

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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April 15, 2015
Start: 11:24 a.m.
Recess: 12:11 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
Maria del Carmen Arroyo
Inez E. Dickens
Daniel R. Garodnick
Darlene Mealy
Rosie Mendez
Ydanis A. Rodriguez
Peter A. Koo
Brad S. Lander
Stephen T. Levin
Mark S. Weprin
Jumaane D. Williams
Ruben Wills
Donovan J. Richards
Inez D. Barron
Andrew Cohen

COUNCIL MEMBERS:

Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger
Vincent M. Ignizio

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

CHAIRPERSON GREENFIELD: Good morning.

My name is David Greenfield; I'm the Council Member for the 44th District in Brooklyn and I also serve as the Chair of the Land Use Committee.

I want to welcome my esteemed colleagues who are members of the Committee and are joining us this morning; first I want to recognize that Council Member Palma gets the gold star for early attendance today. Thank you, Council Member Palma. Also want to recognize... [cheers, applause, background comments]

Also want to recognize what's the minimum wage, Vincent Gentile, [laughter], Council Member Dan Garodnick -- \$7.25, thank you very much, federal level; \$8.75 in New York City -- Council Member Peter Koo, Council Member Brad Lander, Council Member Levin, Council Member Weprin, Council Member Williams, Council Member Richards, Council Member Cohen, Council Member Reynoso and Council Member Treyger.

I wanna thank all of you for your prompt attendance -- hold on a second -- this is... where is Council Member Treyger? Oh he's not here. Okay. [background comments] If he was here we would demand that Council Member Williams break into song in

1 celebration... [background comments] in celebration.

2 Well we will hold off on that, Council Member

3 Williams until he returns into the room.

4
5 You will see on the table before you
6 several items relating to the Committee; first is the
7 agenda prepared by the Committee staff containing
8 those matters which have had a hearing and have been
9 reviewed and fully vetted by the subcommittees; those
10 are the matters on which we will be acting on today.

11 I'd also like to take the opportunity to
12 thank our subcommittee chairs, Chair Weprin, Chair
13 Koo and Chair Dickens; especially Chair Weprin, who
14 had a very lengthy hearing this week.

15 Also before you are the joint reports on
16 the Land Use Committee and the applicable
17 subcommittees for each item we are voting on today
18 with a proposed resolution for each item.

19 What the Committee is voting on today is
20 to approve each of the resolutions before you for
21 presentation in the full vote by Council; the
22 resolutions reflect recommendations of the applicable
23 subcommittee; today we have the following
24 applications on our calendar for our consideration;
25 Land Use No. 189, 190 and 191. We are voting on

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2 modification to 505, West 43rd Street, special
3 permits encompassing the 505 West 43rd Street project
4 in Council Member Corey Johnson's district concerning
5 text amendments on two special permits to allow for a
6 residential development over an open rail cut of the
7 Amtrak Railroad in Manhattan's Clinton Special
8 District. There are two modifications recommended
9 for approval -- 1. to modify the plans to increase
10 the size of the emergence [sic] event, and 2. to
11 eliminate parking spaces in the building; 21 parking
12 spaced on the ground floor were approved by the City
13 Planning Commission; after discussions with Council
14 Member Johnson's office, the applicant has agreed to
15 eliminate the parking spaces to allow for
16 approximately three additional affordable units to be
17 generated by the project. Congratulations Council
18 Member Johnson.

19 LU No. 195, Otto's Tacos, application to
20 operate an unenclosed sidewalk café located at 131
21 Seventh Avenue South; this application is in
22 Community Board 2, in Council Member Johnson's
23 district.

24 LU No. 196, Dominique Ansel Kitchen,
25 application to operate an unenclosed sidewalk café

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2 located at 137 Seventh Avenue South; this application
3 is also in Community Board 2, also in Council Member
4 Johnson's district.

