

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, March 22, 2012

10:00 AM

250 Broadway - Committee Rm, 16th Fl.

Committee on Land Use

Leroy G. Comrie, Jr., Chair

*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 Sanders, Jr.
Larry B. Seabrook, James Vacca, Albert Vann, Brad S. Lander, Stephen T. Levin,
Mark S. Weprin, Jumaane D. Williams, Daniel J. Halloran III, Vincent M. Ignizio and Peter
A. Koo*

Roll Call

Present:

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent:

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0567-2012

Application no. 20125036 TCK, pursuant to §20-225 of the Administrative Code of the City of New York, concerning the petition of Jhu Jhu Corp., d/b/a Khim's Café, to establish, maintain and use as an enclosed sidewalk café located at 324 Graham Avenue, Borough of Brooklyn, Council District 34. This application is subject to review and action by the Land Use Committee only if called-up by a vote of the Council pursuant to Rule 11.20b of the Council and §20-225(g) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Hearing Transcript - Zoning 3-6-12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Hearing Transcript - Zoning 3-6-12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0572-2012 **Application no. 20125306 HKX (N 120150 HKX), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Public School 102 (Later Public School 17- The City island School) located at 190 Fordham Street [Block 5643, Lot 7501,(previously Lots 1001-1018) (List No.450, LP-2487)], Borough of the Bronx, Community District 10, Council District 13.**

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 17 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

Abstain: 1 -

Halloran III

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0573-2012 **Application no. 20125307 HKM (N 120151 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Hotel Walcott located at 4 West 31st Street (Block 832, Lot 49) (List No.450, LP-2423), Borough of Manhattan, Community District 5, Council District 3.**

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 17 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

Abstain: 1 -

Halloran III

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0574-2012

Application no. 20125308 HKM (N 120152 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Mutual Reserve Building located at 305 Broadway (Block 151, Lot 32) (List No.450, LP-2431), Borough of Manhattan, Community District 1, Council District 1.

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 17 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

Abstain: 1 -

Halloran III

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0575-2012 **Application no. 20125309 HKM (N 120153 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the R.H. Macy & Co. store, 14th Street Annex, located at 56 West 14th Street (Block 577, Lot 12) (List No.450, LP-2474), Borough of Manhattan, Community District 2, Council District 3.**

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 17 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

Abstain: 1 -

Halloran III

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0576-2012 **Application no. 20125310 HKQ (N 120155 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Daniel and Abbie B. Eldridge House, located at 87-61 111th Street (Block 9301, Lot 101) (List No.450, LP-2473), Borough of Queens, Community District 9, Council District 28.**

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Deferral of Landmarks Meeting - Scheduled for March 6, 2012, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Landmarks 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Landmarks 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 17 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

Abstain: 1 -

Halloran III

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0578-2012

Application no. 20125298 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Il Commendatore Restaurant Inc., d.b.a Casa Bella, to continue to maintain and operate an unenclosed sidewalk café located at 127 Mulberry Street, Borough of Manhattan, Council District no.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(g) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0579-2012 **Application no. 20125381 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Spunto, Inc., d.b.a Spunto, to continue to maintain and operate an unenclosed sidewalk café located at 65 Carmine Street, Borough of Manhattan, Council District no.3. 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(g) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0580-2012 **Application no. 20125076 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Four Green Fields LLC, d.b.a Agave, to establish, maintain and operate an unenclosed sidewalk café located at 140 Seventh Avenue South, Borough of Manhattan, Council District no.3. 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(g) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin

LU 0581-2012

Application no. N 120090 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, relating to Articles I, VIII, IX, X, XI, XII and XIII and other related Sections concerning environmental requirements associated with potential hazardous material contamination or noise or air quality.

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12, Hearing Transcript - Land Use 3-22-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Dickens, Mendez, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 5 -

Barron, Garodnick, Gonzalez, Jackson and Lappin