

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, July 28, 2010

9:45 AM

Continuation of the July 27, 2010 Recessed Meeting

250 Broadway - Hearing Room, 16th Fl.

Subcommittee on Zoning and Franchises

Mark S. Weprin, Chair

*Members: Leroy G. Comrie, Jr., Daniel R. Garodnick, Robert Jackson,
Jessica S. Lappin, Diana Reyna, Joel Rivera, Larry B. Seabrook,
James Vacca, Albert Vann and Vincent M. Ignizio*

Roll Call

Present: Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: Rivera and Vann

Other Council Members Attending: Koo, Chin, Palma and Arroyo.

LU 0135-2010

Application no. 20085322 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Café Inc. d/b/a Mamajuana Cafe, to establish maintain and operate an unenclosed sidewalk café located at 247 Dyckman Street, Borough of Manhattan, Council District no. 7. 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: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

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

Affirmative: 9 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: 2 -

Rivera and Vann

LU 0136-2010

Uniform land use review procedure application no. C 100206 PPQ, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property located at 38-15 138th Street, Borough Queens, Council District no. 20. 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0137-2010

Uniform Land Use Review Procedure application no. C 100207 ZMQ pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section 10a, Borough of Queens, Council District no. 20

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0138-2010

Uniform land use review procedure application no. C 100208 ZSQ 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 Queens, Council District no. 20 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0139-2010 Uniform land use review procedure application no. C 100209 ZSQ 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 Queens, Council District no. 20 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0140-2010 Zoning resolution amendment application no. N 100210 ZRQ, pursuant to Sections 197-d and 200 of the New York City Charter, respecting changes in the text of the Zoning Resolution, Section 74-743.

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0141-2010 Zoning resolution amendment application no. N 100211 ZRQ, pursuant to Sections 197-d and 200 of the New York City Charter, respecting changes in the text of the Zoning Resolution, Section 62-952.

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Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0142-2010 Uniform land use review procedure application no. C 100212 ZSQ 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 Queens, Council District no. 20 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0143-2010 Uniform land use review procedure application no. C 100213 ZSQ 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 Queens, Council District no. 20 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0144-2010 **Uniform land use review procedure application no. C 100214 ZSQ 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 Queens, Council District no. 20 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: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0145-2010 **Uniform land use review procedure application no. C 100216 HAQ an Urban Development Action Area Designation and Project, located at 37-10 37th Avenue and the disposition of such property, Borough of Queens, Council District no. 20. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

Attachments: Land Use Calendar - Week of July 12 - July 16, 2010, Land Use Calendar - Week of July 26 - July 30, 2010, Hearing Testimony - Zoning 7/15/10, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

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

Affirmative: 8 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook and Vacca

Absent: 2 -

Rivera and Vann

LU 0149-2010 **Application no. C 030223 ZMQ submitted by C & G Empire Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, by changing from a M1-1 District to an R6 District and establishing within the proposed R6 District a C2-2 District.**

Attachments: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

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

Affirmative: 9 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: 2 -

Rivera and Vann

LU 0150-2010 **Application no. C 050522 ZMQ submitted by 45-10 94th Street, LLC and 91st Place Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9d, by changing from a M1-1 District to an R7B District and establishing within the proposed R7B District a C2-3 District.**

Attachments: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

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

Affirmative: 9 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: 2 -

Rivera and Vann

LU 0154-2010 **Application no. 20105450 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Picante, Inc, to establish, maintain and operate an unenclosed sidewalk café located at 3424 Broadway, Borough of Manhattan, Council District no. 7. 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: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

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

Affirmative: 9 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: 2 -

Rivera and Vann

LU 0155-2010 **Application no. 20105580 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates, LLC, d/b/a Café Select, to establish, maintain and operate an unenclosed small sidewalk café located at 212 Lafayette Street, Borough of Manhattan, Council District no. 1. 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: Land Use Calendar - Week of July 26 - July 30, 2010, Land Use Calendar - July 28, 2010

This Land Use Application was Hearing Held by Committee

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

Affirmative: 9 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca and Ignizio

Absent: 2 -

Rivera and Vann