



**COUNCIL OF THE CITY OF NEW YORK**

**CALENDAR and AGENDA**  
**OF THE**  
**LAND USE COMMITTEE**  
**FOR THE MEETING OF DECEMBER 18, 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>

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***The Land Use Committee Meeting Scheduled for 12/18/18  
Commencing at 11:00 A.M.***

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## SUBCOMMITTEE ON ZONING AND FRANCHISES

The Subcommittee on Zoning and Franchises will hold a meeting on the following matters in the **Committee Room, City Hall, New York City, New York 10007**, commencing at **10:45 A.M., Tuesday, December 18, 2018**:

### 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 #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#

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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 R6A R7A R7D R8A  
and 16 Brooklyn

\* \* \*

## 123-66

### Height and Setback Regulations

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,<sup>4</sup>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.

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## **AGENDA OF 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., Tuesday, December 18, 2018**, to consider all items reported out of Subcommittees at meetings held on December 13, 2018 and December 18, 2018, and conduct such other business as may be necessary:

### **L.U. No. 259 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).

**L.U. No. 269**

**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.

**L.U. NOS. 270 AND 271 ARE RELATED**

**L.U. No. 270**

**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.

**L.U. No. 271**

**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.

**L.U. No. 272**

**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**

**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**



**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.

**L.U. No. 275**

**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.

**L.U. No. 276**

**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.

**L.U. No. 277**

**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**

**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**

**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.

**L.U. No. 287**

**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. 288**

**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.

**L.U. No. 289**

**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 3<sup>rd</sup> Avenue.

