

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Tuesday, September 30, 2014**

**9:30 AM**

**250 Broadway - Committee Rm, 16th Fl.**

### **Subcommittee on Zoning and Franchises**

*Mark S. Weprin, Chair*

*Members: Daniel R. Garodnick, Jumaane D. Williams,  
Donovan J. Richards, Antonio Reynoso, Ritchie J. Torres,  
Vincent M. Ignizio, Vincent J. Gentile and Ruben Wills*

Roll Call

**Present:** Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** Reynoso and Gentile

*Other Council Members Attending: Greenfield, Mendez and Chin*

LU 0114-2014

**Application no. 20155008 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Friendly Foods LLC, d/b/a/ Cherche Midi for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 282 Bowery, 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.**

**Attachments:** Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14

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

**Attachments:** Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14

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

**Affirmative:** 7 -

Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** 2 -

Reynoso and Gentile

LU 0115-2014      **Application no. C 140300 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow uses permitted under Section 32-15 (Use Group 6 uses) below the floor level of the second story of a proposed 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District. This application is subject to the 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 September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

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

**Attachments:** Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 -  
Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** 2 -  
Reynoso and Gentile

LU 0116-2014      **Application no. C 140301 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b) of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 6-story commercial building on a zoning lot which, as of December 15, 2003, has not more than 20% of its lot area occupied by existing buildings, located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the 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 September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

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

**Attachments:** Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 -  
Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** 2 -  
Reynoso and Gentile

**LU 0117-2014**      **Application no. C 140302 ZSM submitted by MC 19 East Houston, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, second floor and third floor of a proposed 6-story commercial development, on property located at 19 East Houston Street (Block 511, Lot 19), in an M1-5B District, within the SoHo Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to the 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 September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

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

**Attachments:** Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

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

**Affirmative:** 7 -  
Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** 2 -  
Reynoso and Gentile

**LU 0118-2014**      **Application no. C 140299 PPM submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for disposition of one city-owned property located at 19 East Houston Street, (Block 511, Lot 19), pursuant to zoning. This application is subject to the 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 September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

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

**Attachments:** Land Use Calendar - Week of September 15, 2014 - September 19, 2014, Hearing Testimony - Zoning 9-16-14, Hearing Transcript - Zoning 9/16/14, Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Transcript - Zoning 9/30/14

**A motion was made that this Land Use Application be Approved by Subcommittee with Modifications and Referred to CPC approved by Roll Call.**

**Affirmative:** 7 -

Weprin, Garodnick, Williams, Richards, Torres, Ignizio and Wills

**Absent:** 2 -

Reynoso and Gentile

LU 0121-2014

**Application No. 20145691 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Hearth Restaurant Investors, LLC, d/b/a/ Hearth for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 403 East 12th Street, Borough of Manhattan, Community District 3, Council District 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(e) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of September 29, 2014 - October 3, 2014, Land Use Calendar - October 2, 2014, Hearing Testimony - Zoning 9/30/14, Hearing Transcript - Zoning 9/30/14

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

**Affirmative:** 7 -

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Reynoso and Gentile