

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Tuesday, February 26, 2019**

**11:00 AM**

**Committee Room - City Hall**

### **Committee on Land Use**

*Rafael Salamanca, Jr., Chair*

*Members: Adrienne E. Adams, Inez D. Barron, Costa G. Constantinides, Chaim M. Deutsch,*

*Ruben Diaz, Sr., Vanessa L. Gibson, Barry S. Grodenchik, Ben Kallos, Andy L. King, Peter A. Koo, Rory I. Lancman, Stephen T. Levin, I. Daneek Miller, Francisco P. Moya, Antonio Reynoso, Donovan J. Richards, Carlina Rivera, Ritchie J. Torres and Mark Treyger*

## Roll Call

**Present:** Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** Kallos, King and Lancman

LU 0326-2019

**Application No. C 190037 ZSK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-903 of the Zoning Resolution to modify the requirements of 24-111 (Maximum Floor Area Ratio for Certain Community Facility Uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a non-profit institution with sleeping accommodations, in connection with a proposed seven-story building on property located at 461 Alabama Avenue (Block 3803, Lot 6), in an R6 District, Borough of Brooklyn, Council District 52, Community District 5.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0327-2019

**Application No. C 190038 HAK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State for the designation of property located at 461 Alabama Avenue (Block 3803, Lot 6) as an Urban Development Action Area and as 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, to facilitate a mixed-use affordable housing development containing approximately 70 units and community facility space, Borough of Brooklyn, Council District 42, Community District 5.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0328-2019

**Application No. C 190039 HUK (461 Alabama Avenue) submitted by the NYC Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Fourth Amendment to the East New York I Urban Renewal Plan, Borough of Brooklyn, Council District 42, Community District 5.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0329-2019

**Application No. 20190069 HAM (East Village Housing ANCP) submitted by the NYC Department of Housing Preservation and Development pursuant to 693 of the General Municipal Law for the designation of an Urban Development Action Area, pursuant to Section 694 of the General Municipal Law for the approval of the proposed project as an Urban Development Action Area Project, and pursuant to Section 577 of the Private Housing Finance Law for approval of an exemption from real property taxation for property located at 204 Avenue A/535 East 12th Street (Block 406, Lots 6 and 47), Borough of Manhattan, Council District 2, Community District 3.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Hearing Testimony - Planning 1-30-19, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Transcript - Stated Meeting 1-24-19, Hearing Testimony - Planning 2-11-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Planning 1-30-19, Committee Report, Resolution, Hearing Transcript - Planning 2-11-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0333-2019

**Application No. C 180393 ZMK (Caton Park Nursing Home) submitted by Caton Park Rehabilitation and Nursing Center, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16d, changing from an R3X District to an R6A District property bounded by Caton Avenue, Rugby Road, a line perpendicular to the westerly street line of Rugby Road distant 170 feet southerly (as measured along the street line) from the point of intersection of the southeasterly street line of Caton Avenue and the westerly street line of Rugby Road, and a line 100 feet westerly of Rugby Road, Borough of Brooklyn, Council District 40, Community District 14.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0334-2019

**Application No. N 180394 ZRK (Caton Park Nursing Home) submitted by Caton Park Rehabilitation and Nursing Center, 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, Council District 40, Community District 14.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0338-2019

**Application No. C 180387 ZSK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-962 of the Zoning Resolution to increase the maximum permitted floor area ratio of Section 43-12 (Maximum Floor Area Ratio) in connection with a proposed 7-story commercial building within an Industrial Business Incentive Area, in an M1-2 District, on property located at 12 Franklin Street (Block 2614, Lots 1, 3 and 8), Borough of Brooklyn, Council District 33, Community District 1.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman



LU 0339-2019

**Application No. N 180388 ZRK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, adding an Industrial Business Incentive Area to Article VII, Chapter 4 (Special Permits by the City Planning Commission), Borough of Brooklyn, Council District 33, Community District 1.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**This Land Use Application was Hearing Held by Committee**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

LU 0340-2019

**Application No. C 180389 ZSK (12 Franklin Street) submitted by 12 Franklin Property Co LLC, 12 Franklin 230 LLC and 12 Franklin 197 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-963 of the Zoning Resolution to reduce the off-street parking requirements of Section 44-20 (Required accessory off-street parking spaces for manufacturing, commercial or community facility uses) and the loading berth requirements of Section 44-50 (Off-street loading regulations), in connection with a proposed 7-story commercial building within an Industrial Business Incentive Area, in an M1-2 District. on property located at 12 Franklin Street (Block 2614, Lots 1, 3 and 8), Borough of Brooklyn, Council District 33, Community District 1.**

**Attachments:** January 24, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of January 28, 2019 - February 1, 2019, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Hearing Testimony - Zoning 1-31-19, Hearing Transcript - Stated Meeting 1-24-19, Land Use Calendar - February 26, 2019, Hearing Transcript - Zoning 1-31-19, Committee Report, Resolution, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

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**A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman

Res 0621-2018

**Resolution pursuant to Section 363 of the New York City Charter, authorizing the New York City Department of Transportation to grant a non-exclusive franchise for the provision of bus service between Manhattan and Staten Island.**

**Attachments:** Mayor's Letter, Memorandum in Support, Res. No. 621, November 14, 2018 - Stated Meeting Agenda with Links to Files, Mayor's Withdrawal Letter, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Land Use Calendar - February 26, 2019, February 28, 2019 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 2-14-19, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**This Resolution was Hearing Held by Committee**

**Attachments:** Mayor's Letter, Memorandum in Support, Res. No. 621, November 14, 2018 - Stated Meeting Agenda with Links to Files, Mayor's Withdrawal Letter, Land Use Calendar - Week of February 11, 2019 - February 15, 2019, Land Use Calendar - February 26, 2019, February 28, 2019 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 2-14-19, Hearing Transcript - Zoning 2-14-19, Hearing Transcript - Land Use 2-26-19

**A motion was made that this Resolution be Filed by Committee approved by Roll Call.**

**Affirmative:** 17 - Salamanca Jr., Adams, Barron, Constantinides, Deutsch, Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Reynoso, Richards, Rivera, Torres and Treyger

**Absent:** 3 - Kallos, King and Lancman