

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, November 10, 2021

10:30 AM

Council Chambers - City Hall

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: Lander and Kallos

LU 0864-2021

Application No. C 210351 ZMM (New York Blood Center) submitted by New York Blood Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing from an R8B District to a C2-7 District and changing from a C1-9 District to a C2-8 District, for property located between East 66th Street and East 67th Street in the vicinity of Second Avenue, Borough of Manhattan, Community District 8, Council District 5.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 20, 2021, Hearing Testimony - Zoning 10-20-21, Hearing Testimony - Zoning 10-20-21 additional, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

This Land Use Application was Hearing Held by Committee

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 20, 2021, Hearing Testimony - Zoning 10-20-21, Hearing Testimony - Zoning 10-20-21 additional, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

Affirmative: 6 - Moya, Ayala, Borelli, Levin, Reynoso and Rivera

Negative: 1 - Grodenchik

LU 0865-2021

Application No. N 201352 ZRM (New York Blood Center) submitted by New York Blood Center, Inc. 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 VII, Chapter 4, for the purpose of allowing scientific research and development facilities in C2-7 Districts and allowing related use and bulk modifications, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 8, Council District 5.

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

Affirmative: 6 - Moya, Ayala, Borelli, Levin, Reynoso and Rivera

Negative: 1 - Grodenchik

LU 0866-2021

Application No. N 201353 ZSM (New York Blood Center) submitted by New York Blood Center, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-48 of the Zoning Resolution to allow a scientific research and development facility as a commercial use, to allow the floor area ratio regulations, up to the maximum floor area ratio permitted for community facility uses for the District, to apply to the scientific research and development facility use3, to modify the height and setback regulations of Section 33-432 (In other Commercial Districts), and the required yard equivalents regulations of Section 33-283 (Required rear yard equivalents), and to modify the signage regulations of Section 32-641 (Total surface area of signs), Section 32-642 (Non-illuminated signs), Section 32-643 (Illuminated non-flashing signs), Section 32-655 (Permitted Projections or Height of Signs), and Section 32-67 (Special Provisions Applying Along District Boundaries), to facilitate a proposed 16-story building on property located at 310 East 67th Street (Block 1441, Lot 40), Borough of Manhattan, Community District 8, Council District 5.

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

Affirmative: 6 - Moya, Ayala, Borelli, Levin, Reynoso and Rivera

Negative: 1 - Grodenchik

LU 0867-2021

Application No. C 20210369 ZSM (343 Madison Avenue – MTA/HQ) submitted by BP 347 Madison Associates, LLC and Metropolitan Transportation Authority pursuant to Sections 197-c and 201 of the New York City Charter for, in conjunction with the grant of a special permit pursuant to 81-633 of the Zoning Resolution (Special permit for Grand Central public realm improvements), the grant of a special permit pursuant to Section 81-634 to modify the street wall requirements of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements); the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations - Daylight Evaluation); and the mandatory district plan elements of Section 81-42 (Retail Continuity Along Designated Streets), Section 81-45 (Pedestrian Circulation Space), Section 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), Sections 81-47 (Major Building Entrances), Section 81-674 (Ground floor use provisions), Section 81-44 (Curb Cut Restrictions), and Section 81-675 (Curb cut restrictions and loading berth requirements), in connection with a proposed commercial development, on property located at 343 Madison Avenue (Block 1279, Lots 23, 24, 25 & 48), in a C5-3 District, within the Special Midtown District (Vanderbilt Corridor Subarea), Borough of Manhattan, Community District 5, Council District 4.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

This Land Use Application was Hearing Held by Committee

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 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 0868-2021

Application No. C 20210370 ZSM (343 Madison Avenue – MTA/HQ) submitted by BP 347 Madison Associates, LLC and Metropolitan Transportation Authority pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-633 of the Zoning Resolution to allow an increase in floor area in excess of the basic maximum floor area ratio established in the Table in Section 81-63 (Special Floor Area Provisions for the Vanderbilt Corridor Subarea) up to a maximum floor area as set forth in such Table, in connection with a proposed commercial development, on property located at 343 Madison Avenue (Block 1279, Lots 23, 24, 25 & 48), in a C5-3 District, within the Special Midtown District (Vanderbilt Corridor Subarea), Borough of Manhattan, Community District 5, Council District 4.

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

LU 0869-2021

Application No. C 210177 ZMK (Gowanus Neighborhood Plan) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16c and 16d eliminating from within an existing R8A District a C2-4 District, eliminating a Special Enhanced Commercial District (EC-1), changing from an R6B District to an R6A District, changing from an R6 District to an R6B District, changing from an R8A District to a C4-4D District, changing from an C8-2 District to a C4-4D District, changing from an M1-2 District to a C4-4D District, changing from an C8-2 District to an M1-4 District, changing from an M1-1 District to an M1-4 District, changing from an M2-1 District to an M1-4 District, changing from an M3-1 District to an M1-4 District, changing from an R6 District to an M1-4/R6A District, changing from an M1-1 District to an M1-4/R6A District, changing from an M1-2 District to a M1-4/R6A District, changing from an M2-1 District to an M1-4/R6A District, changing from an C8-2 District to an M1-4/R6B District, changing from an M1-1 District to an M1-4/R6B District, changing from an M1-2 District to an M1-4/R6B District, changing from an M2-1 District to an M1-4/R6B District, changing from an M2-1 District to an M1-4/R7-2 District, changing from an M3-1 District to an M1-4/R7-2 District, changing from an M1-2 District to an M1-4/R7A District, changing from an R6 District to an M1-4/R7X District, changing from an C8-2 District to an M1-4/R7X District, changing from an M1-2 District to an M1-4/R7X District, changing from an M2-1 District to an M1-4/R7X District, and establishing a Special Gowanus Mixed Use District (G), for property located in the Borough of Brooklyn, Community Districts 2 and 6, Council Districts 33 and 39.

