

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, January 27, 2009

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, Rosie Mendez, Annabel Palma, Joel Rivera, Larry B. Seabrook,
Helen Sears, Albert Vann and James Oddo*

Roll Call

Present:

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

Absent:

Baez and Vann

Medical:

Palma

LU 0963-2009

Uniform Land Use Review Procedure application no. C 060021 ZMQ, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 9c, establishing within an existing R4 District a C2-2 District.

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0964-2009

A revised application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6 (Special Clinton District) (N 080184 (B) ZRM)

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0965-2009

Application no. 20095212 HKM (N 090217 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP- 2300) by the Landmarks Preservation Commission of University Village (Block 524, Lot 1 and p/o Lot 66), as a historic landmark, Council District no. 1.

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0966-2009

Application no. 20095213 HKM (N 090218 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP- 2241) by the Landmarks Preservation Commission of Red Hook Play Center located at 155 Bay Street (Block 582, Lot 1), as a historic landmark, Council District no.38 .

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0967-2009

Application no. 20095214 HKM (N 090214 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP- 2247) by the Landmarks Preservation Commission of Guardian Life Insurance Co. of America at 105-117 E. 17th Street (Block 873, Lot 10), as a historic landmark, Council District no.38.

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0969-2009 **Application no. 20095216 HKM (N 090215 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP- 2123) by the Landmarks Preservation Commission of the Baumann Brothers Furniture and Carpets Store at 22-26 East 14th Street (aka 19-25 East 13th Street), (Block 571, Lots 1101 and 1102), as a historic landmark, Council District no. 2.**

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0973-2009 **Application no. 20095217 HKM (N 090216 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP-2315) by the Landmarks Preservation Commission of 144 West 14th Street Building, (Block 609, Lots 1101 and 1102), as a historic landmark, Council District no.3.**

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -
Baez and Vann

Medical: 1 -
Palma

LU 0970-2009 **Application no. 20095218 HKM (N 090213 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No. 407/LP-2299) by the Landmarks Preservation Commission of Fire Engine Company No. 54 located at 304 West 47th Street, (Block 1037, Lot 37), as a historic landmark, Council District no.3.**

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/26/09, Hearing Transcript - Landmarks 1/27/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -
Katz, Arroyo, Avella, Barron, Comrie Jr., Dickens, Felder, Garodnick, Gioia, Gonzalez, Ignizio, Jackson, Lappin, Liu, Martinez, Mendez, Oddo, Rivera, Seabrook and Sears

Absent: 2 -
Baez and Vann

Medical: 1 -
Palma

LU 0945-2008 **Application no. 20095220 HAX, an amended Urban Development Action Area Project located at 3100, 3106, 3120 Third Avenue and 507 East 158th 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 696 of the General Municipal Law for a tax exemption.**

Attachments: Hearing Transcript - Planning 12/15/08, Hearing Transcript - Planning 12/18/08, Hearing Testimony - Planning 12/15/08, Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 12/15/08, Hearing Transcript - Planning 12/18/08, Hearing Testimony - Planning 12/15/08, Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0955-2008

Application no. 20085462 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Buckwheat and Alfalfa, Inc. d.b.a. Rocking Horse Mexican Cafe, to continue to maintain and operate an unenclosed sidewalk café at 182 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 Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0956-2008 **Application no. C 080505 ZSM submitted by Crosby Street Hotel, LLC pursuant to Section 74-781 of the New York City Zoning Resolution for a special permit to modify the requirements of NYSR 42-14 (D) (2) (b), Community District 2, Borough of Manhattan. 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 11.20 b of the Council and Section 20-226 (g) of the New York City Administrative Code.**

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Zoning 1/26/09, Hearing Transcript - Zoning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0959-2009 **Application no. C 070443 MMX submitted by the New York City Economic Development Corporation and the Department of Small Business Services, pursuant to Section 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York Administrative Code for the amendment to the City Map, Community District 2, Borough of the Bronx. 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 11.20 b of the Council and Section 20-226 (g) of the New York City Administrative Code.**

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0971-2009

Application no. 20095285 HAM, an amended Urban Development Action Area Project located at 165, 176 and 165 Avenue C, Council District no. 2, 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 577 of the Private Housing Finance Law for a partial tax exemption.

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0879-2008 Application no. 20095053 HAM an Urban Development Action Area Project located at 824 St. Nicholas Avenue, Council District no. 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, and pursuant to Section 577 of the Private Housing Finance Law for a partial tax exemption.

Attachments: Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Testimony - Planning 12/2/08, Hearing Transcript - Planning 12/2/08, Hearing Transcript - Planning 12/15/08, Hearing Testimony - Planning 12/15/08, Hearing Transcript - Planning 12/18/08, Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Planning 9/16/08, Press Advisory, Hearing Transcript - Planning 10/7/08, Hearing Transcript - Planning 10/17/08, Hearing Testimony - Planning 10/17/08, Hearing Transcript - Planning 10/20/08, Hearing Transcript - Planning 11/17/08, Hearing Transcript - Planning 11/19/08, Hearing Testimony - Planning 12/2/08, Hearing Transcript - Planning 12/2/08, Hearing Transcript - Planning 12/15/08, Hearing Testimony - Planning 12/15/08, Hearing Transcript - Planning 12/18/08, Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma

LU 0972-2009

Application no. 20095236 HAM, an amended Urban Development Action Area Project known as West 127th 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.

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Attachments: Hearing Testimony - Planning 1/26/09, Hearing Transcript - Planning 1/26/09, Hearing Transcript - Land Use 1/27/09

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

Affirmative: 20 -

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

Absent: 2 -

Baez and Vann

Medical: 1 -

Palma