

The New York City Council

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



Meeting Minutes

Tuesday, April 21, 2009

10:00 AM

250 Broadway - Hearing Room, 16th Floor

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

Roll Call

Present,

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

Absent,

Baez, Jackson and Rivera

LU 1061-2009

Application no. 20095359 HKM (N 090330 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.410, LP-2313) by the Landmarks Preservation Commission of the Consolidated Edison Building, located at 4 Irving Place a.k.a. 2-12 Irving Place, 121-147 East 14th Street, 120-140 East 15th Street (Block 870, part of Lot 24) Council District no 2.

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1062-2009

Application no. 20095360 HKM (N 090331 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.410, LP-2294) by the Landmarks Preservation Commission of One Chase Manhattan Plaza, aka 16-48 liberty Street, 26-40 Nassau Street, 28-44 Pine Street, 55-77 William Street (Block 44, Lot1), Council District no 1.

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1063-2009

Application no. 20095361 HKK (N 090329 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.410, LP-2309) by the Landmarks Preservation Commission of Alice and Agate Courts Historic District, Council District no 36.

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1059-2009

Application no. 20095191 SCK, a proposed site for a new, approximately 535 seat Primary School Facility, known as P.S. 160-K Annex, to be located at 1061-1071 52nd Street (Block 5653, Lot 55), Council District No. 39, Borough of Brooklyn. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1060-2009 **Application no. 20095290 SCM, a proposed site for a new, approximately 572-Seat Intermediate/High School Facility, known as Community Heath Academy of the Heights located at 1970 Amsterdam Avenue (Block 2116, Lot 33 in portion), Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Attachments: Hearing Transcript - Landmarks 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Landmarks 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1057-2009 **Application no. C 090281 ZMQ 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. 7d, 11a and 11c.**

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1058-2009 Application no. N 090282 ZRY submitted by Department of City Planning the pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to the creation of an R1-2A Zoning District.

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1056-2009 Application no. N 090239 ZRY submitted by Department of City Planning the pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to modifications of Article VI, chapter 2 (special Regulations Applying in the Waterfront Area), and various related Sections of the Zoning Resolution.

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09

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

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 1042-2009 **Application no. 20095084 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for La Goulue Restaurant, Inc., to continue to maintain and operate an unenclosed sidewalk café located at 746 Madison Avenue, Borough of Manhattan, Council District no. 4. 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 Transcript - Zoning 3/31/09, Hearing Transcript - Zoning 4/20/09,
Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 3/31/09, Hearing Transcript - Zoning 4/20/09,
Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Seabrook, Sears and Vann

Absent, 3 -

Baez, Jackson and Rivera

LU 1051-2009 **Application no. C 090132 ZMM, submitted by 150 Amsterdam Avenue, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, establishing within an existing R8 District a C2-5 District.**

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09,
Hearing Testimony - Zoning 4/20/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09,
Hearing Testimony - Zoning 4/20/09

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, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Seabrook, Sears and Vann

Absent, 3 -

Baez, Jackson and Rivera

LU 1052-2009 **Application no. C 070396 ZMK, submitted by ESP Group LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17b, changing from an M1-1 District to an R7A District and establishing within the proposed R7A District a C2-4 District.**

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Zoning 4/20/09

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, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Seabrook, Sears and Vann

Absent, 3 -

Baez, Jackson and Rivera

LU 1055-2009 **Uniform land use review procedure application no. C 090227 HAK, an Urban Development Action Area Designation and Project, located at 115, 117, 119, 123, 125, 129 Fountain Avenue; 922 – 932 Liberty Avenue; 66 – 72 Crystal Street, and the disposition of the city-owned property, Borough of Brooklyn, Council District no. 37. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

Attachments: Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

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

Attachments: Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

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

Affirmative, 20 -

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

Absent, 3 -

Baez, Jackson and Rivera

LU 0986-2009 Application no. 20095297 HAM, an Urban Development Action Area Project located at 308 East 120th Street, Council District no. 8, Borough of Manhattan. 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 577 of the Private Housing Finance Law for a partial tax exemption

Attachments: Hearing Testimony - Planning 2/9/09, Hearing Transcript - Planning 2/9/09, Hearing Transcript - Planning 2/10/09, Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Planning 3/18/09, Hearing Testimony - Planning 3/31/09, Hearing Transcript - Planning 3/31/09, Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Planning 2/9/09, Hearing Transcript - Planning 2/9/09, Hearing Transcript - Planning 2/10/09, Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Planning 3/18/09, Hearing Testimony - Planning 3/31/09, Hearing Transcript - Planning 3/31/09, Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

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, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Seabrook, Sears and Vann

Absent, 3 -

Baez, Jackson and Rivera

LU 0974-2009

Application no. 20095235 HAM, an amended Urban Development Action Area Project known as the Bradhurst Cluster, Council Districts no. 7 and 9, Borough of Manhattan. 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 tax exemption.

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Testimony - Planning 2/9/09, Hearing Transcript - Planning 2/9/09, Hearing Transcript - Planning 2/10/09, Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Planning 3/18/09, Hearing Testimony - Planning 3/31/09, Hearing Transcript - Planning 3/31/09, Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Testimony - Planning 2/9/09, Hearing Transcript - Planning 2/9/09, Hearing Transcript - Planning 2/10/09, Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Planning 3/18/09, Hearing Testimony - Planning 3/31/09, Hearing Transcript - Planning 3/31/09, Hearing Transcript - Planning 4/20/09, Hearing Transcript - Land Use 4/21/09, Hearing Testimony - Planning 4/20/09

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, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Seabrook, Sears and Vann

Absent, 3 -

Baez, Jackson and Rivera