



COUNCIL OF THE CITY OF NEW YORK

**CALENDAR
OF THE**

LAND USE COMMITTEE

FOR THE WEEK OF DECEMBER 10, 2018 – DECEMBER 14, 2018

RAFAEL SALAMANCA, JR., *Chair*, Land Use Committee

FRANCISCO P. MOYA, *Chair*, Subcommittee on Zoning and Franchises

ADRIENNE ADAMS, *Chair*, Subcommittee on Landmarks, Public Siting
and Maritime Uses

BEN KALLOS, *Chair*, Subcommittee on Planning, Dispositions
and Concessions

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

Table of Contents

<u>Item No.</u>		Page
<i>Subcommittee on Zoning & Franchises Public Hearing/Meeting Scheduled for 12/13/18 Commencing at 9:30 A.M.</i>		
1.	Factory 380 (L.U. No. __).....	2
2.	Citywide M1 Hotel Text Amendment (L.U. No. 259).....	2
3.	Special Garment Center Text Amendment (L.U. No. 269).....	3
4.	1451 Franklin Avenue “Seacrest” Rezoning (L.U. Nos. 270, 271)	3-6
5.	Marcus Garvey Village (L.U. Nos. 272-277).....	7-12
6.	29 Jay Street (L.U. Nos. 280, 281).....	12-15

Subcommittee on Landmarks, Public Siting & Maritime Uses Public Hearing/Meeting Scheduled for 12/13/18 Commencing at 12:00 P.M.

7.	432-Seat Primary School & 231-Seat 3K/UPK Facility (L.U. No. __)	16
8.	380-Seat Primary School Facility (L.U. No. __).....	16



The Land Use Committee meeting scheduled for 12/18/18 will commence at 11:00 A.M. in the Committee Room, City Hall

SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the **Committee Room, City Hall, New York City, New York 10007**, commencing at **9:30 A.M., Thursday, December 13, 2018**:

L.U. No. __
FACTORY 380

MANHATTAN CB - 6

20195038 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York concerning the petition of 380 East Ventures, LLC, d/b/a Factory 380 for a new revocable consent to maintain, operate, and use an unenclosed sidewalk café located at 380 3rd Avenue.

L.U. No. 259

*The public hearing on this item was held on **November 1, 2018**
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

CITYWIDE M1 HOTEL TEXT AMENDMENT

CITYWIDE

N 180349 ZRY

Application submitted by New York City 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, to modify Article IV, Chapter 2 (Use Regulations), and related Sections, to create a special permit for new hotels, motels, tourist cabins and boatels in M1 Districts, and to establish APPENDIX K (Excluded Areas in M1 Districts).

The full zoning text may be viewed at the following website:

<http://www1.nyc.gov/site/planning/about/cpc-reports/cpc-reports.page>

L.U. No. 269

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

SPECIAL GARMENT CENTER TEXT AMENDMENT

MANHATTAN CBs - 4 and 5

N 180373 ZRM

Application submitted by New York City Department of City Planning and New York City Economic 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, modifying Article XII, Chapter 1 (Special Garment Center District) and related Sections.

The full zoning text may be viewed at the following website:

<http://www1.nyc.gov/site/planning/about/cpc-reports/cpc-reports.page>

L.U. NOS. 270 AND 271 ARE RELATED

L.U. No. 270

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

1451 FRANKLIN AVENUE “SEACREST” REZONING

BROOKLYN CB - 9

C 180347 ZMK

Application submitted by Cornell Realty Management LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d:

1. eliminating from within an existing R6A District a C1-3 District bounded by a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 100 feet westerly of Franklin Avenue;
2. changing from an R6A District to an R8X District property bounded by:
 - a. a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 300 feet westerly of Franklin Avenue; and

- b. Crown Street, Franklin Avenue, Montgomery Street, and a line 300 feet westerly of Franklin Avenue;
- 3. changing from an R8A District to an R8X District property bounded by Carroll Street, Franklin Avenue, Crown Street, and a line 300 feet westerly of Franklin Avenue; and
- 4. establishing within the proposed R8X District a C2-4 District bounded by:
 - a. a line midway between President Street and Carroll Street, Franklin Avenue, Carroll Street, and a line 100 feet westerly of Franklin Avenue; and
 - b. Crown Street, Franklin Avenue, Montgomery Street, and a line 100 feet westerly of Franklin Avenue;

as shown on a diagram (for illustrative purposes only) dated June 11, 2018, and subject to the conditions of CEQR Declaration E-405.

