

The New York City Council

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



Meeting Minutes

Thursday, November 15, 2007

9:45 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, 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, Michael E. McMahon, Rosie Mendez, Annabel Palma, Joel Rivera,
Larry B. Seabrook, Helen Sears, Kendall Stewart, Albert Vann and James Oddo*

Roll Call

Present,

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent,

Baez

LU 0506-2007

Application no. 20075583 HAK, an Urban Development Action Area Project located at 84, 86, 92, 94, 96, 98, 110 and 124 Marion Street; 19 and 17 Sumpter Street, 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 696 of the General Municipal Law for an exemption from real property taxes.

Attachments: Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Planning 10/23/07, Hearing Testimony - Planning 10/23/07, Hearing Transcript - Planning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Planning 11/15/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Planning 10/23/07, Hearing Testimony - Planning 10/23/07, Hearing Transcript - Planning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Planning 11/15/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0507-2007 **Application no. 20075584 HAK, an Urban Development Action Area Project, located at 812 Quincy Street, 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 696 of the General Municipal Law for an exemption from real property taxes.**

Attachments: Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Planning 10/23/07, Hearing Testimony - Planning 10/23/07, Hearing Transcript - Planning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Planning 11/15/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 8/20/07, Hearing Testimony - Planning 8/20/07, Hearing Transcript - Planning 9/5/07, Hearing Transcript - Planning 9/6/07, Hearing Testimony - Planning 9/6/07, Hearing Testimony - Planning 9/6/07 (Cont), Hearing Transcript - Planning 10/9/07, Hearing Transcript - Planning 10/23/07, Hearing Testimony - Planning 10/23/07, Hearing Transcript - Planning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Planning 11/15/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 17 -

Katz, Arroyo, Avella, Comrie Jr., Dickens, Garodnick, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Sears and Stewart

Absent, 1 -

Baez

LU 0600-2007 **Uniform Land Use Review Procedure application no. C 070351 MMM, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map.**

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0601-2007

Uniform Land Use Review Procedure application no. N 070412 ZRM, pursuant to Section 201 of the New York City Charter, concerning the Special Lower Manhattan District (Article IX, Chapter 1), relating to modifications of the applicability of urban plazas, height and setback regulations and a special permit for development over or adjacent to the approaches to the Brooklyn Battery Tunnel.

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0602-2007 Uniform Land Use Review Procedure application no. C 070413 ZSM, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 91-73 of the Zoning Resolution to allow unmapped air space above the approaches to the Brooklyn Battery Tunnel to be considered a single zoning lot to facilitate the development of a mixed use property at 50 West Street, Borough of Manhattan.

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0603-2007 Uniform Land Use Review Procedure application no. C 070414 ZSM, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 91-35 of the Zoning Resolution to modify the setback requirements of Section 91-32 (Setback Requirements) in connection with the development of a mixed use property at 50 West Street, Borough of Manhattan.

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0604-2007

Uniform Land Use Review Procedure application no. C 070415 ZSM, pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-91 of the Zoning Resolution to modify the provisions of Section 37-04 (Requirements for Urban Plazas) in connection with the development of a mixed use property at 50 West Street, Borough of Manhattan.

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0605-2007 **Application no. 20085017 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 10 Downing LLC, to establish, maintain and operate an unenclosed sidewalk café located at 10 Downing 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: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 10/23/07, Hearing Transcript - Zoning 10/23/07 (Con't), Hearing Testimony - Zoning 10/23/07, Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0608-2007 **Uniform land use review procedure application no. C 070203 ZMK, pursuant to Sections 197-d and 197-c of the New York City Charter, for an amendment to the zoning map, Section 22b, Borough of Brooklyn, Council District no. 43.**

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0609-2007

Uniform land use review procedure application no. C 070204 ZSK, pursuant to Sections 197-d and 197-c of the New York City Charter, for a special permit for the construction of a public parking garage, Borough of Brooklyn, Council District no. 43

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -

Baez

LU 0610-2007

Uniform Land Use Review Procedure application no. C 000198 ZMM pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section No.s 8c and 8d, Borough of Manhattan, Council District no. 5.

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -

Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -
Baez

LU 0611-2007 Uniform land use review procedure application no. C 070441 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage in the Borough of Manhattan, Council District no. 5. 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 - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 11/13/07, Hearing Testimony - Zoning 11/13/07, Hearing Transcript - Zoning 11/14/07, Hearing Transcript - Land Use 11/14/07, Hearing Transcript - Land Use 11/15/07

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

Affirmative, 24 -
Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, McMahon, Mendez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Absent, 1 -
Baez