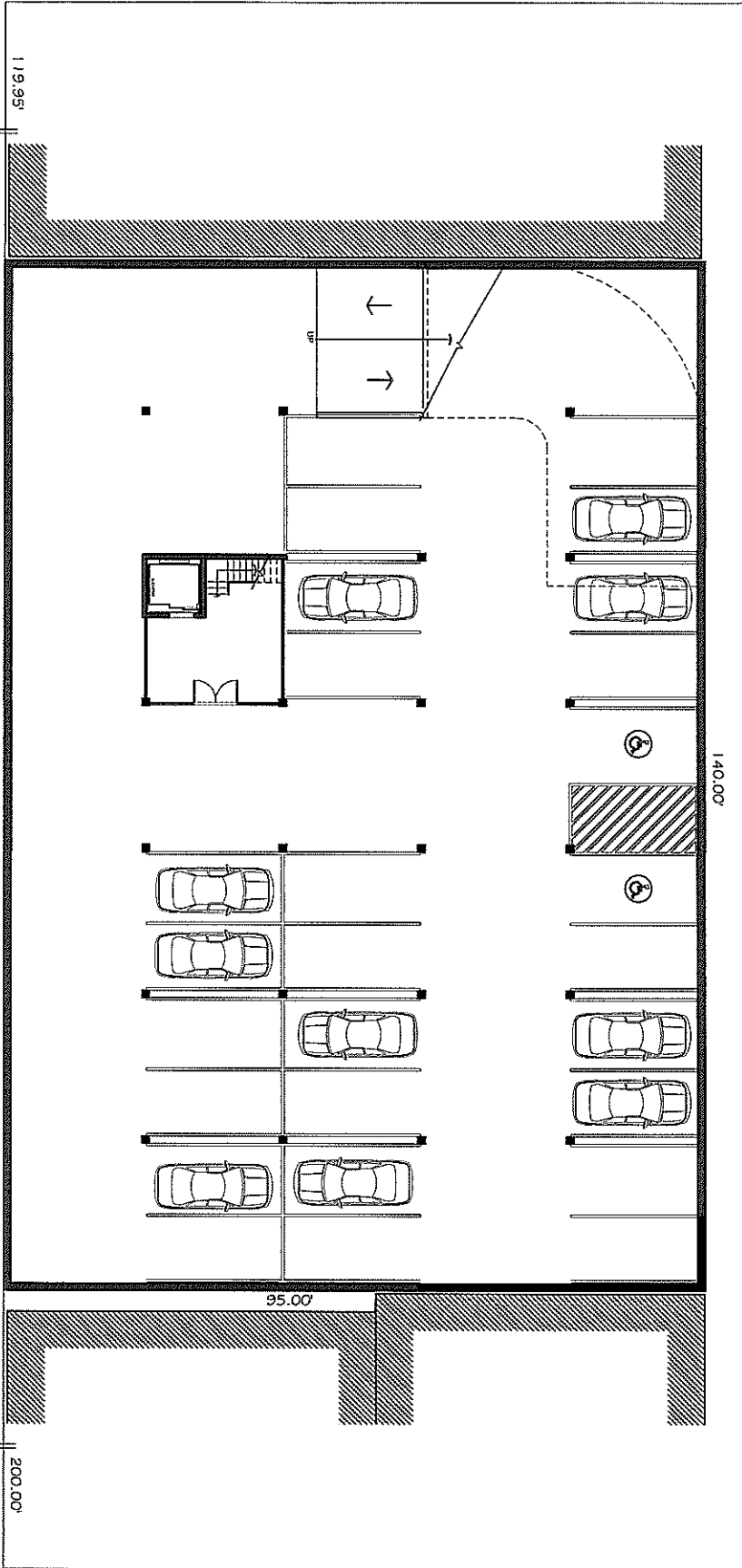


REAR ELEVATION

<p><b>FOR ILLUSTRATIVE PURPOSES ONLY</b></p>	<p>APPROVAL SEAL</p> <p>_____  <small>DATE</small></p>	<p>ADDRESS:  <b>69-15 164th STREET</b></p>	<p>ARCHITECT'S SEAL &amp; SIGN</p>	<p>J.M.K. Architectural Services, P.C.  <b>John J. Viscardi</b>          Architect          5 Todd Court - East Williston, N.Y. - 11596          516-742-2956</p>
	<p>DATE ISSUED: 07/09</p>	<p>PROJECT TITLE:  <b>164th STREET PROJECT</b></p>		
	<p>DWG#  <b>A-6</b></p>	<p>DRAWING TITLE:</p>		
	<p>SCALE: N.T.S.</p>	<p>DOB #</p>		

69TH AVENUE



164TH STREET

JEWEL AVENUE

APPROVAL SEAL

DATE ISSUED: 07.01.09

DESIGNED BY: JOHN J. VISCARDI

PROJECT NO. 164

SCALE: 1/8" = 1'-0"

NO. 164

A-4

FOR ILLUSTRATIVE PURPOSES ONLY

ADDRESS: 69-15 164th STREET

PROJECT TITLE: 164th STREET PROJECT

DRAWING TITLE: CELLAR PLAN

ARCHITECT'S SEAL & SIGN

J.M.K. Architectural Services, P.C.

