

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Tuesday, February 9, 2021**

**10:00 AM**

**REMOTE HEARING (VIRTUAL ROOM 1)**

### **Subcommittee on Zoning and Franchises**

*Francisco P. Moya, Chair  
Membes: Diana Ayala, Joseph C. Borelli, Barry S. Grodenchik,  
Stephen T. Levin, Antonio Reynoso and Carlina Rivera*

Roll Call

**Present:** Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

*Other Council Members Attending: Powers*

LU 0712-2021

**Application No. C 200123 ZSM (Cort Theatre) submitted by Cort Theatre LLC and Clarity 47 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-745 of the Zoning Resolution to allow a floor area bonus for the substantial rehabilitation or restoration of a listed theater, as set forth in Section 81-742 (Listed theatres), and to allow the bonus floor area to be utilized anywhere on the zoning lot, on property located at 138 West 48th Street a.k.a. 145 West 47th Street (Block 1000, Lots 7, 11, 49, 55, 56, 57, 58, and 59), in C6-5.5 and C6-7T Districts, within the Special Midtown District (Theater Subdistrict), Borough of Manhattan, Community District 5, Council District 4.**

**Attachments:** Land Use Calendar - January 7, 2021 and January 11, 2021, January 6, 2021 - Charter Meeting Agenda with Links to Files, Hearing Transcript - Charter Meeting 1-6-21, Hearing Testimony 1/7/21 - Zoning, Hearing Transcript - Zoning 1-7-21, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Land Use Calendar - January 7, 2021 and January 11, 2021, January 6, 2021 - Charter Meeting Agenda with Links to Files, Hearing Transcript - Charter Meeting 1-6-21, Hearing Testimony 1/7/21 - Zoning, Hearing Transcript - Zoning 1-7-21, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**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, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0713-2021

**Application No. N 200124 ZRM (Cort Theatre) submitted by Cort Theater LLC and Clarity 47 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 Article VIII Chapter 1 (Special Midtown District) for the purpose of amending the provisions of a special permit regulating theater rehabilitation bonuses, Borough of Manhattan, Community District 5, Council District 4.**

**Attachments:** Land Use Calendar - January 7, 2021 and January 11, 2021, January 6, 2021 - Charter Meeting Agenda with Links to Files, Hearing Transcript - Charter Meeting 1-6-21, Hearing Testimony 1/7/21 - Zoning, Hearing Transcript - Zoning 1-7-21, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Land Use Calendar - January 7, 2021 and January 11, 2021, January 6, 2021 - Charter Meeting Agenda with Links to Files, Hearing Transcript - Charter Meeting 1-6-21, Hearing Testimony 1/7/21 - Zoning, Hearing Transcript - Zoning 1-7-21, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**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, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0714-2021

**Application No. C 200303 ZSQ (42-11 9th Street Special Permit) submitted by RXR 42-11 9th Holdings LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-96 (Industrial Business Incentive Areas) of the Zoning Resolution to allow an increase in the maximum permitted floor area ratio in accordance with Section 74-963 (Permitted floor area increase) and, in conjunction therewith, to modify the quantity and size of the loading requirements of Section 44-50, in connection with a proposed twenty-story commercial building within an Industrial Business Incentive Area in an M1-4 District specified on the maps in Section 74-968 (Maps of Industrial Business Incentive Areas), on property located at 42 11 9th Street (Block 461, Lot 16), Borough of Queens, Community District 2, Council District 26.**

**Attachments:** January 6, 2021 - Charter Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Testimony - Zoning 01-26-2021, Hearing Transcript - Charter Meeting 1-6-21, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** January 6, 2021 - Charter Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Testimony - Zoning 01-26-2021, Hearing Transcript - Charter Meeting 1-6-21, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Laid Over by Subcommittee**

**LU 0715-2021**      **Application No. N 200304 ZRQ (42-11 9th Street Special Permit) submitted by RXR 42-11 9th Holdings 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) and updates to Section 74-76 (Modifications of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas), in connection with a proposed twenty-story commercial building within such Industrial Business Incentive Area, on property located at 42-11 9th Street (Block 461, Lot 16), Borough of Queens, Community District 2, Council District 26.**

**Attachments:** January 6, 2021 - Charter Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Testimony - Zoning 01-26-2021, Hearing Transcript - Charter Meeting 1-6-21, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** January 6, 2021 - Charter Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - January 20 and 26, 2021, Hearing Testimony - Zoning 01-26-2021, Hearing Transcript - Charter Meeting 1-6-21, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Laid Over by Subcommittee**

**LU 0718-2021**      **Application No. C 180496 ZMK (1620 Cortelyou Road Rezoning) submitted by 1600/20 Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, changing from an existing R6A District to an R7D District property bounded by Cortelyou Road, East 17th Street, a line 100 feet southeasterly of Cortelyou Road, and East 16th Street, Borough of Brooklyn, Community District 40, Council District 14.**

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 1/26/21, Hearing Testimony - Zoning 1/26/21 additional, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 1/26/21, Hearing Testimony - Zoning 1/26/21 additional, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Laid Over by Subcommittee**

LU 0719-2021

**Application No. N 180497 ZRK (1620 Cortelyou Road Rezoning) submitted by 1600/20 Realty Corp., 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 40, Council District 14.**

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 1/26/21, Hearing Testimony - Zoning 1/26/21 additional, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 1/26/21, Hearing Testimony - Zoning 1/26/21 additional, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Laid Over by Subcommittee**

LU 0720-2021

**Application No. C 190517 ZMQ (42-01 28th Avenue Rezoning) submitted by Vlachich, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9a and 9c, establishing within an R5 District a C1-2 District, changing from an R5 District to an R6A District, and establishing within the proposed R6A District a C1-2 District, Borough of Queens, Community District 1, Council District 22.**

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**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, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0721-2021

**Application No. N 190518 ZRQ (42-01 28th Avenue Rezoning) submitted by Vlacich, 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 Queens, Community District 1, Council District 22.**

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

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

**Attachments:** Calendar of the Subcommittee Meetings - January 20 and 26, 2021, January 28, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Zoning 1-26-21, Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**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, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

T2021-7130

**Application No. C 190447 ZMK (9114 5th Avenue Rezoning) submitted by BayRide Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an existing C8-2 District to an R7A District and establishing within a proposed R7A District a C2-4 District, Borough of Brooklyn, Community District 10, Council District 43.**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Hearing on P-C Item by Comm**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was P-C Item Laid Over by Comm**

T2021-7131

**Application No. N 190448 ZRK (9114 5th Avenue Rezoning) submitted by BayRide Realty, 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 10, Council District 43.**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Hearing on P-C Item by Comm**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was P-C Item Laid Over by Comm**

T2021-7132

**Application No. C 200190 ZMQ (214-32 Hillside Avenue Rezoning) submitted by Munir M. Islam, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 15a, by establishing within an existing R2 District a C2-3 District, Borough of Queens, Community District 13, Council District 23.**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was Hearing on P-C Item by Comm**

**Attachments:** Calendar of the Subcommittee Meetings - February 9 and 10, 2021

**This Land Use Application was P-C Item Laid Over by Comm**