

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, June 6, 2013

9:30 AM

Continuation of the June 4, 2013 - Recessed Meeting

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, Rivera, Vann, Ignizio and Wills

Other Council Members Attending: James, Levin and Chin

LU 0821-2013

Application no. 20135563 GFY, Authorizing franchises for telecommunication services.

Attachments: Memorandum, Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Zoning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Hearing Transcript - Zoning 5-13-13, Reconvening of Zoning Subcommittee Meeting, Hearing Testimony - Zoning 6-4-13, Land Use Calendar - Week of June 17, 2013 - June 21, 2013, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Memorandum, Land Use Calendar - Week of May 13, 2013 - May 17, 2013, Hearing Testimony - Zoning 05-13-13, Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Hearing Transcript - Zoning 5-13-13, Reconvening of Zoning Subcommittee Meeting, Hearing Testimony - Zoning 6-4-13, Land Use Calendar - Week of June 17, 2013 - June 21, 2013, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Laid Over by Subcommittee

LU 0827-2013

Application no. 20135374 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 18 Greenwich Avenue LLC, d/b/a Rosemary's, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 18 Greenwich Avenue, in the Borough of Manhattan, Community District 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 June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0828-2013 **Application no. 20135408 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Le Gans Restaurant, Inc., d/b/a RYU, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 46 Gansevoort Street, in the Borough of Manhattan, Community District 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 June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0829-2013 **Application No. C 130116 ZMK submitted by 22 Lafayette LLC and the NYC Economic Development Corporation, pursuant to Section 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 16c, changing a C6-1 District to a C6-2 District property bounded by Lafayette Avenue, Ashland Place, Hanson Place, and Flatbush Avenue, in the Borough of Brooklyn, Community District 2, Council District 35.**

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Additional Hearings Added - June 12, 2013, Land Use Calendar - June 12, 2013, Deferral of Meetings Scheduled for June 12, 2013, Additional Hearings Added - June 17, 2013, Additional Hearings Added - June 17, 2013, Land Use Calendar - June 17, 2013, Committee Report, Resolution, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Additional Hearings Added - June 12, 2013, Land Use Calendar - June 12, 2013, Deferral of Meetings Scheduled for June 12, 2013, Additional Hearings Added - June 17, 2013, Additional Hearings Added - June 17, 2013, Land Use Calendar - June 17, 2013, Committee Report, Resolution, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Laid Over by Subcommittee

LU 0830-2013

Application No. N 130117 ZRK submitted by 22 Lafayette LLC and the NYC Economic Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to Article X, Chapter 1 (Special Downtown Brooklyn District), to allow special permits for use and bulk modifications for cultural uses in certain C6-2 districts, in the Borough of Brooklyn, Community District 2, Council District 35.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Additional Hearings Added - June 12, 2013, Land Use Calendar - June 12, 2013, Deferral of Meetings Scheduled for June 12, 2013, Additional Hearings Added - June 17, 2013, Additional Hearings Added - June 17, 2013, Land Use Calendar - June 17, 2013, Committee Report, Resolution, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Additional Hearings Added - June 12, 2013, Land Use Calendar - June 12, 2013, Deferral of Meetings Scheduled for June 12, 2013, Additional Hearings Added - June 17, 2013, Additional Hearings Added - June 17, 2013, Land Use Calendar - June 17, 2013, Committee Report, Resolution, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Laid Over by Subcommittee

LU 0831-2013

Application no. C 130118 ZSK submitted by 22 Lafayette LLC and the NYC Economic Development Corporation, pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 101-81 of the Zoning Resolution, in the Borough of Brooklyn, Community District 2, Council District 35.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Additional Hearings Added - June 12, 2013, Land Use Calendar - June 12, 2013, Deferral of Meetings Scheduled for June 12, 2013, Additional Hearings Added - June 17, 2013, Additional Hearings Added - June 17, 2013, Land Use Calendar - June 17, 2013, Committee Report, Resolution, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0832-2013

Application No. M 840631(B) ZMK submitted by Metro Storage NY, LLC for modification to Restrictive Declaration D-100 pursuant to Section 7.01 of the Restrictive Declaration, to cancel said Restrictive Declaration to facilitate the construction of an as-of-right 4-story self-storage facility (UG 16 use) with accessory parking, on property located at 2713-2735 Knapp Street, in the Borough of Brooklyn, Community District 15, Council District 46.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0836-2013

Application no. 20135454 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 10th Avenue Group Inc., d/b/a 44&X-Hells Kitchen, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 622 Tenth Avenue, in the Borough of Manhattan, Community District 4, 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 June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0837-2013

Application No. N 130206(A) ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution, relating to Article IX, Chapter I (Special Lower Manhattan District), concerning privately owned public spaces within the Borough of Manhattan, Community District 1, Council District 1.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

LU 0838-2013

Application No. C 110398 ZMQ submitted by Vlacich, LLC, pursuant to Section 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 9c, establishing within an existing R5 district a C1-2 District bounded by a line 150 feet northeasterly of 28th Avenue, 43rd Street, 28th Avenue, and 42nd Street, in the Borough of Queens, Community District 1, Council District 22.

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of June 3, 2013 - June 7, 2013, Reconvening of Zoning Subcommittee Meeting, Land Use Calendar - June 6, 2013, Hearing Testimony - Zoning 6-4-13, Hearing Transcript - Zoning 6-6-13

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

Affirmative: 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Vann,
Ignizio and Wills