

# The New York City Council

*New York City Council  
City Hall  
New York, NY 10007*



## Meeting Minutes

Thursday, February 26, 2009

9:30 AM

Committee Room - City Hall

### Subcommittee on Zoning and Franchises

*Tony Avella, Chair*

*Members: Simcha Felder, Eric N. Gioia, Robert Jackson,  
Melinda R. Katz, Joel Rivera, Larry B. Seabrook,  
Helen Sears and Albert Vann*

Roll Call

**Present,** Avella, Felder, Gioia, Jackson, Katz, Rivera and Sears

**Absent,** Seabrook and Vann

*Other Council Members Attending: Barron and Palma*

**LU 0975-2009**

**Uniform land use review procedure application no. C 080051 ZSK, pursuant to Section 197-c and 201 of the Charter of the City of New York for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution in the Borough of Brooklyn, Council District no. 42 to allow the development of large retail establishments (Use group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425). 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:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Transcript - Zoning 2/26/09, Hearing Transcript - Land Use 2/26/09

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

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Transcript - Zoning 2/26/09, Hearing Transcript - Land Use 2/26/09

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

**Affirmative,** 7 -

Avella, Felder, Gioia, Jackson, Katz, Rivera and Sears

**Absent,** 2 -

Seabrook and Vann

**LU 0990-2009**

**Application no. 20085198 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of El Sayed 1 Corp. d/b/a Horus to construct, maintain and use an enclosed sidewalk café located at 93 Avenue B, 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:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09, Hearing Transcript - Zoning 2/26/09, Hearing Transcript - Land Use 2/26/09

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

**Attachments:** Hearing Testimony - Zoning 2/23/09, Hearing Transcript - Zoning 2/23/09,  
Hearing Transcript - Zoning 2/26/09, Hearing Transcript - Land Use 2/26/09

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

**Affirmative,** 7 -

Avella, Felder, Gioia, Jackson, Katz, Rivera and Sears

**Absent,** 2 -

Seabrook and Vann