

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND  
FRANCHISES

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December 01, 2016  
Start: 9:30 a.m.  
Recess:

HELD AT: Committee Room-City Hall

B E F O R E: DONOVAN J. RICHARDS

COUNCIL MEMBERS: DANIEL R. GARODNICK  
JUMAANE D. WILLIAMS  
ANTONIO REYNOSO  
RITCHIE J. TORRES  
VINCENT J. GENTILE  
RUBEN WILLS

## A P P E A R A N C E S (CONTINUED)

JOHN PHUFAS

Managing member of Idlelots LLC

Port Washington, New York

LISA ORRANTIA

Akerman LLP

New York, New York

2  
3 Check one, two, one two. Today's date is  
4 December 1st, 2016. This is a subcommittee meeting on  
5 zoning and franchise. It's being recorded by Allen  
6 Shoo.

7 [gavel]

8 CHAIRPERSON RICHARDS: Alright, good  
9 morning. Good morning. Good morning. I am Donovan  
10 Richards here at the subcommittee on zoning and  
11 franchises and this morning we are joined by Council  
12 Member Antonio Reynoso, Council Member Ruben Wills,  
13 Council Member Vincent Gentile and we have one item  
14 for our consideration today, isn't that great so  
15 we'll be out of here fast. Willing over the 550  
16 Washington Street application land use numbers 506  
17 through 511 until our next zoning subcommittee  
18 meeting that will be scheduled for Monday, December  
19 5th at nine a.m. We will now have a hearing on land  
20 use item number 530 the 227th Street rezoning. This  
21 application would establish a C2-2 overlay in an  
22 existing R31 district on property located on 145th  
23 Road between 227th Street and 228th Street. So Ruben  
24 we clarified it, we... Ruben and I were on the phone  
25 like ten o'clock last night. I will now open the

1 <INSERT TITLE OF MEETING>

4

2 public hearing for land use item number 530 and I  
3 will call the applicants up; JOHN Phufas representing  
4 Idlelot LLC and Orrantia, did I say it right?

5 LISA ORRANTIA ORRANTIA: Orrantia.

6 CHAIRPERSON RICHARDS: Orrantia, so you  
7 may come up. And you'll just hit the button, it will  
8 light up and you'll state your name for the record,  
9 who you're representing and then you may begin.

10 LISA ORRANTIA: Good morning, my name is  
11 Lisa Orrantia, I'm from Akerman LLP land use  
12 attorney's to the applicant Idlelots LLC. This is a  
13 application for a zoning lot amendment to create a  
14 C22 overlay in an underlying R31 district and the  
15 purpose is to facilitate the proposed development of  
16 a public parking lot for 29... 27 spaces. The parking  
17 lot will provide spaces for tenants and visitors of  
18 nearby retail stores and a house of worship in a  
19 commercial overlay and also provide parking for  
20 visitors and workers at stores and office buildings  
21 in a nearby manufacturing district. The applicant  
22 will operate the public parking lot, an attendant  
23 will collect fees according to a posted fee structure  
24 and the opportunity to park will be on a first come  
25 first serve basis. There's an intended fee structure

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2 which would provide for daily and hourly rates, the  
3 parking lot will be open seven days a week and there  
4 has been support from the community and the borough  
5 president on this application.

6 CHAIRPERSON RICHARDS: Anything to say  
7 this morning?

8 JOHN PHUFAS: Morning, yeah.

9 CHAIRPERSON RICHARDS: Just hit your mic.

10 JOHN PHUFAS: I'm John phufas, I'm an  
11 attorney by profession I'm here today in my capacity  
12 as the managing member of Idlelots LLC which is the  
13 applicant which owns the parking lot. The parking  
14 lot... [cross-talk]

15 CHAIRPERSON RICHARDS: Just pull your mic  
16 a little closer too and make sure it's lit up.

17 JOHN PHUFAS: The parking lot was  
18 developed from two lots that were an incredible  
19 eyesore and a danger to the community; I brought  
20 large scale photos if you'd like to see them. It was  
21 basically two lots that never got developed into,  
22 into homes, they were directly across the street from  
23 these logistics buildings which we developed in the  
24 last couple of years that you see in the photos and  
25 the idea was that even though these buildings have

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2 fully adequate parking we thought the opportunity  
3 existed to purchase these lots and create additional  
4 parking so that none of our employees would end, end  
5 up parking in the street and taking away valuable  
6 parking spots from the residents of the neighborhood.  
7 So in that sense it's sort of overflow parking for  
8 the employees of our buildings and because we only  
9 anticipate that maybe five or eight or ten employees  
10 would... who are currently parking on the street would  
11 park there that it was open to the community so the  
12 community now has the opportunity if somebody wants  
13 to get a car off the street or if the nearby church  
14 has an event and they need overflow parking it's,  
15 it's there and it's available for the community.