L.U. No. 271

The public hearing on this item was held on November 15, 2018 and closed. It was laid over by the Subcommittee on Zoning and Franchises

1451 FRANKLIN AVENUE “SEACREST” REZONING

BROOKLYN CB - 9

N 180348 ZRK

Application submitted by Cornell Realty Management 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.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

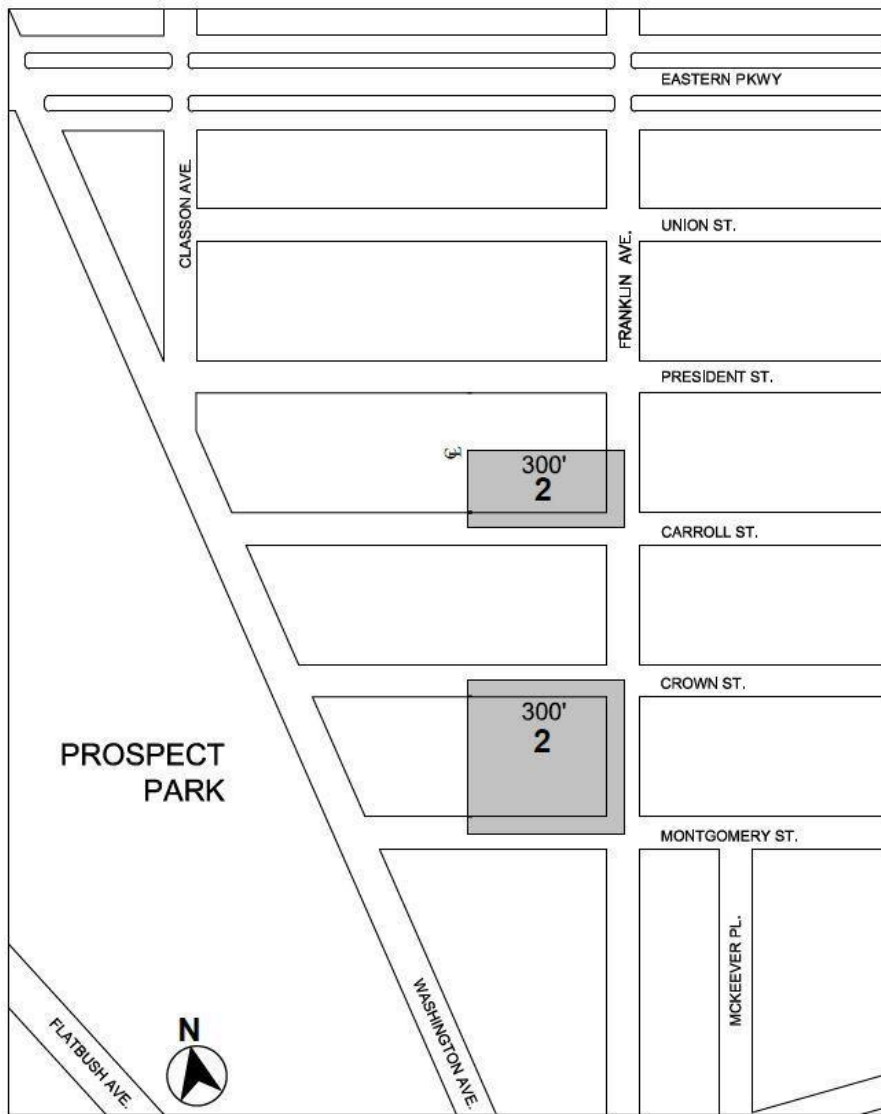
* * *

Brooklyn Community District 9

* * *

Map 2 – [date of adoption]

[PROPOSED MAP]



 Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

Area 2 [date of adoption] – MIH Program Option 1

Portion of Community District 9, Brooklyn

L.U. NOS. 272 THROUGH 277 ARE RELATED

L.U. No. 272

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180485 HAK

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 properties located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Chester Street (Block 3588, Lots 32, 33, 34, 35 and 36) 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 seven eight- and nine-story mixed-use buildings with approximately 724 affordable housing units, community facility and commercial space.

