

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, February 24, 2021

11:00 AM

- REMOTE HEARING (VIRTUAL ROOM 1) -

Committee on Land Use

Rafael Salamanca, Jr., Chair

*Members: Adrienne E. Adams, Diana Ayala, Inez D. Barron,
Joseph C. Borelli, Chaim M. Deutsch, Ruben Diaz, Sr., Vanessa L. Gibson,
Barry S. Grodenchik, Peter A. Koo, Stephen T. Levin, I. Daneek Miller,
Francisco P. Moya, Kevin C. Riley, Antonio Reynoso, Carlina Rivera and Mark Treyger*

Roll Call

Present: Salamanca Jr., Adams, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

Other Council Members Attending: Brannan

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, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 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, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 17 - Salamanca Jr., Adams, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

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, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 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, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 17 - Salamanca Jr., Adams, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0722-2021

Application No. C 200062 ZMK (16th Avenue Rezoning) submitted by Borough Park Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, eliminating from within an existing R5 District a C2-2 District and changing from an existing R5 District a C4-4A District, Borough of Brooklyn, Community District 12, Council District 44.

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 18 and 23, 2021, Land Use Calendar - February 24, 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 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 17 - Salamanca Jr., Adams, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0723-2021

Application No. N 200063 ZRK (16th Avenue Rezoning) submitted by Borough Park 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 12, Council District 44.

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 18 and 23, 2021, Land Use Calendar - February 24, 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 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 17 - Salamanca Jr., Adams, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0724-2021

Application No. 20215012 HKK / N 210194 HKK (East 25th Street Historic District) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York, for the designation as a historic district of the East 25th Street Historic District (DL 521, LP-2647), containing the property bounded by a line beginning on the eastern curblineline of East 25th Street at a point on a line extending westerly from the northern property line of 315 East 25th Street, and extending easterly along said line and the northern property line of 315 East 25th Street, southerly along the eastern property lines of 315 to 377 East 25th Street, westerly along the southern property line of 377 East 25th Street, across East 25th Street and along the southern property line of 378 East 25th Street, northerly along the western property lines of 378 to 314 East 25th Street, and easterly along the northern property line of 314 East 25th Street and across East 25th Street to the point of beginning, Borough of Brooklyn, Community District 17, Council District 45.

Attachments: January 28, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: January 28, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0725-2021

Application No. 20215014 HAM (Everlasting Pine HDFC Ground Lease Amendment) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law requesting waiver of the designation requirements of Section 693 of the General Municipal Law, waiver of the requirements of Sections 197-c and 197-d of the Charter, and approval of an Urban Development Action Area Project for property located at 96 Baxter Street (Block 198, p/o Lot 126), Borough of Manhattan, Community District 1, Council District 1.

Attachments: January 28, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: January 28, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0726-2021

Application No. C 210067 HUM (Harlem East Harlem URP Amendment) submitted by the Department of Housing Preservation and Development (HPD) 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 sixteenth amendment to the Harlem East Harlem Urban Renewal Plan for the Harlem East Harlem Urban Renewal Area, Borough of Manhattan, Community Districts 10 and 11, Council Districts 8 and 9.

Attachments: Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings - February 9 and 10, 2021, Hearing Transcript - Landmarks 2-10-21, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

LU 0727-2021

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, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings - February 9 and 10, 2021, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 16 - Salamanca Jr., Adams, Ayala, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

Abstain: 1 - Barron

LU 0728-2021

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, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings - February 9 and 10, 2021, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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

Affirmative: 16 - Salamanca Jr., Adams, Ayala, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger

Abstain: 1 - Barron

LU 0729-2021

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, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

This Land Use Application was Hearing Held by Committee

Attachments: Calendar of the Subcommittee Meetings - February 9 and 10, 2021, February 11, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Subcommittee Meetings - February 18 and 23, 2021, Land Use Calendar - February 24, 2021

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, Ayala, Barron, Borelli, Deutsch, R. Diaz Sr., Gibson, Grodenchik, Koo, Levin, Miller, Moya, Riley, Reynoso, Rivera and Treyger