

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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March 16, 2011  
Start: 10:00 am  
Recess: 10:15 am

HELD AT: Committee Room  
250 Broadway -16<sup>th</sup> Fl.

B E F O R E:  
LEROY G. COMRIE, JR.  
Chairperson

COUNCIL 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  
James S. Sanders, Jr.  
Larry B. Seabrook

## A P P E A R A N C E S

## COUNCIL MEMBERS:

James Vacca  
Albert Vann  
Brad S. Lander  
Stephen T. Levin  
Mark S. Weprin  
Vincent M. Ignizio  
Peter A. Koo

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CHAIRPERSON COMRIE: Okay.

[gavel]

CHAIRPERSON COMRIE: Good morning.

I am Leroy Comrie, Chair of the Land Use Committee. We are having our hearing on Wednesday, March 16<sup>th</sup>. Joining us this morning are Council Members Brad Lander, Mark Weprin, Vinny Ignizio, Jessica Lappin, Jimmy Vacca, Al Vann, Charles Barron, Joel Rivera, Peter Koo, Sara Gonzalez, Annabel Palma, Rosie Mendez--that's it. Other members are on their way. This is the Land Use Committee. There will be the Land Use budget hearing which will commence right after this meeting, starting at 11:00 with landmarks. That is considered a separate meeting and a new meeting, so you have to be listed and here to be marked present, or you will be marked absent. If you sit on the Technology Committee, that meeting will be starting approximately at 1pm, so please be here if you're on the Technology Committee.

We have a few items on the calendar today, starting with a conveyance in Council Member Vann's district, Item No. 20115509 HAK. It's 29 McDonough Street in Brooklyn Community

1 Board 3. It's a conveyance for a piece of  
2 property located at Block 11851, Lots 58 and 61.  
3 Then we have UDAP in Council Member Rivera's  
4 district. It's a ULAP UDAP [phonetic], Land Use  
5 No. 295, 2311 Tiebout Avenue, Item No. C10091 HAK  
6 in Bronx Community Board 5. That is the  
7 designation of property located at 2311 Tiebout  
8 Avenue, Block 3146, Lot 67, as an Urban  
9 Development Action Area and an Urban Development  
10 Project. Then we have three related items, which  
11 are an amendment to the urban renewal plan,  
12 amendment to the zoning map and is a ULAP UDAD  
13 Land Use Items 320, 321 and 322 are related. It's  
14 the Courtlandt Crescent/Melrose Commons property  
15 and it's in Council Member Foster's district,  
16 Bronx Community Board 12, Item No. C100114 HUX,  
17 C100115 ZMX and C100116 HAX, and they're all  
18 dealing with the urban development plan to  
19 facilitate the development of a ten-story building  
20 with approximately 217 dwelling units and  
21 approximately 10,135 square feet of community  
22 space to be built in the Melrose Commons area  
23 bounded by East 163<sup>rd</sup> Street, Melrose Avenue, East  
24 162<sup>nd</sup> Street and aligned just 100 feet northwest of  
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Melrose Avenue.

And next we have some sidewalk cafés—first one in Council Member Vallone’s district, Land Use Item No. 323 called Dandana, Queens Community Board 1, Item No. 201152336 TCQ. Land Use Item No. 324, Salvatores of Soho in Council Member Koppell’s district, sidewalk café, Bronx Community Board 4, Item 20115344 TCX. We have two in Speaker Quinn’s district. The first one is Land Use Item 327, sidewalk café, Manhattan Community Board 12, called the Public House, 20105332 TCM. The other one is Land Use Item 328, a restaurant called Mekong, Item No. 20115341 TCM, Manhattan Community Board 12. The next one is in Council Member Garodnick’s district. It’s a sidewalk café called Le Magnifique, Manhattan Community Board 8, Item No. 20115128 TCM. We have a motion to file withdrawal for Land Use Item No. 330, Café Select. The motion for file was pursuant to the request by DCA. That Item No. is 20115530 TCM, to withdraw the application for Café Select, which is a sidewalk café located at 212 Lafayette Street.

