

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, November 16, 2011

1:00 PM

250 Broadway - Committee Rm, 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., Jackson, Lappin, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: Garodnick and Seabrook

Other Council Members Attending: Mendez, James, Gonzalez, Levin and Lander

LU 0508-2011

Application no. 20125046 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of A. Veniero, Inc. d.b.a. Venieros Pasticceria & Café, to continue, maintain and operate an unenclosed sidewalk café located at 342 East 11th Street, 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 November 14 - November 18, 2011

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 14 - November 18, 2011

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

Affirmative: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -

Garodnick and Seabrook

LU 0509-2011

Application no. 20125058 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 151 Second Ave. Rest. Inc. d.b.a. Ryan's Irish Pub, to continue, maintain and operate an unenclosed sidewalk café located at 151 Second Avenue, 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.

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

Affirmative: 7 -
Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0510-2011 **Application no. 20125179 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Mezzogiorno Associates d.b.a Mezzogiorno, to continue to maintain and operate an unenclosed sidewalk café located at 195 Spring 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.**

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

Affirmative: 7 -
Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0511-2011 **Application no. C 110382 ZMK submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, changing from an M1-2 District to an M1-4 District. Council District 33.**

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

Affirmative: 7 -
Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0512-2011 **Application no. N 110383 ZRK submitted by the Brooklyn Navy Yard Development Corporation 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 VII, Chapter 4 (Special Permits by the City Planning Commission), relating to ownership requirements for Large Scale Developments, Community District 2, Borough of Brooklyn, Council District 33.**

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

Affirmative: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -

Garodnick and Seabrook

LU 0513-2011 **Application no. C 110375 ZSK submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to allow the location of a proposed building without regard for the rear yard regulations of Section 43-20 (Yard Regulations) in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street Borough of Brooklyn, Community District 2. 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 November 14 - November 18, 2011

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: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0514-2011 **Application no. C 110376 ZSK submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the sign regulations of Section 32-64 and Section 32-65 in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street Borough of Brooklyn, Community District 2. 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 November 14 - November 18, 2011

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

Affirmative: 7 -
Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0515-2011 **Application no. C 110377 ZSK submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 44-12 to allow a group parking facility accessory to uses in a large scale development, with a maximum capacity of 266 spaces in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street Borough of Brooklyn, Community District 2. 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.**

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

Affirmative: 7 -
Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0516-2011 **Application no. C 110378 ZSK submitted by the Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area, in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street Borough of Brooklyn, Community District 2. 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 November 14 - November 18, 2011

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of November 14 - November 18, 2011

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

Affirmative: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -

Garodnick and Seabrook

LU 0517-2011 **Application no. C 110380 PJK submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for acquisition of property located at the Brooklyn Navy Yard, (Block 2023, Lot 50), Community District 2, Borough of Brooklyn. 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.**

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

Affirmative: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -

Garodnick and Seabrook

LU 0518-2011

Application no. C 110381 PPK submitted by the NYC Department of Small Business Services pursuant to Section 197-c of the New York City Charter for disposition to the Brooklyn Navy Yard Development Corporation of city-owned property located in the Brooklyn Navy Yard at 2 Wallabout Street, on the northeasterly corner of Navy and Nassau Streets (Block 2023, Lots 50 and p/o Lot 1), Community District 2, subject to restrictions limiting development to the project that is the subject of a special permit for bulk modification to allow certain rear yard encroachments pursuant to ZR Section 74-743 (a)(2), a special permit to provide a 266 space group parking facility pursuant to ZR Section 74-53, and a special permit to construct and occupy five retail buildings with no limitation on floor area per establishment pursuant to ZR Section 74-922, respectively.. 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.

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Absent: 2 -

Garodnick and Seabrook

LU 0519-2011

Application no. C 110386 ZMK 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. 16c and 16d., Council Districts 33, 38 and 39.

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

Affirmative: 7 -

Weprin, Jackson, Reyna, Rivera, Vacca, Vann and Ignizio

Absent: 2 -
Garodnick and Seabrook

LU 0520-2011 **Application no. N 110387 ZRK 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, relating to Article I, Chapters I, II and IV, and Article XIII, Chapter 2, to establish the Special Fourth Avenue Enhanced Commercial District, Community District 2, 6 and 7, Borough of Brooklyn, Council Districts 33, 38 and 39.**

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Absent: 2 -
Garodnick and Seabrook

LU 0521-2011 **Application no. M 830094(B) ZMK submitted by 8902 Foster Avenue, LLC for a modification to Restrictive Declaration D-86, which was approved as a part of Zoning Map Amendment (C 830094 ZMK), involving eliminating the restriction on Use Group 16B uses only on Block 5807, Lot 40, with a prohibition on automotive paint spraying; allowing open accessory parking on the zoning lot; and updating the plan attached as Exhibit D, governing tree replacement, to reflect the proposed conditions; on property bounded by 2nd Avenue, 63rd Street, 3rd Avenue and 64th Street (Block 5807, Lots 1 and 40), in a C8-1 District, Borough of Brooklyn, Community District 7, Council District no. 39.**

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Absent: 2 -
Garodnick and Seabrook