

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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March 8, 2012  
Start: 10:45am  
Recess: 11:10am

HELD AT: Council Chambers  
City Hall

B E F O R E:  
LEROY G. COMRIE, JR.  
Chairperson

COUNCIL MEMBERS:

Maria del Carmen Arroyo  
Charles Barron  
Inez E. Dickens  
Daniel R. Garodnick  
Sara M. Gonzalez  
Robert Jackson  
Jessica S. Lappin  
Rosie Mendez  
Annabel Palma  
Diana Reyna  
Joel Rivera  
James Sanders, Jr.  
Larry B. Seabrook

## A P P E A R A N C E S

## COUNCIL MEMBERS:

James Vacca  
Albert Vann  
Brad S. Lander  
Stephen T. Levin  
Mark S. Weprin  
Jumaane D. Williams  
Daniel J. Halloran III  
Vincent M. Ignizio  
Peter A. Koo

CHAIRPERSON COMRIE: Good morning.

We're ready to start the Land Use Committee meeting for March 8, 2012. I am Leroy Comrie, Chair of the Committee. We're joined by Council Member Vincent Ignizio, Mark Weprin, Jessica Lappin, Jumaane Williams, Charles Barron, Sara Gonzales, Joel Rivera, Jimmy Vacca, Peter Koo, Larry Seabrook, and Rose Mendez.

We have a short agenda for the meeting, but we do have a Budget hearing that will start at noon—they start at 11 o'clock. The items on today's agenda for vote will be some sidewalk cafes and a UDAAP. We have a sidewalk café in Brooklyn in Community Board 1. It's recommended for approval by Council Member Reyna. Land Use No. 566, Item No. 20115825 TCK. It's known as the Nighthawk Cinema located at 136 Metropolitan Avenue. The second Land Use item is a—we have to hear from Council Member Weprin regarding the second Land Use item.

COUNCIL MEMBER WEPRIN: Thank you, Mr. Chair. On Land Use No. 569, it's a PMW Inc., which is doing business as Spring Street Natural on Spring Street in Community Board 2. We have a

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2 motion—I'm going to make a motion to withdraw  
3 pursuant to a letter of withdrawal from the  
4 Department of Consumer Affairs. We have to pull  
5 that from the agenda.

6 COUNCIL MEMBER LEROY COMRIE: Okay,  
7 so we'll vote that as a withdrawal during the  
8 vote. The third item is a sidewalk café, Land Use  
9 No. 569 in Manhattan Community Board 5, Speaker  
10 Quinn's district, Item No. 201252324 TCM, known as  
11 Pain Quotidien. The translation is the Daily  
12 Bread a sidewalk café located at 7 East 53<sup>rd</sup>  
13 Street. That sidewalk café is also in Speaker  
14 Quinn's district, Land Use Item No. 571 in  
15 Manhattan Community Board 2 also, Item No.  
16 20125382 TCM. It's known as Pastis. It's an  
17 approval for a sidewalk café at 9-19 Ninth Avenue.  
18 The last item on today's agenda is Land Use Item  
19 No. 577, which will be in Council member Foster's  
20 district, recommended for approval in Bronx  
21 Community Board 4. It's to convey a previously  
22 approved modification for urban development action  
23 area project and that is located at 1484 Inwood  
24 Avenue. Did I read the Item No.? Item No.  
25 20125378 HAX. So that is everything on today's

1  
2 agenda. Vote yes to all and a yes will be to vote  
3 for a motion to withdrawal Land Use No. 568. Just  
4 before the vote, I just want to remind members  
5 that the next—that we will have a Budget hearing  
6 immediately starting at 11 o'clock today. We're  
7 expecting Landmarks first, then the Department of  
8 City Planning at noon, DUIT at one and the public  
9 at two. There will be a special meeting on March  
10 the 14<sup>th</sup>. Please keep your calendars open for the  
11 time or contact the staff for the time. That will  
12 be to vote on the Saint Vincent's rezoning and the  
13 next Subcommittee meetings will be held on March  
14 20<sup>th</sup>. Would any member like to speak to any items  
15 on today's agenda? We're also joined by Council  
16 Member Al Vann. Seeing no members seeking to  
17 speak on any of the items on today's agenda, I  
18 recommend an aye vote remembering that aye is also  
19 voting to withdraw Land Use No. 568. We can have—  
20 at this time, we can have the clerk call the roll.

