

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

----- X

February 28, 2017
Start: 11:42 a.m.
Recess: 12:08 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: DAVID G. GREENFIELD
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile
Annabel Palma
Daniel R. Garodnick
Darlene Mealy
Rosie Mendez
Ydanis A. Rodriguez
Peter A. Koo
Brad S. Lander
Stephen T. Levin
Jumaane D. Williams
Ruben Wills
Deborah L. Rose
Donovan J. Richards
Inez D. Barron
Andrew Cohen
Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger

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

2 [sound check, pause]

3 CHAIRPERSON GREENFIELD: Good morning. My
4 name is David Greenfield, Council Member from the
5 44th Council District in Brooklyn. I'm privileged to
6 serve as the chair of the Land Use Committee. I want
7 to welcome my esteemed colleagues who are members of
8 the committee and have joined us today. I want to
9 recognize that we've been joined by Council Member
10 Mendez, who is the first to arrive. Thank you,
11 Council Member. Council Member Gentile, Council
12 Member Garodnick, Council Member Koo, Council Member
13 Lander, Council Member Rose, Council Member Williams,
14 Council Member Richards, Council Member Cohen,
15 Council Member Kallos, and Council Member Treyger. I
16 want to thank our subcommittee chairs as always for
17 their work, Chair Richards, Chair Koo and Acting
18 Chair Cohen. We have one item for a vote from the
19 Zoning Subcommittee, LU 544 Bread & Tulips sidewalk
20 café in Council Member Mendez's district. We will be
21 voting on a motion to file LU 545, which is a zoning
22 text amendment concerning the feeder sub-district of
23 the Special Midtown District, which was withdrawn by
24 the Administration yesterday. To remind everyone,
25 this text amendment would have changed the rules

2 governing the transfer of unused floor area from
3 lifted feeders within the feeder sub-district. The
4 proposal would increase the required payment into the
5 Feeder Sub-District Fund from a fee per square foot
6 of development rights transferred to a fee of 20% of
7 the sale price for each development rights
8 transaction including the concept of a floor price.
9 This change would have roughly quadrupled the amount
10 of money that would have gone into the Feeder Sub-
11 district Fund, which is used to support non-profit
12 feeders and access to Broadway by communities from
13 around New York City, and would have, in fact,
14 conformed with the original intent of this
15 legislation. Unfortunately, despite working
16 diligently over the last several months and weeks to
17 make a good proposal even better, the proposal was
18 withdrawn by the Administration. I know that Council
19 Member Johnson and Garodnick believe that this
20 outcome represents a missed opportunity to ensure our
21 non-profit feeder community has additional resources,
22 and I certainly hope the Administration will address
23 this needed revision to the contribution amounts
24 soon. That being said, because the Administration
25 has chosen to withdraw this application, we will be

2 voting on a motion to file this application. I
3 recognize we've been joined by Council Member as
4 well.

5 Next, we'll be moving onto six landmarks
6 designations that the Council will be voting on. The
7 landmarking of these buildings located in Manhattan,
8 Queens, Brooklyn and Staten Island is part of the
9 Landmark Preservation's Backlog Initiative to resolve
10 the status of 95 sites that were calendared but never
11 designated. Of course, this initiative coincided
12 with the legislation that was introduced by Council
13 Member Koo and myself, Intro 775-A. This legislation
14 actually does several things. First, it required the
15 Landmarks Preservation Commission to finally go
16 through the backlog and we certainly appreciate the
17 cooperation of the Landmarks Preservation Commission.
18 I certainly would like to recognize the work of the
19 Chair Meenakshi Srinivasan, and at the same time the
20 Koo/Greenfield legislation Intro 775-A makes sure
21 that there will never be a backlog again. From
22 hereon in it is now a requirement that items actually
23 get settled on within one year on individual items
24 and two years on districts. In fact, one of these
25 items actually had a hearing, believe it or not, and

2 this 412 East 85th Street on December 27, 1966. Fifty
3 years to make a decision on one piece of property.
4 The good, of course, is that it is now in Council
5 Member Ben Kallos' district, and even though he
6 wasn't alive in 1966, he will be able to now be the
7 Council Member who actually had gotten it done.

8 COUNCIL MEMBER KALLOS: Neither were you.

9 CHAIRPERSON GREENFIELD: That is correct,
10 but it is not in my district. [laughter] That being
11 said [laughs] that being said, we are certainly
12 pleased that as a result of the Good Government
13 effort that Council Member and Chair Koo and myself
14 that we're finally able to resolve this through Intro
15 775-A, and we're so happy Chair Koo and myself that
16 we can contribute to the landmarking of so many
17 buildings in New York City that under our leadership
18 we have landmarked more properties than anyone else
19 in the history of the New York City Council.

20 So the first item is LU 574, which is 183
21 to 194 Broadway in Council Member Reynoso's district
22 in Williamsburg, Brooklyn.

23 The second item is LU 575, St. Barbara's
24 Roman Catholic Church located at 138 Bleecker Street

2 in Council Member Espinal's district in Bushwick,
3 Brooklyn.

4 The third item is LU 576, the Excelsior
5 Steam Power Company building located at 33-43 Gold
6 Street in Council Member Chin's district in Brooklyn.
7 I want to recognize that we've been joined by Council
8 Member Rodriguez as well.

9 The fourth item is LU 577, the Bergdorf
10 Good man Building located at 74--754 Fifth Avenue
11 also known to locals as 2 West 58th Street in Council
12 Member Garodnick's district in Manhattan

13 The fifth item is the famed LU 578, a
14 wood frame house located at 412 East 85th Street in
15 Council Member Kallos' district in Manhattan. It's
16 been waiting 50 years for its vote.

17 The sixth item is LU 583, the Brougham
18 Cottage located at 4746 Amboy Road in Council Member
19 Borelli's district in Staten Island. All of the
20 members support these respective applications in
21 their districts. I want to recognize that we've been
22 joined by Acting Chair Cohen as well. Thank you for
23 your service. At this point, I'd like to ask if any
24 members have any questions or perhaps any remarks.

1 COMMITTEE ON LAND USE

8

2 Hearing none, I will ask the Clerk to please call the
3 roll.

4 CLERK: Committee Clerk Matthew
5 DiStefano, Committee on Land Use, roll call vote to
6 approve LU Nos. 544, 574, 575, 576, 577, 578 and 583
7 as well as a vote to file LU 545. Chair Greenfield.

8 CHAIRPERSON GREENFIELD: Aye on all.

9 CLERK: Gentile.

10 COUNCIL MEMBER GENTILE: I vote aye.

11 CLERK: Garodnick.

12 COUNCIL MEMBER GARODNICK: Aye.

13 CLERK: Mendez.

14 COUNCIL MEMBER MENDEZ: Aye.

15 CLERK: Rodriguez.

16 COUNCIL MEMBER RODRIGUEZ: Aye.

17 CLERK: Koo.

18 COUNCIL MEMBER KOO: Aye on all.

19 CLERK: Lander.

20 COUNCIL MEMBER LANDER: Aye.

21 CLERK: Rose.

22 COUNCIL MEMBER ROSE: Aye.

23 CLERK: Richards.

24 COUNCIL MEMBER RICHARDS: Aye.

25 CLERK: Barron.

2 COUNCIL MEMBER BARRON: I vote aye.

3 CLERK: Cohen.

4 COUNCIL MEMBER COHEN: Aye.

5 [background comments]

6 CLERK: Treyger.

7 COUNCIL MEMBER TREYGER: Aye.

8 CLERK: Kallos.

9 COUNCIL MEMBER KALLOS: Permission to
10 explain my vote.

11 CHAIRPERSON GREENFIELD: Council Member
12 Kallos to explain the vote, and the history of the
13 50-year battle to landmark this important home in his
14 district and I want to recognize we've been joined by
15 Council Member Torres as well. Council Member
16 Kallos.

17 COUNCIL MEMBER KALLOS: So I think it
18 just goes to show if you need something done, get me
19 to represent the district, and I will get a landmark
20 pushed through that's been waiting 50 years, and it
21 quite a landmark. It is one of six wooden framed
22 buildings on the East Side. It is--was once occupied
23 by Yelles (sic) Hopper, and I think the whole point
24 of this is it's a beautiful wooden building with a
25 wooden porch. It's not something you see in the

2 city, and by landmarking this building, it shows
3 folks that the Upper East Side isn't just this place
4 with tall buildings or six-story walk-ups, but was
5 once a farming community right next to Hellgate Ferry
6 Road where we once had a ferry, and that these
7 buildings mattered and this city has a rich history.
8 And so I just want to thank my committee colleagues
9 for voting in favor of this and I-I proudly vote aye.

10 CHAIRPERSON GREENFIELD: Congratulations
11 Council Member Kallos.

12 COUNCIL MEMBER KALLOS: Thank you. I'll
13 enjoy walking past this building with pride for the
14 rest of my life. [background comments]

15 CLERK: Torres.

16 COUNCIL MEMBER TORRES: I vote aye.

17 CLERK: Williams.

18 COUNCIL MEMBER WILLIAMS: [off mic] Aye
19 on all. At Brooklyn it was amended anyhow. (sic)
20 [background comments]

21 CLERK: By a vote of 15 in the
22 affirmative, 0 in the negative and no abstentions the
23 items have been adopted and LU 545 has been filed.

24 [background comments]

1 COMMITTEE ON LAND USE

11

2 CHAIRPERSON GREENFIELD: A is our
3 tradition, we're going to ask the Council's
4 unofficial thespian to please lead us in a rendition
5 of happy birthday.

6 COUNCIL MEMBERS: [Singing happy
7 birthday, pause] [applause] [background comments,
8 laughter]

9 CHAIRPERSON GREENFIELD: Alright, in line
10 with our tradition, we're going to keep the vote open
11 for 15 more minutes, and that will be 12:07 p.m.
12 [pause] [background comments, pause, background
13 comments]

14 CLERK: Committee on Land Use
15 continuation of roll call. Roll call vote to approve
16 LU Nos. 544, 574, 575, 576, 577, 578 and 583 as well
17 as to file LU 545. Council Member Mealy.

18 COUNCIL MEMBER MEALY: I vote aye on all.

19 CLERK: The vote now stands 16 in the
20 affirmative, 0 in the negative and no abstentions.
21 [pause]

22 CHAIRPERSON GREENFIELD: This formally
23 concludes the Land Use Committee for Tuesday,
24 February 28, 2017. This meeting is hereby adjourned.
25 [gavel]

1 COMMITTEE ON LAND USE

12

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 March 15, 2017