

The New York City Council

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



Meeting Minutes

Wednesday, August 13, 2008

10:00 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, Albert Vann and James Oddo*

Roll Call

Present,

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent,

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

Other Council Members Attending: Sanders

LU 0820-2008

Application no. C 080371 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 25b, 30a, 30b, 30c, 31a.

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0824-2008

Application nos. N 080372 ZRQ and N 080373 ZRQ submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article II, Chapters 1 and 5, to extend the applicability of the R2X District and to modify the off-street parking regulations for R6 and R7 Districts in Community District 14, in the Borough of Queens.

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0832-2008

Application no. N 080177 ZRM submitted by Park Avenue Hotel Acquisition, LLC, and 375 Park Avenue L.P., 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 VIII, Chapter 1, Special Midtown District, concerning Section 81-212 (Special provisions for transfer of development rights from landmark sites).

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0833-2008

Application no. C 080178 ZSM submitted by Park Avenue Hotel Acquisition, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution Sections 81-212* and 74-79 to modify the requirements of Section 23-851, Section 23-861, Section 36-62, and Section 81-45 and Section 37-07 and Section 81-277 - to modify the height and setback requirements of Section 81-27 to facilitate the development of a 63-story mixed use building on property located at 610 Lexington Avenue (Block 1307, Lots 14 and 59), in a C6-6 District, within the Special Midtown District. 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 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0834-2008

Application no. N 080184(A) ZRM submitted by the Department of City

Planning 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 3 (Special Hudson Yards District), concerning Article IX, Chapter 6 (Special Clinton District), and concerning Article VIII, Chapter 1 (Special Midtown District).

Attachments: Hearing Transcript - Zoning 7/21/08, Hearing Testimony - 7/21/08, Hearing Transcript - Zoning 7/22/08, Hearing Testimony - 7/22/08, Press Release, Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Transcript - Stated Meeting 8/14/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/21/08, Hearing Testimony - 7/21/08, Hearing Transcript - Zoning 7/22/08, Hearing Testimony - 7/22/08, Press Release, Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Transcript - Stated Meeting 8/14/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0860-2008 **Application no. 20085552 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Q Chelsea, LLC d.b.a Qdoba Mexican Grill, to establish, maintain and operate an unenclosed sidewalk café at 216 Eighth Avenue, 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 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/12/08, Hearing Transcript - Zoning 8/13/08, Hearing Transcript - Land Use 8/13/08, Hearing Testimony - 8/12/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook

LU 0747-2008 **Application no. 20085436 HAQ, an Urban Development Action Area Project known as Arverne East, located in Community Board 14, Council District no. 31 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 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Planning 6/17/08, Hearing Testimony 6/17/08, Hearing Transcript - Planning 6/25/08, Hearing Transcript - Planning 7/21/08, Hearing Transcript - Land Use 8/13/08

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 5/6/08, Hearing Transcript - Planning 5/20/08, Hearing Transcript - Planning 6/2/08, Hearing Transcript - Planning 6/17/08, Hearing Testimony 6/17/08, Hearing Transcript - Planning 6/25/08, Hearing Transcript - Planning 7/21/08, Hearing Transcript - Land Use 8/13/08

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

Affirmative, 16 -

Katz, Arroyo, Avella, Barron, Dickens, Felder, Gioia, Ignizio, Jackson, Lappin, Liu, McMahon, Mendez, Oddo, Sears and Vann

Absent, 8 -

Baez, Comrie Jr., Garodnick, Gonzalez, Martinez, Palma, Rivera and Seabrook