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

LU 0870-2021

Application No. N 210178 ZRK (Gowanus Neighborhood Plan) 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 establishing the Special Gowanus Mixed Use District (Article XIII, Chapter 9) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections, for property located in the Borough of Brooklyn, Community Districts 2 and 6, Council Districts 33 and 39.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

LU 0871-2021

Application No. C 210179 MMK (Gowanus Neighborhood Plan) submitted by the New York City Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the establishment of Hoyt Street between 5th Street and Nelson Street, the establishment of Luquer Street and Nelson Street between Smith Street and the Gowanus Canal, the elimination of a 7th Street between Smith Street and The Gowanus Canal, the elimination of Public Place, the establishment of legal grades, and the adjustment of grades and block dimensions necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2754 dated December 7, 2020 and signed by the Borough President, Borough of Brooklyn, Community District 6, Council Districts 33 and 39.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

LU 0872-2021

Application No. C 210180 MMK (Gowanus Neighborhood Plan) submitted by the New York City Department of City Planning and the New York City Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the establishment of Park within the area bounded by Huntington Street, Smith Street, Nelson Street, Hoyt Street, 4th Street, Bond Street and The Gowanus Canal, the adjustment of grades and block dimensions necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. X-2755 and X-2756 dated December 7, 2020 and signed by the Borough President, Borough of Brooklyn, Community District 6, Council Districts 33 and 39.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

LU 0873-2021

Application No. C 210053 PPK (Gowanus Neighborhood Plan) submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition pursuant to zoning of city-owned property, located at 276 4th Avenue (Block 456, Lot 29), Borough of Brooklyn, Community District 6, Council Districts 33 and 39.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

LU 0874-2021

Application No. C 210052 HAK (Gowanus Neighborhood Plan) 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 an Urban Development 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 to facilitate an affordable mixed-use development with approximately 950 units, on property located at 5th Street and 431 Hoyt Street (Block 471, Lots 1 and 100), Borough of Brooklyn, Community District 6, Council Districts 33 and 39.

Attachments: September 23, 2021 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 9-23-21, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

LU 0884-2021

Application No. C 180039 MMK (Gowanus Canal CSO Facility) submitted by the New York City Department of Environmental Protection pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving the elimination of Douglass Street between Nevins Street and the Gowanus Canal, the adjustment of grades and block dimensions necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. N-2752 dated July 2, 2019 and signed by the Borough President, Borough of Brooklyn, Council District 33, Community District 6.

Attachments: October 7, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Transcript - Stated Meeting 10-7-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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 approved by Roll Call.

Affirmative: 7 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0885-2021

Application No. C 200319 PCK (Gowanus Canal CSO Facility) submitted by the New York City Department of Sanitation, the New York City Department of Environmental Protection 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 at 110 5th Street (Block 990, Lot 21), 122 5th Street (Block 990, Lot 16), 22 2nd Avenue (Block 990, Lot 1), 5th Street (Block 977, p/o Lot 1) and 2 2nd Avenue (Block 977, p/o Lot 3) for Department of Sanitation salt and equipment storage, environmental education activities and additional space as needed for the combined sewer overflow (CSO) control facility, Borough of Brooklyn, Council District 39, Community District 6.

Attachments: October 7, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Transcript - Stated Meeting 10-7-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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 approved by Roll Call.

Affirmative: 7 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0886-2021

Application No. C 200320 MMK (Gowanus Canal CSO Facility) submitted by the New York City Department of Environmental Protection pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving: the elimination of 5th Street between 2nd Avenue and the Gowanus Canal; the adjustment of grades and block dimensions necessitated thereby; including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2758 dated May 3, 2021 and signed by the Borough President, Borough of Brooklyn, Council District 39, Community District 6.

Attachments: October 7, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Transcript - Stated Meeting 10-7-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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 approved by Roll Call.

Affirmative: 7 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0887-2021

Application No. C 200321 PSK (Gowanus Canal CSO Facility) submitted by the New York City Department of Environmental Protection, the New York City Department of Sanitation and the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 2 2nd Avenue (Block 977, Lot 3) for use as a combined sewer overflow (CSO) control facility, Borough of Brooklyn, Council District 39, Community District 6.

Attachments: October 7, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Transcript - Stated Meeting 10-7-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

Affirmative: 7 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera

LU 0888-2021

Application No. 20225005 HAK (Gowanus Mercy Home UDAAP Amendment) submitted by the New York City Department of Housing Preservation and Development pursuant to Section 694 of the General Municipal Law requesting approval of an amendment to an Urban Development Action Areas Project previously approved by the Council by Resolution No. 510 for the year 2002, Borough of Brooklyn, Council District 39, Community District 6.

Attachments: October 7, 2021 - Stated Meeting Agenda with Links to Files, Calendar of the Zoning Subcommittee Meeting - October 12, 2021, Hearing Transcript - Stated Meeting 10-7-21, Hearing Testimony - Zoning 10-12-21, Calendar of the Zoning Subcommittee Meeting - November 9, 2021, Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021

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

Affirmative: 7 - Moya, Ayala, Borelli, Grodenchik, Levin, Reynoso and Rivera