We have two related applications to

1  
2 amendment to the zoning map and amendment to the  
3 zoning tax. And that's Land Use Items No. 331 and  
4 332, which are related in Council Member Levin's  
5 district, the Wyeth Avenue rezoning, Item No.  
6 C070245 ZMX and N070246 ZRX. They're in Brooklyn  
7 Community Board 1 and it's dealing with the Wyeth  
8 Avenue zoning, which would be changing the zoning  
9 for an area within the zoning map for Wyeth  
10 Avenue. I'm not going to read the boundaries on  
11 that.

12                   The next item is the Landmark Item  
13 in Speaker Quinn's district. It's Land Use No.  
14 334. It's known as the 500 5<sup>th</sup> Avenue Building,  
15 tax map Block 128, Lot 34, Item No. 20115317 HKM  
16 in Manhattan Community Board 5. Landmark in  
17 Council Member Recchia's district, Land Use Item  
18 336, known as the Coney Island Theatre in Brooklyn  
19 Community Board 13, Item No. 20115315 HKK. It's  
20 the designation of the Coney Island Theatre  
21 located at 1301 Surf Avenue as a historic  
22 landmark. Landmark Item in Council Member Chin's  
23 district, Land Use Item No. 337, the Rogers, Peet  
24 and Company Building in Manhattan Community Board  
25 1, Item No. 20115316 HKM to designate as a

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2 landmark the Rogers, Peet and Company Building,  
3 located at 258 Broadway.

4           We have two school sitings; one in  
5 Council Member Gennaro's district, which is Land  
6 Use Item No. 338, which will be a 757 seat  
7 primary/intermediate school in Queens Community  
8 Board 12 to be Item No 20115275 SCQ, which will  
9 create a school at the southwest corner of  
10 Hillside Avenue and 164<sup>th</sup> Street in Community  
11 School District 28; we have another school siting  
12 in Council Member Eugene's district, which will  
13 create a 735 seat primary/intermediate school,  
14 Land Use Item No. 339 in Brooklyn's Community  
15 Board 12. That Item No. is 20115299 SCK. That is  
16 to place a school on a property bounded by Coney  
17 Island Avenue to the east, Turner Place to the  
18 north, Hinckley Place to the south, and dwellings  
19 fronting East 8<sup>th</sup> Street to the west.

20           And that is it on the calendar for  
21 today and remind folks that the preliminary budget  
22 hearings will start at 11. We need to make sure  
23 that we have a quorum for that. You need to be  
24 marked present, separately for the 11 o'clock  
25 meeting and also if you're on DUIT, the technology

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2 community rather, you have to be here for that  
3 hearing as well. The next subcommittee meetings  
4 will be held on April 4<sup>th</sup> with the Land Use hearing  
5 to be held on April 5<sup>th</sup>, unless there is a need to  
6 have a special meeting to deal with the Webster  
7 Avenue rezoning. We may have a special hearing to  
8 vote that out before our next stated meeting,  
9 which is going to be next Wednesday. So we may  
10 have a special meeting to vote the Webster Avenue  
11 rezoning sometime next week—before March 23<sup>rd</sup>.  
12 We're going to be working on that. I want to  
13 remind folks that all of these were discussed  
14 during the subcommittee meetings. Does anyone  
15 have anything that they would like to say about  
16 any of the items on today's agenda? I want to  
17 thank all the subcommittee chairs for their  
18 excellent work as usual and then seeing no  
19 comments on any of the items on today's agenda,  
20 I'll ask the clerk to call the roll. I recommend  
21 a yes vote on all items.

22 CLERK: Kevin Pin, Committee Clerk,  
23 roll call in the Committee on Land Use. Council  
24 Member Comrie?

25 CHAIRPERSON COMRIE: Aye on all.



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CLERK: Rivera?

