

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, October 2, 2014

11:00 AM

Committee Room - City Hall

Committee on Land Use

David G. Greenfield, Chair

*Members: Vincent J. Gentile, Annabel Palma, Maria del Carmen Arroyo,
Inez E. Dickens, Daniel R. Garodnick, Darlene Mealy, Rosie Mendez,
Ydanis A. Rodriguez, Peter A. Koo, Brad S. Lander, Stephen T. Levin,
Mark S. Weprin, Jumaane D. Williams, Ruben Wills, Donovan J. Richards,
Inez D. Barron, Andrew Cohen, Ben Kallos, Antonio Reynoso,
Ritchie J. Torres, Mark Treyger and Vincent M. Ignizio*

Roll Call

Present:

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent:

Mealy and Treyger

LU 0114-2014

Application no. 20155008 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Friendly Foods LLC, d/b/a/ Cherche Midi for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 282 Bowery, Borough of Manhattan, Community District 2, Council District 1. 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(e) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0115-2014 **Application no. C 140300 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow uses permitted under Section 32-15 (Use Group 6 uses) below the floor level of the second story of a proposed 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District. This application is subject to the 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0116-2014 **Application no. C 140301 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0117-2014 **Application no. C 140302 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, second floor and third floor of a proposed 6-story commercial development, on property located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0118-2014 **Application no. C 140299 PPM submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition of one city-owned property located at 19 East Houston Street, (Block 511, Lot 19), pursuant to zoning. This application is subject to the 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0119-2014 **Application No. C 155020 HAQ by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of Urban Development Action Area and Project for property located at 161-79 86th Avenue (Block 9774 Lots 165, 166, 167), Borough of Queens, Community Board 8, Council District 24.**

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Planning 9/30/14, Hearing Transcript - Planning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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 Committee with Companion Resolution approved by Roll Call.

Affirmative: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0121-2014

Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12th Street, Borough of Manhattan, Community District 3, Council District 2. 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(e) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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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: 21 -

Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger

LU 0123-2014 **Application No. 20155063 HAM by the New York City Department of Housing Preservation and Development for approval of a tax exemption, pursuant to Section 577 of the Private Housing Finance Law (PHFL), for the properties located at Block 1718/Lot 69, Block 1903/ Lot 29, Block 1904/Lots 33 and 59, Block 1906, Lot 64, Block 2026/Lots 20, 22, 23, 26, 27 and 29, Block 2031/Lot 18, Block 2032/Lot 43, Block 2036/Lot 61, Block 2045/Lots 96, 97 and 100, Block 2046/Lots 7 and 63; in the Borough of Manhattan, Community Council District 9. This matter is subject to Council review and action at the request of HPD and pursuant to Section 577 of the PHFL.**

Attachments: Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Hearing Testimony - Planning 9/30/14, Hearing Transcript - Planning 9/30/14, Land Use Calendar - October 2, 2014, Hearing Transcript - Land Use 10/2/14

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 Committee with Companion Resolution approved by Roll Call.

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Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Wills, Richards, Barron, Cohen, Kallos, Reynoso, Torres and Ignizio

Absent: 2 -

Mealy and Treyger