

# **The New York City Council**

*City Hall  
New York, NY 10007*



## **Meeting Minutes**

**Thursday, May 2, 2013**

**9:45 AM**

**Continuation of the April 30, 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*

*Other Council Members Attending: Chin*

Roll Call

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

LU 0790-2013

**Application no. 20135372 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Café Argentino Inc., d/b/a Café Argentino, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 499 Grand Street, Borough of Brooklyn, Community District 1, Council District 34. 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 9 -

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

**LU 0791-2013**      **Application no. 20135340 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of L Plus L Productions LLC, d/b/a Ofrenda, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 113 7th Avenue South, 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

**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 0792-2013**      **Application no. 20135376 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Tin Marin Bar & Lounge Inc, d/b/a Tin Marin Restaurant & Lounge, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 3708 Riverdale Avenue, Borough of Bronx, Community District 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

**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 0793-2013

**Application no. N 120200 ZRM submitted by MTM Associates, LLC, pursuant to Section 201 of the New York City Charter, for an amendment to Zoning Resolution Section 74-712, concerning special permits for developments in historic districts in M1-5A and M1-5B districts, Borough of Manhattan, Community District 2.**

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Additional Land Use Committee Hearing, Land Use Calendar - May 8, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Additional Land Use Committee Hearing, Land Use Calendar - May 8, 2013, Hearing Testimony - Zoning 04/30/13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 9 -

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

LU 0794-2013

**Application no. C 120201 ZSM submitted by MTM Associates, LLC pursuant to Section 197-c and 201 of the New York City Charter for a special permit pursuant to Section 74-712 of Zoning Resolution to modify use regulations (ZR Sections 42-00 and 42-14) and height and setback requirements (ZR Section 43-43) at 150 Wooster Street, Borough of Manhattan, Community District 2, Council District 1.**

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Additional Land Use Committee Hearing, Land Use Calendar - May 8, 2013, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Additional Land Use Committee Hearing, Land Use Calendar - May 8, 2013, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 9 -

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

LU 0795-2013

**Application no. N 130105 ZRM submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, concerning Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7, and 8 in the Borough of Manhattan and Portions of Community Districts 1 and 2 in the Borough of Queens), and various other Sections, modifying the regulations governing off-street parking and loading in Manhattan Community Districts 1 through 8.**

**Attachments:** Manhattan Core Parking Text Amendment (N 130105 ZRM), Land Use Calendar - Week of April 15, 2013 -April 19, 2013, Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Hearing Transcript - Zoning 4/16/13, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Manhattan Core Parking Text Amendment (N 130105 ZRM), Land Use Calendar - Week of April 15, 2013 -April 19, 2013, Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Hearing Transcript - Zoning 4/16/13, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 8 -

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

**Abstain:** 1 -

Lappin

**LU 0796-2013**      **Application no. C 130007 MMM submitted by Cornell University and New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of certain streets and legal grades necessitated on Roosevelt Island, including authorization for any disposition or acquisition of real property related thereto, in the Borough of Manhattan, Community District 8, Council District 5. 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 8 -  
Weprin, Comrie Jr., Jackson, Lappin, Rivera, Vann, Ignizio and Wills

**Negative:** 1 -  
Reyna

**LU 0797-2013**      **Application no. C 130076 ZMM submitted by Cornell University and New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section Nos. 8d and 9b, changing an R7-2 District to a C4-5 District and establishing a Special Southern Roosevelt Island District to facilitate development of an academic and commercial research campus on Roosevelt Island, Borough of Manhattan, Community District 8, Council District 5.**

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 8 -

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

**Negative:** 1 -

Reyna

LU 0798-2013

**Application no. N 130077 ZRM submitted by Cornell University and NYC Economic Development Corporation, pursuant to Section 197-c and 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, creating a new special district as Article XIII, Chapter 3 (Special Southern Roosevelt Island District) for the Cornell NYCTech proposal, Borough of Manhattan, Community District 8, Council District 5.**

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Attachments:** Land Use Calendar - Week of April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

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

**Affirmative:** 8 -

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

**Negative:** 1 -

Reyna

**LU 0799-2013**      **Application no. C 130078 PPM submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Land Development Corporation of city-owned property located on Block 1373, Lot 20 and p/o Lot 1, to facilitate development of an academic and commercial research campus on Roosevelt Island, Borough of Manhattan, Community District 8, Council District 5. 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 5-2-13, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

**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:** 8 - Weprin, Comrie Jr., Jackson, Lappin, Rivera, Vann, Ignizio and Wills
- Negative:** 1 - Reyna



LU 0801-2013      **Application no. 20135361 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Sugar and Plumm (Upper West) LLC, d/b/a Sugar and Plumm, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 173 West 78th Street, Borough of Manhattan, Community District 7, Council District 6. 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 April 29, 2013 - May 3, 2013, Reconvening of Zoning Subcommittee, Land Use Calendar - May 2, 2013, Hearing Testimony - Zoning 04-30-13, Committee Report, Resolution, Hearing Transcript - Zoning 4-30-13, Hearing Transcript - Zoning 5-2-13

**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