



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR**  
**OF**  
**THE LAND USE COMMITTEE**  
**FOR THE WEEK OF JUNE 17, 2013 - JUNE 21, 2013**

**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>

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

The Subcommittee on Landmarks, Public Siting and Maritime Uses public hearing scheduled for **Tuesday, June 18, 2013 at 11:00 a.m.** in the Council Committee Room, 16<sup>th</sup> Floor, 250 Broadway, New York City, New York 10007, **has been DEFERRED.**

### **L.U. No. 851**

### **PIER 15 MARITIME LEASE**

**MANHATTAN CB - 1**

**20135759 PNM**

Application pursuant to §1301 (2)(f) of the New York City Charter concerning the proposed maritime lease agreement between the City of New York Department of Small Business Services, as landlord, and Hornblower, New York, LLC, as tenant, for certain City-owned berth areas and other improvements located along the East River Waterfront Esplanade on Pier 15 (Block 73, part of Lot 2), in Manhattan, Community Board 1, Council District 1.



## **SUBCOMMITTEE ON ZONING AND FRANCHISES**

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Council Chambers, City Hall**, New York City, New York 10007, commencing at **9:30 A.M. on Wednesday, June 19, 2013:**

### **L.U. No. 821**

#### **TELECOMMUNICATIONS AUTHORIZING RESOLUTION**

**CITYWIDE**

**20135563 GFY**

Resolution authorizing franchises for telecommunications services.

By City Council Members Comrie and Weprin (at the request of the Mayor)

WHEREAS, by Executive Order 25, dated August 23, 1995, the Mayor has designated the Department of Information Technology and Telecommunications as the responsible agency for the granting of telecommunications franchises; and

WHEREAS, pursuant to Section 363 of the Charter (the “Charter”) of the City of New York (“the City”), the Commissioner of the Department of Information Technology and Telecommunications has made the initial determination of the need for franchises for telecommunications services; and

WHEREAS, the Mayor has submitted to the Council a proposed authorizing resolution for such franchises pursuant to Section 363 of the Charter; and

WHEREAS, the Council has determined that the granting of such franchises will promote the public interest, enhance the health, welfare and safety of the public and stimulate commerce by assuring the widespread availability of telecommunications services;

The Council hereby resolves that:

- A. The Council authorizes the Department of Information Technology and Telecommunications to grant non-exclusive franchises for the installation of cable, wire or optical fiber and associated equipment on over and under the inalienable property of the City (including through pipes, conduits, sewers and similar improvements thereto) to be used in providing one or more telecommunications services (as that term is defined in Section C. of this resolution) in the City.
- B. For purposes of this resolution, “inalienable property of the City” shall mean the property designated as inalienable in Section 383 of the Charter.
- C. The public services to be provided under such franchises shall be one or more “telecommunications services”, defined for purposes of this resolution as the transmission of voice, data, information service and/or video signals, or any other form of wire communications or radio communications (as such terms are defined in subsections (40) and (59) of Section 3 of the federal Communications Act of 1934, as amended, or successor provisions thereto) but for purposes of this resolution “telecommunications services” shall not include any of the following: (i) “cable television services” as defined in the authorizing resolution adopted by the Council on May 15, 2012 as Resolution No. 1334, or any successor resolution thereto; (ii) “mobile telecommunications services” as defined in the authorizing resolution adopted by the Council on August 25, 2010 as Resolution No. 191 or any successor resolution thereto; and (iii) “public pay telephones” as defined in the authorizing resolution adopted by the Council on December 21, 2009 as Resolution No. 2309 or any successor resolution thereto.
- D. All franchises granted pursuant to this resolution shall require the approval of the Franchise and Concession Review Committee and the separate and additional approval of the Mayor.
- E. The authorization to grant franchises pursuant to this resolution shall expire on the fifth anniversary of the date on which this resolution was adopted by the Council (the “Expiration Date”). No franchises shall be approved pursuant to this resolution by the Department of Information Technology and Telecommunications, the Franchise and Concession Review Committee, or the Mayor pursuant to this resolution after the Expiration Date.
- F. Prior to the grant of any such<sub>3</sub> franchise, a Request for Proposals

("RFP") or other solicitation shall be issued by the Department of Information Technology and Telecommunications. Prior to issuing any such RFP or other solicitation, all necessary environmental and land use review shall be conducted in accordance with City Environmental Quality Review ("CEQR") and Section 197-c of the Charter. The criteria to be used by the Department of Information Technology and Telecommunications to evaluate response to such RFPs or other solicitations shall include, but not be limited to, the following to the extent permitted by law:

- (1) The adequacy of the proposed compensation to be paid to the City, and
- (2) The ability of the applicant(s) to maintain the property of the City in good condition throughout the term of the franchise and in a manner consistent with the City's management of the public rights-of-way.

In no event, however, shall the Department of Information Technology and Telecommunications include any criteria in any such RFP or other solicitation which the City would be preempted, pursuant to federal law, from thus including: and in no event shall the Department of Information Technology and Telecommunications apply any criteria to be included in any such RFP or other solicitation in a manner which the City would be preempted, pursuant to federal law, from thus applying.