16 CHAIRPERSON RICHARDS: Thank you and I  
17 appreciate the work you've done with the community  
18 obviously we've been going back and forth on this  
19 application for it feels like five years now.

20 JOHN PHUFAS: At least...

21 CHAIRPERSON RICHARDS: Just a few  
22 questions so... yeah, you said it'll be open to the  
23 community so the community would have to pay fees as  
24 well if they use this parking lot?

25

1 <INSERT TITLE OF MEETING>

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2 JOHN PHUFAS: Well I guess we're mandated  
3 to charge something 'cause it's an attended parking  
4 lot.

5 CHAIRPERSON RICHARDS: Do you have any  
6 idea yet?

7 JOHN PHUFAS: We threw out some numbers  
8 but that's really not the most... [cross-talk]

9 CHAIRPERSON RICHARDS: You want to...  
10 [cross-talk]

11 JOHN PHUFAS: That's... [cross-talk]

12 CHAIRPERSON RICHARDS: Give a... [cross-  
13 talk]

14 JOHN PHUFAS: We're not in it for the  
15 money. We're not in it to make money on a parking  
16 lot. We... what did we... [cross-talk]

17 LISA ORRANTIA: Yeah... [cross-talk]

18 JOHN: What did we say... [cross-talk]

19 LISA ORRANTIA: Right now the intended  
20 fee is \$15 a day, an hourly rate of \$4 on weekdays  
21 and \$3 an hour on weekends.

22 CHAIRPERSON RICHARDS: Oh okay and the  
23 church, I know there's a church across the street the  
24 church would... they would have to pay the fees if they  
25 utilized... [cross-talk]

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8

2 JOHN PHUFAS: No... [cross-talk]

3 CHAIRPERSON RICHARDS: The parking lot as  
4 well... [cross-talk]

5 JOHN PHUFAS: We have a... we have a  
6 special relationship with the church, we've been...  
7 we've improved the churches own parking lot which I  
8 think is very adequate for them but from time to time  
9 they have events and we have a relationship with  
10 Pastor King and we've told them whenever you have  
11 like a funeral or a large event or, or even a  
12 fundraiser or a picnic or anything like that and you  
13 want to use this parking lot we'll give it to him.  
14 We're... [cross-talk]

15 CHAIRPERSON RICHARDS: And... [cross-talk]

16 JOHN PHUFAS: We're a great supporter of  
17 his... [cross-talk]

18 CHAIRPERSON RICHARDS: Tell me about  
19 [inaudible 6:29] going to be an attendant there or,  
20 or if people park there at night is it locked up or...  
21 [cross-talk]

22 JOHN PHUFAS: We... yeah, we have... we...  
23 we're going to lock it up every night, you know it's  
24 been built in accordance with city planning's  
25 requirements, okay and building permits filed with



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2 the... with the city of New York, with the Department  
3 of Buildings, it's fully fenced with a green fence  
4 all the way around and with a sliding gate so this is  
5 going to be closed every night around seven o'clock,  
6 we don't think, we don't think we should keep it open  
7 at... in the evening.

8 CHAIRPERSON RICHARDS: Okay, good and...

9 JOHN PHUFAS: And we also have 24/7  
10 security on the property's here so the parking lot we  
11 patrol the whole neighborhood really, four blocks and  
12 the parking lot will be patrolled when the, when our  
13 guy's go on their rounds.

14 CHAIRPERSON RICHARDS: Right and so I  
15 know there are... and I'll just go through these issues  
16 sometimes trucking issues and I know you've worked  
17 very closely with my office and we, we're really  
18 appreciative of that so I just want to make sure we  
19 keep that in mind and then also jobs, I know you have  
20 tenants there so there needs to be better  
21 coordination...