5 LU No. 202, at 2702 West 15th Street, an
6 application for the grant of a special permit to
7 allow commercial use and modify yard regulations to
8 facilitate the development of 3-story commercial
9 warehouse building on property located within the
10 Special Coney Island Mixed Use District; this
11 application is in Brooklyn Community Board 13, in
12 Council Member Treyger's district.

13 LU No. 203, Fifth Avenue Committee
14 Renaissance, an application submitted by HPD for the
15 grant of a real property tax exemption to facilitate
16 a preservation of 21 buildings with 146 dwelling
17 units; this application is in Brooklyn, Community
18 Boards 2 and 6 in Council Member Levin's and Lander's
19 district.

20 LU No. 204, Northern Manhattan Equities
21 Phase II, an application submitted by HPD for the
22 grant of a real property tax exemption pursuant to
23 Section 577 of the Private Housing Finance Law to
24 facilitate the preservation of nine buildings with
25 207 dwelling units; this application is in Council

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2 Member Dickens' district, Manhattan Community Board
3 10.

4 And finally, we are voting on something
5 historic, Resolution 637 by Council Member Koo, of
6 course, the Chair of our Subcommittee on Landmarks,
7 Public Siting and Maritime Use, and this is a
8 resolution to commemorate the 50th anniversary of the
9 signing of the New York City Landmarks Law.

10 Before I turn to Council Member Peter Koo
11 to make some remarks on the commemoration of the 50th
12 anniversary of the signing of the New York City
13 Landmarks Law, I would like to invite Council Member
14 Jumaane Williams to serenade Council Member Treyger
15 [background comments] in celebration of his birthday.
16 [laughter, singing]

17 [pause]

18 CHAIRPERSON GREENFIELD: Speech, speech.
19 You'd like to make some remarks, Council Member
20 Treyger in honor of your birthday?

21 COUNCIL MEMBER TREYGER: I wanna tell
22 you, and I'm not even joking; this morning I told my
23 wife, after she said happy birthday, I said, I hope I
24 hear that song from Council Member Jumaane Williams,
25 [laughter] because it's awesome and he has a great

1
2 voice and thank you to all my colleagues for the warm
3 wishes. Thank you so much.

4 CHAIRPERSON GREENFIELD: Happy birthday,
5 congratulations; before I turn to Chair Koo, we have
6 a concurrent hearing going on at the time by Chair
7 Rodriguez, so I'm gonna ask him to please vote on
8 these items.

9 COUNCIL MEMBER RODRIGUEZ: Aye.

10 CHAIRPERSON GREENFIELD: Vote is recorded
11 as aye. Thank you, Chair Rodriguez.

12 And with that I will now pass it over to
13 the Chair of our Subcommittee on Landmarks, Public
14 Siting and Maritime Uses to discuss the exciting
15 historic Resolution 637 commemorating the 50th
16 anniversary of the signing of the New York City
17 Landmark Law.

18 COUNCIL MEMBER KOO: Thank you, thank
19 you, Mr. Chair.

20 My colleagues, Resolution No. 637 will
21 commemorate the 50th anniversary of the signing of
22 the New York City Landmarks Law. The resolution
23 would indicate that on April 19, 1965 Mayor Robert
24 Wagner signed the New York City Landmarks Law
25 granting the New York City Landmarks Preservation

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2 Commission (LPC) authority to preserve significant
3 historic buildings in the city.

4 Resolution 637 would note that the
5 creation of the LPC was a response to the public
6 outcry over the loss of the architecturally and
7 historically significant buildings throughout New
8 York City. The resolution would highlight that New
9 York City is a unique, world-class, international
10 city composed of people from around the globe and its
11 architecture and other structures reflect the beauty,
12 power and diversity of its people. The resolution
13 would acknowledge that the mandate of the LPC is to
14 identify and designate those improvements, districts
15 and landscape features within the city that must be
16 preserved because of their special character or
17 special historical or aesthetic value.

