

The New York City Council

Council Agenda

Stated Meeting

March 20, 2013

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

Delivered by: Rev. George Haigler, Trinity United Methodist Church, 1076 Washington Ave, Bronx, NY.

Motion to spread the invocation in full upon the record by Council Member Foster.

3. Adoption of Minutes

None

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough Offices

M 1094-2013 The Operating Budget of the Council of the City of New York.

The Operating Budget of the Council of the City of New York.

Preconsidered - Finance

M 1095-2013 Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

Preconsidered - Finance

6. Petitions and Communications

7. Land Use Call-Ups

M 1092-2013 Zoning, Hudson River between West 14th, 15th and 16th Streets, Manhattan (C 130100 ZMM, C 130101, C 130102 ZSM, and C 130103 ZSM)

By the Chair of the Land Use Committee Council Member Comrie:

Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application nos. C 130101 ZSM, C 130102 ZSM, and C 130103 ZSM shall be subject to Council review. These items are related to Uniform Land Use Review Procedure Application no. C 130100 ZMM which is subject to Council review pursuant to Section 197-d of the New York City Charter.

Coupled on Call-Up Vote

M 1093-2013 Zoning, Sidewalk café, 2410 Arthur Ave, Bronx (20135273 TCX)

By Council Member Rivera:
Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at located at 2410 Arthur Avenue, Borough of Bronx, Community Board No. 6, Application no. 20135273 TCX shall be subject to review by the Council.

Coupled on Call-Up Vote

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

Res 1690-2013 M 1094 - The Operating Budget of the Council of the City of New York.

RESOLUTION APPROVING THE FISCAL YEAR 2014 OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

Preconsidered - Coupled on GO

Res 1691-2013 M 1095 - Schedule detailing the lump sum OTPS Unit of Appropriation of the Operating Budget of the Council of the City of New York.

RESOLUTION APPROVING FOR FISCAL YEAR 2014

THE SCHEDULE DETAILING THE LUMP SUM OTHER THAN PERSONAL SERVICES UNIT OF APPROPRIATION OF THE OPERATING BUDGET OF THE COUNCIL OF THE CITY OF NEW YORK.

Preconsidered - Coupled on GO

Report of the Committee on Land Use

- Res 1692-2013** **LU 766 - Zoning, South Street Seaport, Manhattan (C 130052 ZMM)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 130052 ZMM, a Zoning Map amendment (L.U. No. 766).
Coupled on GO
- Res 1693-2013** **LU 767 - Zoning, South Street Seaport, Manhattan (N 130080 ZRM)**
- Resolution approving the decision of the City Planning Commission on Application No. N 130080 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter I, Special Lower Manhattan District, Section 91-664 related to the allowable hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, generally located at 95 South Street (L.U. No. 767).
Coupled on GO
- Res 1694-2013** **LU 768 - Zoning, South Street Seaport, Manhattan (C 130053 ZSM)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 130053 ZSM (L.U. No. 768), for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the yard requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed commercial

development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan.

Coupled on GO

Res 1695-2013

LU 769 - Zoning, South Street Seaport, Manhattan (C 130054 ZSM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 130054 ZSM (L.U. No. 769), for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan.

Coupled on GO

Res 1696-2013

LU 770 - Zoning, South Street Seaport, Manhattan (C 130055 ZSM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 130055 ZSM (L.U. No. 770), for the grant of a special permit pursuant to Section 62-834 of the Zoning Resolution to modify the use regulations of Section 62-241 (Uses on existing piers and platforms) and the height and setback requirements of Section 62-342 (Developments on piers), in connection with a proposed

commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan.

Coupled on GO

Res 1697-2013

LU 771 - Zoning, South Street Seaport, Manhattan (N 130056 ZAM)

Resolution approving the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) of the Zoning Resolution to modify the minimum dimension requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a proposed commercial development on property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan (Non-ULURP No. N 130056 ZAM; L.U. No. 771).