21 COMMITTEE CLERK: William Martin,  
22 Committee Clerk. Roll call vote Committee on Land  
23 Use. Council Member Comrie?

24 CHAIRPERSON COMRIE: Aye.

25 COMMITTEE CLERK: Rivera?

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COMMITTEE ON LAND USE

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COUNCIL MEMBER RIVERA: I vote aye.

COMMITTEE CLERK: Barron?

COUNCIL MEMBER BARRON: Aye.

COMMITTEE CLERK: Seabrook?

COUNCIL MEMBER SEABROOK: Aye.

COMMITTEE CLERK: Vann?

COUNCIL MEMBER VANN: [no audible

response]

COMMITTEE CLERK: Gonzalez?

COUNCIL MEMBER GONZALEZ: Aye.

COMMITTEE CLERK: Lappin?

COUNCIL MEMBER LAPPIN: Aye.

COMMITTEE CLERK: Mendez?

COUNCIL MEMBER MENDEZ: Aye.

COMMITTEE CLERK: Vacca?

COUNCIL MEMBER VACCA: [no audible

response]

COMMITTEE CLERK: Weprin?

COUNCIL MEMBER WEPRIN: Aye.

COMMITTEE CLERK: Williams?

COUNCIL MEMBER WILLIAMS: Aye.

COMMITTEE CLERK: Ignizio?

COUNCIL MEMBER IGNIZIO: Aye.

COMMITTEE CLERK: Koo?

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2 COUNCIL MEMBER KOO: Aye.

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COMMITTEE CLERK: By a vote of 13  
4 in the affirmative, zero in the negative and no  
5 abstentions, all items have been adopted and Land  
6 Use Item 568 has been withdrawn.

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CHAIRPERSON COMRIE: I want to  
8 thank the Subcommittee members for vetting out  
9 everything that was on today's agenda. I want to  
10 remind folks—we've been joined by Council Member  
11 Darlene Mealy, and that the hearing is scheduled  
12 to start at 11. We will keep the roll open until  
13 the hearing is ready to start. I know that there  
14 are some members that are at a meeting this  
15 morning, some members are downstairs at another  
16 hearing, but with that, if you can please sign the  
17 Committee reports, the meeting is adjourned, but  
18 the hearing will stay open until the—the vote will  
19 stay open until the Finance overview will start.  
20 Well, we should start at 11 depending on when the  
21 Commissioner for Landmarks arrives. With that,  
22 thank you all for being here this morning and with  
23 that, the meeting is closed.

24

[gavel]

25

CHAIRPERSON COMRIE: Landmarks

1  
2 first, then City Planning, then DUIT. I remind  
3 you you will be marked absent if you're not here  
4 for the hearing, so—but we'll be here for a while,  
5 so if you have to go to another meeting and come  
6 back... The hearing is a separate meeting with a  
7 separate attendance being taken.

8 COMMITTEE CLERK: Council Member  
9 Garodnick?

10 COUNCIL MEMBER GARODNICK: I vote  
11 aye.

12 COMMITTEE CLERK: The vote now  
13 currently stands at 14 in the affirmative.

14 [long pause]

15 COMMITTEE CLERK: Council member  
16 Lander?

17 COUNCIL MEMBER LANDER: Aye.

18 COMMITTEE CLERK: The vote now  
19 stands at 15 in the affirmative. [long pause]

20 COMMITTEE CLERK: The final vote in  
21 the Committee on Land Use is now 15 in the  
22 affirmative, zero in the negative, no abstentions.

23 CHAIRPERSON COMRIE: Alright, the  
24 Land Use Committee hearing now has to be closed  
25 for March 8<sup>th</sup>, 2012. Thank you.



C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Kimberley Uhlig

Date 3/21/12