G. Any franchise granted pursuant to this authorizing resolution shall be by written agreement which shall include, but not be limited to, the following terms and conditions to the extent permitted by law (provided however, that no term or condition, whether or not listed hereinafter, shall be included in a written franchise agreement if the City is preempted, by federal law, from including such a term or condition in such agreement, and provided that no term or condition, whether or not listed hereinafter, shall be included in a written agreement in a form or manner which the City is preempted by federal law from using with respect to such agreement):

- (1) the term of the franchise, including options to renew if any, shall not exceed fifteen (15) years;
- (2) the compensation to be paid to the City shall be adequate and may include the provision of facilities or services to the City or both;

- (3) the franchise may be terminated or cancelled in the event of the franchisee's failure to comply with the material terms and conditions of the agreement;
- (4) a security fund shall be established to ensure the performance of the franchisee's obligations under the agreement;
- (5) the City shall have the right to inspect the facilities of the franchisee located on the inalienable property of the City and to order the relocation of such facilities at the direction of the Department of Information Technology and Telecommunications;
- (6) there shall be adequate insurance and indemnification requirements to protect the interests of the public and the City;
- (7) all franchisees shall be required to maintain complete and accurate books of account and records for purposes of reviewing and/or enforcing compliance with the franchise agreement;
- (8) there shall be provisions to ensure quality workmanship and construction methods in the use of the inalienable property;
- (9) there shall be provisions that include the agreements required pursuant to paragraph 6 of subdivision (h) of Section 363 of the Charter relating to collective bargaining and other matters;
- (10) there shall be provisions requiring the franchisee to comply with City laws, regulations and policies related to, but not limited to, employment purchasing and investigations;
- (11) there shall be provisions to ensure adequate oversight of the franchisee's performance of its franchise obligations;
- (12) there shall be provisions to restrict the assignment or other transfer of the franchise without the prior written consent of the city and provisions to restrict changes in control of the franchisee without the prior written consent of the City;

- (13) there shall be remedies to protect the City's interest in the event of the franchisee's failure to comply with the terms and conditions of the agreement;
- (14) all franchisees shall have been subject, prior to the commencement of the franchise term, to review under the City's Vendor Information Exchange System ("VENDEX") or any successor system;
- (15) all franchisees shall include provisions incorporating the MacBride Principles;
- (16) there shall be provisions preserving the right of the City to perform public works or public improvements in and around those areas subject to the franchise;
- (17) there shall be provisions requiring the franchisee to protect the property of the city, and the delivery of public services through, along or across such property, from damage or interruption of operation, as a result of the construction, operation, maintenance, repair and/or removal of franchisee's facilities in the inalienable property of the City; and
- (18) there shall be provisions designed to minimize the extent to which the public use of the street of the City are disrupted in connection with the construction, installation, use operation, maintenance and/or removal of franchisee's facilities in the inalienable property.

H. The Department of Information Technology and Telecommunications shall file with the Council the following documents:

- (1) within fifteen (15) days of issuance, a copy of each RFP or other solicitation issued pursuant to this resolution;
- (2) within (15) days of approval by the Mayor, a copy of the agreement for each franchise granted pursuant to this resolution; and
- (3) on or before July 1 of each year, a report detailing the revenues received by the City from each franchise granted pursuant to this resolution during the preceding calendar year.

- I. If any clause, sentence, paragraph, section or part of this resolution shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this resolution or the application thereof but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**L.U. NOS. 847, 848 AND 849 ARE RELATED**

**L.U. No. 847**

**MADISON SQUARE GARDEN**

**MANHATTAN CB - 5**

**N 130137 ZRM**

Application submitted by MSG Holding, L.P. 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 7 (Urban Design Regulations), Article VII, Chapter 4 (Special Permits by the City Planning Commission), and Article IX, Chapter 3 (Special Hudson Yards District).

Matter in underline is new, to be added;

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

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

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

**ARTICLE III**

**COMMERCIAL DISTRICT REGULATIONS**

\* \* \*

**Chapter 7**

**Urban Design Regulations**

\* \* \*



## 37-625

### Design changes

Except as otherwise provided in Section 74-41, dDesign changes to existing #plazas#, #residential plazas# or #urban plazas# may be made only upon certification by the Chairperson of the City Planning Commission that such changes would result in a #plaza#, #residential plaza# or #urban plaza# that is in greater accordance with the standards set forth in Section 37-70 (PUBLIC PLAZAS), inclusive. The provisions of Section 37-78 (Compliance), other than paragraph (e) (Special regulations for an urban plaza in the Special Lower Manhattan District), shall be made applicable to such #plaza#, #residential plaza# or #urban plaza#.

\* \* \*

## ARTICLE VII ADMINISTRATION

\* \* \*

### Chapter 4 Special Permits by the City Planning Commission

\* \* \*

#### 74-41 Arenas, Auditoriums, Stadiums or Trade Expositions

In C4, C6, C7 or C8 Districts or any #Manufacturing District#, the City Planning Commission may permit arenas, auditoriums or stadiums with a capacity in excess of 2,500 seats, or trade expositions with a rated capacity in excess of 2,500 persons, provided that the following findings are made:

\* \* \*

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on #signs#, ~~or~~ requirements for soundproofing of arenas or auditoriums, shielding of floodlights, screening of open #uses# or surfacing all access roads or driveways. The Commission may also prescribe requirements for pedestrian-accessible open areas surrounding the arena, auditorium, or stadium, including #accessory# directional or

building identification #signs# located therein. In addition, within Pennsylvania Station Subarea B4 of the Special Hudson Yards District, design changes to existing #plazas# located within such pedestrian-accessible open areas may be made without a certification by the Chairperson of the Commission pursuant to Section 37-625, and the design standards of Sections 37-70, inclusive, shall not apply to such #plazas#.