Coupled on GO

Res 1698-2013

LU 772 - Zoning, South Street Seaport, Manhattan (C 130059 PPM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 130059 PPM, for the disposition of one city-owned property located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), to the South Street Seaport Limited Partnership, and which is subject to a restriction to

commercial and community facility uses permitted pursuant to zoning (C 130059 PPM), Borough of Manhattan (L.U. No. 772).

Coupled on GO

Res 1699-2013 LU 775 - Planning, 511 W 149th St, 524 W 150th St, 455 Convent Ave and 457 Convent Ave, Manhattan (20135346 HAM)

Resolution approving an Urban Development Action Area Project located at 511 West 149th Street (Block 2081/Lot 124), 524 West 150th Street (Block 2081/Lot 142), 455 Convent Avenue (Block 2064/Lot 47), and 457 Convent Avenue (Block 2064/Lot 46), Borough of Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 775; 20135346 HAM).

Coupled on GO

Res 1700-2013 LU 776 - Planning, 232-34 W 149th St, 304 W 152nd St, 2797 8th Ave and 2472 7th Ave, Manhattan (20135347 HAM)

Resolution approving an Urban Development Action Area Project located at 232-34 West 149th Street (Block 2034/Lot 52), 304 West 152nd Street (Block 2046/Lot 41), 2797 8th Avenue (Block 2045/Lot 74), and 2472 7th Avenue (Block 2029/Lot 35), Borough of Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 776; 20135347 HAM).

Coupled on GO

Res 1701-2013 LU 777 - Zoning, Sidewalk café, 1480 Second Ave, Manhattan (20135309 TCM)

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 1480 2nd Avenue,

Borough of Manhattan (20135309 TCM; L.U. No. 777).
Coupled on GO

Res 1702-2013 **LU 778 - Zoning, Sidewalk café, 535 Hudson St, Manhattan (20135312 TCM)**

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 535 Hudson Street, Borough of Manhattan (20135312 TCM; L.U. No. 778).
Coupled on GO

Res 1703-2013 **LU 779 - Zoning, Sidewalk café, 75 Greenwich Ave, Manhattan (20135267 TCM)**

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 75 Greenwich Avenue, Borough of Manhattan (20135267 TCM; L.U. No. 779).
Coupled on GO

Res 1704-2013 **LU 780 - Zoning, Sidewalk café, 141 Seventh Ave South, Manhattan (20135381 TCM)**

Resolution approving a motion to file pursuant to withdrawal of the application for a revocable consent for an enclosed sidewalk café located at 140 Seventh Avenue South, Borough of Manhattan (20135381 TCM; L.U. No. 780).
Motion to File Pursuant to Letter of Withdrawal

Res 1705-2013 **LU 781 - Zoning, Sidewalk café, 3720-3726 Riverdale Ave, Bronx (20135275 TCX)**

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 3720-3726 Riverdale Avenue, Borough of the Bronx (20135275 TCX; L.U. No. 781).
Coupled on GO

Report of the Committee on Veterans

Int 0945-2012-A **Employment resources for veterans.**

A Local Law to amend the New York city administrative code, in relation to employment resources for veterans.

Amended and Coupled on GO

Int 1014-2013 **Recognizing certain military service as qualifying as experience in a trade.**

A Local Law to amend the administrative code of the city of New York, in relation to recognizing certain military service as qualifying as experience in a trade.

Coupled on GO

Int 1019-2013 **Recognizing certain equivalent military service as qualifying as experience in a trade.**

A Local Law to amend the administrative code of the city of New York, in relation to recognizing certain equivalent military service as qualifying as experience in a trade.

Coupled on GO

Report of the Committee on Youth Services

Int 0866-2012-A **Reporting data related to sexually exploited children.**

A Local Law to amend the administrative code of the city of New York, in relation to reporting data related to sexually exploited children.