**John J. Viscardi**

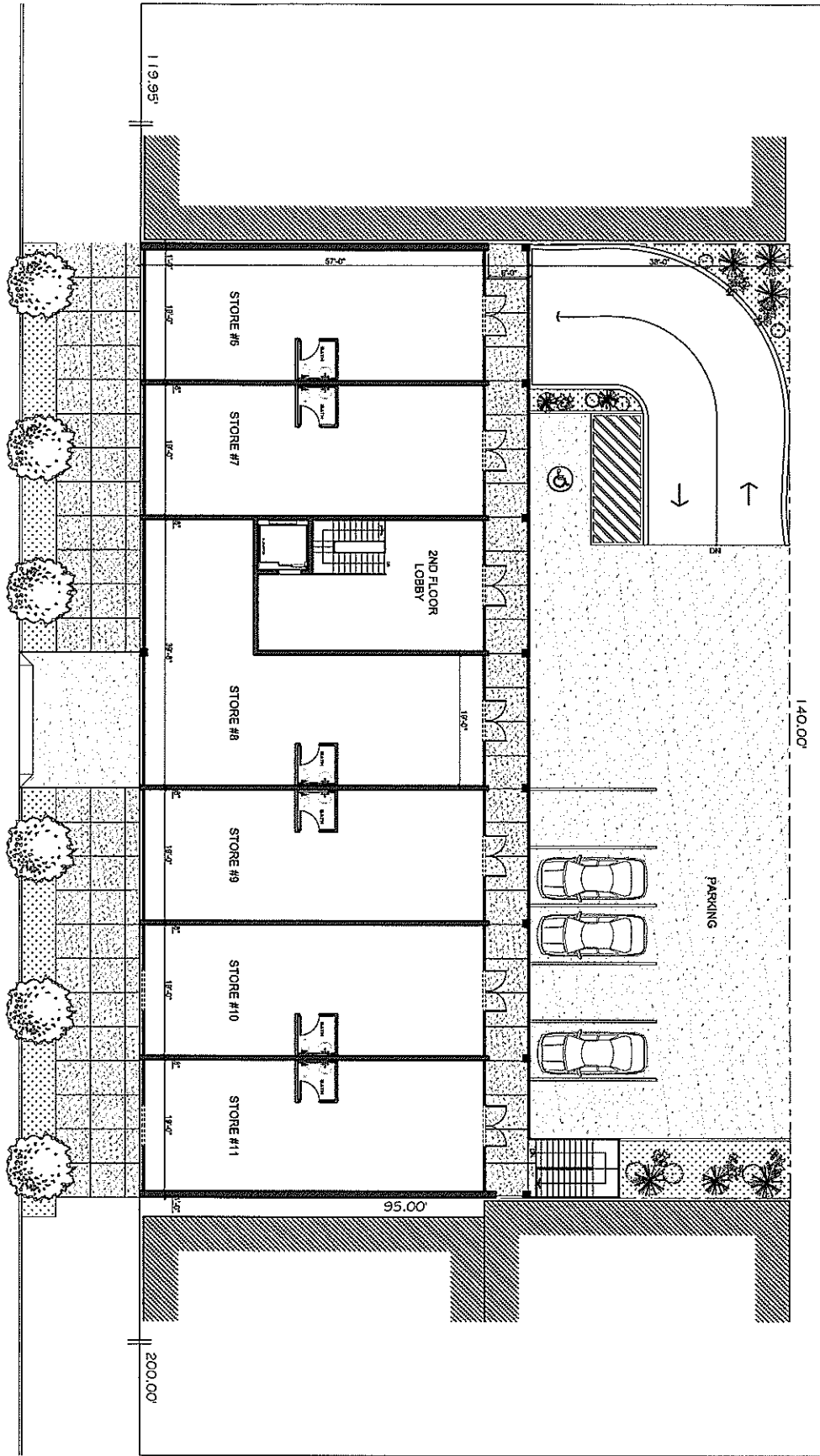
Architect

5 Todd Court - East Williston, N.Y. - 11596

516-742-2956

69TH AVENUE

164TH STREET



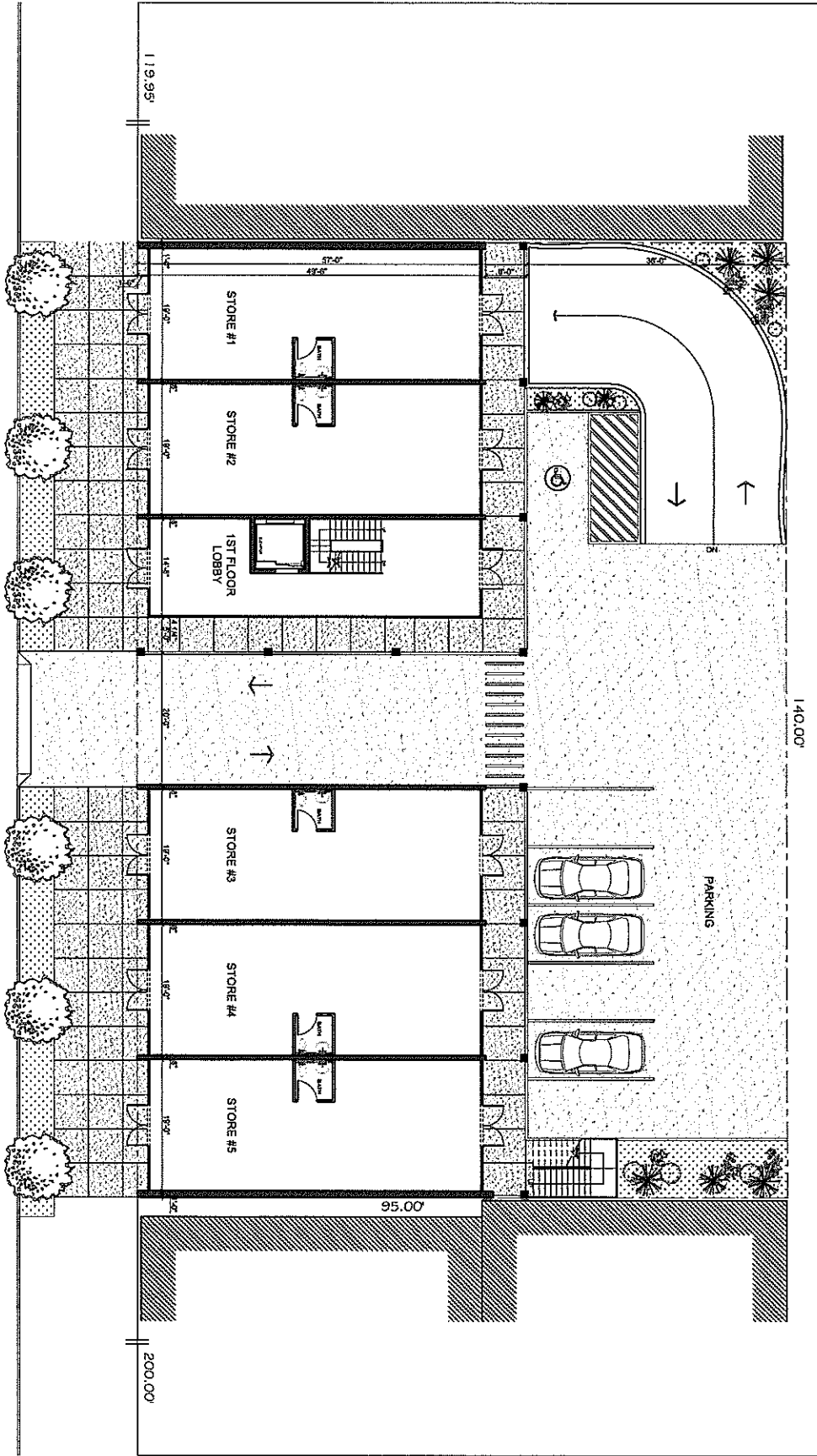
JEWEL AVENUE

<p>APPROVAL SEAL</p> <p>DATE</p> <p>REVISION</p>	<p>FOR ILLUSTRATIVE PURPOSES ONLY</p>	<p>ARCHITECT'S SEAL &amp; SIGN</p>	<p>J.M.K. Architectural Services, P.C.</p> <p><b>John J. Viscardi</b></p> <p>Architect</p> <p>5 Todd Court - East Williston, N.Y. - 11596</p> <p>516-742-2956</p>
	<p>PROJECT TITLE:</p> <p>164th STREET PROJECT</p>	<p>ADDRESS:</p> <p>69-15 164th STREET</p>	
	<p>DRAWING TITLE:</p> <p>2ND FLOOR PLAN</p>	<p>SCALE: N.T.S.</p>	
	<p>DATE:</p> <p>07/01/09</p>	<p>PREPARED BY: JAMES BROWN</p> <p>CHECKED BY: JOHN J. VISCARDI</p> <p>DATE ISSUED: 07/01/09</p> <p>DATE: 07/01/09</p> <p>A-3</p>	

69TH AVENUE

164TH STREET

JEWEL AVENUE



APPROVAL SEAL  
 REVISION DATE  
 DATE ISSUED 02/10/10  
 164TH STREET PROJECT  
 1ST FLOOR PLAN  
 A-2

ADDRESS: 69-15 164th STREET  
 PROJECT TITLE: 164th STREET PROJECT  
 DRAWING TITLE: 1ST FLOOR PLAN

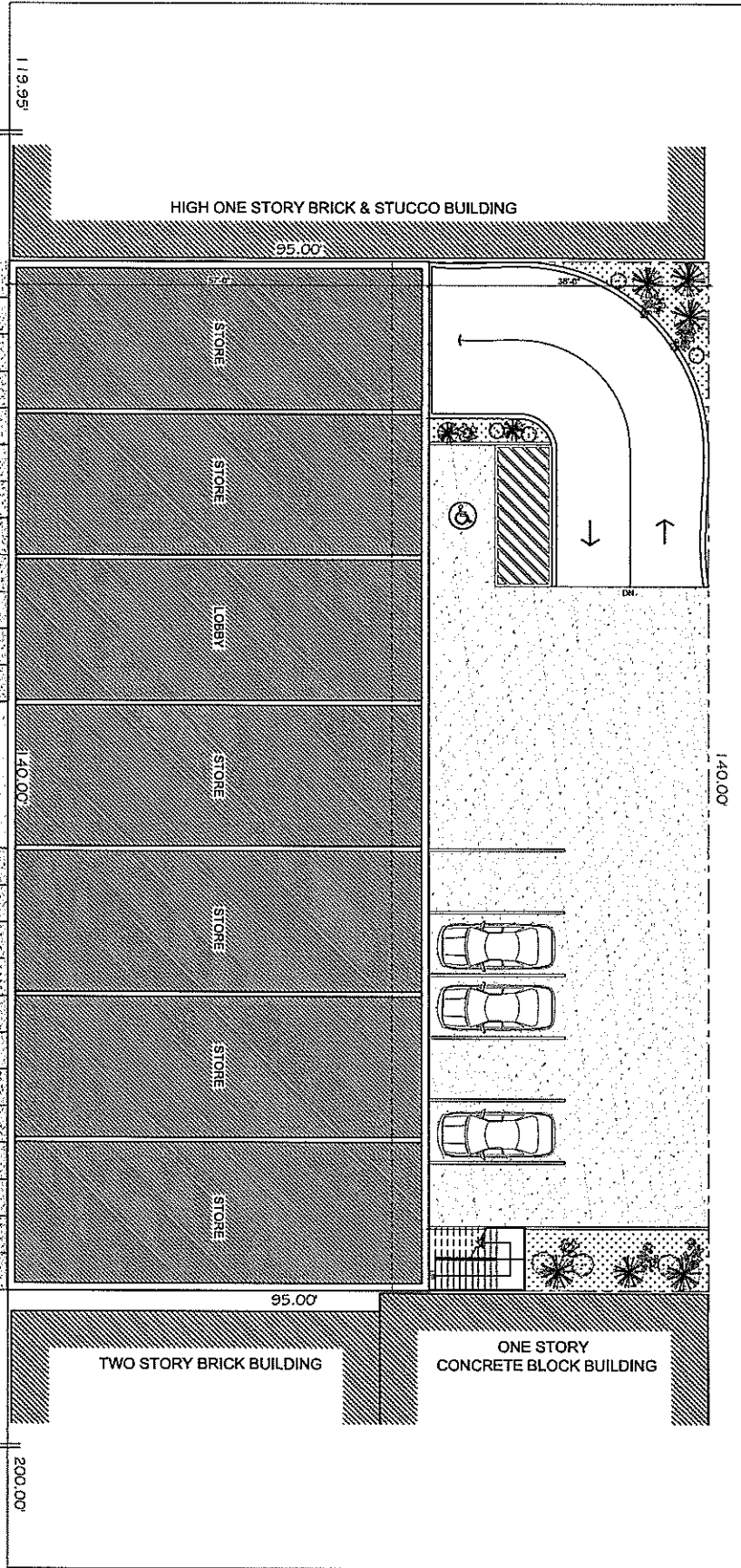
ARCHITECT'S SEAL & SIGN  
 SCALE: N.T.S.

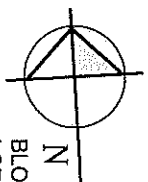
J.M.K. Architectural Services, P.C.  
**John J. Viscardi**  
 Architect  
 5 Todd Court - East Williston, N.Y. - 11596  
 516-742-2956

69TH AVENUE

164TH STREET

JEWEL AVENUE



  
 BLOCK: 6931  
 LOT: 38  
 MAP: 14C

APPROVAL SEAL  
 ARCHITECT'S SEAL & SIGN  
 J.M.K. ARCHITECTURAL SERVICES, P.C.  
 ARCHITECT JOHN J. VISCARDI  
 DATE ISSUED: 07/11/07  
 SHEET # A-1

ADDRESS: 69-15 164th STREET  
 PROJECT TITLE: 164th STREET PROJECT  
 DRAWING TITLE: PLOT PLAN  
 SCALE: N.T.S.  
 FOR ILLUSTRATIVE PURPOSES ONLY

J.M.K. Architectural Services, P.C.  
**John J. Viscardi**  
 Architect  
 5 Todd Court - East Williston, N.Y. - 11596  
 516-742-2956

## **Why La Esquina's Sidewalk Café License Should Not Be Renewed**

1. This high volume celebrity hotspot, which has put inordinate strain on its residential neighbors, has refused to honor the terms of its October 13, 2009 agreement with the New York City Council, and it has furthermore refused to comply with the February 17, 2011 directive of CB2 to comply with such terms or "eliminate the sidewalk café altogether" (CB2 2/17/11 resolution, unanimously endorsed by full board, 41 members present);
2. La Esquina "began violating their sidewalk café permit almost immediately after receiving it by hosting street parties around sports events with outdoor speakers and televisions" (CB2 2/17/11 resolution) (please see documents in Council/Land Use record from the October 2009 call up by then-Councilmember Alan J. Gerson);
3. La Esquina has been shuttered by the City four times: once in August 2007 by a MARCH task force operation, a second time in March 2008 by a second MARCH task force operation (see Council/Land Use file for DOB, DEP, SLA, and Sanitation violations); a third time in May 2010 by the DOB (see 3 DOB violations for failure to comply with exit requirements [illegal egress], failure to comply with height and area limitations [fire district], failure to comply with required separation of occupancies in a mixed-use building), and a fourth time in August 2010 by the DOH for 64 violation points;
4. Noise and Illegal Parking (tailgate parties around illegally parked stretch limos) wreak havoc on the quality of life of residents (12 confirmed 311 complaints since October 2009);

### **Other Violations Since October 2009:**

- a) DOB violation: no public assembly permit 12/1/2009;
- b) Exhaust from vent on east side of first floor roof: 1 DEP violation 12/7/09; 2 DOB violations 1/11/2010, 5/7/2010: see photos from late July 2010: condition persists until the present, never cured;
- c) Disciplinary Penalties from the SLA, on calendar for 3/3/2010 for \$1,500; on calendar for 7/7/201 for \$7,500;

**Concordance of New Violations Presented Since October 2009:** 6 DOB, 1 DEP, 2 SLA, 10 confirmed 311 noise complaints, 2 confirmed 311 illegal parking complaints

**Final Concern: Community Never Informed of Private Letter Agreement Between Councilmember Chin and La Esquina; Community Found Out About City Council Hearing Only By Chance, Was Made No Part of Discussion Between Councilmember Chin's Staff and La Esquina's Attorney/Lobbyist**

## *La Esquina*

June 21st, 2011

Councilmember Mark Weprin  
73-03 Bell Boulevard  
Oakland Gardens, New York 11364

Councilmember Margaret Chin  
645 Park Row, Suite 11  
New York, NY 10007

Dear Councilmembers Weprin & Chin:

I am submitting this letter to indicate that we recognize and accept all of the conditions set down in regards to our application for a license for a sidewalk café.

We acknowledge the prior stipulations established by this Council, as well as the more recent correspondence between Councilmember Chin's office and the Community Board. Given the above, we agree to the sidewalk café and stipulations below.

**For Corner Deli, d/b/a La Esquina, 106 Kenmare Street, Manhattan, Block:?, Lot:?, Police Precinct:1, with 8 tables & 26 seats, DCA# 1227042, we agree to the conditions set out below:**

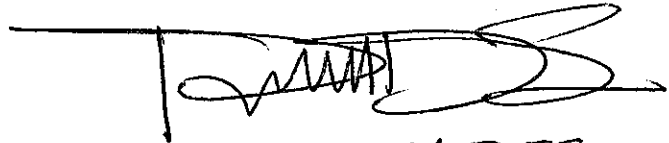
- 1) Close sidewalk café at 11:00 pm on Friday - Saturday nights.
- 2) Sunday -- Thursday nights, the cafe will have last seating at 9:15pm, will remove tables & chairs as patrons vacate their tables and will close by no later than 10:30pm, and will not permit people to remain on the café sidewalk premises after the closure hour;
- 3) The outdoor takeout window is to be used at all open times by delivery personnel only and close at 9:30 pm;
- 4) There will be at least 1 security personnel on duty at all times when the sidewalk café is open; Owner shall maintain at least one person present at front of the establishment ;
- 5) Training will take place for security team as well as managerial staff to focus on outdoor activity;
- 6) Windows should be kept closed;
- 7) Re-examine queuing systems to move people off street as quickly as possible;
- 8) Meet with Friends of Petrosino Park or an organization designated by Community Board 2 ["CB 2"], to the extent that CB 2 decides to participate, as needed to discuss issues of operation;



- 9) Garbage will not be placed on sidewalk before 10:00 pm until crowds disperse;
- 10) Continue compliance with existing city restrictions on live music, amplified audio or video usage anywhere on the sidewalk;
- 11) Close restaurant no later than 2:00 am;
- 12) The owner agrees that the above conditions will be maintained throughout the expiration of their sidewalk café permit unless the Owner seeks and receives any amendments to the permit with the support of the Councilmember, or at the initiation of the Councilmember in consultation with the Community Board.

By this letter and my signature below, I hereby agree to comply with all of the stipulations and restrictions on this permit that are set forth above.

Corner Deli, LLC, dba La Esquina

A handwritten signature in black ink, appearing to read 'DEREK SANDERS', written over a horizontal line.

DEREK SANDERS  
MANAGING MEMBER



Council member Rosie Mendez

Council member Mark Werpin

Chair of the subcommittee on zoning and franchising.

Dear council members, I submit this letter to you stating that the hours of operation of the sidewalk café at Percy's Tavern 210 Avenue A

Shall be as follows:

Monday through Thursdays 10 a.m. until 11p.m

Friday and Saturday 10.am. until midnight.

Sundays 11a.m. until midnight.

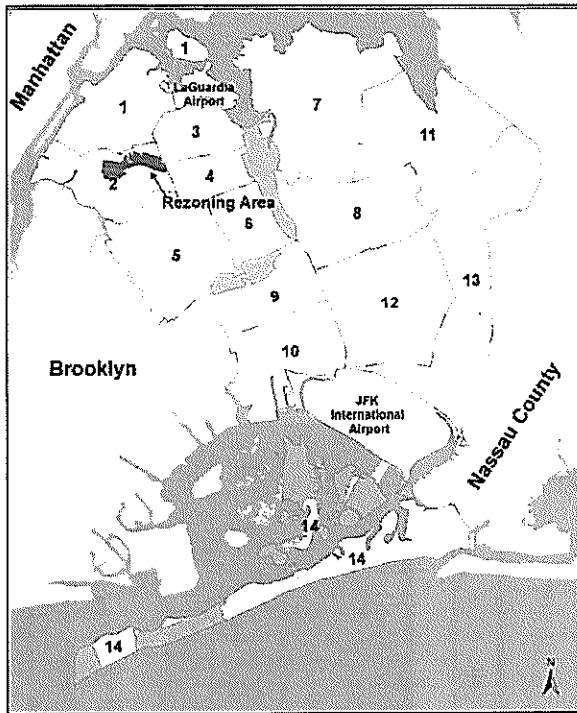
Thank you very much for your valuable time and consideration

Laurence A Watson

PRESIDENT

STEELBAR 180 INC

# The Sunnyside-Woodside Rezoning



Sunnyside and Woodside are vibrant and diverse neighborhoods in western Queens stretching from 39<sup>th</sup> Street to the Brooklyn Queens Expressway from west to east and from Broadway to the LIE/BQE from north to south. The opening of the Queensboro Bridge in 1909 and the extension of the elevated train lines (which would become the #7 line) through the area in 1917 precipitated a great amount of residential development in the neighborhoods. During the 1920's and 30's, numerous six-story, multi-family apartment buildings were built in Sunnyside, while construction of one- and two-family homes and small apartment buildings predominated in Woodside. It was also during this period that the City Housing Corporation constructed Sunnyside Gardens as a planned community with generous open spaces and a consistent low-rise scale.

Today the population of Sunnyside and Woodside continues to grow both in number and diversity. The pace of development in Sunnyside and Woodside has increased in recent years, in large part due to its close proximity to Manhattan, attractive and well-kept streetscapes, and convenient commercial corridors. The area currently contains seven zoning districts; R4, R5, R6, R7-1, C4-2, C8-1, and M1-1. These zoning districts have remained unchanged since 1961.

The Queens Office of the Department of City Planning undertook a rezoning study in response to concerns raised by the community and local elected officials that the current zoning allows for out-of-character developments. Rezoning recommendations have been developed through close consultation with community members, civic organizations, local elected officials and Community Board 2. This rezoning effort would complement contextual zoning changes adopted in 2006 as part of the Maspeth-Woodside rezoning, including zoning incentives for the provision of affordable housing, and the revised zoning regulations for the Special Planned Community Preservation District that apply to the Sunnyside Gardens development that the City Council adopted in 2009.

## Study Area

- 130 blocks
- 2,800 lots
- Bounded by the Sunnyside Rail Yard, 37<sup>th</sup> Avenue, the Brooklyn-Queens Expressway, the NY Connecting Railroad, 72<sup>nd</sup> Street, Woodside, Roosevelt and 48<sup>th</sup> Avenues, and 39<sup>th</sup> Street.

The study area is served by the #7 train on an elevated line above Queens Boulevard, the G, R, and V lines along Broadway and eleven MTA bus lines. The area also has several important commercial corridors, including Queens Boulevard, Greenpoint Avenue and Roosevelt Avenue.

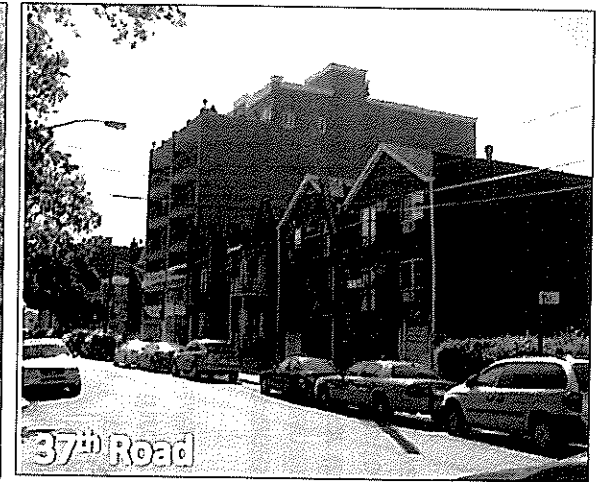
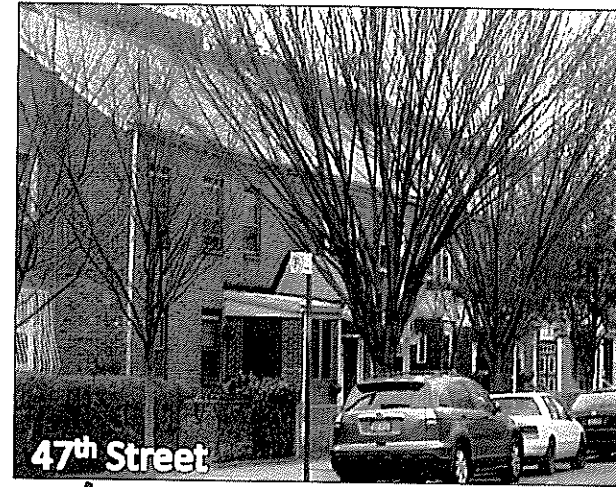
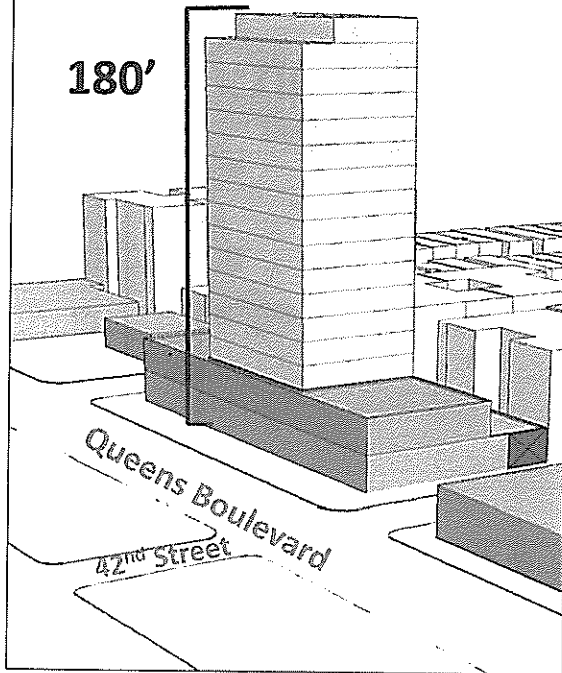
## Project Goals and Objectives





Current zoning yields unpredictable building types and leaves residents vulnerable to out-of-character construction. Zoning updates for Sunnyside and Woodside would provide opportunities to channel new growth to appropriate locations near wide streets and transit, while more closely reflecting established built contexts and land use patterns that define portions of these neighborhoods. DCP has, through consultation with community stakeholders, produced zoning recommendations that achieve the following objectives:

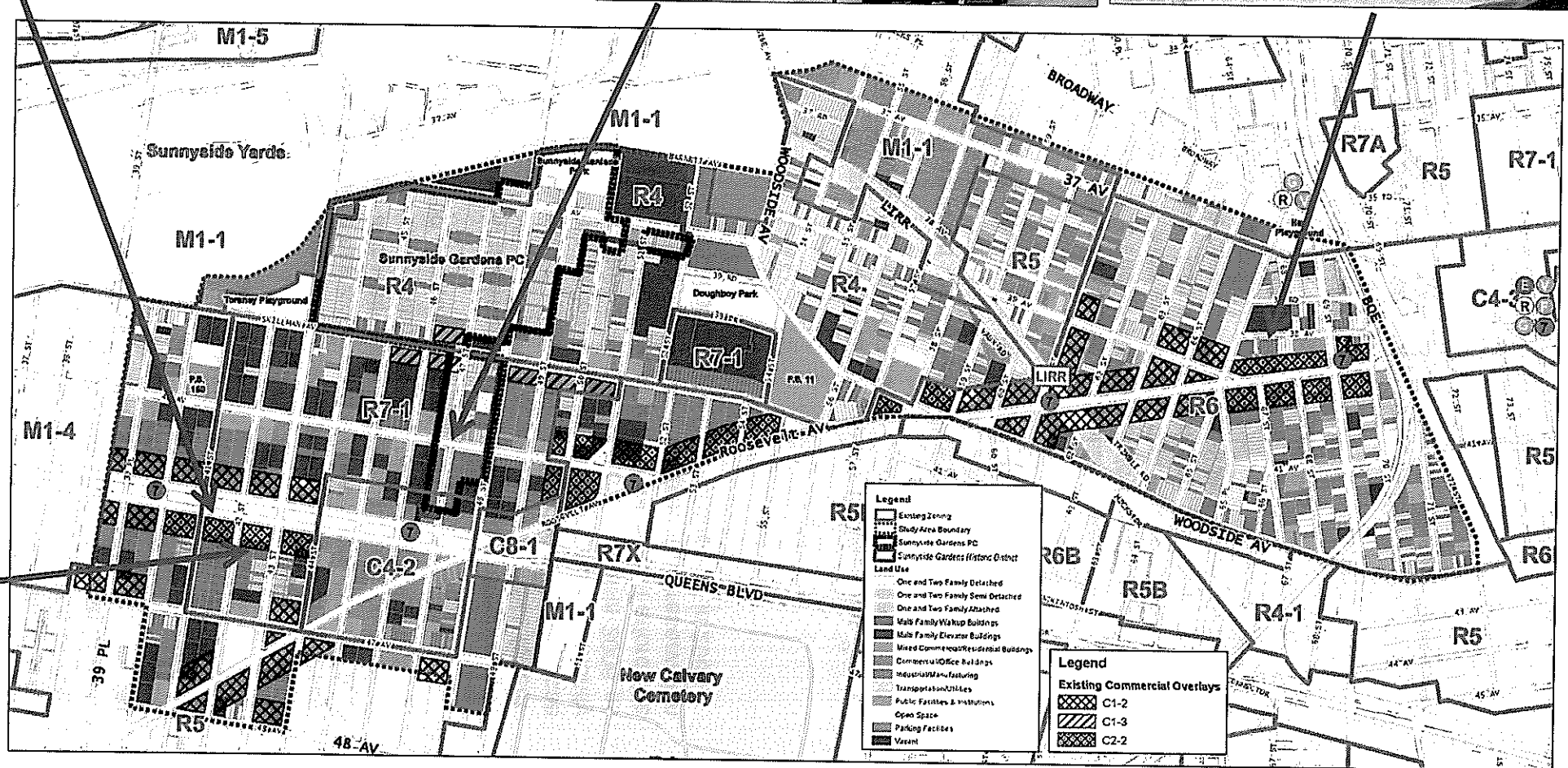
- Protect neighborhood character and reinforce existing development patterns
- Guide new housing opportunities towards major corridors and mass transit
- Provide zoning incentives for the provision of affordable housing
- Update commercial overlays to reinforce existing patterns of commercial uses
- Allow small, unenclosed sidewalk cafés along portions Skillman Avenue and Queens Boulevard

