

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, June 23, 2011

10:00 AM

250 Broadway - Committee Rm, 16th Fl.

Committee on Land Use

Leroy G. Comrie, Jr., Chair

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

Roll Call

Present:

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent:

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical:

Palma

LU 0405-2011

Application no. 20115564 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of JVRS Group LLC d.b.a.OPM Restaurant & Club, to establish, maintain and operate an unenclosed sidewalk café located at 3202 Emmons Avenue, Borough of Brooklyn , Council District no. 46. 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: Recessed Zoning and Franchises Meeting Scheduled for June 7, 2011, Hearing Testimony - Zoning 6/2/11, Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-2-11, Hearing Transcript - Zoning 6-7-11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Recessed Zoning and Franchises Meeting Scheduled for June 7, 2011, Hearing Testimony - Zoning 6/2/11, Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-2-11, Hearing Transcript - Zoning 6-7-11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Filed by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0406-2011 **Application no. 20115563 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Steelbar 180 Incorporated d.b.a. Percy's Tavern, to establish, maintain and operate an unenclosed sidewalk café located at 210 Avenue A, Borough of Manhattan, Council District no. 2. 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 June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0413-2011 **Application no. C 090347 ZMQ submitted by J & H Management Corp. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, establishing within an existing R3-2 District a C1-2 District, Council District 24.**

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0414-2011

Application no. 20115455 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 114 Kenmare Associates LLC d.b.a La Esquina to continue to maintain and operate an unenclosed sidewalk café located at 114 Kenmare 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 June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0415-2011 **Application no. 2010551 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of BMT Operations LLC d.b.a .Betel to modify, maintain and operate an unenclosed sidewalk café located at 49 Grove 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: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0416-2011 **Application no. 20115581 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Da Silvano Corp. d.b.a Da Silvano to continue to maintain and operate an unenclosed sidewalk café located at 260 Sixth 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: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0417-2011

Application no. C 070210 ZMQ submitted by Mark E. Solow pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing from M1-1 District to an R6 District and establishing within the proposed R6 District a C2-2 District, Council District 20.

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0418-2011 **Application no. C 080482 ZMR submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 33a, by establishing within an existing R3X District a C2-2 District, Council District 51.**

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0419-2011 **Application no. N 080483 ZRR submitted by Ottavio Savo and Leonello Savo & Woodrow Plaza, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Special South Richmond Development District (Article X, Chapter 7) Appendix A, relating to modification of designated open space boundaries in Community District 3, Borough of Staten Island, Council District 51.**

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0420-2011

Application no. C 100342 ZMQ submitted by Jamaica Associates Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19a, by establishing within an existing R3-2 District a C1-3 District, Council District 27.

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Filed by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0421-2011

Application no. C 110207 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9b and 9d , Council District 26.

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

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

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0422-2011

Application no. N 110208 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, concerning Appendix F (Inclusionary Housing Designated Areas), relating to the extension of the Inclusionary Housing Program to proposed R7X and C4-5X districts in Community District 2, Borough of Queens Council District 26.

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

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

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0423-2011 **Application no. N 110209 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, concerning Article 1, Chapter 4 (Sidewalk Café Regulations), relating to the types of sidewalk cafés permitted along portions of Skillman Avenue and Queens Boulevard located in Community District 2, Borough of Queens Council District 26.**

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Zoning 6/21/11, Hearing Transcript - Zoning 6-21-11, Hearing Transcript - Land Use 6-23-11

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

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma

LU 0425-2011 **Application no. 20115507 SCQ, a proposed site for a new, approximately 416 seat Primary School Facilities, P.S. 316 (Block 9063, Lot 27 and Block 9064, Lots 31 and 35), Council District No. 32, Borough of Queens. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Landmarks 6/21/11, Hearing Transcript 6/21/11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 20 - June 24, 2011, Land Use Calendar - June 23, 2011, Hearing Testimony - Landmarks 6/21/11, Hearing Transcript 6/21/11, Committee Report, Resolution, Hearing Transcript - Land Use 6-23-11

A motion was made that this Land Use Application be Approved by Committee with Companion Resolution approved by Roll Call.

Affirmative: 16 -

Comrie Jr., Arroyo, Dickens, Garodnick, Gonzalez, Jackson, Mendez, Reyna, Rivera, Sanders Jr., Vacca, Vann, Levin, Weprin, Williams and Koo

Absent: 6 -

Barron, Lappin, Seabrook, Lander, Halloran III and Ignizio

Medical: 1 -

Palma