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COUNCIL MEMBER RIVERA: I vote aye

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on all.

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CLERK: Barron?

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COUNCIL MEMBER BARRON: I vote no

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on 20115509 HAK and aye on all the rest.

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CLERK: Vann?

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COUNCIL MEMBER VANN: Aye on all.

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CLERK: Gonzalez?

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COUNCIL MEMBER GONZALEZ: Aye on

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all.

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CLERK: Sanders?

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COUNCIL MEMBER SANDERS: Pass.

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CLERK: Palma?

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COUNCIL MEMBER PALMA: Aye [off

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mic].

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CLERK: Dickens?

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COUNCIL MEMBER DICKENS: Aye on

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all.

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CLERK: Lappin?

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COUNCIL MEMBER LAPPIN: Aye.

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CLERK: Mendez?

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COUNCIL MEMBER MENDEZ: Aye.

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CLERK: Lander?

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COUNCIL MEMBER LANDER: Aye on all.

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CLERK: Levin?

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COUNCIL MEMBER LEVIN: Aye on all.

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CLERK: Weprin?

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COUNCIL MEMBER WEPRIN: Aye on all.

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CLERK: Ignizio?

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COUNCIL MEMBER IGNIZIO: Yes.

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CLERK: Koo?

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COUNCIL MEMBER KOO: Aye on all.

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CLERK: Sanders?

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COUNCIL MEMBER SANDERS: Yes to

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all.

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CLERK: Vacca?

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COUNCIL MEMBER VACCA: Aye on all.

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CLERK: By vote of 15 in the

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affirmative, 1 in the negative and no abstentions,

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all items have been adopted. Members please sign

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the committee reports.

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CHAIRPERSON COMRIE: Okay, we're

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going to leave the roll open until the hearing

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officially starts since no one else is coming in

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the room and we do have two members that texted me

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to say that they will be here imminently—although

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one person—so the meeting is over, but we'll hold

1  
2 the roll open. The meeting for the Land Use  
3 Committee for today, the rowdiest day of the  
4 Committee members, on March 16<sup>th</sup> is hereby  
5 adjourned.

6 [gavel]

7 CLERK: Reyna?

8 COUNCIL MEMBER REYNA: I vote aye  
9 on all.

10 CLERK: Jackson?

11 COUNCIL MEMBER JACKSON: Aye on  
12 all.

13 CLERK: The vote stands at 18 in  
14 the affirmative, 1 in the negative and no  
15 abstentions.

16 CLERK: Garodnick?

17 COUNCIL MEMBER GARODNICK: Aye.

18 CLERK: The vote stands at 19 in  
19 the affirmative, 1 in the negative and zero  
20 abstentions.

21 CLERK: Arroyo?

22 COUNCIL MEMBER ARROYO: Aye on all.

23 CLERK: The vote stands at 20 in  
24 the affirmative, 1 in the negative and zero  
25 abstentions. Final vote in the Committee on Land

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2 Use 20 in the affirmative, 1 in the negative and  
3 zero abstentions.

4 CHAIRPERSON COMRIE: One second.

5 He has to make a correction on the tally.

6 CLERK: Final vote in the Committee  
7 on Land Use 21 in the affirmative, zero in the  
8 negative and no abstentions, except for Item No.  
9 20115509 HAK, which was passed by a vote of 20 in  
10 the affirmative, 1 in the negative and zero  
11 abstentions.

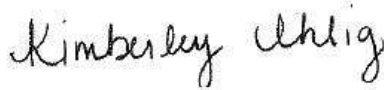
12 CHAIRPERSON COMRIE: Okay. With  
13 that, the Land Use Committee for March 16<sup>th</sup> is  
14 hereby adjourned.

15 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature \_\_\_\_\_

Handwritten signature of Kimberley Uhlig in cursive script.Date April 28, 2011