

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, December 3, 2019

10:00 AM

Committee Room - City Hall

Subcommittee on Zoning and Franchises

*Francisco P. Moya, Chair
Membes: Barry S. Grodenchik, Rory I. Lancman,
Stephen T. Levin, Antonio Reynoso, Donovan J. Richards
and Carlina Rivera*

Roll Call

Present: Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: Reynoso

Other Council Members Attending: Perkins and Barron

LU 0564-2019

Application No. C 190434 ZMM (La Hermosa) submitted by La Hermosa Christian Church, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, by changing from an R7-2 District to a C1-9 District property bounded by West 111th Street, Fifth Avenue, a line midway between Central Park North and West 111th Street, and a line 200 feet westerly of Fifth Avenue, and changing from an R8 District to a C1-9 District, property bounded by a line midway between Central Park North and West 111th Street, Fifth Avenue, Central Park North, and a line 200 feet westerly of Fifth Avenue (straight line portion) and its southerly prolongation, for property located in the Borough of Manhattan, Council District 9, Community District 10.

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

This Land Use Application was Hearing Held by Committee

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0565-2019

Application No. N 190433 ZRM (La Hermosa) submitted by La Hermosa Christian Church, 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, for property located in the Borough of Manhattan, Council District 9, Community District 10.

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

This Land Use Application was Hearing Held by Committee

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0566-2019

Application No. C 190435 ZSM (La Hermosa) submitted by La Hermosa Christian Church, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-581 of the Zoning Resolution to modify the street wall location requirements of Section 35-64, and the tower lot coverage requirements, tower floor area distribution requirements, and height and setback requirements of Section 23-651, in connection with a proposed mixed use development on property located at 5 West 110th Street (Block 1594, Lots 30 and 41), in a C1-9 District, Borough of Manhattan, Council District 9, Community District 10.

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

This Land Use Application was Hearing Held by Committee

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0567-2019

Application No. N 190436 ZSM (La Hermosa) submitted by La Hermosa Christian Church, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive the required number of accessory off-street parking spaces for dwelling units in a development with a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 5 West 110th Street (Block 1594, Lots 30 and 41), in a C1-9 District, Borough of Manhattan, Council District 9, Community District 10.

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

This Land Use Application was Hearing Held by Committee

Attachments: October 17, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Land Use Calendar - Week of November 18, 2019 - November 22, 2019, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Transcript - Stated Meeting 10-17-19, Hearing Testimony - Zoning 11-4-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Testimony - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0572-2019

Application No. C 190409 HAK (515 Blake Avenue) submitted by the Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 197-c of the New York City Charter for the designation of an Urban Development Action Area, approval of an Urban Development Action Area Project for such area, and for the disposition of city owned property to a developer to be selected by HPD, for property located at of property located at Block 3766, Lot 1, Borough of Brooklyn, Council District 42, Community District 5.

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1187, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1187, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0573-2019

Application No. C 190410 ZMK (515 Blake Avenue) submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17d, eliminating from within an existing R6 District a C2-3 District, changing from an R6 District to an R6A District, changing from an R6 District to an R7D District, changing from a C4-3 District to an R7D District, establishing within a proposed R7D District a C1-4 District, and establishing within a proposed R7D District a C2-4 District, Borough of Brooklyn, Council District 42, Community District 5.

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1188, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1188, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0574-2019

Application No. N 190411 ZRK (515 Blake Avenue) submitted by the Department of Housing Preservation and Development, 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 Housing Inclusionary area, Borough of Brooklyn, Council District 42, Community District 5.

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1189, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1189, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0575-2019

Application No. C 190421 ZSK (515 Blake Avenue) submitted by the 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 the following Section 74-743(a) of the Zoning Resolution to allow the distribution of total allowable floor area without regard for zoning district lines in connection with a proposed mixed-use development, within a large-scale general development bounded by Sutter Avenue, Hinsdale Street, a line 50 feet northerly of Blake Avenue, a line midway between Snediker Avenue and Hinsdale Street, Blake Avenue, and Snediker Avenue (Block 3766, Lot 1), in proposed R6A, R7D/C1-4, and R7D/C2-4 Districts. Borough of Borough of Brooklyn, Council District 42, Community District 5.

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1190, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: October 30, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of November 4, 2019 - November 8, 2019, Hearing Transcript - Zoning 11-4-19, Hearing Testimony - Zoning 11-4-19, Hearing Transcript - Stated Meeting 10-30-19, Land Use Calendar - December 3, 2019, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1190, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0580-2019

Application No. 20195733 TCK (Sur La Baie) pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Oy Compensation LLC d/b/a Sur La Baie, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 3099 Emmons Avenue, Borough of Brooklyn, Council District 48, Community District 15. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.

Attachments: November 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - December 3, 2019, Hearing Transcript - Stated Meeting 11-14-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1191, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: November 14, 2019 - Stated Meeting Agenda with Links to Files, Land Use Calendar - December 3, 2019, Hearing Transcript - Stated Meeting 11-14-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1191, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0581-2019

Application No. N 190408 ZRY (POPS Signage and Amenities Text Amendment) submitted by the 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 facilitate the updating of Privately Owned Public Spaces (POPS) signage and furniture regulations, Citwide.

Attachments: Land Use Calendar - Week of November 18, 2019 - November 22, 2019, November 14, 2019 - Stated Meeting Agenda with Links to Files, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Testimony - Zoning 11-19-19, Land Use Calendar - December 3, 2019, Hearing Transcript - Stated Meeting 11-14-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 11-19-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 18, 2019 - November 22, 2019, November 14, 2019 - Stated Meeting Agenda with Links to Files, REVISED - Land Use Calendar - Week of November 18, 2019 - November 22, 2019, Hearing Testimony - Zoning 11-19-19, Land Use Calendar - December 3, 2019, Hearing Transcript - Stated Meeting 11-14-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 11-19-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19, City Planning Commission Approval Letter, December 19, 2019 - Stated Meeting Agenda with Links to Files

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso

LU 0591-2019

Application No. 20205036 TCQ (Dai Hachi Sushi Corporation) pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Dai Hachi Sushi Corporation, for a revocable consent to establish maintain and operate an unenclosed sidewalk café located at 4618 Vernon Blvd., Borough of Queens, Council District 26, Community District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.

Attachments: Land Use Calendar - December 3, 2019, November 26, 2019 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 11-26-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1192, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - December 3, 2019, November 26, 2019 - Stated Meeting Agenda, Hearing Transcript - Stated Meeting 11-26-19, December 10, 2019 - Stated Meeting Agenda with Links to Files, Committee Report, Res. No. 1192, Hearing Transcript - Land Use 12-3-19, Hearing Transcript - Zoning 12-3-19, Hearing Transcript - Stated Meeting 12-10-19

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

Affirmative: 6 - Moya, Grodenchik, Lancman, Levin, Richards and Rivera

Absent: 1 - Reynoso