

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, November 24, 2009

10:00 AM

Council Chambers - 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, Rosie Mendez, Annabel Palma, Joel Rivera,
Larry B. Seabrook, Helen Sears and Albert Vann*

Roll Call

Present,

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent,

Katz, Baez, Gioia and Gonzalez

LU 1244-2009

Application no. N 090412 ZRY by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution relating to Article VI, Chapter 3, concerning provisions related to the establishment of FRESH Food Stores.

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009, Land Use Calendar - Week of November 9 - November 20, 2009, Hearing Transcript - Zoning 10/26/09, Hearing Testimony - Zoning 10/26/09, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009, Land Use Calendar - Week of November 9 - November 20, 2009, Hearing Transcript - Zoning 10/26/09, Hearing Testimony - Zoning 10/26/09, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1251-2009 **Application no. 20095546 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates LLC. d/b/a Café Street, to establish maintain and operate an unenclosed sidewalk café located at 212 Lafayette Street, Borough of Manhattan, Council District no. 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 November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1252-2009 **Application no. 20105053 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 98 Kenmare Restaurant Group LLC. d/b/a Civetta, to establish maintain and operate an unenclosed sidewalk café located at 98 Kenmare Street, Borough of Manhattan, Council District no. 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 November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1253-2009

Application no. M 770073(A) ZMX submitted by FGP West Street LLC for a modification to Restrictive Declaration D-28 (C 770073 ZMX) involving: property located at 1800 Williamsbridge Road (Block 4200, Lots 35 & 46), in an R4/C1-2 District.

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1254-2009

Application no. C 090096 ZMK submitted by Tibetan LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by establishing within an existing R6B District a C2-4 District.

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 9 - November 20, 2009, Land Use Calendar - Week of November 23 - November 27, 2009, Hearing Testimony - Zoning 11/17/09

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1270-2009

Application no. 20105191 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Caswell/Pearson Enterprises, Ltd., to continue to maintain and operate an unenclosed sidewalk café located at 202 West 14th 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 November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1272-2009

Application no. 20095499 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 119 7th Avenue Cafeteria, LLC. d/b/a Cafeteria to continue to maintain and operate an unenclosed sidewalk café located at 119 Seventh 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: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -
Katz, Baez, Gioia and Gonzalez

LU 1273-2009 **Application no. N 090293 ZRM 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 concerning the Special Lower Manhattan District (Article IX, Chapter 1), Appendix A, Map 5, relating to curb cut prohibitions, Community Board 1, Borough of Manhattan.**

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -
Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -
Katz, Baez, Gioia and Gonzalez

LU 1274-2009 **Application no. 20105074 HKQ (N 100104 HKQ), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.417, LP-2319) by the Landmarks Preservation Commission of the Ridgewood North as a historic district, Council District no. 30.**

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -
Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -
Katz, Baez, Gioia and Gonzalez

LU 1275-2009 Application no. 20105075 HKR (N 100105 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.417, LP-2377) by the Landmarks Preservation Commission of 411Westervelt Avenue (Block 25, Lot 5), Horton’s Row as a historic landmark, Council District no. 49.

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1276-2009 Application no.20105076 HKR (N 100106 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.417, LP-2378) by the Landmarks Preservation Commission of 413Westervelt Avenue (Block 25, Lot 4) , Horton’s Row as a historic landmark, Council District no. 49.

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1277-2009 Application no.20105078 HKR (N 100107 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.417, LP-2381) by the Landmarks Preservation Commission of 415Westervelt Avenue (Block 25, Lot 3) , Horton’s Row as a historic landmark, Council District no. 49.

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

LU 1278-2009 Application no. 20105077 HKR (N 100109 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.417, LP-2382) by the Landmarks Preservation Commission of 417Westervelt Avenue (Block 25, Lot 1), Horton’s Row as a historic landmark, Council District no. 49.

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 23 - November 27, 2009

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

Affirmative, 18 -

Arroyo, Avella, Barron, Comrie Jr., Crowley, Dickens, Felder, Garodnick, Ignizio, Jackson, Lappin, Liu, Mendez, Rivera, Seabrook, Sears, Vann and Palma

Absent, 4 -

Katz, Baez, Gioia and Gonzalez

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY