

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Thursday, January 31, 2013

10:00 AM

Continuation of the January 29, 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*

Roll Call

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

**Absent:** Vann

LU 0749-2013

**Application No. C 120396 ZMM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c, changing an M1-5 district to a C6-2 district to facilitate a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6.**

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

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

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

**This Land Use Application was Approved by Subcommittee**

**Affirmative:** 9 -

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

**Absent:** 1 -

Vann

**LU 0750-2013**      **Application No. C 120397 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 74-743(a)(1) and 74-743(a)(2) of the Zoning Resolution to modify the applicable district bulk regulations for a proposed mixed-use development on the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

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**This Land Use Application was Approved by Subcommittee**

**Affirmative:** 9 - Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Ignizio and Wills

**Absent:** 1 - Vann

LU 0751-2013

**Application No. C 120398 ZSM submitted by Durst Development L.L.C. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-561 of the Zoning Resolution to allow an enclosed attended accessory parking garage with a maximum capacity of 285 parking spaces on portions of the ground floor and mezzanine level of a proposed mixed-use development on the westerly portion of the property bounded by West 58th Street, Eleventh Avenue, West 57th Street and Twelfth Avenue, Borough of Manhattan, Community Board 4, Council District 6. This application is subject to review and action by the Council only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by a vote of the Council pursuant to Charter Section 197-d(b)(3).**

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

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

**Attachments:** Land Use Calendar - Week of January 14, 2013 - January 18, 2013, Land Use Calendar - Week of January 28, 2013 - February 1, 2013, Hearing Testimony - Zoning 1/17/13, Hearing Transcript - Zoning 1-17-13, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

**This Land Use Application was Approved by Subcommittee**

**Affirmative:** 9 -

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

**Absent:** 1 -

Vann

**LU 0753-2013**      **Application no. 20135162 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Naco NYC LLC, d/b/a El Toro Blanco, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 10 Downing Street, Borough of Manhattan, Community Board 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 January 28, 2013 - February 1, 2013, Reconvening of Zoning Subcommittee Meeting 1-31-2013, Revised - Time Change for the Meetings, Land Use Calendar - January 31, 2013, Hearing Transcript - Zoning 1-29-13, Hearing Transcript - Zoning 1-31-13

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

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**This Land Use Application was Approved by Subcommittee**

- Affirmative:** 9 -  
Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Rivera, Ignizio and Wills
- Absent:** 1 -  
Vann