\* \* \*

## **ARTICLE IX SPECIAL PURPOSE DISTRICTS**

\* \* \*

### **Chapter 3 Special Hudson Yards District**

\* \* \*

#### **93-17 Modification of Sign Regulations**

##### **(a) Subdistricts A, B, C, D, and E**

Within Subdistricts A, B, C, D, and E, the underlying #sign# regulations shall apply, except that #flashing signs# shall not be allowed within 100 feet of Hudson Boulevard, its northerly prolongation to West 39<sup>th</sup> Street and its southerly prolongation to West 33<sup>rd</sup> Street. Furthermore, #flashing signs# shall not be allowed on any portion of a #building# fronting upon the outdoor plaza required in the Eastern Rail Yard Subarea A1, pursuant to Section 93-71. Within the Pennsylvania Station Subarea B4, the provisions of Section 93-171 (Special permit for signs within the Pennsylvania Station Subarea) shall apply.

\* \* \*

## 93-171

### Special permit for signs within the Pennsylvania Station Subarea

For an arena permitted pursuant to Section 74-41 within Pennsylvania Station Subarea B4, the City Planning Commission may, by special permit, modify the applicable provisions of Sections 32-63 (Permitted Advertising Signs) to allow advertising #signs#; 32-64 (Surface Area and Illumination Provisions) to allow increased #surface area# along specified #streets#; and 32-65 (Permitted Projection or Height of Signs), provided such #signs# comply with the conditions of paragraph (a) and the findings of paragraph (b) of this Section, as follows;

#### (a) Conditions

- (1) No #sign# shall extend to a height greater than 85 feet above #curb level#;
- (2) All #signs# located below a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 550 square feet on the West 31<sup>st</sup> Street frontage of Subarea B4, 250 square feet on the West 33<sup>rd</sup> Street frontage of Subarea B4, and 850 square feet on the Eighth Avenue frontage of Subarea B4;
- (3) All #signs# located above a height of 12 feet above #curb level# shall be limited in location and aggregate #surface area# to 5,500 square feet within the #through lot# fronting on Eighth Avenue, 3,000 square feet within each #corner lot# fronting on Eighth Avenue, 3,000 square feet within the #through lot# portion of the West 31<sup>st</sup> Street frontage of Subarea B4 and 3,000 square feet within the #through lot# portion of the West 33<sup>rd</sup> Street frontage of Subarea B4.

(b) The Commission shall find that the location and placement of such #signs# is appropriate in the relationship to #buildings# and #uses# on the #zoning lot# and to adjacent open areas, and would be compatible with the character of the arena site, including its use as an entryway to Pennsylvania Station, and of the surrounding area.

For purposes of calculating the height of any #sign# permitted pursuant to this section, #curb level# shall be defined as 30.755 feet above Manhattan datum.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area, including limitations on the number, size and location of arena #signs# permitted pursuant to the district regulations.

\* \* \*

**L.U. No. 848**

**MADISON SQUARE GARDEN**

**MANHATTAN CB - 5**

**C 130139 ZSM**

Application submitted by MSG Holdings, L.P. pursuant to 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-41 of the Zoning Resolution to allow an arena with a maximum capacity of 22,000 seats within an existing 10-story building on property located at 3-10 Penn Plaza (Blocks 781, Lots 1, 2 and 10) in C6-4 and C6-6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special Midtown District.

**L.U. No. 849**

**MADISON SQUARE GARDEN**

**MANHATTAN CB - 5**

**C 130140 ZSM**

Application submitted by MSG Holdings, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 93-171 of the Zoning Resolution to modify the applicable provisions of Section 32-63 (Permitted Advertising Signs) to allow advertising signs, to modify the applicable provisions of Section 32-64 (Surface Area and Illumination Provisions) to allow an increase in surface area, and to modify the applicable provisions of Section 32-65 (Permitted Projection or Height of Signs) to allow signs above the maximum permitted height, for a proposed arena permitted pursuant to Section 74-41, on property located at 3-10 Penn Plaza (Block 781, Lots 1, 2 and 10), in C6-4 and C6-6 Districts, partially within the Special Hudson Yards District (Pennsylvania Station Subarea B4) and partially within the Special Midtown District.

