



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR**

**OF**

**THE LAND USE COMMITTEE**

**FOR THE WEEK OF JANUARY 27, 2014 - JANUARY 31, 2014**

**DAVID G. GREENFIELD**, *Chair*, Land Use Committee

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

**PETER KOO**, *Chair*, Subcommittee on Landmarks, Public Siting  
and Maritime Uses

**INEZ DICKENS**, *Chair*, Subcommittee on Planning, Dispositions  
and Concessions

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

## **SUBCOMMITTEE ON ZONING AND FRANCHISES**

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway**, New York City, New York 10007, commencing at **9:30 A.M. on Tuesday, January 28, 2014:**

### **C 140093 ZSM THROUGH N 140092 ZRM ARE RELATED**

**PRECONSIDERED L.U. NO.**

**300 LAFAYETTE STREET**

**MANHATTAN CB - 2**

**C 140093 ZSM**

Application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) 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 a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

**PRECONSIDERED L.U. NO.**

**300 LAFAYETTE STREET**

**MANHATTAN CB - 2**

**C 140095 ZSM**

Application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

**PRECONSIDERED L.U. NO.**

**300 LAFAYETTE STREET**

**MANHATTAN CB - 2**

**C 140096 ZSM**

Application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

**PRECONSIDERED L.U. NO.**

**300 LAFAYETTE STREET**

**MANHATTAN CB - 2**

**N 140092 ZRM**

Application submitted by Paco Lafayette 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 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with ## is defined in Section 12-10;

\*\*\* indicates where unchanged text appears in the Zoning Resolution

**74-712**

**Developments in Historic Districts**

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, ~~or~~ has not more than 20 percent of

the #lot area# occupied by existing #buildings#, or has #street# frontages on two or more #wide streets# and not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development#, and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided ~~that~~:

- (1) the #use# modifications shall meet the following conditions, that:
  - (i) ~~that~~ #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;
  - (ii) ~~that~~ total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
  - (iii) ~~that~~ the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
  - (iv) ~~that~~ all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and
  - (v) ~~that~~ eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted;
- (2) the Commission shall find that such #use# modifications:
  - (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
  - (ii) are compatible with the character of the surrounding area; and

(iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.

b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 20 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications: comply with the findings set forth below.

In addition, in M1-5A and M1-5B Districts, the Commission may also modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that has #street# frontages on two or more #wide streets# and that, as of December 15, 2003, has not more than 40 percent of the #lot area# occupied by existing #buildings#, provided the #development# contains no #residences# and the Commission finds that such #bulk# modifications:

- (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and
- (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

**PRECONSIDERED L.U. No.  
2ND AVENUE TEXT AMENDMENT**

**CITYWIDE**

**N 130232 ZRY**

Application submitted by 945 Realty 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, concerning Article III, Chapter 2 to amend Section 32-421 to permit commercial use on the second floors of buildings in C1 and C2 districts mapped within R9 & R10 districts and in C1-8, C1-9, C2-7, & C2-8 districts.

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter in # # is defined in Section 12-10;

\* \* \* indicate where unchanged text appears in the Zoning Resolution

**Article III: Commercial District Regulations**

\* \* \*

**Chapter 2: Use Regulations**

\* \* \*

**32-421**

**Limitation on floors occupied by commercial uses**

C1 C2 C3

In the districts indicated, in any #building#, or portion of a #building# occupied on one or more of its upper #stories# by #residential uses# or by #community facility uses#, no #commercial uses# listed in Use Group 6, 7, 8, 9 or 14 shall be located above the level of the first #story# ceiling, provided, however, that permitted #signs#, other than #advertising signs#, #accessory# to such #commercial uses# may extend to a maximum height of two feet above the level of the finished floor of the second #story#, but in no event higher than six inches below the lowest window sill of the second #story#. In any other #building#, or portion thereof, not more than two #stories# may be occupied by #commercial uses# listed in Use Group 6A, 6B, 6C, 6F, 7, 8, 9 or 14.

~~Non residential uses listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two stories in any building constructed after September 17, 1970 in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts.~~

However, in C1 or C2 Districts mapped within R9 or R10 Districts or in C1-8, C1-9, C2-7 or C2-8 Districts, non-residential uses listed in Use Group 6, 7, 8, 9 or 14, where permitted by the applicable district regulations, may occupy the lowest two stories in any building constructed after September 17, 1970. For buildings constructed in such districts prior to September 17, 1970 located in Manhattan Community District Six, such non-residential uses may occupy the lowest two stories in such building, provided that:

(a) the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that the second story has not been occupied by a community facility use, a dwelling unit or a rooming unit, notwithstanding the certificate of occupancy, if any, for a continuous period from May 1, 2013 until a certification has been issued pursuant to this Section; and

(b) the second story of at least one other building on the same block frontage is occupied by a use listed in Use Groups 6, 7, 8, 9, or 14.