22 JOHN PHUFAS: Correct...

23 CHAIRPERSON RICHARDS: Amongst all of us  
24 to make sure the community's aware of job  
25

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10

2 opportunities as well within your, within the  
3 manufacturing...

4 JOHN PHUFAS: If i... [cross-talk]

5 CHAIRPERSON RICHARDS: Just want to...  
6 [cross-talk]

7 JOHN PHUFAS: As I've committed to you  
8 Councilman the, the property's there that are on the  
9 right side which are the older buildings, okay  
10 essentially are being repositioned to eliminate  
11 trucking activity.

12 CHAIRPERSON RICHARDS: Okay...

13 JOHN PHUFAS: Okay, they're becoming  
14 distribution and if they have any trucks they're  
15 small trucks and vans and we've already changed the  
16 mix of tenants to accomplish about 60 percent of that  
17 and over the next few years the rest of it. The only  
18 trucks are the modern facility that was built with  
19 IDA and so... [cross-talk]

20 CHAIRPERSON RICHARDS: So we did the  
21 [inaudible 8:16]... [cross-talk]

22 JOHN PHUFAS: Trucks still go there but  
23 as you know we're the only facility that's ever built  
24 at the airport with 60 foot loading docks so these  
25 tractor trailers that visit that facility completely

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11

2 go into the property, they don't cause congestion,  
3 they don't stick out in the road and in that sense  
4 there as good as you can get when it comes to  
5 handling large trucks.

6 CHAIRPERSON RICHARDS: And last question  
7 before I ask my peers if they do, so we're doing a  
8 C2-2 overlay which means that you would be within  
9 your right eventually if you wanted to develop this  
10 property into at least one story of commercial so  
11 there's no plans to do anything else?

12 JOHN PHUFAS: No..

13 CHAIRPERSON RICHARDS: Except parking  
14 here?

15 JOHN PHUFAS: No, right we have no plans  
16 to do anything except parking, nothing that I can  
17 think of in the immediate horizon, no.

18 CHAIRPERSON RICHARDS: Okay.

19 JOHN PHUFAS: If something opportunistic  
20 came by or you know we could combine park, park... a  
21 building with parking I would be open minded to do  
22 that but right now the plan is just parking so that  
23 we don't compete with the neighbors parking on the  
24 street.

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12

2 CHAIRPERSON RICHARDS: Okay, any  
3 questions from my colleagues, Council Member Gentile?

4 COUNCIL MEMBER GENTILE: You, you  
5 mentioned that you're required to charge for parking  
6 but if, if you have the discretion to allow the  
7 church to use the parking lot without charge... [cross-  
8 talk]

9 JOHN PHUFAS: That's correct...

10 COUNCIL MEMBER GENTILE: Couldn't you do  
11 that with the community... [cross-talk]

12 JOHN PHUFAS: I would... [cross-talk]

13 COUNCIL MEMBER GENTILE: Too?

14 JOHN PHUFAS: I, I commit to you that I  
15 will do... in fact I've already told that to Pastor  
16 King.

17 COUNCIL MEMBER GENTILE: No, no I... I'm  
18 not talking about the church, I mean in general you  
19 said you're required to charge for parking is that  
20 the case if you're allowing... you have... [cross-talk]

21 JOHN PHUFAS: I disperse... [cross-talk]

22 COUNCIL MEMBER GENTILE: You have the  
23 discretion... [cross-talk]

24 JOHN PHUFAS: Council on that. Is it?

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2 LISA ORRANTIA: Well we would have to  
3 obtain a, a department of consumer affairs license in  
4 order to operate the public parking lot and I believe  
5 that requires that we post a fee schedule.

6 JOHN PHUFAS: Right...

7 CHAIRPERSON RICHARDS: Yeah and I don't  
8 think in this area really parking is... I mean for the  
9 most part you know it's one family homes, garages so  
10 most... you know parking is pretty you know... [cross-  
11 talk]

12 JOHN PHUFAS: It's, It's available...  
13 [cross-talk]

14 CHAIRPERSON RICHARDS: Good in... it's,  
15 it's, it's available... [cross-talk]

16 JOHN PHUFAS: Everybody has driveways...  
17 [cross-talk]

18 CHAIRPERSON RICHARDS: In the  
19 neighborhood, yeah... [cross-talk]

20 JOHN PHUFAS: And every... and there's no  
21 opposite side of the street parking requirements  
22 there so as I said the real idea for this parking lot  
23 was to make sure that none of our employees, okay  
24 that work in the air freight logistics would ever go  
25 looking for a parking spot on the street, okay and

