

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, October 22, 2013

9:30 AM

Council Chambers - City Hall

Subcommittee on Zoning and Franchises

Mark S. Weprin, Chair

*Members: Leroy G. Comrie, Jr., Daniel R. Garodnick, Robert Jackson,
Jessica S. Lappin, Diana Reyna, Joel Rivera,
Albert Vann, Vincent M. Ignizio and Ruben Wills*

Roll Call

Present: Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: Comrie Jr., Rivera and Vann

Other Council Members Attending: Mendez, Brewer, James and Lander

LU 0922-2013

Application No. N 120213 NPY submitted by the Department of City Planning pursuant to Section 197-a of the New York City Charter concerning revisions to the New York City Waterfront Revitalization Program's coastal policies and Coastal Zone maps throughout New York City.

Attachments: The Revised New York City Waterfront Revitalization Program, Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Hearing Testimony - Zoning 9-30-13, Hearing Transcript - Zoning 9-30-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: The Revised New York City Waterfront Revitalization Program, Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Hearing Testimony - Zoning 9-30-13, Hearing Transcript - Zoning 9-30-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0923-2013

Application No. N 130316 ZRR submitted by the New York City Economic Development Corporation, New York Wheel LLC and St. George Outlet Development LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution, Article XII, Chapter 8, and related sections, concerning the expansion of the Special St. George District in the Borough of Staten Island, Community District 1, Council District 49.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0924-2013

Application No. C 130315 ZMR submitted by the New York City Economic Development Corporation, New York Wheel LLC and St. George Outlet Development LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 21c, to extend the boundaries of the existing Special St. George District in the Borough of Staten Island, Community District 1, Council District 49.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0925-2013

Application No. C 130317 ZSR submitted by the New York City Economic Development Corporation and New York Wheel LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 128-61 of the Zoning Resolution to allow a development plan for an Observation Wheel and accessory terminal building, and a public parking garage of approximately 950 spaces and an improvement plan for a Waterfront Esplanade, on property located on Parcel 1 in the North Waterfront Subdistrict and on the Waterfront Esplanade, in an M1-1 District, within the Special St. George District, in the Borough of Staten Island, Community District 1, Council District 49. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0926-2013

Application No. C 130318 ZSR submitted by the New York City Economic Development Corporation and St. George Outlet Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 128-61 of the Zoning Resolution to allow a development plan for a retail outlet mall, catering facility, hotel and a public parking garage with a maximum of 1,250 spaces, and an improvement plan for a Waterfront Esplanade, on property located on Parcel 2 in the North Waterfront Subdistrict and on the Waterfront Esplanade, in an M1-1 District, within the Special St. George District in the Borough of Staten Island, Community District 1, Council District 49. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0927-2013 **Application No. C 130319 PPR submitted by the NYC Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located on Block 2, part of Lot 20, restricted to the development authorized by the special permit granted under Zoning Resolution Section 128-61, located in the North Waterfront Subdistrict within the Special St. George District, in the Borough of Staten Island, Community District 1, Council District 49. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0928-2013 **Application No. C 130320 PPR submitted by the NYC Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of four city-owned properties located on Block 2, Lots 1, 5, 10 and 20 restricted to the development authorized by the special permit granted under Zoning Resolution Section 128-61, located in the North Waterfront Subdistrict within the Special St. George District, in the Borough of Staten Island, Community District 1, Council District 49. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0929-2013

Application No. C 130279 ZMR submitted by the New York City Economic Development Corporation and Bricktown Pass, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 32d, changing from an M1-1 District to a C4-1 and an R3-2 District, property generally bounded by Bricktown Way, Veterans Road West, Arthur Kill Road and Englewood Avenue, to facilitate phased mixed-use development, in the Borough of Staten Island, Community District 3, Council District 51.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -

Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -

Comrie Jr., Rivera and Vann

LU 0930-2013 **Application no. C 130229 MMR submitted by the New York City Department of Transportation and the Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map to establish Bricktown Way, Tyrellan Avenue, Englewood Avenue, and Fairview Park and Conservation Area, and extinguish 10 unbuilt record streets, including authorization for related acquisitions and dispositions, in the Borough of Staten Island, Community District 3, Council District 51. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -
Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -
Comrie Jr., Rivera and Vann

