

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, March 13, 2013

9:00 AM

Continuation of Recessed Meeting - Tuesday, March 5, 2013

Committee Room - City Hall

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, Lappin, Reyna, Rivera, Vann, Ignizio and Wills

Absent: Jackson

LU 0757-2013

Application No. C 120380 ZMM submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12a, changing an M1-5B District to an M1-6 District and establishing a Special Hudson Square District, Borough of Manhattan, Community Board 2, Council District 3.

Attachments: Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

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

Affirmative: 9 -

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

Absent: 1 -

Jackson

LU 0758-2013

Application No. N 120381 (A) ZRM submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District and to modify related Sections, Borough of Manhattan, Community Board 2, Council District 3.

Attachments: Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of February 11, 2013 - February 15, 2013, Hearing Testimony - Zoning 2/12/13, Hearing Transcript - Zoning 2/12/13, Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, City Planning Commission Letter, City Planning Commission Letter, Hearing Transcript - Zoning 3-5-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

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

Affirmative: 9 -

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

Absent: 1 -

Jackson

LU 0762-2013 **Application no. 20135250 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of On 54th LLC, d/b/a Café Americaia, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 230 West 54th Street, Borough of Manhattan, Community Board 5, 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 of the Administrative Code.**

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0763-2013 **Application no. 20135222 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Heavy Woods LLC, d/b/a Heavy Woods, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 50 Wyckoff Avenue, Borough of Brooklyn, Community Board 4, 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 of the Administrative Code.**

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0765-2013 **Application No. C 070352 ZMQ submitted by Avery Fowler Owners pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10b, changing from an M1-1 District to a C2-6A District property bounded by Avery Avenue, College Point Boulevard, Fowler Avenue, and the southerly centerline prolongation of Haight Street; and changing from an M1-2 District to a C2-6A District property bounded by Avery Avenue, the southerly centerline prolongation of Haight Street, Fowler Avenue, and 131st Street, Borough of Queens, Community Board 7, Council District 20.**

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Land Use Calendar - March 7, 2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Committee Report, Resolution, Hearing Transcript - Zoning 3-5-13, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0766-2013 **Application No. C 130052 ZMM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C2-8 District to a C4-6 District property bounded by South Street, Brooklyn Bridge, the U.S. Pierhead Line, and a line 1250 feet easterly of the southerly prolongation of the westerly street line of Old Slip (westerly portion) Borough of Manhattan, Community Board 1, Council District 1.**

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0767-2013

Application No. N 130080 ZRM submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution, Article IX Chapter I, Special Lower Manhattan District, related hours of operation for waterfront public access areas associated with the South Street Seaport/Pier 17 redevelopment proposal, Borough of Manhattan, Community Board 1, Council District 1.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0768-2013

Application No. C 130053 ZSM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the yard requirements of Section 62-332 (Rear yards and waterfront yards), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan, Community Board 1, Council District 1. 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 March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0769-2013 Applications No. C 130054 ZSM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the surface area of signs requirements of Section 32-64 (Surface Area and Illumination Provisions), and the height of signs and roof sign requirements of Section 32-65 (Permitted Projections or Height of Signs), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict), Borough of Manhattan, Community Board 1, Council District 1. 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 March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0770-2013

Application No. C 130055 ZSM submitted by South Street Seaport Limited Partnership pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 62-834 of the Zoning Resolution to modify the use regulations of Section 62-241 (Uses on existing piers and platforms) and the height and setback requirements of Section 62-342 (Developments on piers), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict) Borough of Manhattan, Community Board 1, Council District 1. 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 March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee

LU 0771-2013

Application No. N 130056 ZAM submitted by South Street Seaport Limited Partnership for the grant of an authorization pursuant to Section 62-822(a) of the Zoning Resolution to modify the minimum dimension requirements of Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a proposed commercial development on property located at Pier 17, within a Large-Scale General Development, in a C4-6 District, within the Special Lower Manhattan District (South Street Seaport Subdistrict) Borough of Manhattan, Community Board 1, Council District 1. This application is subject to review and action by the Land Use Committee only if called up by a vote of the Council pursuant to Section 62-822(a) of the New York City Zoning Resolution.

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

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This Land Use Application was Laid Over by Subcommittee

LU 0772-2013

Application No. C 130059 PPM submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property to the South Street Seaport Limited Partnership, located at Pier 17, on the southerly side of South Street between Beekman Street and John Street (Block 73, p/o Lot 10, p/o Lot 8, and p/o Marginal Street, Wharf or Place), Borough of Manhattan, Community Board 1, Council District 1. 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 March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Hearing Held by Committee

Attachments: Land Use Calendar - Week of March 4, 2013 - March 8, 2013, Reconvening of Zoning Subcommittee Meeting 3-7-2013, Hearing Testimony - Zoning 03-05-13, Reconvening of Zoning Subcommittee Meeting 3-13-12, Land Use Calendar - Week of March 11, 2013 - March 15, 2013, Land Use Calendar - March 18, 2013, Additional Hearings Added - March 20, 2013, Land Use Calendar - Week of March 18, 2013 - March 22, 2013, Land Use Calendar - March 20, 2013, Hearing Transcript - Zoning 3-5-13, Hearing Testimony - Zoning 03-14-13, Committee Report, Resolution, Hearing Transcript - Zoning 3-13-13

This Land Use Application was Laid Over by Subcommittee