

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, June 6, 2013

10:00 AM

250 Broadway - Committee Rm, 16th Fl.

Committee on Land Use

Leroy G. Comrie, Jr., Chair

*Members: Maria del Carmen Arroyo, Charles Barron, Inez E. Dickens,
Daniel R. Garodnick, Sara M. Gonzalez, Robert Jackson, Jessica S. Lappin,
Rosie Mendez, Annabel Palma, Diana Reyna, Joel Rivera, Albert Vann,
Brad S. Lander, Stephen T. Levin, Mark S. Weprin, Jumaane D. Williams,
Vincent M. Ignizio, Peter A. Koo and Ruben Wills*

Roll Call

Present:

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent:

Arroyo and Jackson

LU 0811-2013

Application No. 20135527 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area Project and related tax exemption for property located at 1772 Amsterdam Avenue and 801-05 St. Nicholas Avenue, Borough of Manhattan, Community Board 9, Council District 7. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and Section 577 of the Private Housing Finance Law.

Attachments: Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Planning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 5-13-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Planning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 5-13-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0813-2013

Application No. 20135530 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for approval of an Urban Development Action Area Project and related tax exemption for property located at 508 West 134th Street, Borough of Manhattan, Community Board 9, Council District 7. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and Section 577 of the Private Housing Finance Law.

Attachments: Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Planning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 5-13-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Planning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 5-13-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 17 -

Comrie Jr., Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Negative: 1 -

Barron

Absent: 2 -

Arroyo and Jackson

LU 0827-2013 **Application no. 20135374 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 18 Greenwich Avenue LLC, d/b/a Rosemary's, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 18 Greenwich Avenue, in the Borough of Manhattan, Community District 2, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0828-2013 **Application no. 20135408 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Le Gans Restaurant, Inc., d/b/a RYU, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 46 Gansevoort Street, in the Borough of Manhattan, Community District 2, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0832-2013

Application No. M 840631(B) ZMK submitted by Metro Storage NY, LLC for modification to Restrictive Declaration D-100 pursuant to Section 7.01 of the Restrictive Declaration, to cancel said Restrictive Declaration to facilitate the construction of an as-of-right 4-story self-storage facility (UG 16 use) with accessory parking, on property located at 2713-2735 Knapp Street, in the Borough of Brooklyn, Community District 15, Council District 46.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0836-2013 **Application no. 20135454 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 10th Avenue Group Inc., d/b/a 44&X-Hells Kitchen, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 622 Tenth Avenue, in the Borough of Manhattan, Community District 4, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0837-2013 **Application No. N 130206(A) ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to Article IX, Chapter I (Special Lower Manhattan District), concerning privately owned public spaces within the Borough of Manhattan, Community District 1, Council District 1.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0838-2013

Application No. C 110398 ZMQ submitted by Vlacich, LLC, pursuant to Section 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 9c, establishing within an existing R5 district a C1-2 District bounded by a line 150 feet northeasterly of 28th Avenue, 43rd Street, 28th Avenue, and 42nd Street, in the Borough of Queens, Community District 1, Council District 22.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0839-2013 **Application No. 20135674 HAX submitted by the New York City Department of Housing Preservation and Development (HPD) for a tax exemption pursuant to Section 577 of the Private Housing Finance Law for properties located at 442 East 176 Street, 446 East 176 Street, 440 East Tremont Avenue, 1842 Washington Avenue, 1991 Bathgate Avenue, and 2028 Washington Avenue, in the Borough of Bronx, Community Board 6, Council District 15.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0840-2013 **Application No. 20135675 HAM submitted by the New York City Department of Housing Preservation and Development (HPD) for termination of existing a tax exemption and granting of a new tax exemption for properties located at 1845 Park Avenue and 107 East 126 Street, Borough of Manhattan, Community Board 11, Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Article 16 of the New York General Municipal Law and Section 577 of the Private Housing Finance Law.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0841-2013

Application no. 20135676 HAM submitted by the New York City Department of Housing Preservation and Development for termination of existing tax exemption and granting of a new a tax exemption for property located at 112 East 128 Street and 102 East 128 Street, Community District 11, Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Sections 123(4), 125 and 577 of the Private Housing Finance Law.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson

LU 0843-2013

Application no. 20135678 HAX submitted by the New York City Department of Housing Preservation and Development for the termination of an existing tax exemption and the granting of a new tax exemption for properties located at 1604 Jesup Avenue, 1595 & 1601 Macombs Road, 1551 Shakespeare Avenue, 1685 Hoe Avenue, 1662-1698 Vyse Avenue, and 1685 & 1717 Bryant Avenue, Community Districts 3 and 5, Council Districts 15 and 16, Borough of the Bronx. This matter is subject to Council review and action at the request of HPD and pursuant to Sections 123(4), 125 and 577 of the Private Housing Finance Law.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Land Use Calendar - June 6, 2013, Hearing Testimony - Planning 6-4-13, Hearing Transcript - Planning 6-4-13, Hearing Transcript - Land Use 6-6-13

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

Affirmative: 18 -

Comrie Jr., Barron, Dickens, Garodnick, Gonzalez, Lappin, Mendez, Palma, Reyna, Rivera, Vann, Lander, Levin, Weprin, Williams, Ignizio, Koo and Wills

Absent: 2 -

Arroyo and Jackson