LU 0931-2013 **Application no. C 130288 PQR submitted by Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property generally bounded by Englewood Avenue, Arthur Kill Road, and Veterans Road West (Block 7375, lot 7) to facilitate the construction of a public school in the Borough of Staten Island, Community District 3, Council District 51. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -
Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -
Comrie Jr., Rivera and Vann

LU 0932-2013 **Application no. C 130289 PSR submitted by the New York Public Library and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection of property generally bounded by Englewood Avenue, Arthur Kill Road, and Veterans Road West (Block 7459, p/o lot 50; Block 7454, p/o lot 5; Block 7452, p/o lot 75; Block 7487, p/o lot 100 and p/o Bayne Avenue record street) for use as a public library, in the Borough of Staten Island, Community District 3, Council District 51. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

- Affirmative:** 7 -
Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills
- Absent:** 3 -
Comrie Jr., Rivera and Vann

LU 0933-2013

Application no. C 130290 PQR submitted by Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of an easement for public access over and along the mapped dimensions of Bricktown Way and Tyrellan Avenue, including p/o Block 7446, lot 75; p/o Block 7481, lot 1; and p/o Block 7469, lot 200, in the Borough of Staten Island, Community District 3, Council District 51. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -
Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -
Comrie Jr., Rivera and Vann

LU 0936-2013 **Application No. C 130236 HAM submitted by the NYC Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State for the designation of property located at 335 East 27th Street (Block 933, Lots 10 and p/o 25) as an Urban Development Action Area and Project for such area, and pursuant to Section 197-c of the New York City Charter for the approval of the disposition of such property, to facilitate development of a mixed use building with approximately 55 dwelling units in the Borough of Manhattan, Community District 6, Council District 2.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Testimony - Zoning - Graham Hill 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Testimony - Zoning - Graham Hill 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -
Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -
Comrie Jr., Rivera and Vann

LU 0937-2013 **Application No. C 130235 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d, establishing within an existing R8 District, a C2-5 District bounded by a line midway between East 28th Street and Pedestrian Way, a line 100 feet westerly of First Avenue, Pedestrian Way, and Mount Carmel Place, in the Borough of Manhattan, Community District 6, Council District 2.**

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of September 30, 2013 - October 4, 2013, Reconvening of the Recessed Subcommittee on Zoning and Franchises Meeting, Hearing Testimony - Zoning 10-2-13, Hearing Transcript - Zoning 10-2-13, Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -

Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -

Comrie Jr., Rivera and Vann

LU 0944-2013

Application no. 20145048 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Rustic Table LLC, d/b/a The Quarter, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 522 Hudson Street, Borough of Manhattan, Community District 2, Council District 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(e) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Filed by Subcommittee approved by Roll Call.

Affirmative: 7 -

Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -

Comrie Jr., Rivera and Vann

LU 0945-2013

Application No. N 130274(A) ZRM submitted by the NYC Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution, concerning Article VIII, Chapter 1 (Special Midtown District), in the Borough of Manhattan, Community Districts 5 and 6, Council District 4.

Attachments: East Midtown Rezoning - Proposed Text Amendment (LU 945 Application No. N 130247 (A) ZRM), Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: East Midtown Rezoning - Proposed Text Amendment (LU 945 Application No. N 130247 (A) ZRM), Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0946-2013

Application No. C 130248 ZMM submitted by the NYC 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 No. 8d, changing an existing C5-2 District to C5-2.5 and C5-3 Districts, and establish a Special Midtown District within the proposed C5-2.5 and C5-3 Districts, in the area bounded by East 43rd Street, Second Avenue, East 42nd Street, and a line 200 feet easterly of Third Avenue, in the Borough of Manhattan, Community Districts 5 and 6, Council District 4.

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Laid Over by Subcommittee

LU 0947-2013

Application No. C 130344 ZMQ submitted by the NYC 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. 9c, 9d, 10a, and 10b, to rezone all or portions of approximately 127 blocks in East Elmhurst, in the Borough of Queens, Community Districts 3 and 4, Council District 21.

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of October 21, 2013 - October 25, 2013

A motion was made that this Land Use Application be Approved by Subcommittee approved by Roll Call.

Affirmative: 7 -

Weprin, Garodnick, Jackson, Lappin, Reyna, Ignizio and Wills

Absent: 3 -

Comrie Jr., Rivera and Vann