

# The New York City Council

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



## Meeting Minutes

**Wednesday, March 4, 2009**

**9:30 AM**

**Committee Room - City Hall**

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

*Tony Avella, Chair*

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

LU 0991-2009      **Application no. C 090103 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, creating the Special Forest Hills Districts in Article VIII, Chapter 6 and amending related sections of the Zoning resolution.**

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

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

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

**This Land Use Application was Recessed**

LU 0992-2009      **Application no. C 090104 ZMQ, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14a.**

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

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

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09, Press Release

**This Land Use Application was Recessed**

LU 0998-2009      **Application no. 20085471 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Gallo Nero Inc. d/b/a Ciao to continue to maintain and operate an unenclosed sidewalk café located at 185 Bleecker 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:**    Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Zoning 3/11/09, Hearing Transcript - Land Use 3/11/09

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

**Attachments:**    Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Zoning 3/11/09, Hearing Transcript - Land Use 3/11/09

**This Land Use Application was Recessed**

LU 0999-2009      **Application no. 20085645 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 523 9th Ave., Inc. d/b/a Hell's Kitchen Café to continue to maintain and operate an unenclosed sidewalk café located at 523 9th 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 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Zoning 3/11/09, Hearing Transcript - Land Use 3/11/09

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

**Attachments:**    Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09, Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Zoning 3/11/09, Hearing Transcript - Land Use 3/11/09

**This Land Use Application was Recessed**

LU 1000-2009      **Application no. C 090120 ZMM submitted by Dermot BMB, LLC and the NYC Economic Development Corporation pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No 12b.**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1001-2009      **Application no. C 090197 ZMK submitted by the Department of City Planning pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16d, 22c.**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1002-2009      **Application no. C 090121 PPM submitted by the 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 at the Battery maritime Building, 10 South Street (Block 2, lot 1), Borough of Manhattan.**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1003-2009      **Application no. C 090047 ZMK submitted by Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c.**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1005-2009      **Application no. N 090049 ZRK submitted by Toll Brooklyn, L.P. 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 XII, Section 3 (Special Mixed Use Districts) and Article II, Section 3 (Bulk Regulations for residential Buildings in Residence Districts), in the Borough of Brooklyn.**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1006-2009      **Application no. N 090122 ZAM submitted by Dermot BMB, LLC, and the Economic Development Corporation for the grant of an authorization pursuant to Section 62-722 (a) of the Zoning Resolution, to modify the waterfront public access requirements of Section 62-40 and in conjunction therewith, Section 62-332 to facilitate a partial conversion and enlargement of an existing building, on property located at 10 South Street (Block 2, p/o Lot 1).**

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Transcript - Zoning 3/9/09, Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

LU 1024-2009      **Uniform land use review procedure application no. C 090048 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 39 to facilitate a mixed-use development. 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 Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

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

**Attachments:**    Hearing Testimony - Zoning 3/4/09, Hearing Transcript - Zoning 3/4/09,  
Hearing Testimony - Zoning 3/9/09, Hearing Transcript - Zoning 3/9/09,  
Hearing Transcript - Land Use 3/9/09

**This Land Use Application was Recessed**

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY