

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Thursday, June 3, 2010

10:00 AM

250 Broadway - Hearing Room, 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

**This was****Present:**

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:**

Mendez

**Conflict:**

Halloran III

LU 0083-2010

**Application no. 20105554 HAX, an Urban Development Action Area Project located at 2023 Belmont Avenue, Council District no. 15, Borough 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 577 of the Private Housing Finance Law for a partial tax exemption.**

**Attachments:** Land Use Calendar - Week of May 3 - May 7, 2010, Hearing Transcript - Planning 5/4/10, Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 3 - May 7, 2010, Hearing Transcript - Planning 5/4/10, Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0085-2010**      **Application no. 20105556 HAM, an Urban Development Action Area Project located at 30 West 119th 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 a partial tax exemption.**

**Attachments:** Land Use Calendar - Week of May 3 - May 7, 2010, Hearing Transcript - Planning 5/4/10, Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 3 - May 7, 2010, Hearing Transcript - Planning 5/4/10, Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0099-2010**      **Application no. 20105445 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Tres De Mexico LLC, d/b/a/ Mesa Coyoacan, to establish, maintain and operate an unenclosed sidewalk café located at 372 Graham Avenue, Borough of Brooklyn, Council District no. 34. 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 May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10, Hearing Testimony - Zoning 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10, Hearing Testimony - Zoning 6/1/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0100-2010**      **Application no. 20105458 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 300 West 46th St. Corp., d/b/a Brasserie Athenee, to establish, maintain and operate an unenclosed sidewalk café located at 300 West 46th 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 May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

LU 0104-2010

**Application no. 20105622 HAX, an amendment to an Urban Development Action Area Project located at 1434-8 Morris Avenue, Council District no. 16, 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 a tax exemption**

**Attachments:** Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 17 - May 21, 2010, Hearing Testimony - Planning 5/17/10, Hearing Transcript - Planning 5/17/10, Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0107-2010**      **Uniform land use review procedure application no. C 100155 HAK, an Urban Development Action Area Designation and Project, located at 277, 275 and 273 Kosciuszko Street and the disposition of such property, Borough of Brooklyn, Council District no. 36. 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:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0108-2010**      **Uniform land use review procedure application no. C 100156 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. 36 to facilitate the development of a 6-story community facility with sleeping accommodations. 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:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

LU 0109-2010

**Application no. C 080157 ZMX submitted by CBC Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, changing from a C8-3 District to an R7-1 District and establishing within the proposed R7-1 a C2-4 District.**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10, Hearing Testimony - Zoning 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Committee Report, Resolution, Hearing Transcript - Zoning 6/1/10, Hearing Transcript - Land Use 6/3/10, Hearing Testimony - Zoning 6/1/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0110-2010**      **Application no. 20105516 HKM (N 100278 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2384) by the Landmarks Preservation Commission of the Reformed church on Staten Island Sunday School Building and Cemetery, located at 54 Port Richmond Avenue, as a historic landmark, Council District no. 49.**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0111-2010**      **Application no. 20105517 HKM (N 100281 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2340) by the Landmarks Preservation Commission of the Joseph B. and Josephine H. Bissell House, located at 46 W. 55th Street, as a historic landmark, Council District no. 4.**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

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



**Affirmative:** 19 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin and Williams

**Negative:** 2 -

Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

LU 0112-2010

**Application no. 20105518 HKM (N 100280 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2387) by the Landmarks Preservation Commission of the Brill Building, located at 1619 Broadway, as a historic landmark, Council District no.3.**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0113-2010**      **Application no. 20105558 HKM (N 100282 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2373) by the Landmarks Preservation Commission of an extension of the Upper East Side Historic District, Council District no. 4.**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Landmarks 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution, Hearing Testimony - Landmarks 6/1/10

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

**Affirmative:** 21 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

**Absent:** 1 -

Mendez

**Conflict:** 1 -

Halloran III

**LU 0115-2010**      **Application no. 20105712 HAK, an amendment to an Urban Development Action Area Project located at 433-441 De Witt 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:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

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

**Attachments:** Land Use Calendar - Week of May 31 - June 4, 2010, Land Use Calendar - June 3, 2010, Hearing Transcript - Planning 6/1/10, Hearing Transcript - Land Use 6/3/10, Committee Report, Resolution

**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 -

Comrie Jr., Arroyo, Barron, Dickens, Garodnick, Gonzalez, Jackson, Lappin, Palma, Reyna, Rivera, Sanders Jr., Seabrook, Vacca, Vann, Lander, Levin, Weprin, Williams, Ignizio and Koo

- Absent:** 1 -  
Mendez
- Conflict:** 1 -  
Halloran III