

# The New York City Council

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



## Meeting Minutes

**Wednesday, April 16, 2008**

**10:15 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, Michael E. McMahon, Rosie Mendez, Annabel Palma, Joel Rivera,  
Larry B. Seabrook, Helen Sears, Kendall Stewart, Albert Vann and James Oddo*

## Roll Call

**Present,**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Absent,**

Seabrook

LU 0733-2008

**Application no. N 080078 ZRY 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, modifying regulations pertaining to yards and open space.**

**Attachments:** Hearing Transcript - Zoning 4/15/08, Hearing Testimony - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/17/08, Hearing Transcript - Land Use 4/17/08, Hearing Transcript - Stated Meeting 4/30/08

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

**Attachments:** Hearing Transcript - Zoning 4/15/08, Hearing Testimony - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/17/08, Hearing Transcript - Land Use 4/17/08, Hearing Transcript - Stated Meeting 4/30/08

**This Land Use Application was P-C Item Laid Over by Comm**

LU 0732-2008

**Application no. N 080081 ZRY 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, modifying regulations pertaining to street trees.**

**Attachments:** Hearing Transcript - Zoning 4/15/08, Hearing Testimony - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/17/08, Hearing Transcript - Land Use 4/17/08, Hearing Transcript - Stated Meeting 4/30/08

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

**Attachments:** Hearing Transcript - Zoning 4/15/08, Hearing Testimony - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/17/08, Hearing Transcript - Land Use 4/17/08, Hearing Transcript - Stated Meeting 4/30/08

**This Land Use Application was P-C Item Laid Over by Comm**

**LU 0735-2008**      **Application no. 20080097 HAM, an Urban Development Action Area Project located at 237, 241, 243, and 247 East 124th Street, and 2417 Second Avenue (Block 1789, Lots 18, 19, 20, 22 and 121), Council District no. 8 and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD to facilitate the development of a 12-story, mixed-use building, tentatively known as Kingsgate House. This matter is subject to council Review and action pursuant to § 197-d of the New York city Charter and Article 16 of the General Municipal Law.**

**Attachments:**    Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Attachments:**    Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Affirmative, 24 -**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Absent, 1 -**

Seabrook

**LU 0734-2008**      **Application no. C 080096 HUM submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the 14th amendment to the Harlem-East Harlem Urban Renewal Plan for the Harlem-East Harlem Urban Renewal Area, Borough of Manhattan, Community District 11.**

**Attachments:**    Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Attachments:**    Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Affirmative, 24 -**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

Absent, 1 -  
Seabrook

LU 0697-2008      **Uniform land use review procedure application no. C 080099(A) ZMM, pursuant to Sections 197-c and 201 of the New York City Charter and proposed modification pursuant to Section 2-06 (c) (1) of the Uniform Land Use Procedure, for an amendment of the Zoning Map, Sections Nos. 5c, 6a & 6b.**

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Stated Meeting 4/16/08

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

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Stated Meeting 4/16/08

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

**Affirmative, 22 -**

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Negative, 2 -**

Avella and Barron

**Absent, 1 -**

Seabrook

LU 0719-2008      **Application no. N 080100 ZRM 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, concerning Article IX, Charter 7 (Special 125th Street District), establishing a special district in the Borough of Manhattan, Community District 9, 10 and 11 and modifying related regulations.**

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Stated Meeting 4/16/08

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

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Stated Meeting 4/16/08

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

**Affirmative, 22 -**

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Negative, 2 -**

Avella and Barron

**Absent, 1 -**

Seabrook

LU 0698-2008

**Uniform land use review procedure application no. C 070289 ZMM, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 8c, changing from an M1-5 District to a R8District and establishing within proposed R8 District a C2-5 District.**

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Affirmative, 24 -**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Absent, 1 -**

Seabrook

LU 0718-2008

**Application no. N 070539 ZRM submitted by Real Estate industrials, Inc, 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 Article IX, Charter 6 (Special Clinton District), Community District 4, Borough of Manhattan.**

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

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

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08

**This Land Use Application was Approved by Committee with Companion Resolution**

**Affirmative, 24 -**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Absent, 1 -**

Seabrook

LU 0721-2008

**Application no. C 070290 ZSM submitted by Real Estate Industrial, Inc pursuant to Section 197-c and 201 of the 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 88 spaces including 31 accessory spaces on portions of the ground floor and cellar level and to permit floor space on the ground floor up to a height id 23 foot above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (Definitions) of the Zoning Resolution, of a proposed mixed use development on property located at 535-551 West 48th Street A.K.A 514-544 West 49th Street (Block 1077, Lots 8, 9, 10, 18, 19, 20, 43, 55 and 56) in R8 and R8/C2-5 Districts, within the Special Clinton District., Council District 3.**

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/1/08

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

**Attachments:** Hearing Testimony - Zoning 4/1/08, Hearing Transcript - Zoning 4/15/08, Hearing Transcript - Zoning 4/16/08, Hearing Transcript - Land Use 4/16/08, Hearing Transcript - Zoning 4/1/08

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

**Affirmative, 24 -**

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Sears, Stewart and Vann

**Absent, 1 -**

Seabrook