

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, December 8, 2010

4:45 PM

250 Broadway - Committee Rm, 16th Fl.

Subcommittee on Zoning and Franchises

Mark S. Weprin, Chair

*Members: Leroy G. Comrie, Jr., Daniel R. Garodnick, Robert Jackson,
Jessica S. Lappin, Diana Reyna, Joel Rivera, Larry B. Seabrook,
James Vacca, Albert Vann and Vincent M. Ignizio*

Roll Call

Present: Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: Seabrook

Other Council Members Attending: Koo, Williams, Arroyo, Brewer, Dickens, Wills, Palma and Levin

LU 0256-2010

Application no. C 100287 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the railroad or transit right-of-way or yard on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0257-2010 **Application no. C 100288 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 1,260 spaces on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -
Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -
Seabrook

LU 0258-2010 **Application no. C 100289 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 322 spaces on portions of the ground floor, cellar, sub-cellar 1 and subcellar 2 of a proposed mixed use development (Parcel 1), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0259-2010 **Application no. C 100290 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 161 spaces on portions of the ground floor, cellar, sub-cellar 1 and subcellar 2 of a proposed mixed use development (Parcel 2), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0260-2010 **Application no. C 100291 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 203 spaces on portions of the ground floor, cellar, sub-cellar 1 and subcellar 2 of a proposed mixed use development (Parcel 3), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

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 Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0261-2010 **Application no. C 100292 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 259 spaces on portions of the ground floor, cellar, sub-cellar 1 and subcellar 2 of a proposed mixed use development (Parcel 4), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -
Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -
Seabrook

LU 0262-2010 **Application no. C 100293 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow a public parking garage with maximum capacity of 315 spaces on portions of the ground floor, cellar, sub-cellar 1 and subcellar 2 of a proposed mixed use development (Parcel 5), on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Community District 7. 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: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0263-2010 Application no. N 100294 (A) ZRM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06 (c) (1) of the Uniform Land Use Review Procedure for amendment of the Zoning Resolution of the City of New York, concerning Section 23-144, Section 23-954, Section 74-743 and Appendix F, Borough of Manhattan, Community District 7.

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0264-2010 Uniform Land Use Review Procedure Application no. N 100295 ZRM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York, concerning Section 74-74 and Section 74-744, Borough of Manhattan, Community District 7.

Attachments: Land Use Calendar - Week of November 22 - November 26, 2010, Hearing Testimony - Zoning 11/23/10, Land Use Calendar - Week of December 6 - December 10, 2010, Deferral of the Meetings, Land Use Calendar - December 8, 2010, Hearing Testimony - Zoning 12/8/10, Hearing Transcript - Zoning 11-23-10, Hearing Transcript - Land Use 12-8-10, Hearing Transcript - Zoning 12-8-10

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 Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0265-2010

Application no. C 100296 (A)ZSM / M 920358 (D) ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter, in accordance with Section 2-06 (c) (1) of the Uniform Land Use Review Procedure Rules, for the grant of a special permit pursuant to Section 74-743of the Zoning Resolution to allow the location of buildings without regard for the applicable court, distance between buildings, height and setback regulations; the modification of the definition of outer courts and the provisions of Section 23-84; modifications to the Inclusionary Housing Program; approval to modify the original Riverside South general large-scale permit and restrictive declaration in connection with a proposed mixed use development on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165) Borough of Manhattan, Community District 7. 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.

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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 Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook

LU 0266-2010

Application no. C 100297 ZSM submitted by CRP/Extell Parcel L, LP and CRP/Extell Parcel N, LP pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow an automotive sales and services establishment on property bounded by West 61st Street, West End Avenue, West 59th Street and Riverside Boulevard (Block 1171, Lots 155 & 165), Borough of Manhattan, Community District 7. 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.

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A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 1 -

Seabrook