

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Tuesday, March 20, 2012**

**9:30 AM**

**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, Seabrook and Ignizio

**Absent:** Garodnick, Vacca and Vann

*Other Council Members Attending: Mendez*

LU 0567-2012

**Application no. 20125036 TCK, pursuant to §20-225 of the Administrative Code of the City of New York, concerning the petition of Jhu Jhu Corp., d/b/a Khim's Café, to establish, maintain and use as an enclosed sidewalk café located at 324 Graham Avenue, Borough of Brooklyn, Council District 34. This application is subject to review and action by the Land Use Committee only if called-up by a vote of the Council pursuant to Rule 11.20b of the Council and §20-225(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Hearing Transcript - Zoning 3-6-12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Hearing Transcript - Zoning 3-6-12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

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

**Affirmative:** 8 -

Weprin, Comrie Jr., Jackson, Lappin, Reyna, Rivera, Seabrook and Ignizio

**Absent:** 3 -

Garodnick, Vacca and Vann

**LU 0578-2012**      **Application no. 20125298 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Il Commendatore Restaurant Inc., d.b.a Casa Bella, to continue to maintain and operate an unenclosed sidewalk café located at 127 Mulberry 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 March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

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

**Affirmative:** 8 -  
Weprin, Comrie Jr., Jackson, Lappin, Reyna, Rivera, Seabrook and Ignizio

**Absent:** 3 -  
Garodnick, Vacca and Vann

**LU 0579-2012**      **Application no. 20125381 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Spunto, Inc., d.b.a Spunto, to continue to maintain and operate an unenclosed sidewalk café located at 65 Carmine 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 March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

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

**Affirmative:** 8 -  
Weprin, Comrie Jr., Jackson, Lappin, Reyna, Rivera, Seabrook and Ignizio

**Absent:** 3 -  
Garodnick, Vacca and Vann

**LU 0580-2012**      **Application no. 20125076 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Four Green Fields LLC, d.b.a Agave, to establish, maintain and operate an unenclosed sidewalk café located at 140 Seventh Avenue South, 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 March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

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

**Affirmative:** 8 -  
Weprin, Comrie Jr., Jackson, Lappin, Reyna, Rivera, Seabrook and Ignizio

**Absent:** 3 -  
Garodnick, Vacca and Vann

**LU 0581-2012**      **Application no. N 120090 ZRY 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 Articles I, VIII, IX, X, XI, XII and XIII and other related Sections concerning environmental requirements associated with potential hazardous material contamination or noise or air quality.**

**Attachments:** Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

**This Land Use Application was Hearing Held by Committee**

**Attachments:** Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Hearing Testimony - Zoning 3/20/12, Land Use Calendar - March 22, 2012, Committee Report, Resolution, Hearing Transcript - Zoning 3-20-12

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

**Affirmative:** 8 -  
Weprin, Comrie Jr., Jackson, Lappin, Reyna, Rivera, Seabrook and Ignizio

**Absent:** 3 -  
Garodnick, Vacca and Vann