# SUNNYSIDE-WOODSIDE: EXISTING ZONING AND LAND USE

Possible Massing  
Under Existing R7-1/C2-2 Zoning



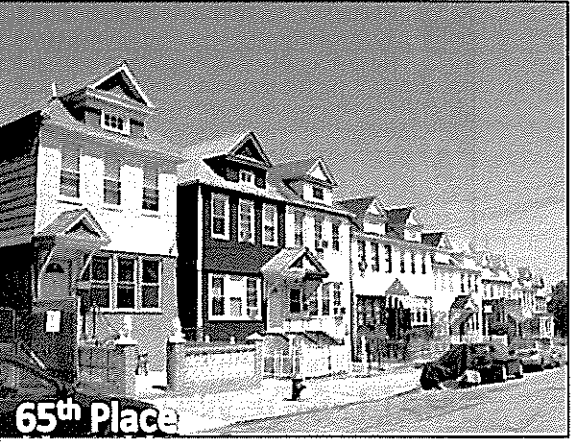
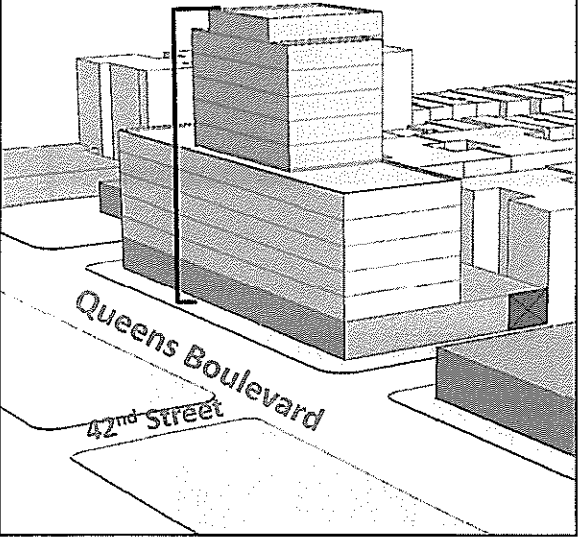
-  Residential (64,600 sf., 65 units)
  -  Community Facility (12,065 sf.)
  -  Commercial (14,535 sf.)
  -  Underground Parking (2 levels)
    - 39 Spaces for Residential Parking.
    - 89 Spaces for Community Facility and Commercial Parking.
- For Illustrative Purposes Only







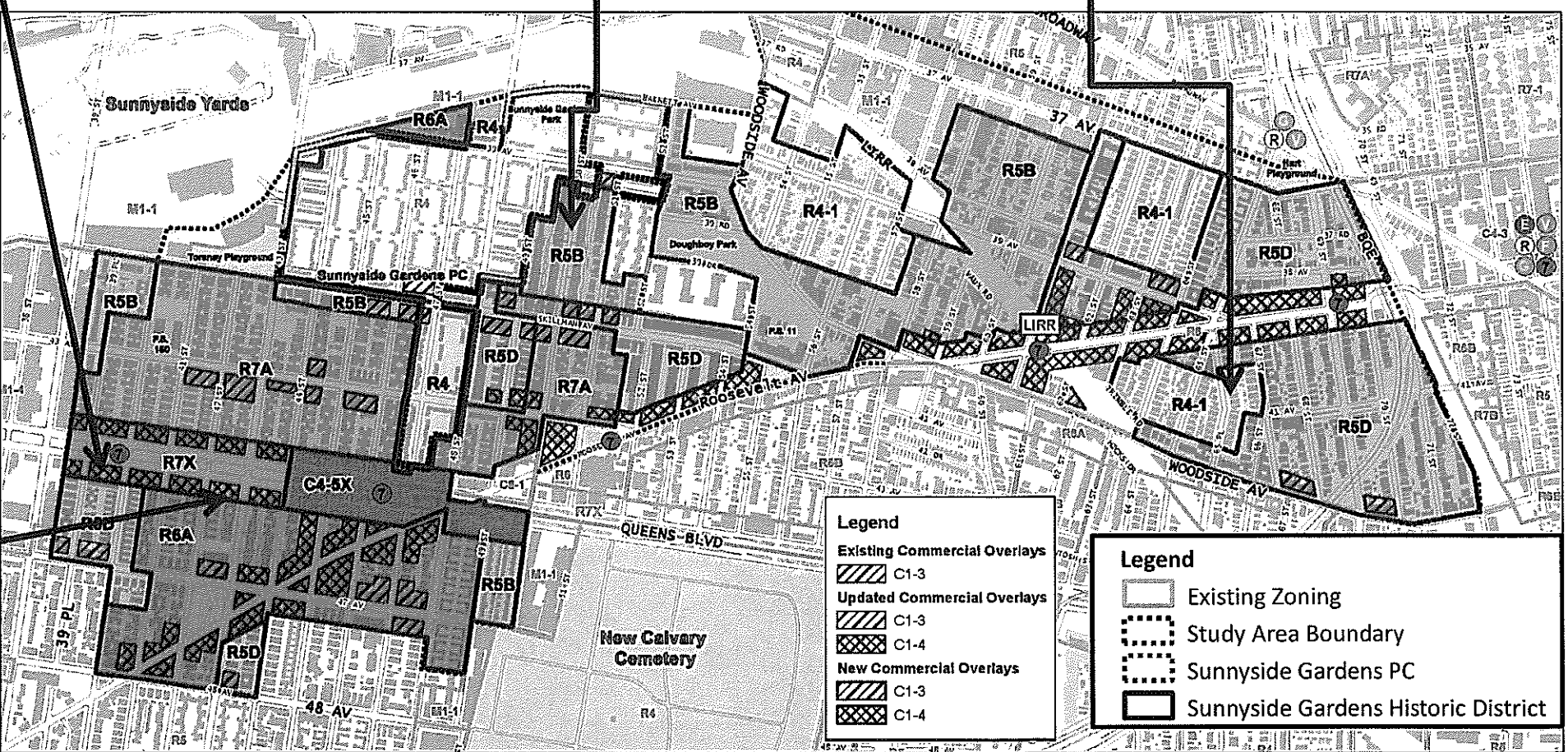
# SUNNYSIDE-WOODSIDE: PROPOSED ZONING DISTRICTS

Possible Massing with Optional Inclusionary Bonus Under Proposed R7X/C1-4 Zoning

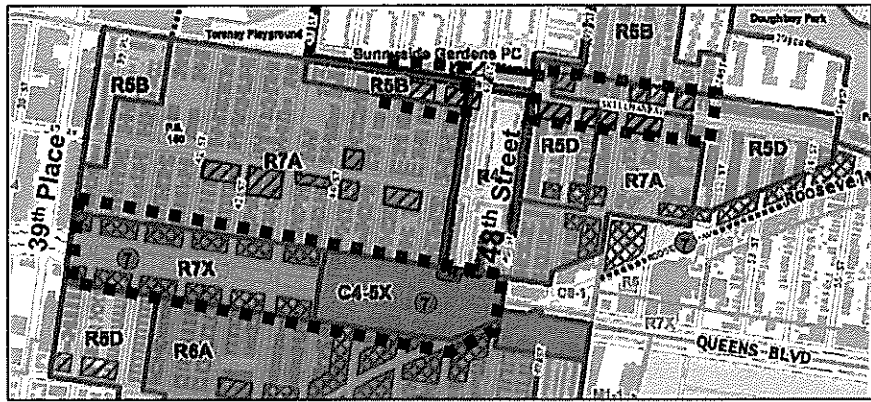
125' max.



-  Residential (55,100 sf., 55 units)
-  Additional Residential Allowed Using Inclusionary Housing (23,750 sf., 24 units)
-  Commercial (16,150 sf.)
-  Underground Parking ( 1 level)
  - 40 Spaces for Residential Parking.
  - 54 Spaces for Community Facility and Commercial Parking

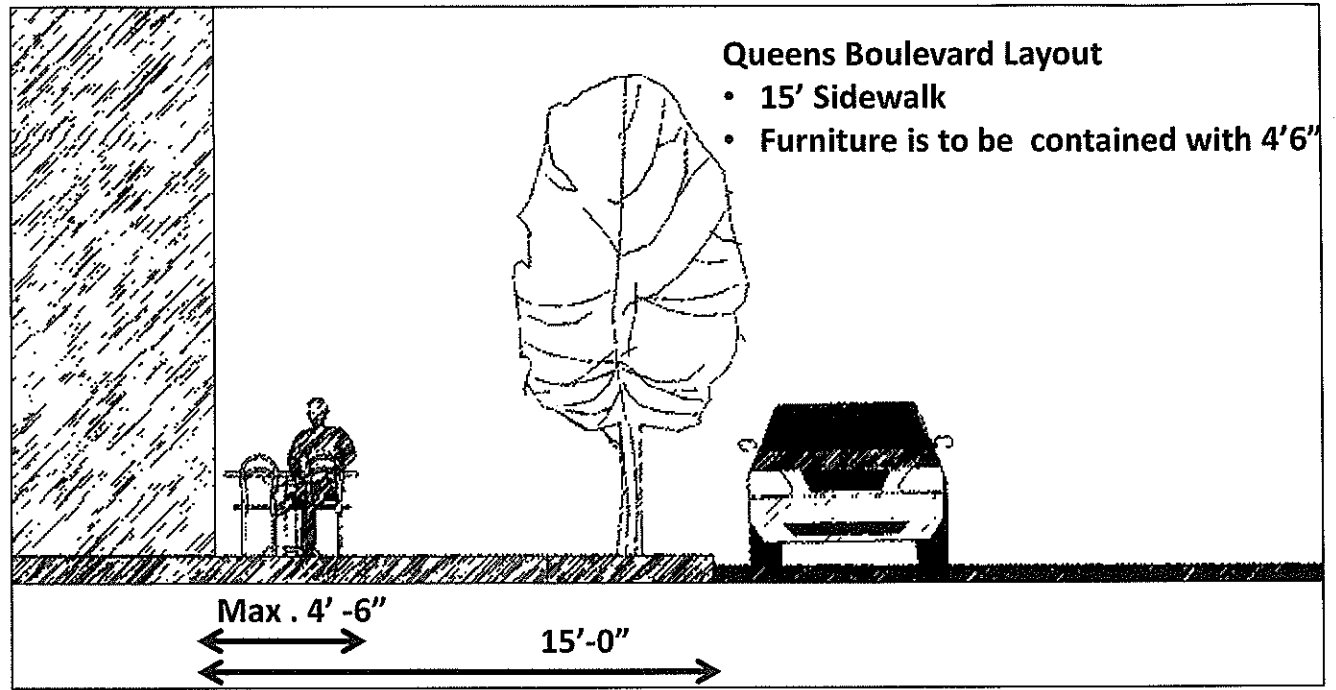




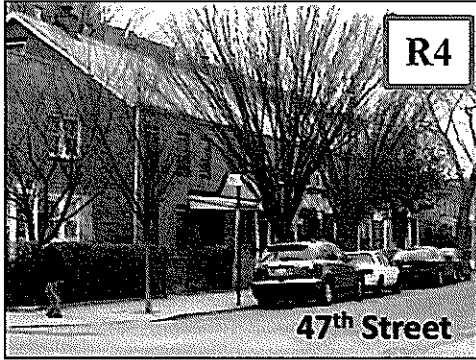


### SMALL SIDEWALK CAFES

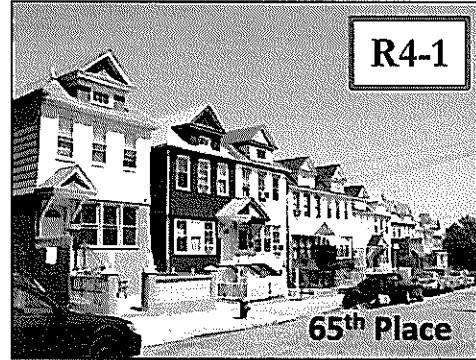
- Amend zoning text to allow small sidewalk cafés along Queens Boulevard between 39<sup>th</sup> Place and 48<sup>th</sup> Street and Portions of Skillman Avenue.



# The Sunnyside-Woodside Rezoning: Proposed Zones



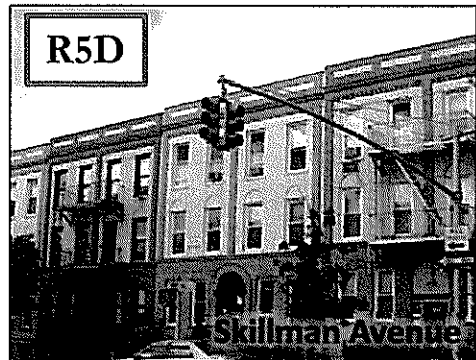
- Covers all or portions of 5 blocks
- All housing types
  - .9 \*FAR residential
  - 25' perimeter wall height, 35' max. height
  - 10' front yard min.



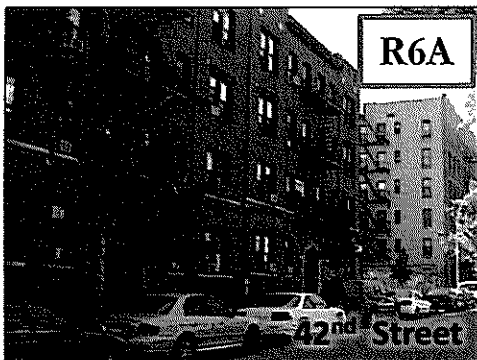
- Covers all or portions of 16 blocks
- 1 & 2 family detached or semi detached
  - .9\* FAR residential
  - 25' perimeter wall height, 35' max. height
  - Minimum 10' front yard with line up
- \*Including attic allowance.



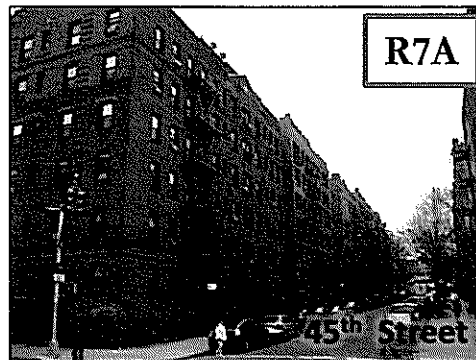
- Covers all or portions of 31 blocks
- All housing types
  - 1.35 FAR residential,
  - 30' perimeter wall height, 33' max. height
  - Minimum 10' front yard with lineup



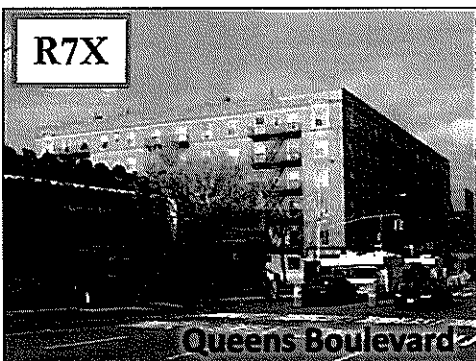
- Covers all or portions of 45 blocks
- All housing types
  - 2 FAR residential
  - 40' max. height
  - Minimum 5' front yard with lineup



- Covers all or portions of 24 blocks
- All housing types
  - 3 FAR residential
  - 40'-60' base height
  - 70' max. height



- Covers all or portions of 27 blocks
- All housing types
  - 4 FAR residential
  - 40'-65' base height
  - 80' max. height



- Covers portions of 12 blocks
- All housing types
  - 3.75 FAR residential base; 5 FAR max. with Inclusionary Housing
  - 60'-85' base height
  - 125' max. height



- Covers all or portions of 13 blocks
- Mixed-use (residential and commercial)
  - 3.75 FAR residential base; 5 FAR max. with Inclusionary Housing
  - 4 FAR commercial
  - 60'-85' base height
  - 125' max. height

**Table 1.3: Sunnyside-Woodside Rezoning Zoning Comparison Table**

Zoning District	EXISTING ZONING							RECOMMENDED ZONING						
	R4	R5	R6	R7-1	C4-2	C8-1	M1-1	R4-1	R5B	R5D	R6A	R7A	R7X	C4-5X
Permitted Uses	All Resid. & C.F.	All Resid. & C.F.	All Resid. & C.F.	All Resid. & C.F.	Res. & Com. & C.F.	Com. & C.F.	Man. & Com. & C.F.	Detach or Semi 1 & 2 Fam & C.F.	All Resid. & C.F.	All Resid. & C.F.	All Resid. & C.F.	All Resid. & C.F.	All Resid. & C.F.	Res. & Com. & C.F.
Max. Res. FAR	.9* Infill 1.35	1.25 Infill 1.65	2.43, 3 QH	3.44, 4 QH	2.43, 3 QH	NA	NA	.9*	1.35	2	3	4	5	5
Max. Com. FAR	NA	NA	NA	NA	3.4	1	1	NA	NA	NA	NA	NA	NA	4
Max. C.F. FAR	2	2	4.8	4.8	4.8	2.4	2.4	2	2	2	3	4	5	5
Min. Lot Area	3,800 D 1,700 S, A	3,800 D 1,700 S, A	3,800 D 1,700 S, A	3,800 D 1,700 S, A	NA	NA	NA	2,375 D 1,700 S, A	2,375 D 1,700 S, A	2,375 D 1,700 S, A	3,800 D 1,700 S, A	3,800 D 1,700 S, A	3,800 D 1,700 S, A	3,800 D 1,700 S, A
Min. Lot Width	40'D 18' S, A	40'D 18' S, A	40'D 18' S, A	40'D 18' S, A	NA	NA	NA	25' D, 18' S	25' D, 18' S, A	25' D, 18' S, A	40'D, 18' S, A	40'D, 18' S, A	40'D 18' S, A	40' D 18' S, A
Max. St. Wall	25'	30'	60'	60'	60'	30'	30' or 2 stories	25'	30'	40'	60'	65'	85'	85'
Max. Bldg Height	35'	40'	NA	NA	NA	NA	NA	35'	33'	40'	70'	80'	125'	125'
Min. Front Yard	10' or 18'	10' or 18'	NA	NA	NA	NA	NA	10'; line up with 1 adj. lot; 20' max.	5'; Must line up with 1 adj. F.Y.	5'; Must line up with 1 adj. F.Y.	NA	NA	NA	NA
Min. Side Yard	D: 2 req, 13' total, 5' min. S,A: 1 req, 8' total	D: 2 req, 13' total, 5' min. S,A: 1 req, 8' total	NA	NA	NA	NA	NA	D: 2 req, 8' total, S: 1 req, 4' total; 8' min. between adj.	D: 2 req, 13' total, 5' min. S,A: 1 req, 8' total	D: 2 req, 13' total, 5' min. S,A: 1 req, 8' total	NA	NA	NA	NA
Required Parking	1 per dwelling unit	85%	70%	60%	1 per dwelling unit	1/300sf general retail	1 per 1,000 sf of FA or 1 for every 3 employees	1 per dwelling unit	66%	66%	50%	50%	50%	50%

\*Including increase in FAR by 20% for attic allowance.



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 421 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/11

(PLEASE PRINT)

Name: JOHN YOUNG

Address: \_\_\_\_\_

I represent: CITY PLANNING QUEENS OFFICE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. L.U. 417 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/2011

(PLEASE PRINT)

Name: ANTHONY MORALI ARCH

Address: 197 GRAND STR

I represent: 1 N. BLVD. (SLOW) REZONE

Address: N. BLVD. L.U. 417

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. L.U. No 416 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/11

(PLEASE PRINT)

Name: CAGEN Benveniste

Address: \_\_\_\_\_

I represent: Da Silvano Inc

Address: 260 6th Ave NY NY 10014

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

415

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Luke Fryer

Address: 51 Grove St.

I represent: Bedel

Address: 51 Grove St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/11

(PLEASE PRINT)

Name: TOM SMITH

Address: \_\_\_\_\_

I represent: CITY PLANNING QUEENS OFFICE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

LU 414

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DEZEK SANDETS

Address: \_\_\_\_\_

I represent: LA ESQUINA / 114 KENMARE

Address: 106-114 KENMARE

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

414

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Arthur Goldstein

Address: \_\_\_\_\_

I represent: LA EQUINOX

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 418 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: OTTO SAVO

Address: 15 Sequine Ave S.I.N.Y.

I represent: Owner

Address: SAME

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. L.U. 414 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Gonzette Fleischer

Address: 19 Cleveland Place #4A, NYC

I represent: Friends of Petrosino Square 10012

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 418 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: GINO SAVO

Address: \_\_\_\_\_

I represent: OWNER

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/22/11

(PLEASE PRINT)

Name: Jimmy Solomon Esq

Address: 3308 Broadway NYC

I represent: Percy's Tavern

Address: 210 Ave A

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 417 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/21/11  
6/21/11

(PLEASE PRINT)

Name: ERIC PRAVETNIK PFC

Address: 32 BROADWAY NYC

I represent: SUBWAY CENTER REZONING

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 418419 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 6/26/11

(PLEASE PRINT)

Name: ERIC PATRICK PALATNIK PC

Address: 32 BRONX BROADWAY

I represent: WOODROW PLAZA REZONING

Address: CENTER

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 413 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Joel Fisher

Address: 720 Hillside Ave New Hyde Park, N.Y.

I represent: J & H Management Corp

Address: Site 69-15 164 St

Please complete this card and return to the Sergeant-at-Arms