**L.U. No. 850**

**BELLEROSE-FLORAL PARK-GLEN OAKS REZONING**

**QUEENS CB - 13**

**C 130188 ZMQ**

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 11b, 11d, 15a, and 15c;

1. eliminating from an existing R2 District a C1-2 District bounded by:
  - a. a line 150 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 150 feet southeasterly of Hillside Avenue, 249<sup>th</sup> Street, Hillside Avenue, and 253<sup>rd</sup> Street;
  - b. 77<sup>th</sup> Road, a boundary line of the City of New York, a line 80 feet southeasterly of 77<sup>th</sup> Road and its northeasterly prolongation, a line 300 feet northeasterly of 21<sup>st</sup> Street, a line midway between 77<sup>th</sup> Road and Union Turnpike, and 271<sup>st</sup> Street;
  - c. a line perpendicular to the northeasterly street line of 271<sup>st</sup> Street distant 175 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 271<sup>st</sup> Street and the southeasterly street line of Union Turnpike, and Langdale Street; and
  - d. a line perpendicular to the easterly street line of Langdale Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the southeasterly street line of Union Turnpike, a boundary line of the City of New York, a line 240 feet northerly of 78<sup>th</sup> Avenue, and Langdale Street;
2. eliminating from an existing R4 District a C1-2 District bounded by a line 100 feet northeasterly of Braddock Avenue, 239<sup>th</sup> Street, Braddock Avenue, 92<sup>nd</sup> Road, Gettysburg Street, 92<sup>nd</sup> Avenue, 224<sup>th</sup> Street, Braddock Avenue, and Moline Street;
3. eliminating from within an existing R2 District a C2-2 District bounded by:
  - a. a line 150 feet northwesterly of Hillside Avenue, 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 258<sup>th</sup> Street, Hillside Avenue, a line 100 feet southwesterly of 256<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway; and
  - b. a line 150 feet northwesterly<sup>12</sup>of Hillside Avenue, a boundary line of the

City of New York, and 267<sup>th</sup> Street;

4. eliminating from within an existing R3-2 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Jamaica Avenue, 243<sup>rd</sup> Street, Jamaica Avenue, and 240<sup>th</sup> Street; and
  - b. a line 150 feet northwesterly of Union Turnpike, Little Neck Parkway, a line perpendicular to southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between Little Neck Parkway and 252<sup>nd</sup> Street, a line perpendicular to the northeasterly street line of 252<sup>nd</sup> Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, and 252<sup>nd</sup> Street;
5. eliminating from within an existing R4 District a C2-2 District bounded by:
  - a. a line 100 feet northeasterly of Braddock Avenue, a line 100 feet southeasterly of 241<sup>st</sup> Street, Braddock Avenue, and 239<sup>th</sup> Street; and
  - b. a line 150 feet northerly of Jamaica Avenue, 91<sup>st</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line 100 feet northwesterly of Jamaica Avenue, 249<sup>th</sup> Street, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;
6. changing from an R2 District to an R1-2A District property bounded by:
  - a. 267<sup>th</sup> Street and its northwesterly centerline prolongation, 73<sup>rd</sup> Avenue, the northeasterly prolongation of a southeasterly street line of 260<sup>th</sup> Place, a line 45 degrees to the centerline of 72<sup>nd</sup> Road and passing through the point of intersection of the centerline of 72<sup>nd</sup> Road and the southeasterly centerline prolongation of 266<sup>th</sup> Street, 72<sup>nd</sup> Road, the southeasterly street line of 260<sup>th</sup> Place and its northeasterly and southwesterly prolongations, Little Neck Parkway, and Grand Central Parkway; and
  - b. a line 100 feet southeasterly of Union Turnpike, 233<sup>rd</sup> Street, Seward

Avenue, 235<sup>th</sup> Street, a line 100 feet southeasterly of Seward Avenue, the southeasterly centerline prolongation of 236<sup>th</sup> Street, Winchester Boulevard, a line 100 feet northerly of Hillside Avenue, 232<sup>nd</sup> Street, a line 100 feet northwesterly of Seward Avenue, and a line midway between 232<sup>nd</sup> Street and 233<sup>rd</sup> Street;

7. changing from an R3-2 District to an R1-2A District property bounded by 72<sup>nd</sup> Road, a line 45 degrees to the centerline of 72<sup>nd</sup> Road and passing through the point of intersection of the centerline of 72<sup>nd</sup> Road and the southeasterly centerline prolongation of 266<sup>th</sup> Street, and the northeasterly prolongation of a southeasterly street line of 260<sup>th</sup> Place;
8. changing from an R4 District to an R2 District property bounded by Braddock Avenue, a line 215 feet northwesterly of 90<sup>th</sup> Avenue and its northeasterly prolongation, and 221<sup>st</sup> Place;
9. changing from an R2 District to an R2A District property bounded by:
  - a. Stronghurst Avenue, Union Turnpike, Winchester Boulevard, the southeasterly centerline prolongation of 236<sup>th</sup> Street, a line 100 feet southeasterly of Seward Avenue, 235<sup>th</sup> Street, Seward Avenue, 233<sup>rd</sup> Street, a line 100 feet southeasterly of Union Turnpike, a line midway between 233<sup>rd</sup> Street and 232<sup>nd</sup> Street, a line 100 feet northwesterly of Seward Avenue, 232<sup>nd</sup> Street, Seward Avenue, and 229<sup>th</sup> Street; and
  - b. Union Turnpike, 248<sup>th</sup> Street, a line 150 feet southeasterly of Union Turnpike, 249<sup>th</sup> Street, Union Turnpike, 252<sup>nd</sup> Street, 80<sup>th</sup> Avenue, 254<sup>th</sup> Street, Union Turnpike, 263<sup>rd</sup> Street, 76<sup>th</sup> Avenue, a boundary line of the City of New York, 81<sup>st</sup> Avenue, 268<sup>th</sup> Street, 83<sup>rd</sup> Avenue, a boundary line of the City of New York, a line perpendicular the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Langdale Street and the northwesterly street line of Hillside Avenue, Langdale Street, a line 100 feet northwesterly of Hillside Avenue, 263<sup>rd</sup> Street, Hillside Avenue, 262<sup>nd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, a line midway between 255<sup>th</sup> Street and Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet northwesterly of Hillside Avenue, 253<sup>rd</sup> Street, Hillside Avenue,