18 The resolution will further note that
19 under the Landmarks Law, the purpose preservation is
20 to safeguard the city's special historic, aesthetic
21 and cultural heritage; stabilize and improve property
22 values in historic districts; encourage civic pride
23 in the beauty and accomplishments of the past;
24 protect and enhance the city's attractions for
25 tourists; strengthen the city's economy, and promote

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2 the use of the city's landmarks for the education,
3 pleasure and welfare of the people of the city.

4 The resolution would indicate that to
5 date, the LPC has preserved more than 31,000
6 properties through designation of 1338 landmarks, 115
7 interior landmarks, 10 scenic landmarks and 111
8 historic districts, in addition to reviewing
9 countless applications for development, construction
10 and improvement of landmarked buildings and on
11 property within historic districts in order to
12 preserve the character of these buildings and
13 districts. The resolution would further point out
14 that the preservation of these buildings, interiors
15 and districts has greatly enriched the city for the
16 past 50 years and will continue to protect the unique
17 identify of the city in the future. The resolution
18 would note that the New York City Landmarks Law and
19 the LPC helped to usher in an era of landmarks
20 preservation nationwide.

21 Thank you, Mr. Chair and I hope all my
22 colleagues will support this resolution.

23 CHAIRPERSON GREENFIELD: Absolutely. And
24 for those who would like to sign onto the resolution,

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2 please see the counsel afterwards and we will gladly
3 sign on as well.

4 I wanna thank you, Chair Koo, for your
5 fine stewardship of the Subcommittee on Landmarks,
6 Public Siting and Maritime Uses and for this
7 important resolution.

8 Getting back to the items on today's
9 agenda, as the subcommittees have all recommended
10 approval of all these items, as have the members of
11 whose districts these projects are located, as Chair
12 I recommend a yes vote on all these matters. Do any
13 members have any questions or remarks they'd like to
14 make before we do the roll call? [background
15 comment] Also want to recognize that we've joined by
16 Council Member Arroyo and Council Member Torres
17 [background comments] and Council Member Kallos.
18 [background comments] Hearing no questions or
19 remarks, I will now ask the clerk to call the roll.

20 COMMITTEE CLERK: William Martin,
21 Committee Clerk, roll call vote in Committee on Land
22 Use. Chair Greenfield.

23 CHAIRPERSON GREENFIELD: Thank you,
24 William; I vote aye on all.

25 COMMITTEE CLERK: Gentile.

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[background comment]

COUNCIL MEMBER GENTILE: I vote aye.

COMMITTEE CLERK: Palma.

COUNCIL MEMBER PALMA: Aye.

COMMITTEE CLERK: Arroyo.

COUNCIL MEMBER ARROYO: Aye.

COMMITTEE CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE CLERK: Koo.

COUNCIL MEMBER KOO: Aye.

COMMITTEE CLERK: Lander.

COUNCIL MEMBER LANDER: Aye.

COMMITTEE CLERK: Levin.

COUNCIL MEMBER LEVIN: Aye.

COMMITTEE CLERK: Weprin.

COUNCIL MEMBER WEPRIN: Aye.

COMMITTEE CLERK: Williams.

COUNCIL MEMBER WILLIAMS: Excused to explain my vote?

CHAIRPERSON GREENFIELD: Yes, to explain his vote, Council Member and renowned birthday singer, Jumaane Williams.

COUNCIL MEMBER WILLIAMS: Thank you, Mr. Chair. I'm gonna vote aye on all with the exception

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2 of 189 and related items; I do wanna say I know that
3 Council Member Johnson worked really hard; got a
4 couple extra units, but as the Housing Chair, I've
5 been really trying to push us going deeper in the
6 income bands -- although this is affordable
7 homeownership, which is good, I've been really
8 opposed to the 80/20, which just kind of broke down
9 to I wish we can get a little bit more units in the
10 affordable side and this one doesn't really quite do
11 that, so for that I'm gonna abstain.

