

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Monday, September 27, 2004

9:30 AM

Council Chambers - City Hall

Committee on Land Use

Melinda R. Katz, Chair

*Members: Bill Perkins, Michael C. Nelson, Christine C. Quinn, Joel Rivera,
Tony Avella, Maria Baez, Charles Barron, Leroy G. Comrie, Simcha Felder,
Eric N. Gioia, G. Oliver Koppell, Miguel Martinez, Michael E. McMahon,
Hiram Monserrate, James Sanders, Jr., Albert Vann, Vincent J. Gentile,
Annabel Palma, Andrew J. Lanza and James Oddo*

Roll Call

Present,

Katz, Perkins, Nelson, Quinn, Rivera, Avella, Baez, Felder, Gioia, Koppell, Martinez, McMahon, Sanders Jr., Palma and Lanza

Absent,

Barron, Comrie Jr., Monserrate, Vann, Gentile and Oddo

M 0207-2004

Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 502, Resolution amending Resolution No. 1043 (L.U. 423-A) adopted by the Council on October 15, 2003 (20055014 GFY; L.U. No. 207).

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04

Affirmative, 15 -

Katz, Perkins, Nelson, Quinn, Rivera, Avella, Baez, Felder, Gioia, Koppell, Martinez, McMahon, Sanders Jr., Palma and Lanza

Absent, 6 -

Barron, Comrie Jr., Monserrate, Vann, Gentile and Oddo

Res 0502-2004

Resolution amending Resolution No. 1043 (L.U. 423-A) adopted by the Council on October 15, 2003 (20055014 GFY; L.U. No. 207).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 7/21, Hearing Transcript 9/27, Hearing Transcript - Stated Meeting 9/28/04

Attachments: Committee Report, Hearing Transcript - Stated Meeting 7/21, Hearing Transcript 9/27, Hearing Transcript - Stated Meeting 9/28/04

Affirmative, 14 -

Katz, Perkins, Nelson, Quinn, Rivera, Avella, Baez, Felder, Gioia, Martinez, McMahon, Sanders Jr., Palma and Lanza

Abstain, 1 -

Koppell

Absent, 6 -

Barron, Comrie Jr., Monserrate, Vann, Gentile and Oddo

LU 0143-2004 **Uniform land use review procedure application no. C 040314 HAM, an Urban Development Action Area Designation and Project located at 59-61 and 62-72 East 4th Street and 19 East 3rd Street, and the disposition of such property, Borough of Manhattan, Council District no. 2. 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 9/27

Attachments: Hearing Transcript 9/27

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

LU 0189-2004 **Application no. 20045616 HAM, an Urban Development Action Area Project located at 75 West 131st Street, Council District no. 9, Borough of Manhattan. 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 6/8, Hearing Transcript 7/19, Hearing Transcript 9/27

Attachments: Hearing Transcript 6/8, Hearing Transcript 7/19, Hearing Transcript 9/27

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

LU 0197-2004 **Uniform land use review procedure application no. C 040456 HAX, an Urban Development Action Area Designation, Project, and the disposition of such property located within Site 43 of the Melrose Commons Urban Renewal Area, Borough of the Bronx, Council District no. 17. 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 9/27

Attachments: Hearing Transcript 9/27

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

LU 0200-2004 Uniform land use review procedure application no. C 040476 HAM, an Urban Development Action Area Designation, Project, and the disposition of such property located at 246 West 116th Street, Borough of Manhattan, Council District no. 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 9/27

Attachments: Hearing Transcript 9/27

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

LU 0214-2004 Landmarks Preservation Commission designation no. DL - 354, LP - 2146, pursuant to §3020 of the New York City Charter, concerning the designation of the The Hecla Iron Works Building and associated site , located at 100-118 North 11th Street, Borough of Brooklyn, Council District no. 33, as a landmark. (Non-ULURP no. 20045689 HKK).

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

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

LU 0215-2004 Uniform Land Use Review Procedure application no. 040446 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 31.

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

LU 0230-2004 **Application no. 20055016 HAX, an Urban Development Action Area Project located Randall Avenue between Underhill and Bolton Avenues, Council District no. 18, Borough of the Bronx. 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 9/27

Attachments: Hearing Transcript 9/27

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

LU 0239-2004 **Landmarks Preservation Commission designation no. DL - 335, LP - 2147, pursuant to §3020 of the New York City Charter, concerning the designation of the St. Paul's Avenue - Stapleton Heights Historic District, Borough of Staten Island, Council District no. 49, as a landmark. (Non-ULURP no. 20055021 HKR) .**

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

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

LU 0240-2004 **Landmarks Preservation Commission designation no. DL - 354, LP - 2151, pursuant to §3020 of the New York City Charter, concerning the designation of the 131 MacDougal Street House, located at on the west side of MacDougal Street between West 3rd and West 4th Street , Borough of Manhattan, Council District no. 3, as a landmark. (Non-ULURP no. 20045687 HKM) .**

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

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

LU 0241-2004 **Landmarks Preservation Commission designation no. DL - 354, LP - 2150, pursuant to §3020 of the New York City Charter, concerning the designation of the 129 MacDougal Street House, located at on the west side of MacDougal Street between West 3rd and West 4th Street , Borough of Manhattan, Council District no. 3, as a landmark. (Non-ULURP no. 20045686 HKM).**

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

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

LU 0242-2004 **Landmarks Preservation Commission designation no. DL - 354, LP - 2149, pursuant to §3020 of the New York City Charter, concerning the designation of the 127 MacDougal Street House, located at on the west side of MacDougal Street between West 3rd and West 4th Street , Borough of Manhattan, Council District no. 3, as a landmark. (Non-ULURP no. 20045685 HKM) .**

Attachments: Hearing Transcript 9/27

Attachments: Hearing Transcript 9/27

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

LU 0243-2004 **Uniform Land Use Review Procedure application no. 040516 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 11 .**

Attachments: Hearing Transcript - Land Use - 9/27, Hearing Transcript 9/21, Hearing Transcript 9/27

Attachments: Hearing Transcript - Land Use - 9/27, Hearing Transcript 9/21, Hearing Transcript 9/27

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

LU 0244-2004 **Uniform Land Use Review Procedure application no. 040515 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 11.**

Attachments: Hearing Transcript - Land Use - 9/27, Hearing Transcript 9/21, Hearing Transcript 9/27

Attachments: Hearing Transcript - Land Use - 9/27, Hearing Transcript 9/21, Hearing Transcript 9/27

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

LU 0245-2004 **Uniform Land Use Review Procedure application no. 040479ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 13.**

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

LU 0246-2004 **Zoning resolution amendment application no. 040480 ZRX, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Bronx, Council District no. 13, relating to establishing a new C3A zoning designation.**

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

LU 0247-2004 **Zoning resolution amendment application no. 040481 ZRY, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Citywide relating to modifying the definition of Street for the purpose of determining a waterfront zoning lot.**

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

- LU 0248-2004** **Zoning resolution amendment application no. 040482 ZRX, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Bronz, Council District no. 13, relating to various zoning text amendments by adding to the list of areas governed by the lower density growth management .**
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- A motion was made by that this Land Use Application be Approved by Committee with Companion Resolution.
- LU 0251-2004** **Landmarks Preservation Commission designation no. DL – 355, LP – 2156, pursuant to §3020 of the New York City Charter, concerning the designation of the New York New Jersey Telephone and Telegraph Company , located at 81 Willoughby Street (Block 148, Lot 46), Borough of Brooklyn, Council District no. 33, as a landmark. (Non-ULURP no. 20055019 HKK).**
- Attachments:** Hearing Transcript 9/27
- Attachments:** Hearing Transcript 9/27
- A motion was made by that this Land Use Application be Approved by Committee with Companion Resolution.
- LU 0265-2004** **Zoning resolution amendment application no. 040137 ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 33, relating: to creating a special mixed use district in Greenpoint Williamsburg (MX-8)**
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- A motion was made by that this Land Use Application be Approved by Committee with Companion Resolution.
- LU 0266-2004** **Uniform Land Use Review Procedure application no. 010384 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 33.**
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- Attachments:** Hearing Transcript 9/27, Hearing Transcript 9/21
- A motion was made by that this Land Use Application be Approved by Committee with Companion Resolution.

LU 0267-2004 **Application no. 20055006 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of K. K. & D. of 79th Street Restaurant Corp., d/b/a Nectar, to establish, maintain and operate an unenclosed small sidewalk café located at 1022 Madison Avenue, Borough of Manhattan, Council District no. 4. 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 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

LU 0268-2004 **Uniform land use review procedure application no. C 040096 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned properties, located at 1063 Flushing Avenue, Borough of Brooklyn, Council District no. 34. 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 9/27, Hearing Transcript - Stated Meeting 9/28/04

Attachments: Hearing Transcript 9/27, Hearing Transcript - Stated Meeting 9/28/04

Affirmative, 15 -

Katz, Perkins, Nelson, Quinn, Rivera, Avella, Baez, Felder, Gioia, Koppell, Martinez, McMahon, Sanders Jr., Palma and Lanza

Absent, 6 -

Barron, Comrie Jr., Monserrate, Vann, Gentile and Oddo

LU 0269-2004 **Application no. 20045484 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Regency 601 2nd Ave. Corp., to establish, maintain and operate an unenclosed sidewalk café located at 601 Second Avenue, Borough of Manhattan, Council District no. 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: Hearing Transcript 9/27, Hearing Transcript 9/21

Attachments: Hearing Transcript 9/27, Hearing Transcript 9/21

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

A motion was made by that this be .

Affirmative, 15 -

Katz, Perkins, Nelson, Quinn, Rivera, Avella, Baez, Felder, Gioia, Koppell, Martinez, McMahon, Sanders Jr., Palma and Lanza

Absent, 6 -

Barron, Comrie Jr., Monserrate, Vann, Gentile and Oddo