249<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, a line 150 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 267<sup>th</sup> Street, a boundary line of the City of New York, a line 100 feet northwesterly of Jamaica Avenue, Little Neck Parkway, 87<sup>th</sup> Drive, Commonwealth Boulevard, 87<sup>th</sup> Avenue, the easterly service road of the Cross Island Parkway, Hillside Avenue, the westerly street line of 240<sup>th</sup> Street and its southerly and northerly prolongations, a line 220 feet northwesterly of 83<sup>rd</sup> Avenue, a line 150 feet southwesterly of 242<sup>nd</sup> Street, the southwesterly centerline prolongation of 82<sup>nd</sup> Avenue, a line 170 feet southwesterly of 242<sup>nd</sup> Street, a line 436 feet northwesterly of 82<sup>nd</sup> Avenue and its southwesterly prolongation, a line 90 feet southwesterly of 242<sup>nd</sup> Street and its northeasterly prolongation (at the straight line portion), a line 43 feet southeasterly of Union Turnpike, and the southwesterly service road of the Cross Island Parkway;

10. changing from an R3A District to an R2A District property bounded by 86<sup>th</sup> Avenue, a line 100 feet westerly of Cross Island Parkway, 86<sup>th</sup> Road, a line 240 feet westerly of Cross Island Parkway, 87<sup>th</sup> Avenue, the easterly service road of Cross Island Parkway, a line 100 feet northeasterly of 88<sup>th</sup> Road, 247<sup>th</sup> Street and its northeasterly centerline prolongation, the northerly street line of 88<sup>th</sup> Avenue and its southeasterly prolongation, Commonwealth Boulevard, 87<sup>th</sup> Drive, Little Neck Parkway, the centerline of the Long Island Rail Road Right-of-Way, 249<sup>th</sup> Street, 88<sup>th</sup> Road, a line midway between 251<sup>st</sup> Street and 250<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, a line midway between 89<sup>th</sup> Avenue and 88<sup>th</sup> Drive, 247<sup>th</sup> Street, 90<sup>th</sup> Avenue, a line 430 feet southeasterly of 247<sup>th</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 91<sup>st</sup> Avenue, 242<sup>nd</sup> Street, a line 100 feet northerly and northeasterly of Braddock Avenue, a line midway between 239<sup>th</sup> Street and 238<sup>th</sup> Street, 88<sup>th</sup> Avenue, Gettysburg Street, 87<sup>th</sup> Avenue, 239<sup>th</sup> Street, 87<sup>th</sup> Avenue, and a line 100 feet westerly of 241<sup>st</sup> Street;

11. changing from an R3-1 District to an R2A District property bounded by a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 233<sup>rd</sup> Street and the northwesterly street line of Winchester Boulevard, and a line midway between 233<sup>rd</sup> Street and Winchester Boulevard;



12. changing from an R3-2 District to an R2A District property bounded by:
  - a. a line 100 feet southwesterly of Hillside Avenue, a line midway between Range Street and Musket Street, 87<sup>th</sup> Avenue, the southerly centerline prolongation of Range Street, 88<sup>th</sup> Avenue, and Winchester Boulevard; and
  - b. 92<sup>nd</sup> Avenue, Gettysburg Street, 92<sup>nd</sup> Road, a line 100 feet northeasterly of Gettysburg Street, a line midway between Davenport Avenue and 92<sup>nd</sup> Road, the southwesterly boundary line of Jack Breininger Park, a line midway between Fairbury Avenue and Edmore Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and 93<sup>rd</sup> Avenue, a line 365 feet southwesterly of 240<sup>th</sup> Street, 93<sup>rd</sup> Avenue, a line 100 feet southwesterly of 239<sup>th</sup> Street, 93<sup>rd</sup> Road, a line 100 feet southwesterly of 224<sup>th</sup> Street, Edmore Avenue, 224<sup>th</sup> Street, 92<sup>nd</sup> Road, and a line 100 feet southwesterly of 224<sup>th</sup> Street;
  
13. changing from an R4 District to an R2A District property bounded by:
  - a. 87<sup>th</sup> Avenue, a line perpendicular to the northerly street line of 88<sup>th</sup> Avenue distant 665 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of 88<sup>th</sup> Avenue and the southeasterly street line of Winchester Boulevard, 88<sup>th</sup> Avenue, and the southerly centerline prolongation of Range Street;
  - b. a line 80 feet northwesterly of 92<sup>nd</sup> Avenue, a line 180 feet northeasterly of 224<sup>th</sup> Street, 92<sup>nd</sup> Avenue, 224<sup>th</sup> Street; and
  - c. 91<sup>st</sup> Avenue, a line 80 feet northwesterly of Jamaica Avenue, 245<sup>th</sup> Street, a line 150 feet northerly of Jamaica Avenue, and Cross Island Parkway; and
  
