

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, December 17, 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

Other Council Members Attending: Recchia

LU 0961-2013

Application No. C 140047 ZSK submitted by Waterview at Greenpoint LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-836 of the Zoning Resolution to modify the height and setback requirements of Section 62-341 (Developments on land and platforms) and Section 62-354 (Special height and setback regulations) in connection with a proposed mixed-use development on property located at 77 Commercial Street (Block 2472, Lot 410), in R6 and R6/C2-4 Districts, in the Borough of Brooklyn, Community District 1, Council District 33. 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 December 2, 2013 - December 6, 2013, Land Use Calendar - Week of December 9, 2013 - December 13, 2013, Land Use Calendar - December 10, 2013, Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Hearing Testimony - Zoning 12-5-13, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 19, 2013, Hearing Transcript - Zoning 12-5-13, Hearing Transcript - Zoning 12-10-13, Hearing Transcript - Zoning 12-10-13 (Con't), Hearing Transcript - Zoning 12-17-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-18-13, Hearing Testimony - Zoning 12-18-13, Hearing Transcript - Zoning 12-19-13, Hearing Transcript - Land Use 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Committee Report, Resolution

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0962-2013

Application No. N 140046 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, concerning Section 11-13 (Public Parks) and Section 62-35 (Special Bulk Regulations in Certain Areas Within Community District 1, Brooklyn), relating to the development of parkland, in the Borough of Brooklyn, Community District 1, Council District 33.

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This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0963-2013

Application No. N 140048 ZAK submitted by Waterview at Greenpoint LLC for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the location requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), and in conjunction therewith the requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed mixed-use development on property located at 77 Commercial Street (Block 2472, Lot 410), in R6 and R6/C2-4 Districts, within the Greenpoint-Williamsburg Waterfront Access Plan (Parcel 3), in the Borough of Brooklyn, Community District 1, Council District 33. This application is subject to review of the Council only if called up by a vote of the Council pursuant to 62-822(a) of the NYC Zoning Resolution.

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This Land Use Application was Laid Over by Subcommittee

LU 0987-2013 **Application no. 20145201 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Madison Global LLC, d/b/a Nello's, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 696 Madison Avenue, in the Borough of Manhattan, Community District 8, Council District 4. 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.**

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

Absent: 2 - Rivera and Wills

LU 0994-2013 **Application No. C 140063 ZSK submitted by Coney Island Holdings LLC and the New York City Economic 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 131-60 of the Zoning Resolution to allow an open-air auditorium with a maximum of 5,099 seats for a term no greater than ten (10) years, on property located at 3052-3078 West 21st Street (Block 7071, Lots 27, 28, 30, 32, 34, 76, 79, 81, 130, 226, 231, and p/o Lot 142, in the Borough of Brooklyn, Community District 13, Council District 47. 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 December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0995-2013 **Application No. N 140064 ZRK submitted by Coney Island Holdings LLC and New York City Economic 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 Section 113-00 (Special Coney Island District), 131-60 (Special Permit for Auditoriums), Appendix A (Coney Island District Plan) relating to the development of auditorium use, in the Borough of Brooklyn, Community District 13, Council District 47.**

Attachments: Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

This Land Use Application was Laid Over by Subcommittee

LU 0996-2013

Application No. C 140065 ZMK submitted by Coney Island Holdings, LLC and the New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 28d, establishing a Special Coney Island District (CI) bounded by a line perpendicular to the easterly street line of West 23rd Street distant 245 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West 23rd Street and northerly boundary line of Riegelmann Boardwalk, a line 110 feet easterly of West 23rd Street, a line 150 feet northerly of former Highland View Avenue and its easterly prolongation, the easterly street line of former West 22nd Street, the northerly boundary line of Riegelmann Boardwalk, and West 23rd Street, in the Borough of Brooklyn, Community District 13, Council District 47.

Attachments: Land Use Calendar - Week of December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0997-2013

Application No. C 140066 PPK submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition, by lease agreement, to the New York City Land Development Corporation (NYCLDC) of city-owned property located on Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 142 and 226, restricted to the conditions pursuant to NYC Zoning Resolution (ZR) Section 131-60 (Special Permit for Auditoriums), in the Borough of Brooklyn, Community District 13, Council District 47. 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 December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0998-2013

Application No. C 140067 PQQ submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property generally bounded by West 21st Street, West 22nd Street and the Riegelmann Boardwalk (Block 7071, Lots 27, 28, 30, 32, 34, 76, 130, 226, and 231), in the Borough of Brooklyn, Community District 13, Council District 47. 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.

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This Land Use Application was Laid Over by Subcommittee

LU 0999-2013 **Application No. M 090107(B) MMK submitted by the New York City Economic Development for a modification of the resolution adopted by the City Planning Commission on June 17, 2009 (Calendar No. 14) approving an application (C 090107 MMK) for an amendment to the City Map involving, inter alia, the elimination of streets within an area bounded by West 22nd Street, West 23rd Street, and Public Beach in accordance with Map Nos. X-2711 dated January 14, 2009, revised June 17, 2009 and August 16, 2013 and X-2739 dated August 16, 2013 and signed by the Borough President, in the Borough of Brooklyn, Community District 13, Council District 47. 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 December 16, 2013 - December 20, 2013, Additional Hearing Added for December 18, 2013, Additional Hearings Added for December 19, 2013, Land Use Calendar - December 18, 2013, City Planning Commission Letter, Committee Report, Resolution, Hearing Transcript - Zoning 12-18-13, Hearing Transcript - Land Use 12-18-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Transcript - Stated Meeting 12-19-13, Hearing Testimony - Zoning 12-18-13, Hearing Testimony - Zoning 12-17-13, Hearing Transcript - Zoning 12-17-13

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This Land Use Application was Laid Over by Subcommittee

LU 1002-2013

Application no. 20145155 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Cherry Lane, Inc. d/b/a The Randolph at Broome, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 349 Broome Street, in the Borough of Manhattan, Community District 2, Council District 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(e) 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: 8 -

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

Absent: 2 -

Rivera and Wills