

# The New York City Council

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



## Meeting Minutes

**Wednesday, June 4, 2008**

**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, Albert Vann and James Oddo*

## Roll Call

**Present,**

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,**

Baez, McMahon, Palma and Rivera

LU 0751-2008

**Application no. C 060287 MMQ pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et. seq. of the New York City Administrative Code by College Point Holdings I, LLC, for an amendment to the City Map involving the elimination, discontinuance and closing of a portion of 115th Street north of 14th Avenue, the adjustment of grades necessitated thereby; and any acquisition or disposition of real properties related thereto.**

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0752-2008

**Application no. C 070174 ZMQ submitted by College Point Holdings I, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7b, changing from an M1-1 District to an R4 District property bounded by a line 350 feet northerly of 14th Avenue, the former centerline of 115th Street, 14th Avenue and a line 240 feet westerly of 115th Street.**

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0753-2008

**Application no. C 070175 ZSQ submitted by College Point Holdings I, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 78-351, 78-352 and 78-353 of the Zoning Resolution to facilitate the development of a 100-unit large-scale residential development located at the northwest corner of the intersection of 14th Avenue and 115th Street (Block 4035, Lot 1), in an R4 District.**

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0754-2008

**Application no. C070178 ZSQ submitted by College Point Holdings I, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 78-312(d) of the Zoning Resolution to modify the requirements of Section 23-631(b).**

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

**LU 0756-2008**

**Application no. 20075306 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Sports Plus Café Inc., to establish, maintain and operate an enclosed sidewalk café at 1161 castle Hill Avenue, Borough of the Bronx, Council District no. 18. 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 Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

**LU 0757-2008**

**Application no. 20085221 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Twelfth Street Corp. d.b.a. Village Den., to continue, maintain and operate an unenclosed sidewalk café at 225 West 12th 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:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0785-2008

**Application no. C 050172 ZMX, submitted by Westpark, Inc. pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c changing from an R5 District to an R6 District property bounded by Westchester Avenue, a line 450 feet northeasterly of Pugsley Avenue, a line midway between Westchester Avenue and Newbold Avenue, and Pugsley Avenue.**

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0790-2008

**Application no. 20085446 HKK (N 080346 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.402, LP-2208) by the Landmarks Preservation Commission of the Fiske Terrace – Midwood Park Historic District, Council District no 40 and 45.**

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0791-2008

**Application no. 20085441 HKM (N 080347 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.402, LP-2274) by the Landmarks Preservation Commission of the Children's Aid Society, Elizabeth Home for Girls, Council District no 2.**

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0792-2008

**Application no. 20085442 HKM (N 080353 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.402, LP-2296) by the Landmarks Preservation Commission of the Allerton 39th Street House, Council District no 2.**

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

LU 0793-2008      **Application no. 20085443 HKM (N 080352 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.402, LP-2252) by the Landmarks Preservation Commission of the Public Baths of the City of New York, East 11th Street Bath, Council District no 2.**

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,**    20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,**        4 -

Baez, McMahon, Palma and Rivera

LU 0794-2008      **Application no. 20085444 HKM (N 080349 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.402, LP-2273) by the Landmarks Preservation Commission of the Webster Hall and Annex, Council District no 2.**

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,**    19 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Negative,**      1 -

Ignizio

**Absent,**        4 -

Baez, McMahon, Palma and Rivera

**LU 0795-2008      Application no. 20085445 HKM (N 080348 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.397, LP-2261) by the Landmarks Preservation Commission of (Former) Congregation Beth Hamedrash Hagadol Anshe Ungurn, Council District no 2.**

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Landmarks 6/2/08, Hearing Testimony - Landmarks 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative, 20 -**

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent, 4 -**

Baez, McMahon, Palma and Rivera

**LU 0750-2008      Uniform land use review procedure application no. C 080261 HAM, an Urban Development Action Area Designation and Project, Calvert Lancaster East Harlem Cluster, and the disposition of the city-owned property, Borough of Manhattan, Council Districts no. 8 and 9. 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 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative, 20 -**

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent, 4 -**

Baez, McMahon, Palma and Rivera



**LU 0770-2008**      **Uniform land use review procedure application no. C 080287 PQK, pursuant to §197-c and §197-d of the New York City Charter concerning the acquisition of property, located at 515, 519 and 521 St. Marks Avenue, Borough of Brooklyn, Council District no. 35. 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 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,**    20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,**        4 -

Baez, McMahon, Palma and Rivera

**LU 0771-2008**      **Uniform land use review procedure application no. C 080288 HAK, an Urban Development Action Area Designation and Project, located at 515, 519 and 521 St. Marks Avenue and the disposition of such property, Borough of Brooklyn, Council District no. 35. 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 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,**    20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,**        4 -

Baez, McMahon, Palma and Rivera

**LU 0670-2008**      **Application no. 20085275 HAK, an Urban Development Action Area Project known as Pacific/MacDougal, located in Community Board 16, Council District no. 41, 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 2/6/08, Hearing Transcript - Planning 2/27/08, Hearing Testimony 2/27/08, Hearing Transcript - Planning 3/4/08, Hearing Transcript - Planning 3/12/08, Hearing Transcript - Planning 4/15/08, Hearing Transcript - Planning 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:**    Hearing Transcript - Planning 2/6/08, Hearing Transcript - Planning 2/27/08, Hearing Testimony 2/27/08, Hearing Transcript - Planning 3/4/08, Hearing Transcript - Planning 3/12/08, Hearing Transcript - Planning 4/15/08, Hearing Transcript - Planning 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,**    20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,**        4 -

Baez, McMahon, Palma and Rivera

**LU 0691-2008**      **Application no. 20085308 HAK, an Urban Development Action Area Project known as Marcy/Willoughby, located in Community Board 3, Council District no. 41, 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 3/4/08, Hearing Transcript - Planning 3/12/08, Hearing Transcript - Planning 4/15/08, Hearing Transcript - Planning 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Attachments:** Hearing Transcript - Planning 3/4/08, Hearing Transcript - Planning 3/12/08, Hearing Transcript - Planning 4/15/08, Hearing Transcript - Planning 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Land Use 6/4/08

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

Int 0773-2008

**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:** Fiscal Impact Statement, Memo In Support, Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08, Hearing Transcript - Stated Meeting Recessed 5/28/08, Hearing Transcript - Stated Meeting 6/12/08, Local Law

**This Introduction was Hearing Held by Committee**

**Attachments:** Fiscal Impact Statement, Memo In Support, Hearing Testimony - Zoning 6/2/08, Hearing Transcript - Zoning 6/2/08, Hearing Transcript - Land Use 6/4/08, Hearing Transcript - Stated Meeting Recessed 5/28/08, Hearing Transcript - Stated Meeting 6/12/08, Local Law

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

**Affirmative,** 20 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Seabrook, Sears and Vann

**Absent,** 4 -

Baez, McMahon, Palma and Rivera

**Enactment No:** 2008/030