14. changing from an R4-1 District to an R2A District property bounded by:
  - a. a line midway between 88<sup>th</sup> Drive and 89<sup>th</sup> Avenue, a line 100 feet easterly of 247<sup>th</sup> Street, a line midway between 89<sup>th</sup> Avenue and 90<sup>th</sup> Avenue, a line 270 feet easterly of 247<sup>th</sup> Street, 90<sup>th</sup> Avenue, and 247<sup>th</sup> Street; and
  
  - b. a line midway between 88<sup>th</sup> Drive and 89<sup>th</sup> Avenue, Commonwealth

Boulevard, a line midway between 89<sup>th</sup> Avenue and 90<sup>th</sup> Avenue and its easterly prolongation, a line 400 feet easterly of 247<sup>th</sup> Street, 89<sup>th</sup> Avenue, and a line 265 feet easterly of 247<sup>th</sup> Street;

15. changing from an R3-1 District to an R3A District property bounded by a line 100 feet southerly of Hillside Avenue, a line midway between 233<sup>rd</sup> Street and Winchester Boulevard, a line perpendicular to the northwesterly street line of Winchester Boulevard distant 215 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 233<sup>rd</sup> Street and the northwesterly street line of Winchester Boulevard, Winchester Boulevard, 87<sup>th</sup> Avenue, and 231<sup>st</sup> Street;
16. changing from an R3-2 District to an R3A District property bounded by:
  - a. 231<sup>st</sup> Street, 87<sup>th</sup> Avenue, Winchester Boulevard, a line 100 feet northeasterly of Braddock Avenue, a line 100 feet northwesterly of Billings Street, Braddock Avenue, and a line 185 feet northwesterly of Billings Street and its northeasterly prolongation;
  - b. 90<sup>th</sup> Avenue, Borkel Place, Winchester Boulevard, a line 100 feet southwesterly of Braddock Avenue, 91<sup>st</sup> Avenue, 222<sup>nd</sup> Street, 91<sup>st</sup> Road, 224<sup>th</sup> Street, 92<sup>nd</sup> Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, 92<sup>nd</sup> Road, 224<sup>th</sup> Street, Edmore Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, Fairbury Avenue, 222<sup>nd</sup> Street, a line midway between 93<sup>rd</sup> Avenue and 93<sup>rd</sup> Road, a line 100 feet southwesterly of 222<sup>nd</sup> Street, Edmore Avenue, Winchester Boulevard, a line 200 feet southeasterly of 92<sup>nd</sup> Avenue, 221<sup>st</sup> Street, a line 100 feet northwesterly of Davenport Avenue, 220<sup>th</sup> Street, 91<sup>st</sup> Road, and 221<sup>st</sup> Place; and
  - c. 92<sup>nd</sup> Road, Braddock Avenue, 240<sup>th</sup> Street, a line 100 feet southwesterly of Braddock Avenue, 243<sup>rd</sup> Street, a line 100 feet northwesterly of Jamaica Avenue, 240<sup>th</sup> Street, 93<sup>rd</sup> Road, a line 100 feet southwesterly of 239<sup>th</sup> Street, 93<sup>rd</sup> Avenue, a line 365 feet southwesterly of 239<sup>th</sup> Street, a line midway between Fairbury Avenue and 93<sup>rd</sup> Avenue, a line 100 feet northeasterly of Gettysburg Street, a line midway between Fairbury Avenue and Edmore Avenue, the southwesterly boundary line of Jack Breininger Park, a line midway between 92<sup>nd</sup> Road and Davenport Avenue, and a line 100 feet northeasterly of Gettysburg Street;

17. changing from an R4 District to an R3A District property bounded by:

- a. a line 100 feet northeasterly of Braddock Avenue, Ashford Street, Braddock Avenue, and a line 100 feet northwesterly of Billings Street;
- b. 88<sup>th</sup> Avenue, 235<sup>th</sup> Court, 88<sup>th</sup> Avenue, Noline Street, the northwesterly centerline prolongation of 89<sup>th</sup> Avenue, and a line midway between Pontiac Street and Noline Street; and
- c. Gettysburg Street, a line 100 feet northeasterly of Braddock Avenue, and a line perpendicular to the northwesterly street line of 237<sup>th</sup> Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237<sup>th</sup> Street and the northeasterly street line of Braddock Avenue;

18. changing from an R3-2 District to R3X District property bounded by:

- a. Hillside Avenue, 235<sup>th</sup> Court, 87<sup>th</sup> Avenue, and a line midway between Musket Street and Range Street;
- b. 88<sup>th</sup> Avenue, Ransom Street, a line 100 feet northeasterly of Braddock Avenue, and Winchester Boulevard;
- c. 91<sup>st</sup> Street, 220<sup>th</sup> Street, a line 100 feet northwesterly of Davenport Avenue, and 221<sup>st</sup> Street, a line 200 feet southeasterly of 92<sup>nd</sup> Avenue, Winchester Boulevard, Edmore Avenue, a line 100 feet southwesterly of 222<sup>nd</sup> Street, a line midway between 93<sup>rd</sup> Road and 93<sup>rd</sup> Avenue, 222<sup>nd</sup> Street, Fairbury Avenue, a line 100 feet southwesterly of 224<sup>th</sup> Street, 93<sup>rd</sup> Road, 220<sup>th</sup> Street, 93<sup>rd</sup> Avenue, and Springfield Boulevard;
- d. a line 125 feet northwesterly of Elkmont Avenue, a line midway between 250<sup>th</sup> Street and 251<sup>st</sup> Street and its northwesterly prolongation, Shiloh Avenue, and 249<sup>th</sup> Street and its northwesterly centerline prolongation; and
- e. a line 125 feet northwesterly of Elkmont Avenue, Little Neck Parkway, a line perpendicular to the southwesterly street line of Little Neck Parkway distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of Little Neck Parkway and the northwesterly street line of Union Turnpike, a line midway between