Amended and Coupled on GO

12. General Orders Calendar

Res 1706-2013 **LU 757 - Zoning, Special Hudson Square District, Manhattan (C120380ZMM)**
Coupled on GO

Res 1707-2013 **LU 758 - Zoning, Special Hudson Square District, Manhattan (N120381(A)ZRM)**
Coupled on GO

T2010-0002 **Commissioner of Deeds**
Coupled on GO

Coupled on General Order Calendar

Finance

Res 1690-2013 **M 1094 - The Operating Budget of the Council of the City of**
New York.
Preconsidered - GO

Res 1691-2013 **M 1095 - Schedule detailing the lump sum OTPS Unit of**
Appropriation of the Operating Budget of the Council of the
City of New York.
Preconsidered - GO

Land Use

Res 1692-2013 **LU 766 - Zoning, South Street Seaport, Manhattan (C 130052**
ZMM)
GO

Res 1693-2013 **LU 767 - Zoning, South Street Seaport, Manhattan (N 130080**
ZRM)
GO

Res 1694-2013 **LU 768 - Zoning, South Street Seaport, Manhattan (C 130053**
ZSM)
GO

Res 1695-2013 **LU 769 - Zoning, South Street Seaport, Manhattan (C 130054**
ZSM)
GO

Res 1696-2013 **LU 770 - Zoning, South Street Seaport, Manhattan (C 130055**

ZSM)
GO

Res 1697-2013 LU 771 - Zoning, South Street Seaport, Manhattan (N 130056 ZAM)
GO

Res 1698-2013 LU 772 - Zoning, South Street Seaport, Manhattan (C 130059 PPM)
GO

Res 1699-2013 LU 775 - Planning, 511 W 149th St, 524 W 150th St, 455 Convent Ave and 457 Convent Ave, Manhattan (20135346 HAM)
GO

Res 1700-2013 LU 776 - Planning, 232-34 W 149th St, 304 W 152nd St, 2797 8th Ave and 2472 7th Ave, Manhattan (20135347 HAM)
GO

Res 1701-2013 LU 777 - Zoning, Sidewalk café, 1480 Second Ave, Manhattan (20135309 TCM)
GO

Res 1702-2013 LU 778 - Zoning, Sidewalk café, 535 Hudson St, Manhattan (20135312 TCM)
GO

Res 1703-2013 LU 779 - Zoning, Sidewalk café, 75 Greenwich Ave, Manhattan (20135267 TCM)
GO

Res 1704-2013 LU 780 - Zoning, Sidewalk café, 141 Seventh Ave South, Manhattan (20135381 TCM)
Filed

Res 1705-2013 LU 781 - Zoning, Sidewalk café, 3720-3726 Riverdale Ave, Bronx (20135275 TCX)

GO

Veterans

Int 0945-2012-A **Employment resources for veterans.**
A and GO

Int 1014-2013 **Recognizing certain military service as qualifying as experience
in a trade.**
GO

Int 1019-2013 **Recognizing certain equivalent military service as qualifying as
experience in a trade.**
GO

Youth Services

Int 0866-2012-A **Reporting data related to sexually exploited children.**
A and GO

General Order Calendar

Res 1706-2013 **LU 757 - Zoning, Special Hudson Square District, Manhattan
(C120380ZMM)**
GO

Res 1707-2013 **LU 758 - Zoning, Special Hudson Square District, Manhattan
(N120381(A)ZRM)**
GO

T2010-0002 **Commissioner of Deeds**
GO

13. Introduction & Reading of Bills

See Attached

14. Discussion of Resolutions

15. Resolutions

Res 0916-2011-A **Permit NYC to set up a demonstration project involving speed camera enforcement. (A.4327)**

Resolution calling on the New York State Legislature to pass and the Governor to sign into law A.4327, which would permit the City of New York to set up a demonstration project involving speed camera enforcement.

Amended and Adopted by the Committee on Transportation

Res 1332-2012-A **NYPD to enforce Vehicle and Traffic Law Section 1146, regardless of whether the police officer witnessed the incident. (S.3644/A.2012)**

Resolution calling on the New York State Legislature to enact S3644/A2012, and for the Governor to sign the legislation into law. The legislation gives authority to the New York Police Department to enforce Vehicle and Traffic Law Section 1146, even if the police officer was not present at the time of the crash, as long as the officer has reasonable cause to believe the violation was committed by the driver.

Amended and Adopted by the Committee on Transportation

Res 1671-2013 **NYS Development, Relief and Education for Alien Minors (DREAM) Act of 2013 (S.2378/A.2597)**

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the New York State Development, Relief and Education for Alien Minors (DREAM) Act of 2013 (S.2378/A.2597).