12 Thank you, Council Member Koo for your
13 resolution. I'm gonna vote aye, but I do think right
14 now they sometimes abuse the spirit of which the law
15 was created and hopefully we'll in this Council do
16 some things to make sure that some of the homeowners
17 have additional rights and information given to them
18 as we do the landmark process. But I vote aye on all
19 the rest. Thank you.

20 COMMITTEE CLERK: Richards.

21 COUNCIL MEMBER RICHARDS: Vote aye on
22 all.

23 COMMITTEE CLERK: Cohen.

24 COUNCIL MEMBER COHEN: Yeah, aye.

25 COMMITTEE CLERK: Kallos.

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2 COUNCIL MEMBER KALLOS: Aye.

3 COMMITTEE CLERK: Torres.

4 COUNCIL MEMBER TORRES: Aye.

5 COMMITTEE CLERK: Treyger.

6 COUNCIL MEMBER TREYGER: Brief

7 permission, Chair; I just want to commend Council
8 Member Koo on his bill and I hope that by the next
9 time we celebrate their anniversary we'll include the
10 Coney Island Boardwalk as a landmark as well. I vote
11 aye on all. Thank you.

12 CHAIRPERSON GREENFIELD: To be clear; are
13 you referring to the next 50th anniversary;
14 [laughter] that would be 100 years from now..
15 [crosstalk]

16 COUNCIL MEMBER TREYGER: Next year. Next
17 year. Next year.

18 CHAIRPERSON GREENFIELD: The 51st
19 anniversary. Okay. Thank you, Council Member.

20 COMMITTEE CLERK: All items have been
21 adopted in today's agenda by a vote of 16 in the
22 affirmative, 0 in the negative and no abstentions,
23 with the exception of the following: Land Use items
24 189, 190 and 191, which have been adopted by a vote

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2 of 15 in the affirmative, 0 in the negative and 1
3 abstention.

4 CHAIRPERSON GREENFIELD: Thank you. As
5 is our practice, we will keep the roll open for 15
6 more minutes until 11:55 a.m. Thank you.

7 [pause]

8 COMMITTEE CLERK: Reynoso.

9 COUNCIL MEMBER REYNOSO: I vote aye on
10 all.

11 [pause]

12 COMMITTEE CLERK: Council Member Mealy.

13 COUNCIL MEMBER MEALY: I vote aye on all.
14 Happy 50th -- of the HPD? [background comments]
15 Landmark Preservation. Thank you.

16 [pause]

17 COMMITTEE CLERK: Council Member Mendez.

18 COUNCIL MEMBER MENDEZ: I vote aye on
19 all.

20 COMMITTEE CLERK: Final vote, Committee
21 on Land Use, all items have now been adopted by a
22 vote of 19 in the affirmative, 0 in the negative and
23 no abstentions, with the exceptions of the following
24 land use items -- LU 189, 190 and 191, which have
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2 been adopted now by a vote of 18 in the affirmative...

3 [background comment]

4 CHAIRPERSON GREENFIELD: I demand a
5 recount.

6 [pause]

7 COMMITTEE CLERK: 18 in the affirmative,
8 0 in the negative and 1 abstention. Thank you.

9 CHAIRPERSON GREENFIELD: The Committee on
10 Land Use for April 15th, 2015 is hereby adjourned.

11 [gavel]

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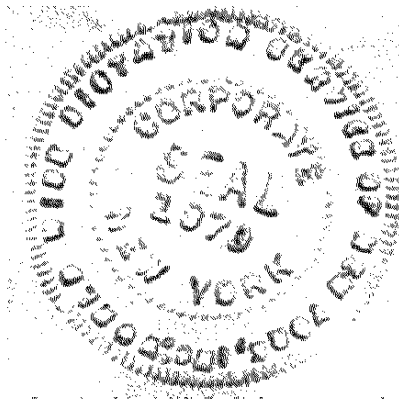
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C E R T I F I C A T E

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 April 30, 2015