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14

2 take it away from one of our neighbors. One thing  
3 that you have to take into account is that air  
4 freight logistics these days and this is why we're  
5 really getting rid of a lot of the trucking is, is,  
6 is a front office type job, there's so much paperwork  
7 involved in it now particularly with homeland  
8 security and customs that a third of the new building  
9 is office space, okay which is... brings in a lot of  
10 bodies whereas the warehouse space doesn't have... like  
11 you could have in a 25,000 square foot warehouse  
12 space you could have eight employees and upstairs in  
13 the office portion of that rental unit you could have  
14 40 employees so you know people drive to work. What  
15 we've seen now we've seen actually three employees,  
16 we're monitoring this, three employees Councilman so  
17 far that work there, actually walk to work because as  
18 I committed to you I told all of our tenants to start  
19 accepting resumes as, as presented from people in the  
20 neighborhood who had skills and, and, and, and worked  
21 in a logistic industry so we now have three people  
22 that actually walk to work which is a good thing.

23 CHAIRPERSON RICHARDS: Any other  
24 questions? Can you... okay, Chair Greenfield, any  
25 questions?

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15

2 CHAIR GREENFIELD: I just wanted to  
3 clarify Council Gentile you wanted to provide free  
4 parking for the city, is that, was that your proposal  
5 over here? Man I've heard of progressive but now  
6 we're, we're reaching a whole new level.

7 CHAIRPERSON RICHARDS: Yeah, we got to  
8 move everybody to the left. Alright, thank you so  
9 much for your, for your testimony and for coming out  
10 this morning, I see we've been joined by Bill  
11 Driscoll who know me from when I was a young man.  
12 Alright... [cross-talk]

13 BILL DRISCOLL: Thank you.

14 CHAIRPERSON RICHARDS: So... the... yeah, I  
15 have aged. Alright, are there any members from the  
16 public who wish to testify on this issue? Okay,  
17 seeing none I will now close the public hearing on  
18 land use item number 530 and before we go to the vote  
19 so next Monday committee members who are listening we  
20 have now committee members who are listening... they  
21 blame everything on the progressives... so next Monday  
22 we have now scheduled a hearing for 9:30 a.m. and I'm  
23 urging everybody to be on time because we are going  
24 to close out the, the vote by ten a.m. so we really

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1 <INSERT TITLE OF MEETING> 16

2 need people to be on time next Monday, nine... oh it's  
3 nine a.m., I'm sorry, nine a.m.

4 MALE COUNCIL MEMBER: Oh that's nice...

5 CHAIRPERSON RICHARDS: nine a.m. so... yes.

6 MALE COUNCIL MEMBER: But you're still  
7 closing it out by ten?

8 CHAIRPERSON RICHARDS: we'll... we'll  
9 closing it out... no, if it's nine we're going to close  
10 it out by 9:30 then so, so I'm urging everybody to be  
11 on time we're... you'll get a reminder call. Alright,  
12 so with that being said and I don't want to have to  
13 hold a big lecture next week so I will now couple  
14 this item land use number 530 which is located in my  
15 district, it's always great when I have items on the  
16 agenda that's in my district and I am in full support  
17 of this application so we will now move for a vote to  
18 approve this application, counsel please call the  
19 role.

20 COMMITTEE COUNSEL: Chair Richards?

21 CHAIRPERSON RICHARDS: Thank you for all  
22 the work, we finally got this done, congratulations,  
23 I vote aye.

24 COMMITTEE COUNSEL: Council Member  
25 Gentile?



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2 COUNCIL MEMBER GENTILE: I vote aye.

3 COMMITTEE COUNSEL: Council Member Wells?

4 COUNCIL MEMBER WELLS: I vote aye.

5 COMMITTEE COUNSEL: Council Member

6 Reynoso?

7 COUNCIL MEMBER REYNOSO: I vote aye.

8 COMMITTEE COUNSEL: By vote of four in  
9 the affirmative, zero in the negative and zero  
10 abstentions land use item 530 is approved and  
11 referred to full land use committee.

12 CHAIRPERSON RICHARDS: Thank you, this  
13 hearing is now finished.

14 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 14, 2016