

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, April 15, 2015

11:00 AM

Committee Room - City Hall

Committee on Land Use

David G. Greenfield, Chair

*Members: Vincent J. Gentile, Annabel Palma, Maria del Carmen Arroyo,
Inez E. Dickens, Daniel R. Garodnick, Darlene Mealy, Rosie Mendez,
Ydanis A. Rodriguez, Peter A. Koo, Brad S. Lander, Stephen T. Levin,
Mark S. Weprin, Jumaane D. Williams, Ruben Wills, Donovan J. Richards,
Inez D. Barron, Andrew Cohen, Ben Kallos, Antonio Reynoso,
Ritchie J. Torres, Mark Treyger and Vincent M. Ignizio*

Roll Call

Present: Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: Wills, Barron and Ignizio

Medical: Dickens

LU 0189-2015

Application No. C 140407 ZRM submitted by 1818 Nadlan LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan, Community Board 4, Council District 3.

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Land Use Calendar - April 15, 2015, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, City Planning Commission Approval Letter, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Land Use Calendar - April 15, 2015, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, City Planning Commission Approval Letter, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Abstain: 1 - Williams

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0190-2015 Application No. C 140408 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow a portion of the railroad or transit right-of-way to be included in the lot area in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Land Use Calendar - April 15, 2015, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, City Planning Commission Approval Letter, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Land Use Calendar - April 15, 2015, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, City Planning Commission Approval Letter, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Abstain: 1 - Williams

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0191-2015 **Application No. C 140409 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-32(c) of the Zoning Resolution to modify the requirements for height, setback, permitted obstructions and planting in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 11, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of March 23, 2015 - March 27, 2015, Hearing Testimony - Zoning 3-24-15, Hearing Transcript - Zoning 3-24-15, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, City Planning Commission Approval Letter, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0195-2015 Application No. 20155355 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 002 Mercury Tacos, LLC, d/b/a Otto's Tacos, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 131 Seventh Avenue South, 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 Section 20-226 of the New York City Administrative Code.

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0196-2015 **Application No. 20155377 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Innovation Kitchens LLC., d/b/a Dominique Ansel Kitchen, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 137 Seventh Avenue South, 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 Section 20-226 of the New York City Administrative Code.**

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0202-2015

Application No. C 140209 ZSK submitted by SO Development Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(a) and (c) of the Zoning Resolution to allow commercial use and modify yard regulations in connection with the development of a 3-story commercial warehouse building on property located 2702 West 15th Street within the Special Coney Island Mixed Use District, Borough of Brooklyn, Community District 13. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3). This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Zoning 4-13-15, Hearing Transcript - Zoning 4-13-15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0203-2015

Application No. 20155443 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 387, Lot 41, Block 388, Lot 9, Block 389, Lots 12, 13, and 22, Block 395, Lot 48, Block 399, Lot 1, Block 411, Lot 11, Block 413, Lot 36, Block 468, Lot 2, Block 934, Lot 41, Block 947, Lots 8 and 11, Block 949, Lot 46, Block 952, Lots 15 and 67, Block 955, Lots 39, 52, Block 962, Lot 1, Block 992, Lot 32, and Block 1098, Lot 52, on the tax map of the City of New York, Borough of Brooklyn, Community Boards 2 and 6, Council Districts 33 and 39.

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Planning 4/13/15, Hearing Transcript - Planning 4/13/15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Planning 4/13/15, Hearing Transcript - Planning 4/13/15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

LU 0204-2015

Application No. 20155444 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 2031, Lots 5, 7, 10, and 12, Block 2025, Lots 44, 46, 47, and 49, and Block 1823, Lot 18, on the tax map of the City of New York, Borough of Manhattan, Community Board 10, Council District 9.

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - Week of April 13, 2015 - April 17, 2015, Hearing Testimony - Planning 4/13/15, Hearing Transcript - Planning 4/13/15, Land Use Calendar - April 15, 2015, Hearing Transcript - Land Use 4/15/15, April 16, 2015 - Stated Meeting Agenda with Links to Files, Hearing Transcript - Stated Meeting 4-16-15, Committee Report, Resolution

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens

Res 0637-2015

Resolution commemorating the 50th anniversary of the signing of the New York City Landmarks Law.

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This Resolution was Hearing Held by Committee

Attachments: March 31, 2015 - Stated Meeting Agenda with Links to Files, Land Use Calendar - April 15, 2015, April 16, 2015 - Stated Meeting Agenda with Links to Files, Committee Report, Hearing Transcript - Land Use 4/15/15, Hearing Transcript - Stated Meeting 4-16-15

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

Affirmative: 19 - Greenfield, Gentile, Palma, Arroyo, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres and Treyger

Absent: 3 - Wills, Barron and Ignizio

Medical: 1 - Dickens