

The New York City Council

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



Meeting Minutes

Tuesday, July 28, 2009

9:45 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, Seabrook and Sears

Absent, Vann

Other Council Members Attending: Eugene, Crowley, Reyna, Yassky and Dickens

T2009-1181

Application no. 20095223 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Groove Enterprises, Inc. d/b/a The Groove to establish, maintain and operate an unenclosed sidewalk café located at 125 Macdougall Street, Borough of Manhattan, Council District no. 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(g) of the New York City Administrative Code.

This Land Use Application was Hearing Held by Committee

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 8 -

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

Absent, 1 -

Vann

T2009-1182

Application no. N 0 090309 ZRK by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, Section 23-90, inclusive, relating to the application of the Inclusionary Housing Program to proposed R7A and R8A districts, and Section 123-90, relating to the establishment of Special Mixed Use District #2 in DUMBO.

This Land Use Application was Hearing on P-C Item by Comm

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

Affirmative, 6 -

Felder, Gioia, Jackson, Katz, Seabrook and Sears

Negative, 1 -

Avella

Absent, 1 -

Vann

T2009-1183 Application no. C 090310 ZMK by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 12d.

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 6 -

Felder, Gioia, Jackson, Katz, Seabrook and Sears

Negative, 1 -

Avella

Absent, 1 -

Vann

T2009-1184 Application no. N 090333 ZRK by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), 23-90, inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts.

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 7 -

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

Absent, 1 -

Vann

T2009-1186 Application no. N 090318 ZRQ submitted by the 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 the addition of Article XII, Chapter 6 (Special College Point District) and modifications of related sections.

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 7 -

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

Absent, 1 -
Vann

T2009-1187 Application no. C 090319 ZMQ submitted by the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 7b and 10a

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 7 -
Avella, Felder, Gioia, Jackson, Katz, Seabrook and Sears

Absent, 1 -
Vann

T2009-1188 Application no. C 090382 ZMQ by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 13c, 13d, 14a, 14b and 17c.

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 7 -
Avella, Felder, Gioia, Jackson, Katz, Seabrook and Sears

Absent, 1 -
Vann

T2009-1216 Uniform land use review procedure application no. C 090334 ZMK submitted by the Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the Zoning Map, Section Nos. 12c, 13a and 13b.

This Land Use Application was Hearing on P-C Item by Comm

A motion was made that this Land Use Application be P-C Item Approved by Subcommittee with Companion Resolution approved by Roll Call.

Affirmative, 7 -
Avella, Felder, Gioia, Jackson, Katz, Seabrook and Sears

Absent, 1 -
Vann

LU 1071-2009 **Application no. N 090316 ZRY submitted by Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, an amendment to the Inclusionary Housing Text Amendment to include the creation of homeownership option for affordable units.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 7 -

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

Absent, 1 -

Vann

LU 1148-2009 **Application no. N 090335 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 of the City of New York, relating to Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, inclusive, relating to the application of the Inclusionary Housing Program to proposed R7A districts.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 7 -

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

Absent, 1 -

Vann

LU 1149-2009 **Application no. C 090336 ZMK submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16d, 17b, 22c, & 23a.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 7 -

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

Absent, 1 -

Vann

LU 1150-2009 **Application no. N 090262 ZRM submitted by the Port Authority of New York and New Jersey, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York relating to Section 74-62 (Railroad Passenger Stations) in Community Districts 4 and 5, Borough of Manhattan.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 7 -

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

Absent, 1 -

Vann

LU 1151-2009 **Application no. C 090263(A) ZSM submitted by the Port of Authority of New York and New Jersey and the New Jersey Transit pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for the grant of a special permit pursuant to Section 74-62(b)* of the Zoning Resolution to allow: the construction of a railroad passenger station and ventilation facilities and to modify the height and setback requirements of Section 43-43.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 7 -

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

Absent, 1 -

Vann

LU 1153-2009 **Application no. 20095410 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Ali Baba's Terrace Inc., to establish, maintain and operate an unenclosed sidewalk café located at 862 Second Avenue, Borough of Manhattan, Council District no. 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(g) of the New York City Administrative Code.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 8 -

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

Absent, 1 -

Vann

LU 1156-2009

Application no. 20095172 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Lucky 13 LLC d.b.a. Gin Lane, to establish, maintain and operate an unenclosed sidewalk café located at 355 West 14th Street (Block 738, Lot 8), Borough of Manhattan, Council District no.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(g) of the New York City Administrative Code.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 8 -

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

Absent, 1 -

Vann

LU 1157-2009

Application no. 20095437 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Chez Josephine, Ltd. d.b.a. Chez Josephine, to establish, maintain and operate an unenclosed sidewalk café located at 414 West 42nd Street (Block 1051, Lot 40), Borough of Manhattan, Council District no.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(g) of the New York City Administrative Code.

This Land Use Application was Hearing Held by Committee

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

Affirmative, 8 -

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

Absent, 1 -

Vann

LU 1158-2009 **Application no. 20095246 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for La Meridiana, LTD d.b.a. Pizza from Naples, to continue to maintain and operate an unenclosed sidewalk café located at 26-28 Carmine Street (Block 527, Lot 69), Borough of Manhattan, Council District no.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(g) of the New York City Administrative Code.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 8 -

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

Absent, 1 -

Vann

LU 1159-2009 **Application no. 20095379 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for SLP Management Inc. d.b.a. The Slaughtered Lamp Pub, to establish, maintain and operate an unenclosed sidewalk café located at 182 West 14th Street (Block 590, Lot 73), Borough of Manhattan, Council District no.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(g) of the New York City Administrative Code.**

This Land Use Application was Hearing Held by Committee

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

Affirmative, 8 -

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

Absent, 1 -

Vann