

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, March 14, 2013

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,
Albert Vann, Vincent M. Ignizio and Ruben Wills*

Roll Call

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

Absent: Rivera and Wills

LU 0766-2013

Application No. C 130052 ZMM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C2-8 District to a C4-6 District property bounded by South Street, Brooklyn Bridge, the U.S. Pierhead Line, and a line 1250 feet easterly of the southerly prolongation of the westerly street line of Old Slip (westerly portion) Borough of Manhattan, Community Board 1, Council District 1.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Laid Over by Subcommittee

LU 0767-2013

Application No. N 130080 ZRM submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution, Article IX Chapter I, Special Lower Manhattan District, related hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, Borough of Manhattan, Community Board 1, Council District 1.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0768-2013

Application No. C 130053 ZSM submitted by South Street Seaport Limited Partnership 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 modify the yard requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan, Community Board 1, Council District 1. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Laid Over by Subcommittee

LU 0769-2013 Applications No. C 130054 ZSM submitted by South Street Seaport Limited Partnership 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 surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan, Community Board 1, Council District 1. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Laid Over by Subcommittee

LU 0770-2013 **Application No. C 130055 ZSM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-834 of the Zoning Resolution to modify the use regulations of Section 62-241 (Uses on existing piers and platforms) and the height and setback requirements of Section 62-342 (Developments on piers), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict) Borough of Manhattan, Community Board 1, Council District 1. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.**

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Laid Over by Subcommittee

LU 0771-2013

Application No. N 130056 ZAM submitted by South Street Seaport Limited Partnership for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the minimum dimension requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict) Borough of Manhattan, Community Board 1, Council District 1. 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 Section 62-822(a) of the New York City Zoning Resolution.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Laid Over by Subcommittee

LU 0772-2013

Application No. C 130059 PPM submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property to the South Street Seaport Limited Partnership, located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), Borough of Manhattan, Community Board 1, Council District 1. 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 a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13, Hearing Transcript - Zoning 3-20-13, Hearing Transcript - Land Use 3-20-13, Hearing Transcript - Zoning 3-14-13

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This Land Use Application was Laid Over by Subcommittee

LU 0777-2013 **Application no. 20135309 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Ambiance Wine LLC, d/b/a Vella Wine Bar, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1480 Second Avenue, Borough of Manhattan, Community Board 8, Council District 5. 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

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

Affirmative: 7 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna and Vann

Absent: 2 -

Rivera and Wills

LU 0778-2013 **Application no. 20135312 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Slice West Village, Ltd., d/b/a Slice the Perfect Food, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 535 Hudson Street, Borough of Manhattan, Community Board 2, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

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

Affirmative: 7 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna and Vann

Absent: 2 -

Rivera and Wills

LU 0779-2013

Application no. 20135267 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Summit of the World Inc., d/b/a Bone Lick Park, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 75 Greenwich Avenue, Borough of Manhattan, Community Board 2, Council District 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(e) of the New York City Administrative Code.

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

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, Comrie Jr., Garodnick, Jackson, Lappin, Reyna and Vann

Absent: 2 -

Rivera and Wills

LU 0780-2013 **Application no. 20135381 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, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 141 Seventh Avenue South, Borough of Manhattan, Community Board 2, Council District 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

This Land Use Application was Hearing Held by Committee

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

Affirmative: 7 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna and Vann

Absent: 2 -

Rivera and Wills

LU 0781-2013 **Application no. 20135275 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Yo Burger, Inc., d/b/a Yo-Burger, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 3720-3726 Riverdale Avenue, Borough of Bronx, Community Board 8, Council District 11. 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(e) of the New York City Administrative Code.**

Attachments: Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-14-13

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, Comrie Jr., Garodnick, Jackson, Lappin, Reyna and Vann

Absent: 2 -

Rivera and Wills