

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Tuesday, March 6, 2012

9:30 AM

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, Larry B. Seabrook,  
James Vacca, Albert Vann and Vincent M. Ignizio*

Roll Call

**Present:** Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca, Vann and Ignizio

**Absent:** Rivera

LU 0559-2012

**Application no. C 120029 ZSM submitted by West Village Residences, LLC and Saint Vincent's Catholic Medical Centers of New York pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to Section 74-743 (a) (1), Section 74-743 (a) (2) and Section 74-743 (a) (4) in connection with a proposed mixed use development on property located at 133-147 West 11th Street a.k.a. 1-19 Seventh Avenue a.k.a 134-178 West 12th Street (Block 607, Lot1), in R8 and C6-2 Districts, within a Large-Scale General Development, Community Board 2, Borough of Manhattan . 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. Council District 3.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

LU 0560-2012      **Application no. C 120030 ZSM submitted by West Village Residences, LLC and Saint Vincent's Catholic Medical Centers of New York 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 (b) of the Zoning Resolution to modify the use location requirements of Section 32-422 to allow Use group 6 uses on portions of the 3rd floor of the proposed building at 1-15 Seventh Avenue, in connection with a proposed mixed use development on property located at 133-147 West 11th Street a.k.a. 1-19 Seventh Avenue a.k.a 134-178 West 12th Street (Block 607, Lot1), in R8 and C6-2 Districts, within a Large-Scale General Development, Community Board 2, Borough of Manhattan. 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,. Council District 3.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing  
Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing  
Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing  
Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing  
Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

**LU 0561-2012**      **Application no. C 120031 ZSM submitted by West Village Residences, LLC and Saint Vincent's Catholic Medical Centers of New York 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 152 spaces on portions of the ground floor and cellar of a proposed building at 140 West 12th Street, in connection with a proposed mixed use development on property located at 133-147 West 11th Street a.k.a. 1-19 Seventh Avenue a.k.a 134-178 West 12th Street (Block 607, Lot1), in R8 and C6-2 Districts, within a Large-Scale General Development, Community Board 2, Borough of Manhattan . 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. Council District 3.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

**LU 0562-2012**      **Application no. N 120032 ZRM submitted by West Village Residences, LLC and Saint Vincent's Catholic Medical Centers 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, for an amendment of the Zoning Resolution of City of New York, relating to Section 74-743 (special Provisions for bulk modifications) on the zoning lots bounded by Greenwich Avenue, West 11th Street, West 12th Street, and midblock between 7th and 6th Avenues, Community District 2, Borough of Manhattan, Council District 3.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

**LU 0563-2012      Application no. C 120033 ZMM submitted by West Village Residences, LLC and Saint Vincent's Catholic Medical Centers of New York pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12a and 12c. Council District 3.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - March 14, 2012, Hearing Testimony - Zoning 3/14/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

**LU 0566-2012      Application no. 20115825 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Nitehawk Brooklyn Llc, d/b/a Nitehawk Brooklyn, to establish, maintain and operate an unenclosed sidewalk café located at 136 Metropolitan 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:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca, Vann and Ignizio

**Absent:** 1 -

Rivera

LU 0567-2012      **Application no. 20125036 TCK, pursuant to §20-225 of the Administrative Code of the City of New York, concerning the petition of Jhu Jhu Corp., d/b/a Khim's Café, to establish, maintain and use as an enclosed sidewalk café located at 324 Graham Avenue, Borough of Brooklyn, Council District 34. 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 Rule 11.20b of the Council and §20-225(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Land Use Calendar - March 22, 2012, Hearing Testimony - Zoning 3/20/12, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Hearing Testimony - Zoning 3/6/12, Land Use Calendar - Week of March 19, 2012 - March 23, 2012, Land Use Calendar - March 22, 2012, Hearing Testimony - Zoning 3/20/12, Hearing Transcript - Zoning 3-6-12

**This Land Use Application was Laid Over by Subcommittee**

LU 0568-2012      **Application no. 20125204 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of P.M.W. Inc., d.b.a. Spring Street Natural, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 62 Spring Street, Borough of Manhattan, 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(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Affirmative:** 10 -

Wepin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca, Vann and Ignizio

**Absent:** 1 -

Rivera

LU 0569-2012      **Application no. 20125234 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of PQ 53rd Street, Inc., d/b/a Le Pain Quotidien, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 7 East 53rd Street, Borough of Manhattan, 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(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca, Vann and Ignizio

**Absent:** 1 -

Rivera

LU 0571-2012      **Application no. 20125382 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Smithfield Associates LLC, d/b/a Pastis, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 9-19 Ninth Avenue, Borough of Manhattan, 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(g) of the New York City Administrative Code.**

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Attachments:** Land Use Calendar - Week of March 5, 2012 - March 9, 2012, Land Use Calendar - March 8, 2012, Hearing Testimony - Zoning 3/6/12, Committee Report, Resolution, Hearing Transcript - Zoning 3-6-12

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

**Affirmative:** 10 -

Weprin, Comrie Jr., Garodnick, Jackson, Lappin, Reyna, Seabrook, Vacca,  
Vann and Ignizio

**Absent:** 1 -

Rivera