

# The New York City Council

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



## Meeting Minutes

**Thursday, September 6, 2007**

**9:55 AM**

**Continuation of the September 5th Recessed Meeting**

**Committee Room - City Hall**

### **Subcommittee on Zoning and Franchises**

*Tony Avella, Chair*

*Members: Simcha Felder, Eric N. Gioia, Robert Jackson,  
Melinda R. Katz, Michael E. McMahon, Joel Rivera, Larry B. Seabrook,  
Helen Sears, Kendall Stewart and Albert Vann*

Roll Call

**Present,** Avella, Felder, Gioia, Jackson, Katz, McMahon, Rivera, Seabrook, Sears,  
Stewart and Vann

*Other Council Members Attending: Lappin*

LU 0535-2007

**Uniform land use review procedure application no. C 070211 ZSM, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit pursuant to Sections 13-561 of the Zoning Resolution in the Borough of Manhattan, Council District no. 3 to allow an accessory parking facility with a maximum capacity of 15 spaces at 200 11th Avenue (Block 695, Lots 67, 68, 69 and 70). 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.**

**Zoning and Franchises**

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07

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

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07

**This Land Use Application was Laid Over by Subcommittee**

LU 0536-2007

**Uniform Land Use Review Procedure application no. C 030093 ZMK, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 22c.**

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07

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

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07

**This Land Use Application was Laid Over by Subcommittee**

LU 0537-2007

**Uniform Land Use Review Procedure application no. C 070427  
ZMM, pursuant to Sections 197-c and 201 of the New York City  
Charter, for an amendment of the Zoning Map, Section No. 5d.**

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07,  
Hearing Transcript - Stated Meeting 9/25

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

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07,  
Hearing Transcript - Stated Meeting 9/25

**This Land Use Application was Laid Over by Subcommittee**

LU 0538-2007

**Uniform Land Use Review Procedure application no. C 070428 ZRY,  
pursuant to Section 201 of the New York City Charter, for an  
amendment of the Zoning Resolution of the City of New York,  
Article 2, Chapter 3, concerning Section 23-90 (Inclusionary  
Housing) to proposed R9A districts in the Borough of Manhattan.**

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07,  
Hearing Transcript - Stated Meeting 9/25

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

**Attachments:** Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07,  
Hearing Transcript - Zoning 9/6/07, Hearing Transcript - Zoning 9/17/07,  
Hearing Testimony - Zoning 9/17/07, Hearing Transcript - Land Use 9/17/07,  
Hearing Transcript - Stated Meeting 9/25

**This Land Use Application was Laid Over by Subcommittee**

**LU 0539-2007**      **Application no. 20075440 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Tanti Baci Caffè LLC, to establish, maintain and operate an unenclosed sidewalk café located at 135 ½ Seventh Avenue South, 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 9/5/07, Hearing Testimony - Zoning 9/5/07, Hearing Transcript - Zoning 9/6/07, Hearing Testimony - Land Use 9/6/07, Hearing Transcript - Land Use 9/6/07, Hearing Transcript - Land Use 9/10/07

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

**Attachments:**    Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07, Hearing Transcript - Zoning 9/6/07, Hearing Testimony - Land Use 9/6/07, Hearing Transcript - Land Use 9/6/07, Hearing Transcript - Land Use 9/10/07

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

**Affirmative, 11 -**

Avella, Felder, Gioia, Jackson, Katz, McMahon, Rivera, Seabrook, Sears, Stewart and Vann

**LU 0540-2007**      **Application no. 20075497 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of KMG Group LLC to establish, maintain and operate an unenclosed sidewalk café located at 1641 Second Avenue, Borough of Manhattan, Council District no. 5. 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 9/5/07, Hearing Testimony - Zoning 9/5/07, Hearing Transcript - Zoning 9/6/07, Hearing Testimony - Land Use 9/6/07, Hearing Transcript - Land Use 9/6/07, Hearing Transcript - Land Use 9/10/07

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

**Attachments:**    Hearing Transcript - Zoning 9/5/07, Hearing Testimony - Zoning 9/5/07, Hearing Transcript - Zoning 9/6/07, Hearing Testimony - Land Use 9/6/07, Hearing Transcript - Land Use 9/6/07, Hearing Transcript - Land Use 9/10/07

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

**Affirmative,** 8 -

Avella, Felder, Jackson, Katz, Rivera, Seabrook, Sears and Vann