Little Neck Parkway and 252<sup>nd</sup> Street, a line perpendicular to the

northeasterly street line of 252<sup>nd</sup> Street distant 110 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, 252<sup>nd</sup> Street, a line perpendicular to the southwesterly street line of 252<sup>nd</sup> Street distant 50 feet northwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 252<sup>nd</sup> Street and the northwesterly street line of Union Turnpike, and a line midway between 251<sup>st</sup> Street and 252<sup>nd</sup> Street and its northwesterly prolongation;

19. changing from an R3-2 District to an R3-1 District property bounded by a line 125 feet northwesterly of Elkmont Avenue, a line midway between 251<sup>st</sup> Street and 252<sup>nd</sup> Street and its northwesterly prolongation, Union Turnpike, 249<sup>th</sup> Street, Shiloh Avenue, and a line midway between 250<sup>th</sup> Street and 251<sup>st</sup> Street and its northwesterly prolongation;
20. changing from an R2 District to an R3-2 District property bounded by:
  - a. a line 100 feet southerly of Hillside Avenue, Winchester Boulevard, Hillside Avenue, and 232<sup>nd</sup> Street;
  - b. Hillside Avenue, 253<sup>rd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, a line 100 feet northwesterly of Hillside Avenue, 262<sup>nd</sup> Street, Hillside Avenue, 263<sup>rd</sup> Street, a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to the easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, 267<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, and a line 100 feet southeasterly of Hillside Avenue, and 249<sup>th</sup> Street; and
  - c. 81<sup>st</sup> Avenue, a boundary line of the City of New York, 83<sup>rd</sup> Avenue, and 268<sup>th</sup> Street;
21. changing from an R3-1 District to an R3-2 District property bounded by

Hillside Avenue, Winchester Boulevard, a line 100 feet southerly and southeasterly of Hillside Avenue, and 231<sup>st</sup> Street;

22. changing from an R3A District to an R4-1 District property bounded by 90<sup>th</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, and a line 430 feet easterly of 247<sup>th</sup> Street;
23. changing from an R4 District to an R4-1 District property bounded by a line 540 feet northeasterly of Braddock Avenue, Pontiac Street, Braddock Avenue, and Ransom Street;
24. changing from a C8-1 District to an R4 District property bounded by a line 100 feet northerly of Jamaica Avenue, 251<sup>st</sup> Street and its southerly centerline prolongation, a boundary line of the City of New York, and 249<sup>th</sup> Street and its southerly centerline prolongation;
25. establishing within a proposed R3-2 District a C2-3 District bounded by a line 110 feet northwesterly of Hillside Avenue, a line midway between Little Neck Parkway and 255<sup>th</sup> Street, a line 120 feet northwesterly of Hillside Avenue, 255<sup>th</sup> Street, Hillside Avenue, a line 100 feet southwesterly of 256<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and Little Neck Parkway;
26. establishing within an existing and proposed R4 District a C2-3 District bounded by a line 100 feet northwesterly of Jamaica Avenue, 251<sup>st</sup> Street, Jamaica Avenue, and Commonwealth Boulevard;
27. establishing within an existing R3A District a C1-3 District bounded by Hillside Avenue, a line 140 feet easterly of 241<sup>st</sup> Street, 85<sup>th</sup> Avenue, and 241<sup>st</sup> Street;
28. establishing within existing and proposed R3-2 Districts a C1-3 District bounded by:
  - a. a line 100 feet northwesterly of Hillside Avenue, 234<sup>th</sup> Street and its southeasterly centerline prolongation, a line 100 feet southeasterly of Hillside Avenue, a line midway between 233<sup>rd</sup> Street and Winchester Boulevard, Hillside Avenue, and a line midway between 233<sup>rd</sup> Street and 234<sup>th</sup> Street;
  - b. Hillside Avenue, a line midway between Range Street and Musket Street, a line 100 feet southwesterly of Hillside Avenue, and Musket Street;
  - c. a line 100 feet northwesterly of Jamaica Avenue, a line midway between

242<sup>nd</sup> Street and 241<sup>st</sup> Street, Jamaica Avenue, and 240<sup>th</sup> Street;