Adopted by the Committee on Immigration

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 1020-2013 *By Council Members Arroyo, Cabrera, Chin, Comrie Jr., Dromm, Fidler, King, Lander, Lappin, Rodriguez and Levin (by request of the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to the display of cigarettes and tobacco products by retail dealers of cigarettes and age restrictions on entry to retail tobacco stores.

Health

Int 1021-2013 *By Council Members Arroyo, Cabrera, Chin, Comrie Jr., Dromm, Fidler, King, Lander, Lappin, Rodriguez and Levin (by request of the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to the sale of cigarettes and tobacco products, the regulation of retail dealers and wholesale dealers of cigarettes, and repealing subdivision c of section 17-176 of the administrative code of the city of New York, relating to an exemption from such section, and repealing section 17-707 of the administrative code of the city of New York, relating to requiring public health messages where tobacco advertisements appear.

Health

Int 1022-2013 *By Council Members Chin, Brewer, Comrie Jr., Fidler, Gentile, James, Koo, Mendez, Recchia Jr. and Williams*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting mobile food vendors from vending at hydrants.

Transportation

LU 0783-2013

By Council Member Comrie Jr.

Application no. C 130100 ZMM submitted by Hudson River Park Trust and Hudson Eagle LLC pursuant to Section 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 8b, changing an M2-3 District to an M1-5 district, for proposed redevelopment of Pier 57, generally located in Hudson River between West 15th Street and West 16th Street, Borough of Manhattan, Community Board 4, Council District 3.

Zoning and Franchises

LU 0784-2013

By Council Member Comrie Jr.

Application no. C 130101 ZSM submitted by Hudson River Park Trust and Hudson Eagle LLC pursuant to Section 197-c and 201 of the New York City Charter for a special permit to modify use regulations (ZR Section 62-241), waterfront yard regulations (ZR Section 62-332), height and setback regulations (ZR Section 62-342), waterfront public access requirements (ZR Section 62-57) and visual corridor requirements (ZR Section 62-513), for proposed commercial development of Pier 57, generally located in Hudson River between West 14th Street and West 16th Street, Borough of Manhattan, Community Board 4, Council District 3. 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.

Zoning and Franchises

LU 0785-2013

By Council Member Comrie Jr.

Application no. C 130102 ZSM submitted by Hudson River Park Trust and Hudson Eagle LLC pursuant to Section 197-c and 201 of the New York City Charter for a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (UG 6 and 10A) with no limit as to

floor area, for proposed redevelopment of Pier 57, generally located in Hudson River between West 14th Street and West 16th Street, Borough of Manhattan, Community Board 4, Council District 3. 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.

Zoning and Franchises

LU 0786-2013

By Council Member Comrie Jr.

Application no. C 130103 ZSM submitted by Hudson River Park Trust and Hudson Eagle LLC pursuant to Section 197-c and 201 of the New York City Charter for a special permit pursuant to Section 13-561 of the Zoning Resolution to permit an enclosed attended accessory parking garage of approximately 74 spaces on ground floor and caisson level of proposed commercial development of Pier 57, generally located in Hudson River between West 14th Street and West 16th Street, Borough of Manhattan, Community Board 4, Council District 3. 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.

Zoning and Franchises

LU 0787-2013

By Council Member Comrie Jr.

Application no. N 130096 ZRQ submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to Article XI, Chapter 5 (Special Downtown Jamaica District) to modify the bulk and sidewalk widening regulations of the Special Downtown Jamaica District, Borough of Queens, Community Board 12, Council Districts 24, 27, 28.

Zoning and Franchises

LU 0788-2013

By Council Member Comrie Jr.

Application no. 20135273 TCX, pursuant to §20-26 of the Administrative Code of the City of New York, concerning the petition of 609 Edibles Inc, d/b/a Tinos Delicatessen, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 2410 Arthur Avenue, Borough of Bronx, Community Board 6, Council District 15. 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 §20-266(e) of the New York City Administrative Code.

Zoning and Franchises