

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, August 21, 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.
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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent:

Gonzalez, Lappin and Lander

Medical:

Dickens

LU 0654-2012

Application no. 20125522 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 11 Carmine Tacos, LLC d.b.a. Dos Toros Taqueria, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 11 Carmine Street, Borough of Manhattan, Council District 3, Community Board 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: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0655-2012 **Application no. 20125549 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Huitres NYC Inc., d.b.a. Buschenschauk, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 320 Court Street, Borough of Brooklyn, Council District 39, Community Board 6. 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 August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0656-2012 **Application no. 20125699 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 42-02 Tavern, Inc., d.b.a. Doyle's Corner, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 42-02 Broadway, Borough of Queens, Council District 26, Community Board 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 August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0657-2012

Application no. 20125726 HKK (N 120369 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Sears Roebuck & Company Department Store located at 2227-2323 Beverly Road (Block 5133, part of Lot 14) (List No.455 LP-2469), Borough of Brooklyn, Community Board 14, Council District no. 40, as an historic landmark .

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0658-2012 **Application no. 20125727 HKM (N 120368 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation by the Landmarks Preservation Commission of the Van Tassell and Kearney Auction Mart located at 126-128 East 13th Street (Block 558, Lot 43 in part) (List No.455 LP-2205), Borough of Manhattan, Community Board 3, Council District no. 2, as an historic landmark .**

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0659-2012 **Uniform land use review procedure application no. N 120248 HAM, an Urban Development Action Area Designation and Project located at 120 East 125th Street (Block 1773, Lot 62) to facilitate the rehabilitation of a vacant four-story building, Borough of Manhattan, Community Board 11, Council District no. 8. 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 August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Planning 8-20-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Planning 8-20-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0660-2012

Application no. C 120177 PCM submitted by the Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 512 West 23rd Street (Block 694, Lot 40), for use as an ambulance station, Borough of Manhattan, Community Board 4, Council District 3.

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0661-2012 **Application no. 20125689 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Groove Enterprises., d.b.a. Groove, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 125 MacDougal Street, Borough of Manhattan, Community Board 2, Council District 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 August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0662-2012 **Application no. 20125742 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 1 Perry Street Restaurant Inc., d.b.a. Yerba Buena, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 57 Greenwich Street, Borough of Manhattan, Community Board 2, Council District 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 August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of August 20, 2012 - August 24, 2012, Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Zoning 8-20-12, Hearing Transcript - Zoning 8-21-12, Hearing Transcript - Land Use 8-21-12

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, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0663-2012 **Application No. 20125427 SCQ, a proposed site for a new, approximately 472-Seat Primary School Facility, P.S. 339-Queens, to be located at 57-02 to 57-08 39th Avenue and 39-12 to 39-16 58th Street (Block 1228, Lots 48, 52, 57, 58, 60 and 61), Council District No. 26, Borough of Queens. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0664-2012

Application No. 20125428 SCQ, a proposed site for a new, approximately 379-Seat Primary School Facility, P.S. 892-Queens, to be located at 199-02 112th Avenue (Block 10975, Lot 1), Council District No. 27, Borough of Queens. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

Affirmative: 18 -

Comrie Jr., Arroyo, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo

Absent: 3 -

Gonzalez, Lappin and Lander

Medical: 1 -

Dickens

LU 0665-2012 Application No. 20125429 SCM, a proposed site for a new, approximately 692-Seat Primary/Intermediate School Facility, P.S. 342-Manhattan, to be located at the Southwest Corner of West 61st Street and West End Avenue (Block 1171, Lot 165 in portion), Council District No. 6, Borough of Manhattan. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

Attachments: Land Use Calendar - August 21, 2012, Hearing Transcript - Stated Meeting 8-22-12, Hearing Transcript - Landmarks 8-20-12, Hearing Transcript - Landmarks 8-21-12, Hearing Transcript - Land Use 8-21-12

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

- Affirmative:** 18 -
Comrie Jr., Arroyo, Barron, Garodnick, Jackson, Mendez, Palma, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams, Halloran III, Ignizio and Koo
- Absent:** 3 -
Gonzalez, Lappin and Lander
- Medical:** 1 -
Dickens

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY