

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Monday, December 19, 2005

10:00 AM

Committee Room - 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, Erik Martin Dilan, Miguel Martinez, Michael E.
McMahon,
Hiram Monserrate, James Sanders, Jr., Larry B. Seabrook, Albert Vann, Vincent J.
Gentile,
Annabel Palma, Andrew J. Lanza and James Oddo*

Roll Call

Present,

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent,

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

Int 0750-2005

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the franchise for the operation and maintenance of bus stop shelters.

Attachments: Fiscal Impact Statement, Hearing Transcript - Zoning 12/5/05, Hearing Transcript - Zoning 12/15/05, Hearing Transcript - Land Use 12/19/05, Hearing Transcript - Stated Meeting 12/21/05, Local Law

Proposed Int. No. 750-A

This Introduction was Hearing Held by Committee

Attachments: Fiscal Impact Statement, Hearing Transcript - Zoning 12/5/05, Hearing Transcript - Zoning 12/15/05, Hearing Transcript - Land Use 12/19/05, Hearing Transcript - Stated Meeting 12/21/05, Local Law

This Introduction was Amendment Proposed by Comm

Attachments: Fiscal Impact Statement, Hearing Transcript - Zoning 12/5/05, Hearing Transcript - Zoning 12/15/05, Hearing Transcript - Land Use 12/19/05, Hearing Transcript - Stated Meeting 12/21/05, Local Law

This Introduction was Amended by Committee

Enactment No: 2005/132

Int 0750-2005

A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the franchise for the operation and maintenance of bus stop shelters.

Attachments: Fiscal Impact Statement, Hearing Transcript - Zoning 12/5/05, Hearing Transcript - Zoning 12/15/05, Hearing Transcript - Land Use 12/19/05, Hearing Transcript - Stated Meeting 12/21/05, Local Law

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

Enactment No: 2005/132

LU 0667-2005 Zoning resolution amendment application no. N 060046(A) ZRM, pursuant to Sections 197-d and 201 of the New York City Charter, respecting changes in the text of the Zoning Resolution, Article IX, Chapters 3 and 6 and Article XII, Chapter 1.

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

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0668-2005 Uniform Land Use Review Procedure application no. C 060061 ZMR pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District no. 49.

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

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0669-2005 Uniform Land Use Review Procedure application no. C 060062 ZMR pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District no. 50.

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

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0670-2005 Uniform Land Use Review Procedure application no. C 060063 ZMR pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District no. 51.

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

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0671-2005 Zoning Resolution amendment application no. N 060066 ZRR, pursuant to Sections 197-d and 201 of the New York City Charter, respecting changes in the text of Zoning Resolution, Article I, Chapter 2; Article III, Chapters 2, 5 and 7; Article VII, Chapter 4.

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

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0569-2005 Uniform Land Use Review Procedure application no. 050049 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. 13.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0571-2005 Uniform Land Use Review Procedure application no. 020615 ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 8.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0594-2005 Uniform Land Use Review Procedure application no. 060055 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 nos. 19 and 20.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0600-2005 Uniform Land Use Review Procedure application no. C 060033 ZMM pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 9.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0601-2005 **Uniform land use review procedure application no. C 060034 HAM, an Urban Development Action Area Designation and Project, located at 301-303 West 118th Street, 300-304 West 119th Street and 2187-2201 Eight Avenue, and the disposition of such property, 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0636-2005 **Application no. 20065107 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Gadberry Pizza, Inc., to establish, maintain and operate an unenclosed sidewalk café located at 69-71 Seventh Avenue South, 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0640-2005 **Uniform land use review procedure application no. C 050245 MMQ pursuant to Sections 197-c and 197-d of the New York City Charter, changes to the City Map, Borough of Queens, Council District no. 29. This matter is subject to Council Review and action only if appealed to the Council pursuant to §197-d(b)2 of the Charter or called up by a vote of the Council pursuant to §197-d(b)3 of the Charter and Section 11.20 of the Rules of the Council.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0641-2005 **Uniform land use review procedure application no. C 050447 HAK, an Urban Development Action Area Designation and Project, located at 1237-1255 Gates Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 34. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0663-2005 **Uniform land use review procedure application no. C 050481 PCK, pursuant to §197-c and §197-d of the New York City Charter concerning the site selection and acquisition of property located at 2440 Fulton Street, Borough of Brooklyn, Council District no. 37. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0581-2005 **Application no. 20065058 HAK, an Urban Development Action Area Project known as the Montauk Avenue Cluster, located in Community Board 5, Council Districts no. 37 and 42, Borough of Brooklyn. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0599-2005 **Application no. 20065069 HAQ, an Urban Development Action Area Project located at 115-50 Sutphin Boulevard, Council District no. 28, Borough of Queens. 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 - Planning 10/6/05

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 10/6/05

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0615-2005 **Application no. 20065089 HAM, an amended Urban Development Action Area Project known as the Amsterdam Avenue Cluster, located in Community Board 9, Council Districts no. 9 and 7, 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0629-2005 **Application no. 20065101 HAK, an Urban Development Action Area Project located at 23 Rockaway Avenue, Council District no. 41, Borough of Brooklyn. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0630-2005 **Application no. 20065102 HAK, an Urban Development Action Area Project located at 178 Rockaway Avenue, Council District no. 41, Borough of Brooklyn. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0631-2005 **Application no. 20065103 HAK, an Urban Development Action Area Project located at 990 Rutland Road, Council District no. 41, Borough of Brooklyn. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0649-2005

Application no. 20065120 HAK, an Urban Development Action Area Project located at 1814 Nostrand Avenue, Council District no. 45, Borough of Brooklyn. 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.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0652-2005

Application no. 20065123 HAK, an Urban Development Action Area Project located at 189 Clifton Place, Council District no. 36, Borough of Brooklyn. 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 577 of the Private Housing Finance Law for an exemption from real property taxes.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0653-2005 **Application no. 20065124 HAK, an Urban Development Action Area Project located at 1042 Putnam Avenue, Council District no. 41, Borough of Brooklyn. 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 577 of the Private Housing Finance Law for an exemption from real property taxes.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0654-2005 **Application no. 20065125 HAK, an Urban Development Action Area Project located at 130 29th Street, Council District no. 38, Borough of Brooklyn. 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 577 of the Private Housing Finance Law for an exemption from real property taxes.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0655-2005 **Application no. 20065126 HAQ, an Urban Development Action Area Project located at 90-35 Desarc Road, Council District no. 32, Borough of Queens. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0656-2005 **Application no. 20065127 HAQ, an Urban Development Action Area Project located at 90-37 Desarc Road, Council District no. 32, Borough of Queens. 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**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

LU 0657-2005 **Application no. 20065128 HAQ, an Urban Development Action Area Project located at 90-39 Desarc Road, Council District no. 32, Borough of Queens. 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.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 14 -

Katz, Nelson, Quinn, Avella, Barron, Comrie Jr., Malave-Dilan, Felder, Koppell, Martinez, Monserrate, Sanders Jr., Vann and Palma

Absent, 9 -

Perkins, Rivera, Baez, Gioia, McMahon, Seabrook, Gentile, Lanza and Oddo

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY