

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



**Meeting Minutes**

**Thursday, September 10, 2009**

**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, Elizabeth Crowley, 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, Rosie Mendez, Annabel Palma, Joel Rivera,  
Larry B. Seabrook, Helen Sears and Albert Vann*

Roll Call

**Present,**

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,**

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

T2009-1425

**Application no. 20105018 HKM (N 100003 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2327) by the Landmarks Preservation Commission of the John Pierce Residence, (Block 1287, Lot 10) as an historic landmark, Council District no. 3.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

T2009-1426

**Application no. 20105019 HKM (N 100004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2320) by the Landmarks Preservation Commission of the Mount Olive Fire Baptized Holiness Church, located at 308 West 122nd street (aka 304-308 West 122nd Street) as an historic landmark, Council District no. 9.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

**T2009-1428**      **Application no. 20105021 HKK (N 100002 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2314) by the Landmarks Preservation Commission of Prospect Heights as a historic district, Council District no. 35.**

**Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

**T2009-1423**      **Application no. N 090364 ZRY, 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, establishing two new zoning districts: C6-3D and R9D and modifying related regulations.**

**Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**T2009-1424**      **Application no. N 090365 ZMX, 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 of the City of New York, Section Nos. 3b and 6a.**

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

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

**LU 1188-2009**      **Application no. 20105030 HAX, an amended Urban Development Action Area Project located at 2228 Givan Avenue, Council District no. 12, Borough of the Bronx. 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, and pursuant to Section 422 of the Real Property Tax Law for a partial exemption from real property taxes.**

**Attachments:** Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

**Attachments:** Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

**LU 1189-2009**      **Application no. 20105031 HAQ, an Urban Development Action Area Project located at 69-21 Bayfield Avenue and 69-30 Elizabeth Avenue, Council District no. 31, 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, and pursuant to Section 696 of the General Municipal Law for a partial exemption from real property taxes.**

**Attachments:** Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

**Attachments:** Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

LU 1194-2009

**Application no. 20095598 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for RRBV Associates LLC d/b/a Harbor NY, to establish, maintain and operate an unenclosed sidewalk café located at 290 Hudson Street (Block 579, Lot 5), Borough of Manhattan, Council District no.3. 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:** Land Use Calendar - Week of September 7 - September 11, 2009

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

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**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

LU 1195-2009

**Application no. 20095695 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for A & A Food Enterprises LLC d/b/a. Aged Bar N Grill, to establish, maintain and operate an unenclosed sidewalk café located at 107-02 70th Road (Block 3239, Lot 32), Borough of Queens, Council District no. 29. 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:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009

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

**Affirmative,** 16 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Liu, Mendez, Rivera, Seabrook, Vann and Palma

**Absent,** 6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears

**LU 1196-2009**      **Application no. 20095133 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Greek Kitchen Inc. d.b.a. Greek Kitchen, to construct, maintain and use an enclosed sidewalk café located at 885-889 Tenth Avenue (Block 1086, Lot 34), Borough of Manhattan, Council District no.6. 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.**

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**Absent,**        6 -

Katz, Baez, Gioia, Gonzalez, Lappin and Sears