

The New York City Council

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



Meeting Minutes

Wednesday, August 22, 2007

10:00 AM

Recessed Meeting of August 21, 2007

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: Gennaro, Weprin and Comrie

LU 0498-2007

Uniform Land Use Review Procedure application no. C 070314 (A) ZMQ, pursuant to Sections 197-c and 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 Map, Section Nos. 14d, 15a, 15b and 18c.

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0499-2007

Uniform Land Use Review Procedure application no. C 070315 (A) ZRQ, 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 XI, Chapter 5 (Special Downtown Jamaica District), establishing a special district and modifying related regulations.

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0500-2007

Application no. C 070316 HUQ, pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the Jamaica Gateway Urban Renewal Plan for The Jamaica Gateway Urban Renewal Area.

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0501-2007 **Application no. N 070317 HGQ, pursuant to Section 504 of Article 15 of the General Municipal (Urban Renewal) Law of New York State, designation of the Jamaica Gateway Urban Renewal Area as an area appropriate for urban renewal.**

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0502-2007 **Application no. C 070322 HDQ, pursuant to Section 197-c of the New York City Charter, for the disposal of city owned property comprising sites within the Jamaica Gateway Urban Renewal Area.**

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07, Hearing Testimony - Zoning 7/23/07 (Cont), Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0520-2007 **Uniform land use review procedure application no. C 070158 MMQ, pursuant to Sections 197-c and 197-d of the New York City Charter, changes to the City Map, Borough of Queens, Council District no. 27. This matter is subject to Council Review and action 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 and Section 11.20 of the Rules of the Council.**

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0521-2007 **Uniform land use review procedure application no. C 070318 PPQ, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of a city-owned property, located in Community Board 12, Borough of Queens, Council District no. 27. 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 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07, Hearing Transcript - Stated Meeting 8/22/07

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 0503-2007

Uniform land use review procedure application no. C 060341 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 attended public parking garage with a maximum capacity of 210 spaces at 450 West 17th Street (Block 714, Lots 1, 14 and 16). 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 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0513-2007 **Application no. 20075373 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Emel Soan Corp. to continue, maintain and operate an unenclosed sidewalk café located at 32-07 30th Avenue, Borough of Queens, Council District no. 22. 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 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0514-2007 **Application no. 20075509 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition NYLA Café LLC., to establish, maintain and operate an unenclosed sidewalk café located at 101 Rivington 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: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0515-2007

Application no. 20075402 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Gadberry Pizza Inc., to continue to maintain and operate an unenclosed sidewalk café located at 69-71 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 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0522-2007

Uniform Land Use Review Procedure application no. C 060271 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section No. 22b, Borough of Brooklyn, Council District no. 43.

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0523-2007 Uniform Land Use Review Procedure application no. C 060272 ZMK pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Sections No. 22b and 22d, Borough of Brooklyn, Council District no. 43.

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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 0527-2007 Uniform Land Use Review Procedure application no. C 070065 ZMQ pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section No. 9d, Borough of Queens, Council District no. 25.

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

This Land Use Application was Hearing Held by Committee

Attachments: Hearing Transcript - Zoning 8/20/07, Hearing Testimony - Zoning 8/20/07, Hearing Transcript - Zoning 8/21/07, Hearing Testimony - Zoning 8/21/07, Hearing Transcript - Land Use 8/21/07, Hearing Transcript - Zoning 8/22/07, Hearing Transcript - Land Use 8/22/07

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