

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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October 2, 2014  
Start: 11:38 a.m.  
Recess: 12:01 p.m.

HELD AT: Committee Room-City Hall

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

COUNCIL MEMBERS:  
Vincent Ignizio  
Rosie Mendez  
Annabel Palma  
Maria del Carmen Arroyo  
Inez E. Dickens  
Daniel R. Garodnick  
Peter A. Koo  
Mark S. Weprin  
Ruben Wills  
Donovan J. Richards  
Andrew Cohen  
Antonio Reynoso  
Ritchie J. Torres  
Ben Kallos  
Vincent J. Gentile  
Inez D. Barron  
Ydanis A. Rodriguez  
Jumaane D. Williams

Brad S. Lander  
Stephen T. Levin

CHAIRPERSON GREENFIELD: Good morning.

My name is David Greenfield. I'm the council member from the 44th council district in Brooklyn. I'm privileged to serve as the chair of the Land Use Committee. Apologies to all for the delay today. There was a last minute Brooklyn delegation meeting that was scheduled at a inconvenient time and we'll make sure that it does not happen again. I want to welcome my esteemed colleagues who are members of the committee. First, I actually would like to give... there was technically a tie today for the gold star between Council Members Ignizio and Mendez; however, because it is Vinnie's birthday, we're going to give him the gold star. [cheers, applause] Happy Birthday. We will not sing Happy Birthday. I also want to recognize Council Member Mendez, Council Member Palma, Council Member Arroyo, Council Member Dickens, Council Member Garodnick, Council Member Koo, Council Member Weprin, Council Member Wills, Council Member Richards, Council Member Cohen, Council Member Reynoso, Council Member Torres and I want to thank all of you for being here today.

You will see on the table before you several items relating to the committee, which have

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2 been prepared by the committee staff pertaining to  
3 those matters which have had... quiet on the set,  
4 please... which have a hearing and been reviewed and  
5 fully vetted by the subcommittees. Those are the  
6 matters on which we will be acting upon today. I'd  
7 also like to thank our subcommittee chair: Chair  
8 Wepin, Chair Koo and Chair Dickens for all of their  
9 work. Before you, you have the joint reports of the  
10 Land Use and applicable subcommittee for each item we  
11 are voting on today with the proposed resolution for  
12 each item. What the committee is voting on today is  
13 to approve each of the resolutions before you for  
14 presentation for vote by the full Council. The  
15 resolutions reflect the recommendation of the  
16 applicable subcommittee. In addition today, you will  
17 also find a briefing sheet, which give you additional  
18 information about those matters and other matters  
19 which have scheduled to be heard by the subcommittee.

20 Today we have the following applications  
21 on our calendar for our consideration. There are two  
22 sidewalk cafes. First, there's LU Number 114,  
23 Cherche Midi, an application to operate an unenclosed  
24 sidewalk café located at 282 Bowery with eight tables  
25 and 16 chairs in Manhattan Community Board 12 in

1 Council Member Chin's district. LU Number 121,  
2 Hearth, an application to operate an unenclosed  
3 sidewalk café located at 403 East 12th Street with  
4 eight tables and 16 chairs in Manhattan Community  
5 Board 2 in Council Member Mendez's district. We have  
6 two applications from HPD, LU Number 123, Northern  
7 Manhattan Equities, an application submitted by HPD  
8 for one exemption for property tax pursuant to  
9 Article 11 of the Private Housing Finance Law for 19  
10 multi-family buildings in Harlem with 407 units. The  
11 buildings are located in Manhattan Community Board 10  
12 in Council Member Dickens' district. LU Number 119,  
13 161-79, 86th Avenue, an application for HPD for the  
14 disposition of a site, which consists of an abandoned  
15 single-family home and two adjacent vacant lots  
16 through the HPD Asset Sales program to enabling  
17 property owner. This site is located in Queens  
18 Community Board 8 in Council Member Lancman's  
19 district. And finally, we are voting on the 19 East  
20 Houston Street project in Council Member Chin's  
21 district, which involves a four Land Use application  
22 consisting of three special permits pursuant to the  
23 zoning and disposition action for city-owned land.  
24 The project involves the construction of a new six-

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2 story commercial building in the SoHo Cast-Iron  
3 Historic District. Council Member Chin was able to  
4 negotiate improvements to the project in response to  
5 her concerns and that of the community, including the  
6 removal of the third floor retail space initially  
7 proposed, as well as commitments from the developer  
8 and DOT to make pedestrian circulations improvements  
9 in and around the project site in order to reflect  
10 the agreement Council Member Chin has reached with  
11 the developer.