L.U. No. 273

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180486 PCK

Application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located on Bristol Street between Blake Avenue and Dumont Avenue (Block 3559, p/o Lot 1) for use as a community garden.

L.U. No. 274

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

N 180487 ZRK

Application submitted by Brownsville Livonia Associates 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.

Matter underlined is new, to be added;

Matter ~~struck-out~~ is to be deleted;

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 16

* * *



 Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*

Area 5 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 16, Brooklyn

L.U. No. 275

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180488 ZSK

Application submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) - to allow the distribution of lot coverage without regard for zoning lot lines; and
2. Section 74-743(a)(2) - to allow for the location of buildings without regard for distance between buildings regulations of Section 23-711 (Standard minimum distance between buildings), and the height and setback regulations of Sections 23-66 (Height and Setback Requirements for Quality Housing Buildings) and 35-65 (Height and Setback Requirements for Quality Housing Buildings);

in connection with a proposed mixed-use development, within a Large-Scale General Development, on property generally bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 32-36; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12), in R6, R7-2*, and R7-2/C2-4* Districts.

*Note: The site is proposed to be rezoned by changing an R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 180489 ZMK).

L.U. No. 276

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180489 ZMK

Application submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 17d:

1. changing from an R6 District to an R7-2 District at property bounded by:
 - a. Chester Street, a line 250 feet northwesterly of Dumont Avenue, a line midway between Chester Street and Rockaway Avenue, and Dumont Avenue;
 - b. Thomas S. Boyland Street, a line 75 feet northwesterly of Livonia Avenue, Bristol Street, a line 105 feet northwesterly of Livonia Avenue, Chester Street, Livonia Avenue, a line midway between Chester Street and Rockaway Avenue, a line 220 feet southeasterly of Livonia Avenue, Chester Street, a line 75 feet southeasterly of Livonia Avenue, a line midway between Bristol Street and Thomas S. Boyland Street, and a line 100 feet southeasterly of Livonia Avenue;
 - c. Chester Street, Riverdale Avenue, a line midway between Chester Street and Rockaway Avenue, and a line 375 feet southeasterly of Riverdale Avenue; and
2. establishing within a proposed R7-2 District a C2-4 District bounded by Thomas S. Boyland Street, a line 75 feet northwesterly of Livonia Avenue, Bristol Street, a line 105 feet northwesterly of Livonia Avenue, Chester Street, Livonia Avenue, a line midway between Chester Street and Rockaway Avenue, a line 100 feet southeasterly of Livonia Avenue, Chester Street, a line 75 feet southeasterly of Livonia Avenue, a line midway between Bristol Street and Thomas S. Boyland Street, and a line 100 feet southeasterly of Livonia Avenue;

L.U. No. 277

*The public hearing on this item was held on November 15, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

MARCUS GARVEY VILLAGE

BROOKLYN CB - 16

C 180490 ZSK

Application submitted by Brownsville Livonia Associates LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-532 to waive the number of required accessory residential off-street parking spaces required by Section 25-23, in connection with a proposed mixed-use development within a Large Scale General Development, on property generally bounded by Blake Avenue, Rockaway Avenue, Newport Street, and Thomas S. Boyland Street (Block 3559, Lot 1; Block 3560, Lot 1; Block 3573, Lot 1; Block 3574, Lot 1; Block 3575, Lot 11; Block 3587, Lots 1, 27; Block 3588, Lots 1, 27, 3236; Block 3589, Lot 21; Block 3601, Lot 26; and Block 3602, Lot 12) in R6, R7-2*, and R7-2/C2-4* Districts.

*Note: The site is proposed to be rezoned by changing from an R6 District to R7-2 and R7-2/C2-4 Districts under a concurrent related application for a Zoning Map change (C 180489 ZMK).

