

The New York City Council

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



Meeting Minutes

Wednesday, December 19, 2007

9:45 AM

Continuation of the December 18th Recessed Meeting

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

Medical,

McMahon

Other Council Members Attending: Brewer, Gallagher, Foster, Dilan, Fidler, Weprin, Vallone and James

LU 0593-2007

Uniform land use review procedure application no. C 080019 HAX, an Urban Development Action Area Designation, Project and the disposition of such property located at 860 East 161st Street, Borough of the Bronx, Council District no. 17. This matter is subject to Council review and action pursuant to Sections 197-c and 197-d of the New York City Charter and Article 16 of the General Law.

Attachments: Hearing Transcript - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0594-2007

Uniform land use review procedure application no. C 080020 PQX, the acquisition of real property located at 860 East 161st Street, Borough of the Bronx, Council District no. 17, pursuant to Sections 197-c and 197-d of the New York City Charter. This action is subject to review and action by the Council only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to Section 197-d(3) of the Charter.

Attachments: Hearing Transcript - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0616-2007

Application no. 20085176 HAR, In Rem Action no. 49, Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code and the Private Housing Finance Law for the development and preservation of property located in Community Board 1, Borough of Staten Island.

Attachments: Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0617-2007

Application no. 20085177 HAM, In Rem Action no. 47, Application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to Section 11-412 of the Administrative Code for the development and preservation of property located in Community Boards 9 and 10, Borough of Manhattan.

Attachments: Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0628-2007

Application no. 20075254 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of BacBars Group LLC, to establish, maintain and operate an enclosed sidewalk café located at 533 Hudson 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 11/26/07, Hearing Transcript - Zoning 12/6/07, Hearing Testimony - Zoning 12/6/07, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 11/26/07, Hearing Transcript - Zoning 12/6/07, Hearing Testimony - Zoning 12/6/07, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0619-2007 **Application no. 20085181 HAM, an Urban Development Action Area Project located at 2073 7th Avenue, 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 - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0563-2007 **Application no. 20085083 HAX, an Urban Development Action Area Project located at 697 Dawson Street, Council District no. 17, 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 577 of the Private Housing Finance Law for a partial tax exemption.**

Attachments: 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 - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: 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 - Planning 11/26/07, Hearing Transcript - Planning 12/17/07, Hearing Transcript - Land Use 12/18/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Medical, 1 -

McMahon

LU 0632-2007

Application no. N 060047 NPM, pursuant to Section 197-a and 197-d of the New York City Charter, concerning the Community Board 9 Manhattan 197-a Plan, in Council Districts no. 7, 8, and 9.

Attachments: Hearing Testimony, Hearing Transcript - Planning 12/12/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Planning 12/12/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

Motion to Postpone Vote by Council Member Barron

A motion was made that this Land Use Application be Defeated by Committee failed by Roll Call.

Affirmative, 5 -

Avella, Barron, Ignizio, Mendez and Vann

Negative, 19 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears and Stewart

Medical, 1 -

McMahon

Attachments: Hearing Testimony, Hearing Transcript - Planning 12/12/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Planning 12/12/07, Hearing Transcript - Planning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Affirmative, 19 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Negative, 3 -

Avella, Barron and Ignizio

Abstain, 2 -

Gioia and Mendez

Medical, 1 -

McMahon

LU 0634-2007

Uniform Land Use Review Procedure application no. C 070495 ZMM, submitted by Columbia University, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 5c and 6a.

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/09, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/09, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

Motion to Postpone Vote by Council Member Barron

A motion was made that this Land Use Application be Defeated by Committee failed by Roll Call.

Affirmative, 5 -

Avella, Barron, Ignizio, Mendez and Vann

Negative, 19 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears and Stewart

Medical, 1 -

McMahon

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/09, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/09, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Affirmative, 19 -

Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Negative, 3 -
Avella, Barron and Ignizio

Abstain, 2 -
Gioia and Mendez

Medical, 1 -
McMahon

LU 0635-2007

Uniform Land Use Review Procedure application no. N 070496 ZRM, submitted by Columbia University, 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 X, Chapter 4, (Special Manhattanville Mixed Use District), establishing a special district in Borough of Manhattan, Community District 9, and modifying related regulations.

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

Motion to Postpone Vote by Council Member Barron

A motion was made that this Land Use Application be Defeated by Committee failed by Roll Call.

Affirmative, 5 -
Avella, Barron, Ignizio, Mendez and Vann

Negative, 19 -
Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears and Stewart

Medical, 1 -
McMahon

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony, Hearing Transcript - Zoning 12/17/07, Hearing Transcript - Zoning 12/19/07, Hearing Transcript - Land Use 12/19/07

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

Affirmative, 19 -
Katz, Arroyo, Baez, Comrie Jr., Dickens, Felder, Garodnick, Gonzalez, Jackson, Lappin, Liu, Martinez, Oddo, Palma, Rivera, Seabrook, Sears, Stewart and Vann

Negative, 3 -
Avella, Barron and Ignizio

- Abstain,** 2 -
Gioia and Mendez
- Medical,** 1 -
McMahon