12 We will now vote on a motion to file one  
13 application, which was withdrawn by the applicant and  
14 to modify the remainder of the project action as  
15 follows: LU Number 111. The applicant has submitted  
16 a... [background voice] Okay, thank you. LU Number  
17 117: the applicant has submitted his letter to City  
18 Planning Commission withdrawing this special permit  
19 application to allow large retail establishments with  
20 no limitations as to floor area, as it is no longer  
21 needed to give the developers agreement to limit the  
22 retail the second floor and below; therefore, for LU  
23 Number 117 we are voting to approve a motion to file  
24 this action pursuant to a letter of withdrawal. LU  
25 Number 115, 116 and 118: these applications and

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2 associated ULURP drawings are being modified. Folks,  
3 if you want to chat, please either whisper or take  
4 your conversation outside. LUs Number 115, 116 and  
5 118: these applications and the associated ULURP  
6 drawings are being modified as necessary to reflect  
7 the applicant's removal of the third floor retail  
8 space and the withdrawal of the special permit under  
9 LU 117 for a large retail establishment within the  
10 development. The committee is therefore voting to  
11 approve these items with the described modifications.  
12 Subcommittees have recommended approval of these  
13 items, as have the members in which each of the  
14 districts are... projects are located. Chair  
15 recommends an aye vote on all these matters.

16 Are there any questions or comments from  
17 members of the committee? Hearing none, I will ask  
18 the clerk to call the roll.

19 COMMITTEE CLERK: William Martin,  
20 Committee Clerk. Roll call vote Committee on Land  
21 Use. Chair Greenfield.

22 CHAIRPERSON GREENFIELD: Aye on all.

23 COMMITTEE CLERK: Palma.

24 COUNCIL MEMBER PALMA: [off mic] Aye on  
25 all.

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COMMITTEE CLERK: Arroyo.

COUNCIL MEMBER ARROYO: [off mic] Aye on  
all.

COMMITTEE CLERK: Dickens.

COUNCIL MEMBER DICKENS: Aye.

COMMITTEE CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE CLERK: Mendez.

COUNCIL MEMBER MENDEZ: Permission to  
explain my vote.

CHAIRPERSON GREENFIELD: Of course.

COUNCIL MEMBER MENDEZ: My colleagues,  
today I want you to know that I am voting aye on all.

[cheers]

CHAIRPERSON GREENFIELD: That's exciting.  
Thank you, Council Member.

COMMITTEE CLERK: Koo.

COUNCIL MEMBER KOO: [off mic] Aye.

COMMITTEE CLERK: Weprin.

COUNCIL MEMBER WEPRIN: [off mic] Aye on  
all.

COMMITTEE CLERK: Wills.

COUNCIL MEMBER WILLS: Aye on all.

COMMITTEE CLERK: Richards.



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COUNCIL MEMBER RICHARDS: Aye on all.

COMMITTEE CLERK: Cohen.

COUNCIL MEMBER COHEN: Aye.

COMMITTEE CLERK: Kallos.

COUNCIL MEMBER KALLOS: Aye on all.

COMMITTEE CLERK: Reynoso.

COUNCIL MEMBER REYNOSO: Aye.

COMMITTEE CLERK: Torres.

COUNCIL MEMBER TORRES: Aye on all.

COMMITTEE CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: Aye.

COMMITTEE CLERK: Gentile.

COUNCIL MEMBER GENTILE: Aye.

COMMITTEE CLERK: By a vote of 16 in the affirmative, 0 in the negative and no abstentions, all items have been adopted. Members, please sign the Committee Reports. Thank you.

CHAIRPERSON GREENFIELD: Thank you.

We're going to give our colleagues, especially those tardy ones from Brooklyn, an extra 15 minutes to get here and we're going to keep this open until 12:00. Thank you.

[Pause]

COMMITTEE CLERK: Council Member Barron.

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COUNCIL MEMBER BARRON: I vote aye.

COMMITTEE CLERK: The vote now currently stands at 17 in the affirmative.

[Pause]

COMMITTEE CLERK: Council Member Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Aye.

COMMITTEE CLERK: The vote is now at 18.

[Pause]

COMMITTEE CLERK: Council Member Williams.

COUNCIL MEMBER WILLIAMS: Aye.

[Pause]

COMMITTEE CLERK: Council Member Lander.

COUNCIL MEMBER LANDER: Aye on all.

COMMITTEE CLERK: Levin.

COUNCIL MEMBER LEVIN: Aye on all.

[Pause]

COMMITTEE CLERK: Final vote on Committee on Land Use is 21 in the affirmative, 0 in the negative and no abstentions.

CHAIRPERSON GREENFIELD: The Land Use Committee for the meeting of October 2nd, 2014 is hereby adjourned. [gavel]

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 October 6, 2014