

The New York City Council

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



Meeting Minutes

Monday, March 9, 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, 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, Albert Vann and James Oddo*

Roll Call

Present,

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused,

Felder

Absent,

Barron, Martinez, Palma and Rivera

LU 1024-2009

Uniform land use review procedure application no. C 090048 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 39 to facilitate a mixed-use development. 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: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -

Avella

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 0931-2008 **Uniform land use review procedure application no. C 090073 HAX, an Urban Development Action Area Designation and Project, located at 1157 Fulton Avenue, and the disposition of such property, Borough of the Bronx, Council District no. 16. 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 Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Testimony - Planning 3/4/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Testimony - Planning 3/4/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 0982-2009 **Uniform land use review procedure application no. C 090072 PPM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Manhattan, Council District no. 3 for the disposition of one City-Owned property locate at 304 West 47th Street. 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: Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Planning 2/23/09, Hearing Transcript - Planning 2/23/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 0984-2009

Application no. 20095295 HAX, an Urban Development Action Area Project located at 463 East 159th Street, Council District no. 17, 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.

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 Testimony - Planning 3/4/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

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 Testimony - Planning 3/4/09, Hearing Transcript - Planning 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 0991-2009 **Application no. C 090103 ZRQ, 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, creating the Special Forest Hills Districts in Article VIII, Chapter 6 and amending related sections of the Zoning resolution.**

Attachments: Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 0992-2009 **Application no. C 090104 ZMQ, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14a.**

Attachments: Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -
Felder

Absent, 4 -
Barron, Martinez, Palma and Rivera

LU 1000-2009 Application no. C 090120 ZMM submitted by Dermot BMB, LLC and the NYC Economic Development Corporation pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 12b.

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -
Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -
Avella

Excused, 1 -
Felder

Absent, 4 -
Barron, Martinez, Palma and Rivera

LU 1002-2009 Application no. C 090121 PPM submitted by the department of Small Business Services pursuant to Section 197-c of the New York City Charter for the disposition of one city owned property, located at the Battery maritime Building, 10 South Street (Block 2, lot 1), Borough of Manhattan.

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -
Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -
Avella

Excused, 1 -
Felder

Absent, 4 -
Barron, Martinez, Palma and Rivera

LU 1006-2009 **Application no. N 090122 ZAM submitted by Dermot BMB, LLC, and the Economic Development Corporation for the grant of an authorization pursuant to Section 62-722 (a) of the Zoning Resolution, to modify the waterfront public access requirements of Section 62-40 and in conjunction therewith, Section 62-332 to facilitate a partial conversion and enlargement of an existing building, on property located at 10 South Street (Block 2, p/o Lot 1).**

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -
Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -
Avella

Excused, 1 -
Felder

Absent, 4 -
Barron, Martinez, Palma and Rivera

LU 1001-2009 **Application no. C 090197 ZMK submitted by the Department of City Planning pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16d, 22c.**

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 1003-2009

Application no. C 090047 ZMK submitted by Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c.

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -

Avella

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 1005-2009

Application no. N 090049 ZRK submitted by Toll Brooklyn, L.P. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York concerning Article XII, Section 3 (Special Mixed Use Districts) and Article II, Section 3 (Bulk Regulations for residential Buildings in Residence Districts), in the Borough of Brooklyn.

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,
Hearing Transcript - Land Use 3/9/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Negative, 1 -

Avella

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 1007-2009

Application no. 20095264 HKM (N 090255 HKM) pursuant to Section 3020 of the Charter of the City of New York, concerning the designation (List No. 408, L P- 2312) by the Landmarks Preservation Commission of the St. Nicholas of Myra Orthodox Church, Council District no. 2.

Attachments: Hearing Testimony - Landmarks 3/4/09, Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Landmarks 3/4/09, Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 1008-2009 **Application no. 20095265 HKM (N 090254 HKM) pursuant to Section 3020 of the Charter of the City of New York, concerning the designation (List No. 408, L P- 2297) by the Landmarks Preservation Commission of the Society House of the American Society of civil Engineers, Council District no. 3.**

Attachments: Hearing Testimoy - Landmarks 3/4/09, Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimoy - Landmarks 3/4/09, Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

LU 1022-2009 **By Council Member Katz:
Application No. 20095340 HHQ submitted by the New York Health and Hospitals Corporation pursuant to §7385(6) of its Enabling Act requesting the approval of the surrender of a parcel of land located on the campus of the Queens Hospital Center on Goethals Avenue to the Department of Education, to facilitate the development a parking lot for the Gateway School, in Queens Community Board 8.**

Attachments: Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Landmarks 3/4/09, Hearing Transcript - Land Use 3/9/09

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

Affirmative, 18 -

Katz, Arroyo, Avella, Baez, Comrie Jr., Dickens, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Mendez, Oddo, Seabrook, Sears and Vann

Excused, 1 -

Felder

Absent, 4 -

Barron, Martinez, Palma and Rivera

