) ZMK**

Application submitted by 8902 Foster Avenue, LLC for a modification to Restrictive Declaration D-86, which was approved as part of a Zoning Map Amendment (C 830094 ZMK), involving:

1. eliminating the restriction on Use Group 16B (automotive service establishments) uses only on Block 5807, Lot 40, with a prohibition on automotive paint spraying;
2. allowing open accessory parking on the zoning lot; and
3. updating the plan attached as Exhibit D, governing tree replacement, to reflect the proposed conditions;

on property bounded by 2nd Avenue, 63rd Street, 3rd Avenue and 64th Street (Block 5807, Lots 1 and 40), in a C8-1 District.

L.U. No. 522
P.S./I.S. 437, BROOKLYN

BROOKLYN CB - 7

20115470 SCK

Application pursuant to Section 1731 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 750-Seat Primary/Intermediate School Facility bounded by Kermit Place to the north, Caton Avenue to the south, East 8th Street to the east and East 7th Street to the west (Block 5321, Lots 44, 64 and 73), Borough of Brooklyn, Community School District No. 15.

L.U. No. 467

Proposal subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;

3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law; and
4. Approve the project as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law.
5. Approve an exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law for L.U. No. 467.

L.U. No.	Non-ULURP No.	Address	Block/Lot	Program	CB	Tax Exemption
467	20125065 HAK	386 Miller Avenue 2406 Pacific Street Brooklyn	3742/41 1444/15	Asset Control Area	05 16	Section 696
<i>Laid over from the meeting of the Subcommittee on Planning, Dispositions and Concessions on September 19, 2011, October 3, 2011 and October 27, 2011</i>						