

The New York City Council

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



Meeting Minutes

Thursday, June 4, 2009

1:00 PM

250 Broadway, Hearing Room, 16th Fl.

Committee on Land Use

Melinda R. Katz, Chair

*Members: Maria Del Carmen Arroyo, Tony Avella, Maria Baez, Charles Barron,
Leroy G. Comrie, Elizabeth Crowley, Inez E. Dickens, Simcha Felder, Daniel R.
Garodnick,*

*Eric N. Gioia, Sara M. Gonzalez, Vincent M. Ignizio, Robert Jackson, Jessica S. Lappin,
John C. Liu, Miguel Martinez, Rosie Mendez, Annabel Palma, Joel Rivera,
Larry B. Seabrook, Helen Sears and Albert Vann*

Roll Call

Present,

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent,

Dickens and Jackson

LU 1112-2009

Application no. 20095326 SCK, a proposed site for 680 seat primary school known as P.S. 331 K, to be located at 7002-40 Fourth Ave., 364-86 Ovington Ave. (Block 5891, Lot 48 p/o), Council District No. 43, Borough of Brooklyn. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Attachments: Hearing Transcript - Landmarks 6/2/09, Hearing Testimony - Landmarks 6/2/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing on P-C Item by Comm

Attachments: Hearing Transcript - Landmarks 6/2/09, Hearing Testimony - Landmarks 6/2/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

LU 1113-2009

Application no. 20095229 SCK, a proposed site for a new, approximately 300 seat Intermediate School Facility, to be located at Block 36, Lots 1, 3, 14, 49, 52 and 53, Council District No. 33, Borough of Brooklyn. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing on P-C Item by Comm

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Crowley, Felder, Garodnick, Gonzalez, Ignizio, Lappin, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Negative, 4 -

Avella, Barron, Gioia and Liu

Absent, 2 -

Dickens and Jackson

LU 1073-2009

Application no. C 090181 ZMK submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d changing from an M1-2 District to an M1-2/R8and establishing a Special Mixed Use District (MX-2).

Attachments: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Crowley, Felder, Garodnick, Gonzalez, Ignizio, Lappin, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Negative, 4 -

Avella, Barron, Gioia and Liu

Absent, 2 -

Dickens and Jackson

LU 1074-2009 **Application no. C 090183 ZSK submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 465 spaces including 129 accessory spaces, and to allow 37,599 square feet of floor space up to a height of 23 feet above base plane level to be exempted from the definition of floor area as set forth in Section 12-10. 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: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Crowley, Felder, Garodnick, Gonzalez, Ignizio, Lappin, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Negative, 4 -

Avella, Barron, Gioia and Liu

Absent, 2 -

Dickens and Jackson

LU 1075-2009 **Application no. C 090184 ZSK submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743** of the Zoning Resolution to modify the regulations of Section 23, Section 23-86 , Section 25-533, Section 43-28 and Section 123-66 to facilitate a mixed use development on property located on the easterly side of Dock Street between Front Street and Water Street (Block 36, Lots 1, 3, 14, 49, 52 & 53), in an M1-2/R8 (MX-2) District*, within a general large scale development (Block 36, Lots 1, 3, 14, 15, 16, 40, 49, 52, & 53, and Block 26, Lots 33 & 38), in M1-2/R8 (MX-2)*, M1-2/R8A (MX-2), and M3-1 Districts, Borough of Brooklyn, Community 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(g) of the New York City Administrative Code.**

Attachments: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 5/21/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 17 -

Katz, Arroyo, Baez, Comrie Jr., Crowley, Felder, Garodnick, Gonzalez, Ignizio, Lappin, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Negative, 4 -

Avella, Barron, Gioia and Liu

Absent, 2 -

Dickens and Jackson

LU 1102-2009 **Uniform land use review procedure application no. C 090228 HAX, an Urban Development Action Area Designation and Project, located at 404 Claremont Parkway, and the disposition of such property, Borough of the Bronx, Council District no. 16. 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 - Planning 5/14/09, Hearing Transcript - Planning 6/2/09, Hearing Testimony - Planning 6/2/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 5/14/09, Hearing Transcript - Planning 6/2/09, Hearing Testimony - Planning 6/2/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

LU 1105-2009

Uniform land use review procedure application no. C 090249 PPX, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property, located on Block 3838/part of Lot 60, Borough of the Bronx, Council District no. 13. 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 6/2/09, Hearing Testimony - Planning 6/2/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 6/2/09, Hearing Testimony - Planning 6/2/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

LU 1106-2009 **Application no. C 070504 ZMK submitted by Columbia Commercial Enterprises LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a, by establishing within an existing R6 District a C2-3 District bounded by a line 100 feet northeasterly of Union Street, a line 100 feet northwesterly of Columbia Street, Union Street, and a line 150 feet northwesterly of Columbia Street.**

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09,
Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09,
Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

LU 1107-2009 **Application no. N 090185 ZRR submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, relating to Article III, Chapter 6, (Cross Access Connections in the Borough of Staten Island), Article IV, Chapter 4 (Cross Access Connections in the Borough of Staten Island), Article X, Chapter 7 (Planting and screening for open parking areas) concerning establishment of Cross Access Connections in the Borough of Staten Island.**

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09,
Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09,
Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

LU 1108-2009

Application no. N 090317 ZRY, 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 Article III, Chapter 7 (Special Urban Design Regulations concerning provisions related to privately owned public plazas).

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

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

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

Int 0979-2009

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the expiration date of the operating authority of certain unsubsidized private bus services.

Attachments: Press Release, Fiscal Impact Statement, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

This Introduction was Hearing Held by Committee

Attachments: Press Release, Fiscal Impact Statement, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09, Hearing Transcript - Land Use 6/4/09

A motion was made that this Introduction be Approved by Committee approved by Roll Call.

Affirmative, 21 -

Katz, Arroyo, Avella, Baez, Barron, Comrie Jr., Crowley, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Lappin, Liu, Martinez, Mendez, Palma, Rivera, Seabrook, Sears and Vann

Absent, 2 -

Dickens and Jackson

Enactment No: 2009/034