

The New York City Council

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



Meeting Minutes

Wednesday, March 12, 2008

9:00 AM

Continuation of the March 4th Recessed Meeting

Committee Room - City Hall

Subcommittee on Zoning and Franchises

Tony Avella, Chair

*Members: Simcha Felder, Eric N. Gioia, Robert Jackson,
Melinda R. Katz, Michael E. McMahon, Joel Rivera, Larry B. Seabrook,
Helen Sears, Kendall Stewart and Albert Vann*

Roll Call

Present, Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, Jackson and Rivera

LU 0623-2007

Uniform Land Use Review Procedure application no. C 070522 ZMM, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section 8d, changing from a M1-5 District to a C4-6 District and an M3-2 District to a C4-6 District.

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0680-2008

Uniform Land Use Review Procedure application no. C 070530 (A) ZRM, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, Section 12-10, Section 23-144, Section 23-15, Section 23-922, Section, 24-161, Section 35-31 and Section 74-743.

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0681-2008

Application no. C 070523 (A) ZSM, pursuant to §197-c and §201 of the Charter of the City of New York and proposed modification pursuant to Section 2-06 (c) (1) of the Uniform Land Use Procedure, in the Borough of Manhattan, Council District no. 4, for the grant of a special permit to Sections 74-743 (a) (2) and 74-743 (a) (6) (ii) of the Zoning Resolution in connection with a proposed mixed use development on property located at 616 First Avenue (Block 967, Lots 1). 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 - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0682-2008 **Application no. C 070525 ZSM, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution in the Borough of Manhattan, Council District no. 4 to allow an attended public parking garage with a maximum capacity of 294 spaces located at 616 First Avenue (Block 967, Lot 1). 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 - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0683-2008 **Uniform Land Use Review Procedure application no. C 070529 ZMM, submitted by 685, 700, 708 First Realty Company, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 8d.**

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -
Jackson and Rivera

LU 0684-2008 **Application no. C 070531 (A) ZSM, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit to Sections 74-743 (a) (1) and 74-743 (a) (2) and 74-743 (a) (5) (i) of the Zoning Resolution in the Borough of Manhattan, Council District no. 4, in connection with a proposed mixed use development on property located at 685, 700 and 708 First Avenue (Block 945, Lots 23 and 33, Block 970, Lots 1 and 2). 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 - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -
Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -
Jackson and Rivera

LU 0685-2008 **Application no. C 070533 ZSM, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution in the Borough of Manhattan, Council District no. 4, to allow an attended accessory parking garage with a maximum capacity of 499 spaces located at 700 and 708 First Avenue (Block 907, Lots 1 and 2). 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 - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0686-2008 **Application no. C 070534 ZSM, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution in the Borough of Manhattan, Council District no. 4 to allow an attended public parking garage with a maximum capacity of 651 spaces located at 700 and 708 First Avenue (Block 907, Lots 1 and 2). 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 - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning & Zoning 2/25/08, Hearing Testimony 2/25/08, Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08, Hearing Transcript - Stated Meeting 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 9 -

Avella, Felder, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0687-2008

Uniform land use review procedure application no. C 060377 ZMK submitted by Thomas Klein LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No 13b, changing from an M1-2 District to R7-1 District and establishing C2-4 District an R7-1 District.

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Land Use 3/6/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony 3/4/08, Hearing Transcript - Land Use 3/6/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Land Use 3/12/08

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative, 8 -

Avella, Gioia, Katz, McMahon, Seabrook, Sears, Stewart and Vann

Absent, 2 -

Jackson and Rivera

LU 0688-2008

Uniform land use review procedure application no. C 050192 ZMK submitted by 70 Wyckoff Ave LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 13b, changing from an M1-1 District to an R6 District and establishing a C2-4 District within an R6 District..

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony - Zoning 3/4/08, Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Zoning 3/19/08, Hearing Testimony - Zoning 3/19/08, Hearing Transcript - Zoning 3/20/08, Hearing Transcript - Land Use 3/20/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony - Zoning 3/4/08,
Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Zoning 3/19/08,
Hearing Testimony - Zoning 3/19/08, Hearing Transcript - Zoning 3/20/08,
Hearing Transcript - Land Use 3/20/08

This Land Use Application was Laid Over by Subcommittee

LU 0689-2008

Uniform land use review procedure application no. C 060228 ZMQ submitted by Scaldafiore Realty Corp., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No 9c, changing from an R5 District to an R6A District property bounded by 21st Avenue, a line 175 feet northwesterly of 31st Street, a line 100 feet southwesterly of 20th Avenue, and 31st Street.

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony - Zoning 3/4/08,
Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Zoning 3/19/08,
Hearing Testimony - Zoning 3/19/08, Hearing Transcript - Zoning 3/20/08,
Hearing Transcript - Land Use 3/20/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 3/4/08, Hearing Testimony - Zoning 3/4/08,
Hearing Transcript - Zoning 3/12/08, Hearing Transcript - Zoning 3/19/08,
Hearing Testimony - Zoning 3/19/08, Hearing Transcript - Zoning 3/20/08,
Hearing Transcript - Land Use 3/20/08

This Land Use Application was Laid Over by Subcommittee