

The New York City Council

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



Meeting Minutes

Monday, March 9, 2009

9:45 AM

Continuation of the March 4, 2009 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, Joel Rivera, Larry B. Seabrook,
Helen Sears and Albert Vann*

Roll Call

Present, Avella, Felder, Gioia, Jackson, Katz, Seabrook, Sears and Vann

Absent, Rivera

Other Council Members Attending: Gerson, de Blasio, Garodnick, Baez and Mendez

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 Approved by Subcommittee with Modifications and Referred to CPC

Affirmative, 7 -

Avella, Gioia, Jackson, Katz, Seabrook, Sears and Vann

Absent, 1 -

Rivera

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

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

Affirmative, 7 -

Avella, Gioia, Jackson, Katz, Seabrook, Sears and Vann

Absent, 1 -
Rivera

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 Laid Over by Subcommittee

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 Laid Over by Subcommittee

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

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

Affirmative, 6 -

Gioia, Jackson, Katz, Seabrook, Sears and Vann

Negative, 1 -

Avella

Absent, 1 -

Rivera

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

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

Affirmative, 7 -

Avella, Gioia, Jackson, Katz, Seabrook, Sears and Vann

Absent, 1 -

Rivera

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

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

- Affirmative, 6 -**
Gioia, Jackson, Katz, Seabrook, Sears and Vann
- Negative, 1 -**
Avella
- Absent, 1 -**
Rivera

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

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

- Affirmative, 6 -**
Gioia, Jackson, Katz, Seabrook, Sears and Vann
- Negative, 1 -**
Avella
- Absent, 1 -**
Rivera