*End Text*

**C 070194 ZMQ AND C 090033 MMQ ARE RELATED**

**PRECONSIDERED L.U. No.**

**NORTH CONDUIT AVENUE REZONING**

**QUEENS CB - 12**

**C 070194 ZMQ**

Application submitted by Tserpes Holding LLC pursuant to Sections 197c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18d:

1. changing from an R3-2 District to a C4-2 District property bounded by 135<sup>th</sup> Avenue, 142<sup>nd</sup> Street, North Conduit Avenue, and a line 105 feet westerly of 142<sup>nd</sup> Street; and

2. changing from an R3A District to a C4-2 District property bounded by a line 40 feet northerly of North Conduit Avenue (straight line portion), a line 105 feet westerly of 142<sup>nd</sup> Street, North Conduit Avenue, and 140<sup>th</sup> Street.

as shown on a diagram (for illustrative purposes only), dated August 19, 2013, and subject to the conditions of CEQR Declaration E-319.

**PRECONSIDERED L.U. NO.**  
**NORTH CONDUIT AVENUE REZONING**  
**QUEENS CB - 12** **C 090033 MMQ**

Application submitted by Tserpes Holding LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of North Conduit Avenue;
- the extinguishment of an easement north of North Conduit Avenue between 140th and 142nd Streets; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5005 dated January 23, 2009 and signed by the Borough President.





## **SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES**

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the **Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway**, New York City, New York 10007, commencing at **11:00 A.M. on Tuesday, January 28, 2014:**

### **PRECONSIDERED L.U. NO.**

#### **39 WORTH STREET BUILDING**

**MANHATTAN CB - 1**

**20145191 HKM (N 140164 HKM)**

Designation (List No. 469/LP-2539) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 39 Worth Street Building, located at 39 Worth Street (Tax Map Block 176, Lot 11), as an historic landmark.

### **PRECONSIDERED L.U. NO.**

#### **41 WORTH STREET BUILDING**

**MANHATTAN CB - 1**

**20145186 HKM (N 140165 HKM)**

Designation (List No. 469/LP-2540) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 41 Worth Street Building, located at 41 Worth Street (Tax Map Block 176, Lot 10), as an historic landmark.

### **PRECONSIDERED L.U. NO.**

#### **339 GRAND STREET HOUSE**

**MANHATTAN CB - 3**

**20145189 HKM (N 140166 HKM)**

Designation (List No. 469/LP-2413) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 339 Grand Street House, located at 339 Grand Street, aka 57 Ludlow Street (Tax Map Block 309, Lot 19), as an historic landmark.

**PRECONSIDERED L.U. NO.**

**TAMMANY HALL**

**MANHATTAN CB - 5**

**20145176 HKM (N 140163 HKM)**

Designation (List No. 469/LP-2490) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Tammany Hall, located at 100 East 17<sup>th</sup> Street aka 100-102 East 17<sup>th</sup> Street, 44-48 Union Square, 44-48 Union Square East (Tax Map Block 872, Lot 78), as an historic landmark.



**SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS**

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the **Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway**, New York City, New York 10007, commencing at **1:00 P.M. on Tuesday, January 28, 2014:**

**PRECONSIDERED L.U. NO.**

**ARTSBRIDGE**

**BRONX CB - 4**

**C 140045 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 1446-1458 Plimpton Avenue (Block 2874, Lots 3, 6, 8 and part of 10) 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 Block 2874, Lots 3, 6, 8, 27 and part of 10, to a developer to be selected by HPD;

to facilitate the construction of a seven-story senior residence with approximately 61 dwelling units and 22, 557 square feet of community facility space.

**PRECONSIDERED L.U. NO.  
BERGEN SARATOGA**

**BROOKLYN CB - 16**

**C 140115 HAK**

Application submitted by the New York City 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 317/335 Saratoga Avenue and 1943/1963 Bergen Street (Block 1447, Lots 1, 3, 4, 5, 6, 7, 8, 9, 73, 74, 75, 76 and 77) 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 the development of a five-story building with approximately 80 residential units of affordable and supportive housing.

**PRECONSIDERED L.U. No.  
FAIRMONT PLACE**

**BRONX CB - 6**

**20145276 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for Council approval of an amendment to a previously approved tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the property located at 793 Fairmont Place (Block 2955, Lot 44), in the Borough of the Bronx, Council District 15. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.



**LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the **Committee Room, City Hall, New York City, New York 10007**, commencing at **10:00 A.M. on Thursday, January 30, 2014**, and will consider all items reported out of the Subcommittees at the meetings held on Tuesday, January 28, 2014, and conduct such other business as may be necessary.