- d. a line 100 feet northwesterly of Hillside Avenue, Little Neck Parkway, a line 100 feet southeasterly of Hillside Avenue, 249<sup>th</sup> Street, Hillside Avenue, and 253<sup>rd</sup> Street;
- e. a line 100 feet northwesterly of Hillside Avenue, 261<sup>st</sup> Street, Hillside Avenue, 264<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, a line midway between 260<sup>th</sup> Street and 261<sup>st</sup> Street, a line 150 feet southeasterly of Hillside Avenue, 260<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, 258<sup>th</sup> Street, Hillside Avenue, and 255<sup>th</sup> Street;
- f. a line 100 feet northwesterly of Hillside Avenue, 266<sup>th</sup> Street, a line 100 feet southeasterly of Hillside Avenue, and 265<sup>th</sup> Street; and
- g. a line 100 feet northwesterly of Hillside Avenue, Langdale Street, a line perpendicular to easterly street line of Langdale Street distant 285 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Hillside Avenue and the easterly street line of Langdale Street, a boundary line of the City of New York, a line perpendicular to the southeasterly street line of East Williston Avenue distant 110 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of East Williston Avenue and the southwesterly street line of 268<sup>th</sup> Street, East Williston Avenue, and 267<sup>th</sup> Street; and

29. establishing within an existing R4 District a C1-3 District bounded by:

- a. a line 100 feet northeasterly of Braddock Avenue, Winchester Boulevard, Braddock Avenue, and a line midway between Ashford Street and Winchester Boulevard;
- b. Braddock Avenue, 222<sup>nd</sup> Street, 91<sup>st</sup> Avenue, a line 100 feet southwesterly of Braddock Avenue, and Winchester Boulevard;
- c. a line 100 feet northeasterly of Braddock Avenue, Gettysburg Street, a line perpendicular to the northwesterly street line of 237<sup>th</sup> Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of 237<sup>th</sup> Street and the northeasterly street line of Braddock Avenue, 237<sup>th</sup> Street, Braddock Avenue, a line midway between 237<sup>th</sup> Street and 238<sup>th</sup> Street, a line 100 feet northeasterly of Braddock Avenue, 238<sup>th</sup> Street, Braddock Avenue, 92<sup>nd</sup> Road, Gettysburg Street, 92<sup>nd</sup> Avenue, a line 180 feet northeasterly of 224<sup>th</sup> Street, a line 80 feet northwesterly of 92<sup>nd</sup> Avenue, 224<sup>th</sup>

Street, Braddock Avenue, and Lyman Street;

- d. a line 100 feet northeasterly of Braddock Avenue, 239<sup>th</sup> Street, Braddock Avenue, and a line 50 feet southeasterly of 238<sup>th</sup> Street;
- e. a line 100 feet northeasterly of Braddock Avenue, 240<sup>th</sup> Street, Braddock Avenue, and a line midway between 239<sup>th</sup> Street and 240<sup>th</sup> Street;
- f. a line 100 feet northeasterly of Braddock Avenue, 241<sup>st</sup> Street, Braddock Avenue, and a line midway between 241<sup>st</sup> Street and 240<sup>th</sup> Street;
- g. a line 100 feet northerly of Braddock Avenue, 242<sup>nd</sup> Street, 91<sup>st</sup> Avenue, a line 100 feet easterly of 242<sup>nd</sup> Street, Braddock Avenue, and a line midway between 242<sup>nd</sup> Street and 241<sup>st</sup> Street; and
- h. a line 150 feet northerly of Braddock Avenue, 245<sup>th</sup> Street, a line 80 feet northwesterly of Jamaica Avenue, 91<sup>st</sup> Avenue, a line 100 feet northwesterly of Jamaica Avenue, Commonwealth Boulevard, Jamaica Avenue, Braddock Avenue, and Cross Island Parkway;

as shown in a diagram (for illustrative purposes only) dated February 19, 2013, modified by the City Planning Commission on May 22, 2013, and subject to the conditions of CEQR Declaration E-299.



## **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 Chambers, City Hall**, New York City, New York 10007, commencing at **11:00 A.M. on Thursday, June 20, 2013:**

**L.U. No. 842**  
**2353 2<sup>ND</sup> AVENUE**

**MANHATTAN CB - 11**

**20135677 HAM**

Application submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area Project and related tax exemption for property located at 2353 2<sup>nd</sup> Avenue (Block 1785, Lot 27), in Council District 8, pursuant to Article 16 of the New York General Municipal Law and Section 577 of the Private Housing Finance Law.

**L.U. No. 852**  
**USTA EXPANSION**

**QUEENS CB's - 3, 4, 6, 7, 8, 9**

**C 130155 PPQ**

Application submitted by the New York City Department of Parks and Recreation and the USTA National Tennis Center, Inc., pursuant to Section 197-c of the New York City Charter, for the disposition of a lease of city-owned property to the USTA National Tennis Center Inc. located northerly of United Nations Avenue North, between Meridian Road and Path of Americas (Block 2018, p/o Lot 1) within Flushing Meadows-Corona Park.



## L.U. No. 816

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 Project pursuant to Section 694 of the General Municipal Law:

<b>L.U. No.</b>	<b>Non-ULURP No.</b>	<b>Address</b>	<b>Block/Lot</b>	<b>Program</b>	<b>CB</b>	<b>Tax Exemption</b>
<b>816</b>	20135531 HAQ	142-05 Rockaway Boulevard Queens	12036/99	Asset Sales	12	



## **LAND USE COMMITTEE**

The Land Use Committee will hold a meeting in the **Council Chambers**, New York City, New York 10007, commencing at **10:00 A.M. on Thursday, June 20, 2013**, and will consider all items reported out of the Subcommittee at the meeting held on Wednesday, June 19, 2013, and conduct such other business as may be necessary.