

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, December 2, 2004

10:30 AM

Committee Room - City Hall

Committee on Land Use

Melinda R. Katz, Chair

*Members: Bill Perkins, Michael C. Nelson, Christine C. Quinn, Joel Rivera,
Tony Avella, Maria Baez, Charles Barron, Leroy G. Comrie, Simcha Felder,
Eric N. Gioia, G. Oliver Koppell, Miguel Martinez, Michael E. McMahon,
Hiram Monserrate, James Sanders, Jr., Albert Vann, Vincent J. Gentile,
Annabel Palma, Andrew J. Lanza and James Oddo*

Roll Call

Present,

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent,

Perkins, Rivera, Monserrate and Sanders Jr.

Int 0494-2004

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of any franchise to operate and maintain bus stop shelters.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Local Law, Hearing Transcript - Zoning - 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

Proposed Int. No. 494-A

This Introduction was Hearing Held by Committee

Attachments: Committee Report, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Local Law, Hearing Transcript - Zoning - 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Introduction was Amendment Proposed by Comm

Attachments: Committee Report, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Local Law, Hearing Transcript - Zoning - 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Introduction was Amended by Committee

Enactment No: 2005/003

Int 0494-2004

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of any franchise to operate and maintain bus stop shelters.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Local Law, Hearing Transcript - Zoning - 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Introduction was Approved by Committee

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

Enactment No: 2005/003

LU 0232-2004 **Application no. 20055018 HAK, an Urban Development Action Area Project known as Hegeman/Essex/Shepherd, located in Community Board 5, Council District no. 42, Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04, Hearing Transcript - Planning - 10/5/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04, Hearing Transcript - Planning - 10/5/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0301-2004 **Application no. 20055080 HAK, an Urban Development Action Area Project located at 5024 Church Avenue, Council District no. 45, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0305-2004 **Application no. 20055084 HAK, an Urban Development Action Area Project located at 902 Utica Avenue, Council District no. 45, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0306-2004 **Application no. 20055085 HAK, an Urban Development Action Area Project located at 2127 Gerritsen Avenue, Council District no. 46, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0312-2004 **Application no. 20055091 HAM, an Urban Development Action Area Project located at 610 West 136th Street, Council District no. 9, Borough of Manhattan. 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, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0319-2004 **Uniform land use review procedure application no. C 040437 PPQ, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property, at 240-02 North Conduit Avenue, Borough of Queens, Council District no. 31. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0337-2004 **Uniform land use review procedure application no. C 040490 HAK, an Urban Development Action Area Designation, Project, and the disposition of such property located at 159 Covert Street; 186, 189 and 190 Eldert Street; 567, 569 573 and 575 Central Avenue, Borough of Brooklyn, Council District no. 37. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0338-2004 **Uniform land use review procedure, application no. C 040491 HUK pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning the approval of an amendment to the Bushwick II Urban Renewal Plan, Borough of Brooklyn, Council District no. 37.**

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0333-2004 Uniform Land Use Review Procedure application no. 050043 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 11.

Attachments: Hearing Transcript 11/30/04, Hearing Transcript - Land Use - 12/2/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript 11/30/04, Hearing Transcript - Land Use - 12/2/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0339-2004 Uniform Land Use Review Procedure application no. C 040215 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 35.

Attachments: Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Approved by Committee with Modifications and Referred to CPC

Affirmative, 16 -

Katz, Nelson, Quinn, Avella, Baez, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Negative, 1 -

Barron

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0340-2004 **Uniform land use review procedure application no. C 040216 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. 35 to facilitate the development of a community facility building. 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 Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Approved by Committee with Modifications and Referred to CPC

Affirmative, 16 -

Katz, Nelson, Quinn, Avella, Baez, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Negative, 1 -

Barron

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0341-2004 **Uniform land use review procedure application no. C 040217 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. 35 to facilitate the development of a community facility building. 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 Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript 11/30/04, Hearing Transcript 12/2/04, Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Stated Meeting - 12/7/04

This Land Use Application was Approved by Committee with Modifications and Referred to CPC

Affirmative, 16 -

Katz, Nelson, Quinn, Avella, Baez, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Negative, 1 -

Barron

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0342-2004

Application no. 20055100 HAK, an Urban Development Action Area Project located at 1675 Union Street, Council District no. 35, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0343-2004

Application no. 20055101 HAK, an Urban Development Action Area Project located at 890 Nostrand Avenue, Council District no. 35, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0344-2004

Application no. 20055102 HAK, an Urban Development Action Area Project located at 271 Stratford Road, Council District no. 40, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0345-2004

Application no. 20055103 HAK, an Urban Development Action Area Project located at 2237 East 74th Street, Council District no. 46, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0346-2004

Application no. 20055104 HAK, an Urban Development Action Area Project located at 5220 Avenue M, Council District no. 46, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0347-2004

Application no. 20055105 HAK, an Urban Development Action Area Project located at 9221 Foster Avenue, Council District no. 42, Borough of Brooklyn. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

LU 0353-2004 Application no. 20055111 HAQ, an Urban Development Action Area Project located at 38-80 Douglaston Parkway, Council District no. 19, Borough of Queens. 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 Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Land Use - 12/2/04, Hearing Transcript - Planning - 11/30/04

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

Affirmative, 17 -

Katz, Nelson, Quinn, Avella, Baez, Barron, Comrie Jr., Felder, Gioia, Koppell, Martinez, McMahon, Vann, Gentile, Palma, Lanza and Oddo

Absent, 4 -

Perkins, Rivera, Monserrate and Sanders Jr.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY