

The New York City Council

*New York City Council
City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, November 19, 2008

10:00 AM

Committee Room - City Hall

Committee on Land Use

Melinda R. Katz, Chair

*Members: Maria Del Carmen Arroyo, Tony Avella, Maria Baez, Charles Barron,
Leroy G. Comrie, Inez E. Dickens, Simcha Felder, Daniel R. Garodnick, Eric N. Gioia,
Sara M. Gonzalez, Vincent M. Ignizio, Robert Jackson, Jessica S. Lappin, John C. Liu,
Miguel Martinez, Michael E. McMahon, Rosie Mendez, Annabel Palma, Joel Rivera,
Larry B. Seabrook, Helen Sears, Albert Vann and James Oddo*

Roll Call

Present,

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent,

Jackson, McMahon and Seabrook

Other Council Members Attending: Brewer

LU 0853-2008

Application no. 20095004 HAK, an Urban Development Action Area Project, located at 38 Martense Street, Council District no. 40, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0854-2008 Application no. 20095005 HAK, an Urban Development Action Area Project, located at 72, 74 Lott Street, Council District no. 40, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0855-2008 Application no. 20095007 HAQ, an Urban Development Action Area Project, located at 39-22 29th Street, Council District no. 26, Borough of Queens. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 7/21/08, Hearing Transcript - Planning 9/2/08, Hearing Testimony - 9/2/08, Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0919-2008

Uniform land use review procedure application no. C 080400 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit pursuant to Section 78-312(d) of the Zoning Resolution in the Borough of Manhattan, Council District no. 6 to facilitate the development of two residential buildings. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 15 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gonzalez, Ignizio, Liu, Mendez, Oddo, Palma and Rivera

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0920-2008 **Uniform land use review procedure application no. C 080401 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution in the Borough of Manhattan, Council District no. 6 to facilitate the development of two residential buildings.. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.**

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 15 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gonzalez, Ignizio, Liu, Mendez, Oddo, Palma and Rivera

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0921-2008 **Application no. C 080281 ZSM submitted by the New York City Department of Sanitation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 (a) (2) of the Zoning Resolution to modify the requirements of Section 43-40 and Section 43-20 to allow a proposed parking garage at 500 Washington Street (Block 596, Lot 50). This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.**

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 20 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Negative, 1 -

Barron

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0922-2008

Application no. N 090031 ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 7 (Special 125th Street District), to modify height and bulk regulations within the C4-7 zoned portion of the Core Subdistrict.

Attachments: Hearing Testimony - Zoning 11/17/08, Hearing Transcript - Zoning 11/17/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 11/17/08, Hearing Transcript - Zoning 11/17/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0923-2008

Application no. C 080397 (A) ZMM submitted by the 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 No. 12c.

Attachments: Hearing Testimony - Zoning 11/12/08, Hearing Transcript - Zoning 11/12/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 11/12/08, Hearing Transcript - Zoning 11/12/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0924-2008

Application no. N 080398 (A) ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, and proposed modification pursuant to Section 2-06 (c) (1) of the Uniform Land Use Review Procedure, for amendment to the Zoning Resolution of the City of New York concerning Article II, Chapter 3..

Attachments: Hearing Testimony - Zoning 11/12/08, Hearing Transcript - Zoning 11/12/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 11/12/08, Hearing Transcript - Zoning 11/12/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0925-2008

Application no. C 080279 PSM, pursuant to §197-c of the New York City Charter, for the site selection of property located at 553 Canal Street/297 West Street (Block 595, Lot 87) for use as a salt storage.

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 20 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Negative, 1 -
Barron

Absent, 3 -
Jackson, McMahon and Seabrook

LU 0926-2008 **Application no. C 080280 PCM, pursuant to §197-c of the New York City Charter, submitted by the Department of Sanitation and the Department of citywide Administrative Services for the site selection of property located at 500 Washington Street (Block 596, Lot 50) for use as a garage.**

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/14/08, Hearing Transcript - Landmarks 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 20 -
Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Negative, 1 -
Barron

Absent, 3 -
Jackson, McMahon and Seabrook

LU 0927-2008 **Application no. 20085680 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 1373 1st Café Inc. d.b.a. Banshee Pub, to establish, maintain and operate an unenclosed sidewalk café at 1373 First Avenue, Borough of Manhattan, Council District no. 5. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Attachments: Hearing Testimony - Zoning 11/17/08, Hearing Transcript - Zoning 11/17/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 11/17/08, Hearing Transcript - Zoning 11/17/08, Hearing Transcript - Zoning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook

LU 0929-2008

Application no. 20095181 HAX, submitted by the Department of Housing Preservation and Development, pursuant to the Private Housing Finance Law for the acquisition, rehabilitation and a related tax exemption for property located at 2950 Park Avenue and 635 Morris Avenue, Council District no. 17, Borough of the Bronx.

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Transcript - Land Use 11/19/08

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Oddo, Palma, Rivera, Sears and Vann

Absent, 3 -

Jackson, McMahon and Seabrook