

# **The New York City Council**

*City Hall  
New York, NY 10007*



## **Meeting Minutes**

**Tuesday, June 8, 2004**

**9:30 AM**

**Meeting Recessed Until June 10, 2004**

**Council Chambers - City Hall**

## **Subcommittee on Zoning and Franchises**

*Tony Avella, Chair*

*Members: Christine C. Quinn, Maria Baez, Eric N. Gioia,  
Melinda R. Katz, Michael E. McMahon and Albert Vann*

Roll Call

**Present,** Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

*Other Council Members Attending: Barron, Provenzano, Vallone, James and Yassky.*

Int 0369-2004

**A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain private bus services.**

**Attachments:** Committee Report, Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting, Fiscal Impact Statement, Memo In Support, Local Law

**Attachments:** Committee Report, Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting, Fiscal Impact Statement, Memo In Support, Local Law

**Affirmative,** 7 -

Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

**Enactment No:** 2004/028

LU 0191-2004

**Application no. 20045473 TCK pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition 338 Bedford Rest. Corp. to establish, maintain and operate an unenclosed sidewalk café located at 338 Bedford Avenue, Borough of Brooklyn, Council District no. 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(g) of the New York City Administrative Code.**

**Attachments:** Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:** Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative,** 7 -

Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

LU 0190-2004      **Application no. 20045533 TCX pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Fishbox Restaurant Corp. to establish, maintain and operate an unenclosed sidewalk café located at 41 City Island Avenue, Borough of the Bronx, Council District no. 13. 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.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative, 5 -**

Avella, Gioia, Katz, McMahon and Vann

**Abstain, 2 -**

Quinn and Baez

LU 0146-2004      **Application no. 20045399 TCX pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of T. P. Restaurant Group, Inc., d/b/a Tito Puentes, to maintain and operate an unenclosed sidewalk café located at 64 City Island Avenue, Borough of the Bronx, Council District no. 13. 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.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative, 5 -**

Avella, Gioia, Katz, McMahon and Vann

**Abstain, 2 -**

Quinn and Baez

**LU 0180-2004**      **Application no. 20045412 TCQ pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Tulsace Corp., d/b/a 718, to establish, maintain and operate an unenclosed sidewalk café located at 35-01 Ditmars Boulevard, Borough of Queens, Council District no. 22. 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.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative, 7 -**

Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

**LU 0185-2004**      **Uniform Land Use Review Procedure application no. 040124 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 41.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative, 7 -**

Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

**LU 0186-2004**      **Uniform land use review procedure application no. C 040125 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of five (5) city-owned properties, located at 2076, 2078, 2080, 2084 and 2088 Atlantic Avenue, Borough of Brooklyn, in Council District no. 41. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript - Land Use - 6/10, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting

**Affirmative, 7 -**

Avella, Quinn, Baez, Gioia, Katz, McMahon and Vann

- LU 0147-2004      **Uniform Land Use Review Procedure application no. 040171 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 35 and 33.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- LU 0148-2004      **Zoning resolution amendment application no. 040172 ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 35 and 33, relating to a text amendment to the Special Downtown Brooklyn District.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- LU 0149-2004      **Uniform land use review procedure, application no. C 030514 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action 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 and §11.20 of the Rules of the Council.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

- LU 0150-2004**      **Uniform land use review procedure, application no. C 030515 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action 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 and §11.20 of the Rules of the Council.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
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- LU 0151-2004**      **Uniform land use review procedure, application no. C 030516 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action 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 and §11.20 of the Rules of the Council.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
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- LU 0152-2004**      **Uniform land use review procedure, application no. C 030517 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action 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 and §11.20 of the Rules of the Council.**
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28
- Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

LU 0153-2004      **Uniform Land Use Review Procedure, application no. C 040173 HUK, pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law, concerning the approval of Brooklyn Center Urban Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

LU 0154-2004      **Uniform Land Use Review Procedure, application no. C 040174 HUK, pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law, concerning the approval of MetroTech Urban Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

LU 0155-2004      **Uniform Land Use Review Procedure, application no. C 040175 HUK, pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law, concerning the approval of Atlantic Terminal Urban Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

LU 0156-2004      **Application no. 040176 HGK, pursuant to § 504 of the New York General Municipal law, concerning the designation of 59 lots in the Brooklyn Center Urban Renewal Area, Borough of Brooklyn, Council District no. 35 and 33.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0157-2004**      **Uniform land use review procedure application no. C 040177 HDK, pursuant to §197-c and §197-d of the New York City Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0158-2004**      **Uniform land use review procedure application no. C 040178 HDK, pursuant to §197-c and §197-d of the New York City Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0159-2004**      **Uniform land use review procedure application no. C 040179 HDK, pursuant to §197-c and §197-d of the New York City Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

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**LU 0160-2004**      **Uniform land use review procedure application no. C 040180 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property, located 370 Jay Street, Borough of Brooklyn, in Council District no. 35 and 33. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0161-2004**      **Uniform land use review procedure application no. 040181 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an unattended parking garage. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0162-2004**      **Uniform land use review procedure application no. 040182 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an attended public parking garage. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0163-2004**      **Uniform land use review procedure application no. 040183 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an attended public parking garage. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter**

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:** Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0164-2004**      **Uniform land use review procedure application no. 040184 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an unattended public parking garage. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**LU 0165-2004**      **Uniform land use review procedure application no. 040185 PSK, pursuant to §197-c and §197-d of the New York City Charter, concerning site selection for a capital project to be located at Flatbush Avenue to the West, Lafayette Avenue to the North, and Ashland Avenue to the East , Borough of Brooklyn, Council District no. 35 and 33. 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 vote of the Council pursuant to §197-d(b)(3) of the Charter.**

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

**Attachments:**    Hearing Transcript 6/8, Hearing Transcript 6/10, Hearing Transcript - Land Use - 6/10, Hearing Transcript 6/14, Hearing Transcript - Land Use - 6/14, Hearing Transcript - Stated Meeting 6/28

*MEETING RECESSED UNTIL JUNE 10, 2004*