



The New York City Council

City Hall
New York, NY 10007

Meeting Minutes Subcommittee on Zoning and Franchises

Francisco P. Moya, Chair

*Membes: Costa G. Constantinides, Barry S. Grodenchik, Rory I. Lancman,
Stephen T. Levin, Antonio Reynoso, Donovan J. Richards,
Carlina Rivera and Ritchie J. Torres*

Thursday, December 13, 2018

9:30 AM

Committee Room - City Hall

Roll Call

Present: Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: Lancman and Reynoso

Other Council Members Attending: Cumbo

LU 0259-2018

Application No. N 180349 ZRY (Citywide M1 Hotel Text Amendment) submitted by the 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).

Attachments: October 31, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-1-18, Hearing Transcript - Zoning 11-1-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: October 31, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-1-18, Hearing Transcript - Zoning 11-1-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0269-2018

Application No. N 180373 ZRM (Special Garment Center Text Amendment) submitted by the New York City Department of City Planning and the New York City Economic Development Corporation, pursuant to Section 201 of the New York City Charter for an amendment to the Zoning Resolution of the City of New York, modifying Article XII, Chapter 1 (Special Garment Center District) and related sections, Borough of Manhattan, Community Districts 4 and 5, Council District 3.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0270-2018

Application No. C 180347 ZMK (Franklin Avenue Rezoning) 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: eliminating from within an existing R6A District a C1-3 District, changing from an R6A District to an R8X District, changing from an R8A District to an R8X District, and establishing within the proposed R8X District a C2-4 District, to facilitate the development of two new 16-story mixed-use and residential buildings located at 40 Crown Street (Block 1190, Lots 29, 45, and 50) and 931 Carroll Street (Block 1188, Lot 58), Borough of Brooklyn, Community District 9, Council District 35.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Testimony (Con't) - Zoning 11-15-18, Hearing Testimony - Zoning 11-15-18 additional, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Testimony (Con't) - Zoning 11-15-18, Hearing Testimony - Zoning 11-15-18 additional, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0271-2018

Application No. N 180348 ZRK (Franklin Avenue Rezoning) 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 in the Borough of Brooklyn, Community District 9, Council District 35.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Testimony (Con't) - Zoning 11-15-18, Hearing Testimony - Zoning 11-15-18 additional, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Testimony (Con't) - Zoning 11-15-18, Hearing Testimony - Zoning 11-15-18 additional, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0272-2018

Application No. C 180485 HAK (Marcus Garvey Village) submitted 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 properties located at 763 Thomas S. Boyland Street (Block 3587, Lot 27) and Livonia Avenue/Chester Street (Block 3588, Lots 32, 33, 34, 35, and 36) as an Urban Development Action Area, Action Area and an Urban Development Action Area Project for such area, and 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, Borough of Brooklyn, Community District 16, Council District 42.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, City Planning Commission Report, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, City Planning Commission Report, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0273-2018

Application No. C 180486 PCK (Marcus Garvey Village) 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, Borough of Brooklyn, Community District 16, Council District 42.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

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A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0274-2018

Application No. C 180487 ZRK (Marcus Garvey Village) 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, Borough of Brooklyn, Community District 16, Council District 42.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

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A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0275-2018

Application No. C 180488 ZSK (Marcus Garvey Village) 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 Zoning Resolution Sections 74-743(a)(1) – to allow the distribution of lot coverage without regard for zoning lot lines; 74-743(a)(2) – to allow for the location of buildings without regard for regulations of Section 23-711 (Standard minimum distance between buildings), Section 23-66 (Height and Setback Requirements for Quality Housing Buildings) and Section 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, Borough of Brooklyn, Community District 16, Council District 41.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Exhibit A, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Exhibit A, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0276-2018

Application No. C 180489 ZMK (Marcus Garvey Village) 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 changing from an R6 District to an R7-2 District and establishing within the proposed R7-2 District a C2-4 District, Borough of Brooklyn, Community District 16, Council District 41.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

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A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0277-2018

Application No. C 180490 ZSK (Marcus Garvey Village) 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, 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, Borough of Brooklyn, Community District 16, Council District 41.

Attachments: Land Use Calendar - Week of November 12, 2018 - November 16, 2018, November 14, 2018 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 11-15-18, Hearing Transcript - Zoning 11-15-18, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

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A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso

LU 0280-2018

Application No. C 180344 ZMK (29 Jay Street Rezoning) 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, Borough of Brooklyn, Council District 33, Community District 2.

Attachments: Land Use Calendar - Week of November 26, 2018 - November 30, 2018, REVISED - Land Use Calendar - Week of November 26, 2018 - November 30, 2018, Hearing Testimony - Zoning 11-29-18, November 28, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 11-29-18, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 26, 2018 - November 30, 2018, REVISED - Land Use Calendar - Week of November 26, 2018 - November 30, 2018, Hearing Testimony - Zoning 11-29-18, November 28, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 11-29-18, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Laid Over by Subcommittee

LU 0281-2018

Application No. N 180345 ZRK (29 Jay Street Rezoning) 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, Borough of Brooklyn, Council District 33, Community District 2.

Attachments: Land Use Calendar - Week of November 26, 2018 - November 30, 2018, REVISED - Land Use Calendar - Week of November 26, 2018 - November 30, 2018, Hearing Testimony - Zoning 11-29-18, November 28, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 11-29-18, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 26, 2018 - November 30, 2018, REVISED - Land Use Calendar - Week of November 26, 2018 - November 30, 2018, Hearing Testimony - Zoning 11-29-18, November 28, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, City Planning Commission Approval Letter, December 20, 2018 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution, Hearing Transcript - Zoning 11-29-18, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Laid Over by Subcommittee

LU 0289-2018

Application No. 20195038 TCM submitted 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, Borough of Manhattan, Council District 2, Community District 6.

Attachments: December 11, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

This Land Use Application was Hearing Held by Committee

Attachments: December 11, 2018 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of December 10, 2018 - December 14, 2018, Land Use Calendar - December 18, 2018, Committee Report, Resolution, Hearing Transcript - Zoning 12-13-18

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 - Moya, Constantinides, Grodenchik, Levin, Richards, Rivera and Torres

Absent: 2 - Lancman and Reynoso