

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Wednesday, March 13, 2013**

**9:15 AM**

**Committee Room - 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,  
Daniel J. Halloran III, Vincent M. Ignizio, Peter A. Koo and Ruben Wills*

## Roll Call

**Present:**

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

**Absent:**

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

LU 0757-2013

**Application No. C 120380 ZMM submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a, changing an M1-5B District to an M1-6 District and establishing a Special Hudson Square District, Borough of Manhattan, Community Board 2, Council District 3.**

**Attachments:** Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

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

**Affirmative:** 14 -

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

**Negative:** 1 -

Barron

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

LU 0758-2013

**Application No. N 120381 (A) ZRM submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District and to modify related Sections, Borough of Manhattan, Community Board 2, Council District 3.**

**Attachments:** Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

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

**Affirmative:** 14 -

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

**Negative:** 1 -

Barron

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

**LU 0759-2013      Application no. 20135318 HHR by New York City Health and Hospitals Corporation pursuant to §7385(6) of its Enabling Act requesting approval to lease a parcel of land to Meals on Wheels of Staten Island, Inc., on a portion of the Sea View Hospital Rehabilitation Center and Home campus located at 460 Brielle Avenue, Borough of Staten Island, Community Board 2, Council District 50.**

**Attachments:** Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Landmarks 1/29/13, Hearing Transcript - Landmarks 1/29/31, Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Deferral of Landmarks Meeting - Scheduled for February 12, 2013., Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Landmarks 3/5/13, Hearing Transcript - Landmarks 3/5/13, Committee Report, Resolution, Hearing Transcript - Land Use 3-13-13

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Landmarks 1/29/13, Hearing Transcript - Landmarks 1/29/31, Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Deferral of Landmarks Meeting - Scheduled for February 12, 2013., Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Landmarks 3/5/13, Hearing Transcript - Landmarks 3/5/13, Committee Report, Resolution, Hearing Transcript - Land Use 3-13-13

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

**Affirmative:** 15 -

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

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

**LU 0761-2013      Application no. 20135320 PNK, pursuant to § 1301 (2) (f) of the New York City Charter concerning the proposed amendment to a maritime lease between the New York City Department of Small Business Services and Sea Travelers Realty, Inc. d/b/a Sea Travelers Marina for certain City-owned upland area and lands underwater located at 2875 Flatbush Avenue (Block 8591, parts of Lot 125 and 175), Borough of Brooklyn, Community Board 18, Council District 46.**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Landmarks 3/5/13, Hearing Transcript - Landmarks 3/5/13, Committee Report, Resolution, Hearing Transcript - Land Use 3-13-13

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Landmarks 3/5/13, Hearing Transcript - Landmarks 3/5/13, Committee Report, Resolution, Hearing Transcript - Land Use 3-13-13

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**Affirmative:** 15 -

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

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

LU 0762-2013

**Application no. 20135250 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of On 54th LLC, d/b/a Café Americaia, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 230 West 54th Street, Borough of Manhattan, Community Board 5, 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 of the Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

**This Land Use Application was Hearing Held by Committee**

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**Affirmative:** 15 -

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

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

LU 0763-2013

**Application no. 20135222 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Heavy Woods LLC, d/b/a Heavy Woods, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 50 Wyckoff Avenue, Borough of Brooklyn, Community Board 4, Council District 34. 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 of the Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

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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:** 15 -

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

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

**LU 0765-2013**      **Application No. C 070352 ZMQ submitted by Avery Fowler Owners pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10b, changing from an M1-1 District to a C2-6A District property bounded by Avery Avenue, College Point Boulevard, Fowler Avenue, and the southerly centerline prolongation of Haight Street; and changing from an M1-2 District to a C2-6A District property bounded by Avery Avenue, the southerly centerline prolongation of Haight Street, Fowler Avenue, and 131st Street, Borough of Queens, Community Board 7, Council District 20.**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Land Use 3-13-13

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**Affirmative:** 15 -

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

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

**LU 0773-2013**      **Application No. 20135344 HAK submitted by the New York City Department of Housing Preservation and Development for the proposed modification of a previously approved Plan and Project to change from rehabilitation to new construction and deleting 27 Albany Avenue (Block 1859, Lot 1) from the Plan and Project pursuant to Section 115 of the Private Housing Finance Law, Borough of Brooklyn, Community District 3, Council District 36.**

**Attachments:** Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Planning 3/5/13, Committee Report, Resolution, Hearing Transcript - Planning 3-5-13, Hearing Transcript - Land Use 3-13-13

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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:** 14 -

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

**Negative:** 1 -

Barron

**Absent:** 6 -

Arroyo, Dickens, Jackson, Lander, Halloran III and Koo

LU 0774-2013

**Application No. 20135345 HAM submitted by 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 272 Manhattan Avenue, Borough of Manhattan, Community Board 10, 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 March 4, 2013 - March 8, 2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Planning 3/5/13, Committee Report, Resolution, Hearing Transcript - Planning 3-5-13, Hearing Transcript - Land Use 3-13-13

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Arroyo, Dickens, Jackson, Lander, Halloran III and Koo