

The New York City Council

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



Meeting Minutes

Thursday, October 11, 2007

10:00 AM

Committee Room - City Hall

Committee on Land Use

Melinda R. Katz, Chair

*Members: Maria Del Carmen Arroyo, Tony Avella, Maria Baez, Charles Barron,
Leroy G. Comrie, 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, Michael E. McMahon, Rosie Mendez, Annabel Palma, Joel Rivera,
Larry B. Seabrook, Helen Sears, Kendall Stewart, Albert Vann and James Oddo*

- LU 0584-2007** **Uniform Land Use Review Procedure application no. N 070498 ZRM, 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 IX, Chapter 8 (Special West Chelsea District).**
- Attachments:** Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing on P-C Item by Comm**
- Attachments:** Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0546-2007** **Uniform Land Use Review Procedure application no. C 040161 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section 22c, Borough of Brooklyn, Council District no. 39.**
- Attachments:** Hearing Transcript - Zoning 9/17/07, Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing Held by Committee**
- Attachments:** Hearing Transcript - Zoning 9/17/07, Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0547-2007** **Uniform land use review procedure application no. C 040162 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. 39 to facilitate construction of a six-story residential development. 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 - Zoning 9/17/07, Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing Held by Committee**

Attachments: Hearing Transcript - Zoning 9/17/07, Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0573-2007

Uniform Land Use Review Procedure application no. C 070468 ZRM, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, Sections 81-212, 81-81 and 81-85, to allow modification of mandatory district plan elements and regulations in connection with a transfer of air rights.

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0574-2007

Uniform Land Use Review Procedure application no. C 070469 ZSM, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 81-212 , 74-79 and 81-85 to facilitate the development of a 57 story mixed use building on property located at 400-404 Fifth Avenue, Borough of Manhattan.

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0575-2007 **Uniform Land Use Review Procedure application no. C 070470 ZSM, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Sections 81-277 to facilitate the development of a 57 story mixed use building on property located at 400-404 Fifth Avenue, Borough of Manhattan.**

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0576-2007 **Uniform Land Use Review Procedure application no. C 070394 ZRY, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, Section 15-41, relating to Article I, Chapter 5, Section 15-41, to permit the modification of applicable open space and height factor requirements for enlargements of residential conversions of buildings.**

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0577-2007 **Uniform Land Use Review Procedure application no. C 070497 ZRY, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to revise provisions related to privately owned public plazas.**

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0578-2007

Uniform Land Use Review Procedure application no. C 060353 ZMK, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 22a.

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0579-2007

Uniform Land Use Review Procedure application no. C 060354 ZSK, pursuant to Sections 197-c and 201 of the New York City Charter, submitted by MSK Properties LLC for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution.

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0580-2007

Uniform Land Use Review Procedure application no. C 070472 ZMQ, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 14d, 15b, 18c and 19a.

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/9/07, Hearing Testimony - Zoning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Zoning 10/17/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

- LU 0585-2007** **Application no. 20085037 HKM (N 080030 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.394, LP-2236) by the Landmarks Preservation Commission of the Thomas Jefferson Play Center, Council District no 8.**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing on P-C Item by Comm**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0586-2007** **Application no. 20085044 HKK (N 080029 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.394, LP-2244) by the Landmarks Preservation Commission of the McCarren Play Center, Council District no 33**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing on P-C Item by Comm**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0587-2007** **Application no. 20085045 HKK (N 080027 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.394, LP-2242) by the Landmarks Preservation Commission of the Sunset Play Center exterior, Council District no 38.**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing on P-C Item by Comm**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**

- LU 0588-2007** **Application no. 20085046 HKK (N 080028 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.394, LP-2243) by the Landmarks Preservation Commission of the Sunset Play Center Bath House interior, Council District no 38.**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing on P-C Item by Comm**
- Attachments:** Hearing Transcript - Landmarks 10/9/07, Hearing Testimony - Landmarks 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0557-2007** **Application no. 20085062 HAQ, In Rem Action no. 53, Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code and the Private Housing Finance Law for the development and preservation of property located in Community Boards 12 and 14, Borough of Queens.**
- Attachments:** Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing Held by Committee**
- Attachments:** Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**
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- LU 0558-2007** **Application no. 20085065 HAQ, In Rem Action no. 53, Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code for the development and preservation of property located in Community Board 14, Borough of Queens.**
- Attachments:** Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Hearing Held by Committee**
- Attachments:** Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07
- This Land Use Application was Recessed**

LU 0471-2007 **Application no. 20075536 HAK, an Urban Development Action Area Project known as Horsford Poteat ENY6A, 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 - Planning 6/19/07, Hearing Transcript - Land Use & Planning 6/25/07, Hearing Transcript - Planning 7/23/07, Hearing Testimony - Planning 7/23/07, Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 6/19/07, Hearing Transcript - Land Use & Planning 6/25/07, Hearing Transcript - Planning 7/23/07, Hearing Testimony - Planning 7/23/07, Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0472-2007 **Application no. 20075537 HAK, an Urban Development Action Area Project located at 653 and 655 Hinsdale Street, 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 - Planning 6/19/07, Hearing Transcript - Land Use & Planning 6/25/07, Hearing Transcript - Planning 7/23/07, Hearing Testimony - Planning 7/23/07, Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 6/19/07, Hearing Transcript - Land Use & Planning 6/25/07, Hearing Transcript - Planning 7/23/07, Hearing Testimony - Planning 7/23/07, Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed

LU 0509-2007

Application no. 20075588 HAX, an Urban Development Action Area Project, located at 3445 Olinville Avenue, Council District no. 11, Borough of the Bronx. 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 - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Land Use 10/11/07, Hearing Transcript - Land Use 10/17/07

This Land Use Application was Recessed