

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Tuesday, June 21, 2011

9:30 AM

250 Broadway - Committee Rm, 16th Fl.

### **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, Larry B. Seabrook,  
James Vacca, Albert Vann and Vincent M. Ignizio*

Roll Call

**Present:** Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** Vacca

*Other Council Members Attending: Van Bramer and Chin*

LU 0405-2011

**Application no. 20115564 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of JVRS Group LLC d.b.a.OPM Restaurant & Club, to establish, maintain and operate an unenclosed sidewalk café located at 3202 Emmons Avenue, Borough of Brooklyn , Council District no. 46. 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:** Recessed Zoning and Franchises Meeting Scheduled for June 7, 2011, Hearing Testimony - Zoning 6/2/11, Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-2-11, Hearing Transcript - Zoning 6-7-11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Recessed Zoning and Franchises Meeting Scheduled for June 7, 2011, Hearing Testimony - Zoning 6/2/11, Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-2-11, Hearing Transcript - Zoning 6-7-11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

**LU 0406-2011**      **Application no. 20115563 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Steelbar 180 Incorporated d.b.a. Percy's Tavern, to establish, maintain and operate an unenclosed sidewalk café located at 210 Avenue A, Borough of Manhattan, Council District no. 2. 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:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

**LU 0413-2011**      **Application no. C 090347 ZMQ submitted by J & H Management Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, establishing within an existing R3-2 District a C1-2 District, Council District 24.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0414-2011      **Application no. 20115455 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 114 Kenmare Associates LLC d.b.a La Esquina to continue to maintain and operate an unenclosed sidewalk café located at 114 Kenmare Street, Borough of Manhattan, Council District no.1. 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:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0415-2011      **Application no. 2010551 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of BMT Operations LLC d.b.a .Betel to modify, maintain and operate an unenclosed sidewalk café located at 49 Grove 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:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0416-2011

**Application no. 20115581 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Da Silvano Corp. d.b.a Da Silvano to continue to maintain and operate an unenclosed sidewalk café located at 260 Sixth 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:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0417-2011

**Application no. C 070210 ZMQ submitted by Mark E. Solow pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing from M1-1 District to an R6 District and establishing within the proposed R6 District a C2-2 District, Council District 20.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook,  
Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0418-2011

**Application no. C 080482 ZMR submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33a, by establishing within an existing R3X District a C2-2 District, Council District 51.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook,  
Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0419-2011

**Application no. N 080483 ZRR submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Special South Richmond Development District (Article X, Chapter 7) Appendix A, relating to modification of designated open space boundaries in Community District 3, Borough of Staten Island, Council District 51.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0420-2011

**Application no. C 100342 ZMQ submitted by Jamaica Associates Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19a, by establishing within an existing R3-2 District a C1-3 District, Council District 27.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

LU 0421-2011

**Application no. C 110207 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. 9b and 9d , Council District 26.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

**LU 0422-2011**      **Application no. N 110208 ZRQ 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 Appendix F (Inclusionary Housing Designated Areas), relating to the extension of the Inclusionary Housing Program to proposed R7X and C4-5X districts in Community District 2, Borough of Queens Council District 26.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca

**LU 0423-2011**      **Application no. N 110209 ZRQ 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 1, Chapter 4 (Sidewalk Café Regulations), relating to the types of sidewalk cafés permitted along portions of Skillman Avenue and Queens Boulevard located in Community District 2, Borough of Queens Council District 26.**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Seabrook, Vann and Ignizio

**Absent:** 1 -

Vacca