# THE COUNCIL

**JOINT REPORT OF THE LAND USE COMMITTEE**

**AND THE**

**SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING**

**AND MARITIME USES**

**Preconsidered L.U. Nos. 513 through 516 and**

**L.U. Nos. 518 through 526**

**(Res. Nos. 1118 through 1130)**

**By Council Members Salamanca and Adams**

## SUBJECT

**CITYWIDE - THIRTEEN APPLICATIONS RELATED TO BOROUGH BASED JAILS**

 **SYSTEM**

**N 190334 ZRY (Pre. L.U. No. 513)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, 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 VII, Chapter 4 (Special Permits by the City Planning Commission) to create a special permit for a borough-based jail system, Citywide.

**C 190336 ZMX (Pre. L.U. No. 514)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c, changing from an M1-3 District to an M1-4/R7X District and establishing a Special Mixed Use District (MX-18), in the Borough of the Bronx, Council District 8, Community Board 1.

**N 190337 ZRX (Pre. L.U. No. 515)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, 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 3 for the purpose of establishing a Special Mixed Use District; and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, in the Borough of the Bronx, Council District 8, Community District 1.

**C 190338 HAX (Pre. L.U. No. 516)**

City Planning Commission decision approving an applicationsubmitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and the approval of an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of property located at 320 Concord Avenue and 745 East 141st Street (Block 2574, p/o Lot 1), in the Borough of the Bronx, Council District 8, Community District 1.

**C 190333 PSY (L.U. No. 518)**

City Planning Commission decision approving an applicationsubmitted by the New York City Department of Correction, the Mayor’s Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197‑c of the New York City Charter, for the site selection of the following properties for borough-based jail facilities: 745 East 141st Street (Block 2574, p/o Lot 1), Borough of the Bronx, Council District 8, Community District 1; 275 Atlantic Avenue (Block 175, Lot 1), Borough of Brooklyn, Council District 33, Community District 2; 124 White Street (Block 198, Lot 1) and 125 White Street (Block 167, Lot 1), Borough of Manhattan, Council District 1, Community District 1; and 126-02 82nd Avenue (Block 9653, Lot 1), 80‑25 126th Street (Block 9657, Lot 1), and the bed of 82nd Avenue between 126th and 132nd streets, Borough of Queens, Council District 29, Community District 9.

**C 190335 ZSX** **(L.U. No. 519)**

City Planning Commission decision approving with modifications an applicationsubmitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Sections 197‑c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74‑832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the use regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT); the floor area ratio requirements of Section 43‑10 (FLOOR AREA REGULATIONS); the height and setback requirements of Sections 43‑40 (HEIGHT AND SETBACK REGULATIONS); the permitted parking requirements of Section 44‑10 (PERMITTED ACCESSORY OFFSTREET PARKING SPACES); and the loading berth requirements of Section 44‑50 (GENERAL PURPOSES) to facilitate the construction of a borough-based jail facility, on property located in an M1-3 District at 320 Concord Avenue(Block 2574, p/o Lot 1), Borough of the Bronx, Council District 8, Community District 1.

**C 190339 ZSK (L.U. No. 520)**

City Planning Commission decision approving with modifications an applicationsubmitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Sections 197‑c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74‑832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Sections 101-20 (SPECIAL BULK REGULATIONS) and 33-10 (Floor Area Regulations); the height and setback requirements of Sections 33-40 (HEIGHT AND SETBACK REGULATIONS) and 101-22 (Special Height and Setback Regulations); the permitted parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities); the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS); the special ground floor use requirements of Section 101-11 (Special Ground Floor Use Regulations); and the transparency requirements of Section 101-12 (Transparency Requirements) to facilitate the construction of a borough-based jail facility, on property located at 275 Atlantic Avenue(Block 175, Lot 1, and the portions of State Street between Boerum Place and Smith Street demapped as proposed under a concurrent related application C 190116 MMK), in a C6-2A District, within the Special Downtown Brooklyn District, Borough of Brooklyn, Council District 33, Community District 2.

**C 190116 MMK (L.U. No. 521)**

City Planning Commission decision approving with modifications an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, 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 State Street between Boerum Place and Smith Street above a lower limiting plane and below an upper limiting plane the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2753 dated March 25, 2019 and signed by the Borough President, Borough of Brooklyn, Council District 33, Community District 2.

