

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Monday, July 19, 2004

9:30 AM

Committee Room - 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, Katz, McMahon and Vann

**Absent,** Gioia

*Other Council Members Attending: Weprin and Gerson*

**LU 0207-2004      Resolution amending Resolution No. 1043 (L.U. 423-A), a Resolution authorizing the Department of Information Technology and Telecommunications to grant nonexclusive franchises for the installation of public pay telephones and associated equipment on, over and under the inalienable property of the City; and under the inalienable property of the City, adopted by the Council on October 15, 2003.**

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

**LU 0208-2004      Uniform Land Use Review Procedure application no. 030294 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.**

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

**LU 0212-2004      Uniform Land Use Review Procedure application no. 040115 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 23.**

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript -  
Stated Meeting 7/21

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

LU 0219-2004      **Uniform Land Use Review Procedure application no. 040331 ZMM,  
pursuant to §197-c and §197-d of the New York City Charter,  
concerning changes to the zoning map, Borough of Manhattan,  
Council District no. 3.**

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript -  
Stated Meeting 8/12

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript -  
Stated Meeting 8/12

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

LU 0220-2004      **Zoning resolution amendment application no. 040332 ZRM,  
pursuant to §197-d and §200 of the New York City Charter,  
concerning changes in the text of the zoning resolution, Borough  
of Manhattan, Council District no. 3, relating: increase in street wall  
heights within the ladies mile rezoning area**

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript -  
Stated Meeting 8/12

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript -  
Stated Meeting 8/12

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

LU 0221-2004      **Uniform land use review procedure application no. 040333 ZSM, 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 Manhattan, Council District no. 3 to allow an attended public parking garage with a maximum capacity of 353 on a portion of the first floor, cellar and sub-cellar. 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 8/10, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 8/12

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 8/12

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

LU 0222-2004      **Uniform land use review procedure application no. 040334 ZSM, 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 Manhattan, Council District no. 3 to allow an unattended public parking garage with a maximum capacity of 105 spaces on a portion of the first floor, cellar and sub-cellar . 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 8/10, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 8/12

**Attachments:** Hearing Transcript 8/10, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 8/12

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

LU 0114-2004      **Uniform Land Use Review Procedure application no. 040273 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 26.**

**Attachments:**    Hearing Transcript 8/9, Hearing Transcript 8/10, Hearing Transcript - Stated Meeting 8/12

**Attachments:**    Hearing Transcript 8/9, Hearing Transcript 8/10, Hearing Transcript - Stated Meeting 8/12

LU 0115-2004      **Zoning resolution amendment application no. 040272 ZRQ, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Queens, Council District no. 26, relating: to the Hunters Point Subdistrict of the Special Long Island City Mixed District.**

**Attachments:**    Hearing Transcript 8/9, Hearing Transcript 8/10, Hearing Transcript - Stated Meeting 8/12

**Attachments:**    Hearing Transcript 8/9, Hearing Transcript 8/10, Hearing Transcript - Stated Meeting 8/12

LU 0116-2004      **Zoning resolution amendment application no. 020666 ZMQ, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Queens, Council District no.23, relating: to establishing a C1-2 District within an existing R2 District.**

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative,**    6 -

Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,**        1 -

Gioia

LU 0136-2004      **Uniform Land Use Review Procedure application no. 040021 ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 1.**

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative,**    6 -

Avella, Quinn, Baez, Katz, McMahon and Vann

Absent, 1 -  
Gioia

LU 0181-2004      **Uniform Land Use Review Procedure application no. 040344 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 23.**

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

Affirmative, 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

Absent, 1 -  
Gioia

LU 0198-2004      **Application no. 20045438 TCQ pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of LNC Café Corp. to establish, maintain and operate an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Borough of Queens, Council District no. 29. 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 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

Affirmative, 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

Absent, 1 -  
Gioia

**LU 0199-2004**      **Application no. 20045558 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of G.D.P. Enterprises, Inc., d/b/a Algozar, to establish, maintain and operate an unenclosed sidewalk café located at 324 Bowery, Borough of Manhattan, Council District no. 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:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative, 6 -**

Avella, Quinn, Baez, Katz, McMahan and Vann

**Absent, 1 -**

Gioia

**LU 0201-2004**      **Application no. 20045679 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning a modification to the petition of 7th & Barrow LLC, d/b/a Sushi Samba 7, to continue maintain and operate an unenclosed sidewalk café located at 87 7th Avenue South, Borough of Manhattan, Council District no. 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:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:**    Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative, 6 -**

Avella, Quinn, Baez, Katz, McMahan and Vann

**Absent, 1 -**

Gioia

LU 0202-2004      **Application no. 20045511 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Zanzibar LLC, to continue maintain and operate an unenclosed sidewalk café located at 645 Ninth Avenue, Borough of Manhattan, Council District no. 4. 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 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Attachments:** Hearing Transcript 7/20, Hearing Transcript 7/19, Hearing Transcript - Stated Meeting 7/21

**Affirmative,** 6 -  
Avella, Quinn, Baez, Katz, McMahon and Vann

**Absent,** 1 -  
Gioia

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY