

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, July 23, 2013

10:00 AM

Council Chambers - City Hall

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., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent:

Palma, Vann, Lander and Levin

LU 0842-2013

Application No. 20135677 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 2353 2nd Avenue, Borough of Manhattan, Community Board 11, Council District 8. 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, Hearing Testimony - Planning 6-4-13, Land Use Calendar - Week of June 17, 2013 - June 21, 2013, Hearing Transcript - Planning 6-4-13, Hearing Testimony - Planning 6/20/13, Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Date and Time Change of Meeting, Hearing Transcript - Planning 6-20-13, Relocation and Time Change of July Hearings, Land Use Calendar - July 23, 2013, Hearing Transcript - Planning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Hearing Testimony - Planning 6-4-13, Land Use Calendar - Week of June 17, 2013 - June 21, 2013, Hearing Transcript - Planning 6-4-13, Hearing Testimony - Planning 6/20/13, Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Date and Time Change of Meeting, Hearing Transcript - Planning 6-20-13, Relocation and Time Change of July Hearings, Land Use Calendar - July 23, 2013, Hearing Transcript - Planning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 15 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Negative: 1 -

Barron

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0857-2013 **Application no. 20135352 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Westville Hudson LLC, d/b/a Westville, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 333 Hudson 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 July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0858-2013 **Application no. 20135587 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 183 Condechi Associates, LLC, d/b/a Café Condessa, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 183 West 10th 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 July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0859-2013

Application no. 20135774 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Francis Louis, LLC, d/b/a Frankie's 570 Spuntino, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 570 Hudson 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 July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0860-2013 **Application no. 20135775 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Apicio LLC, d/b/a Tertulia, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 359 6th 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 July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0863-2013 **Application No. N 130178 ZRM submitted by the New York City Department of Cultural Affairs pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to certain provisions of Article IX, Chapter 3, (Special Hudson Yards District), Borough of Manhattan, Community District 4, Council District 3.**

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0864-2013

Application No. C 130161 ZMK submitted by Pitkin-Berriman HDFC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 17c, by changing Block 4005, Lot 1-2, 28, 35 & 38 from R5/C1-3 to R7A/C2-4 and creating a C1-3 overlay district on Lots 1, 2 and p/o 8, in the Borough of Brooklyn, Community District 5, Council District 37.

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0865-2013 **Application No. C 110178 ZMQ submitted by T.F. Cusanelli Architect P.C., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 9a, adding a C1-4 overlay to an existing R5 district at 23rd Street and 33rd Avenue, in the Borough of Queens, Community District 1, Council District 22.**

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0869-2013 **Application No. 20135777 HAK submitted by the New York City Department of Housing Preservation and Development (“HPD”), for approval of the proposed disposition of property located at Brooklyn, Block 1861, Lot 119, subject to restrictions pursuant to Private Housing Finance Law (PHFL) Section 122 (1), Borough of Brooklyn, Community Board 3, Council District 36. This matter is subject to Council review and action at the request of HPD and pursuant to PHFL Section 122(1).**

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Date and Time Change of Meeting, Relocation and Time Change of July Hearings, Land Use Calendar - July 23, 2013, Hearing Transcript - Planning 7-23-13, Hearing Transcript - Land Use 7-23-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 22, 2013 - July 26, 2013, Date and Time Change of Meeting, Relocation and Time Change of July Hearings, Land Use Calendar - July 23, 2013, Hearing Transcript - Planning 7-23-13, Hearing Transcript - Land Use 7-23-13

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

Affirmative: 15 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Negative: 1 -

Barron

Absent: 4 -

Palma, Vann, Lander and Levin

LU 0870-2013

Application no. 20135658 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of R&G Spring LLC, d/b/a Piccola Cucina, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 196 Spring 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 July 22, 2013 - July 26, 2013, Relocation and Time Change of July Hearings, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - July 23, 2013, Hearing Transcript - Zoning 7-22-13, Hearing Transcript - Zoning 7-23-13, Hearing Transcript - Land Use 7-23-13

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 Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Mendez, Reyna, Rivera, Weprin, Williams, Ignizio, Koo and Wills

Absent: 4 -

Palma, Vann, Lander and Levin