**C 190340 ZSM (L.U. No. 522)**

City Planning Commission decision approving an applicationsubmitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Sections 197‑c and 201 of the New York City Charter for the grant of a special permit pursuant to new Section 74‑832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Section 33-10 (Floor Area Regulations); the height and setback requirements of Section 33-40 (HEIGHT AND SETBACK REGULATIONS); and the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS) to facilitate the construction of a borough-based jail facility, in a C6-4 District on property located at 124‑125 White Street(Block 167, Lot 1, Block 198, Lot 1, and the portions of White Street between Centre Street and Baxter Street demapped as proposed under related application C 190252 MMM), Borough of Manhattan, Council District 1, Community District 1.

**C 190341 PQM (L.U. No. 523)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction, the Mayor’s Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property for a borough-based jail facility located at 124 White Street (Block 198, Lot 1), Borough of Manhattan, Council District 1, Community District 1.

**C 190252 MMM (L.U. No. 524)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, 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 volume of a portion of White Street from Centre Street to Baxter Street within limiting planes; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map Acc. No. 30265 dated March 28, 2019 and signed by the Borough President, Borough of Manhattan, Council District 1, Community District 1.

**C 190342 ZSQ** **(L.U. No. 525)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, pursuant to Sections 197‑c and 201 of the New York City Charter for the grant of a special permit pursuant new Section 74‑832 of the Zoning Resolution, as proposed by related application no. N 190334 ZRY, to modify: the floor area ratio requirements of Section 33‑10 (Floor Area Regulations); the height and setback requirements of Section 33‑40 (HEIGHT AND SETBACK REGULATIONS); the permitted accessory parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities); the permitted public parking garage requirements of Section 32-10 (USES PERMITTED AS OF RIGHT); and the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS) to facilitate the construction of a borough-based jail facility, on property located at 126‑02 82nd Avenue a.k.a. 80‑25 126th Street (Block 9653 Lot 1, Block 9657 Lot 1, and the portion of 82nd Avenue between 126th Street and 132nd Street demapped as proposed under related application no. C 190117 MMQ), in a C4-4 District, Borough of Queens, Council District 29, Community District 9.

**C 190117 MMQ** **(L.U. No. 526)**

City Planning Commission decision approving an application submitted by the New York City Department of Correction and the Mayor’s Office of Criminal Justice, 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 82nd Avenue between 126th Street and 132nd Street; the elimination of two Public Places within the area bounded by Union Turnpike, 132nd Street, Hoover Avenue, Queens Boulevard, 82nd Avenue and 126th Street; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. C.P.C. 190117 MMQ dated March 25, 2019 and signed by the Director of the Department of City Planning, Borough of Queens, Council District 29, Community District 9.

## INTENT

 To create a borough based jails system, comprised of four borough-based jails, consistent with the City’s goal to no longer detain people on Rikers Island, the Manhattan Detention Complex, the Brooklyn Detention Complex and the Vernon C. Bain Center, by providing a modern, humane and safe justice system.

## PUBLIC HEARING

 **Preconsidered L.U. Nos. 513 through 516**

**DATE:** September 5, 2019

**Witnesses in Favor:** Seventy-four **Witnesses Against:** Seventy-one

**Undecided:** Six

**L.U. Nos. 518 through 526**

 **DATE:** September 18, 2019

**Witnesses in Favor:** 0 **Witnesses Against:** 0

**Undecided:** 0

## SUBCOMMITTEE RECOMMENDATION

 **DATE:** October 16, 2019

 The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission (“CPC”) on Pre. L.U. Nos. 515, LU 519, 520, 522 and 525 and approve the decisions of the City Planning Commission on Pre. L.U. Nos. 513, 514, 516, and on L.U.s 518, 521, 523, 524, and 526.

**In Favor: Against: Abstain:**

Adams Barron None

Koo

Miller

Treyger

## COMMITTEE ACTION

 **DATE:** October 16, 2019

 The Committee recommends that the Council approve the attached resolutions on Pre. L.U. Nos. 513-516 and L.U. Nos. 520-526.

**In Favor: Against: Abstain:**

Salamanca Barron None

Gibson Deutsch

Koo King

Lancman Diaz

Levin

Miller

Reynoso

Richards

Treyger

Grodenchik

Adams

Moya

**DATE:** October 16, 2019

 The Committee recommends that the Council approve the attached resolutions on Pre. L.U. Nos. 518-519.

**In Favor: Against: Abstain:**

Gibson Salamanca None

Koo Barron

Lancman Deutsch

Levin King

Miller Diaz

Reynoso

Richards

Treyger

Grodenchik

Adams

Moya

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS**

 The City Planning Commission filed a letter dated October 17, 2019, with the Council on October 17, 2019, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.