L.U. NOS. 280 AND 281 ARE RELATED

L.U. No. 280

*The public hearing on this item was held on November 29, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

29 JAY STREET REZONING

BROOKLYN CB - 2

20180344 ZMK

Application submitted by Forman Ferry, LLC pursuant to Sections 197- c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d by changing from an M1-4/R8A District to an M1-6/R8X District property bounded by Jay Street, John Street, a line 150 feet easterly of Jay Street, and Plymouth Street, as shown on a diagram (for illustrative purposes only) dated June 25, 2018 and subject to the conditions of CEQR Declaration E-487.

L.U. No. 281

*The public hearing on this item was held on November 29, 2018
and closed. It was laid over by the Subcommittee on
Zoning and Franchises*

29 JAY STREET REZONING

BROOKLYN CB - 2

20180345 ZRK

Application submitted by Forman Ferry, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, amending Article XII, Chapter 3 (Special Mixed Use District) for the purpose of expanding an existing Mixed Use District.

Matter underlined is new, to be added;

Matter ~~struckout~~ is to be deleted;

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

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

Article XII - Special Purpose Districts

Chapter 3

Special Mixed Use District

* * *

123-63

Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 100 percent on a ₁₃ #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 100 percent on a #corner lot#.

The provisions of this Section shall not apply on #waterfront blocks#, as defined in Section 62-11. In lieu thereof, the applicable maximum #floor area ratio# and #lot coverage# requirements set forth for #residential uses# in Sections 62-30 (SPECIAL BULK REGULATIONS) through 62-32 (Maximum Floor Area Ratio and Lot Coverage on Waterfront Blocks), inclusive, shall apply.

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#
MX1 – Community District 1, The Bronx	R6A R7D
MX 2 – Community District 2, Brooklyn	R7A R8A R8X
MX 4 – Community District 3, Brooklyn	R6A
MX 8 – Community District 1, Brooklyn	R6 R6A R6B R7A
MX 11 – Community District 6, Brooklyn	R7-2
MX 13 – Community District 1, The Bronx	R6A R7A R7X R8A
MX 14 – Community District 6, The Bronx	R7A R7X
MX 16 – Community Districts 5 and 16 Brooklyn	R6A R7A R7D R8A

* * *

The height of all #buildings or other structures# in #Special Mixed Use Districts# shall be measured from the #base plane#.

The following modifications of height and setback regulations set forth in paragraphs (a) and (b) apply in Historic Districts designated by the Landmarks Preservation Commission:

- (a) For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.
- (b) In #Special Mixed Use District# 2 in the Borough of Brooklyn, where the designated #Residence District# is an R8X District, the maximum base height of a #street wall# may vary between the maximum base height set forth in this Chapter, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height set forth in this Chapter. For the purposes of this paragraph (b), a #building# situated directly across a #street# from a #development# shall be considered an adjacent #building#.

On #waterfront blocks#, as defined in Section 62-11, where the designated #Residence District# is R3, R4 or R5, the height and setback regulations of Section 62-34, inclusive, shall apply to #buildings and other structures#, except that for #mixed use buildings#, the height and setback regulations set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations) shall apply.

* * *

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, 16th Floor, 250 Broadway**, New York, N.Y. 10007, commencing at **12:00 P.M. on Thursday, December 13, 2018**:

L.U. No. __

432-SEAT P.S. & 231-SEAT 3K/UPK FACILITY

STATEN ISLAND CB - 2

20195080 SCR

Application submitted by the New York City School Construction Authority pursuant to Section 1732 of the Public Authorities Law for the site selection for a 432-seat primary school and 231-seat 3K/UPK facility at the former St. John Village Educational Campus (Block 3087, Lot 1, and Block 3089, Lot 59), Borough of Staten Island, Council District 50, Community District 2, Community School District 31.

L.U. No. __

380-SEAT PRIMARY SCHOOL

BROOKLYN CB - 11

20195158 SCK

Application submitted by the New York City School Construction Authority pursuant to Section 1732 of the Public Authorities Law for the site selection of a new approximately 380-seat primary school facility on property located at Block 5741, Lot 5, Borough of Brooklyn, Council District 38, Community District 11, Community School District 20.

THE 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 **11:00 A.M. on Tuesday, December 18, 2018**, to consider all items reported out of the Subcommittees at the meetings held December 13, 2018, and conduct such other business as may be necessary.