

# The New York City Council

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



## Meeting Minutes

**Wednesday, June 10, 2009**

**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, 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, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent,**

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

*Other Council Members Attending: Crowley*

## LU 1077-2009

**Application no. C 050260 ZSM submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 82-33 of the Zoning Resolution to modify the height and setback requirements of Section 23-632, the inner and outer court regulations of Section 23-841, Section 23-843, Section 23-851, Section 23-852, Section 24-63, Section 24-633, Section 24-652, and Section 23-863, the minimum distance between buildings on a zoning lot requirements of Section 23-711 and the minimum distance between legally required windows and zoning lot lines requirements of Section 23-861 in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, and 35), in a C4-7 District, within the Special Lincoln Square District. 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 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Attachments:** Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

**A motion was made that this Land Use Application be Approved by Committee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative, 16 -**

Katz, Arroyo, Avella, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent, 7 -**

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

**LU 1078-2009**      **Application no. C 050269 ZSM submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 82-50 and 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 68 spaces on portions of the ground floor, cellar, and sub-cellar levels of a proposed mixed use building (Site 4, Garage A) in connection with the proposed expansion of Fordham University, Lincoln Center Campus. 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 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Attachments:**    Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

**A motion was made that this Land Use Application be Approved by Committee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative,**    16 -

Katz, Arroyo, Avella, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent,**        7 -

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

**LU 1079-2009**      **Application no. C 050271 ZSM submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 82-50 and 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 137 spaces on portions of the ground floor, cellar, subcellar and 2nd subcellar level of a proposed mixed use building (Site 3a/3, Garage C) in connection with the proposed expansion of Fordham University, Lincoln Center Campus.**

**Attachments:**    Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Attachments:** Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

**A motion was made that this Land Use Application be Approved by Committee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative,** 16 -

Katz, Arroyo, Avella, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent,** 7 -

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

LU 1081-2009

**Application no. N 090170 ZRM submitted by Fordham University pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, Article VIII, Chapter 2, concerning Section 82-50 (Off-Street Parking and Off-Street Loading Regulations), to modify the requirements for curb cuts on wide streets for off-street loading berths in the Special Lincoln Square District, Borough of Manhattan, Community District 7.**

**Attachments:** Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Attachments:** Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Press Release, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

**A motion was made that this Land Use Application be Approved by Committee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative,** 16 -

Katz, Arroyo, Avella, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent,** 7 -

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

**LU 1082-2009**      **Application no. N 080253 ZRQ submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, modifying special permit regulations pertaining to the Sunnyside Gardens area in Community District 2, Borough of Queens, and clarifying other regulations in Article X, Chapter 3 (Special Planned Community Preservation District).**

**Attachments:**    Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Attachments:**    Hearing Transcript - Zoning 5/12/09, Hearing Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 5/12/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 6/4/09

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

**Affirmative,**    15 -

Katz, Arroyo, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Negative,**      1 -

Avella

**Absent,**        7 -

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann

**LU 1104-2009**      **Application no. 20075505 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for the Corner 47th Restaurant Corp., to construct, maintain and operate an enclosed sidewalk café located at 683 Ninth Avenue., 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 Transcript - Zoning 6/2/09, Hearing Testimony - Zoning 6/2/09, Hearing Transcript - Zoning 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

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

**Affirmative,**    16 -

Katz, Arroyo, Avella, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Liu, Martinez, Rivera and Sears

**Absent,** 7 -

Baez, Barron, Lappin, Mendez, Palma, Seabrook and Vann