

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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May 14, 2009
Start: 10:41am
Recess: 10:52am

HELD AT: Council Chambers
City Hall

B E F O R E:
MELINDA R. KATZ
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Tony Avella
Maria Baez
Charles Barron
Leroy G. Comrie, Jr.
Elizabeth Crowley
Inez E. Dickens
Simcha Felder
Daniel R. Garodnick
Eric N. Gioia
Sara M. Gonzalez
Vincent Ignizio

A P P E A R A N C E S

COUNCIL MEMBERS:

Jessica S. Lappin
John C. Liu
Melissa Mark-Viverito
Miguel Martinez
Rosie Mendez
Annabel Palma
Domenic M. Recchia, Jr.
Joel Rivera
Larry Seabrook
Helen Sears
Albert Vann

CHAIRPERSON KATZ: Hi, everyone.

Good morning, let's start the Land Use Committee meeting. It should be a relatively brief committee meeting. I know there are a few members that are here in order to make comments on the agenda. So let's start. Just so everybody knows there will be the budget hearing on Land Use at 11:00 and it will be in the Chamber. It's 11:00 in the Chamber, Zoning City Planning will be first at 11:00 and then at 12:00 is DoITT. So please join us next door as well so we can provide those commissioners with a forum. The next sub committee meeting is May 20th. May 20th is the next meeting, 9:45 is Zoning, Land Use is 10:00 and that is unfortunately session day and those are new meetings. Just so you know so your attendance here is not your attendance for that next meeting as well. So it's a new meeting.

LU numbers 1066 is an amendment to the zoning map in Council Member Recchia's district, C090250ZMK. LU numbers 1067 is the Coney Island Commons, it's a ULURP and UDAP. It's also in Council Member Recchia's district and I understand in a minute he is going to want to make

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2 some comments on the applications. LU numbers
3 1068 is Council Member Quinn's district. It is a
4 sidewalk café at Humus Kitchen. LU number 1069 is
5 the Shore Ham Hotel in Council Member Garodnick's
6 district, it is also a sidewalk café.

7 LU number 107-0 is Hobbs Court. It
8 is an amendment to the zoning map to facilitate
9 the development of affordable housing in Council
10 Member Mark-Viverito's district. And in a moment
11 she will also comment on the application. LU
12 number 1076 in Council Member Lappin's district is
13 an amendment to the zoning text relating to a
14 small sidewalk café.

15 LU number 1087 is Smorgus Chef, it
16 is also a sidewalk café in Council Member Speaker
17 Quinn's district. LU number 1088 also in Speaker
18 Quinn's district is NYCOUNCIL MEMBERF Inc, it's
19 Hen Downing Street, sidewalk café. LU 1103 is the
20 removal of a restrictive declaration in Council
21 Member Barron's district submitted by Hudson
22 Eldert's Housing. I recommend a no vote on that
23 one, just kidding.

24 Can we open up for discussion?
25 Council Member Barron, do you want to say

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something? Go ahead.

COUNCIL MEMBER BAR: I just wanted to thank my colleagues in advance for your support on this project here. I wanted to publicly say to Council Member Inez Dickens that you used to be the champ of affordability and not only have you been dethroned, I'm talking about this project is like 100% affordability. No 80/20, no eminent domain, no displacing people, none of that stuff. And I'm not trying to get on anybody here because I'm not that kind of person.

[Laughter]

But I do want to say that when you have a project that has the AMI down to 25% and 30%, isn't that correct? And someone can make \$16,000 a year and pay \$340 a month rent, come on now.

[Applause]

And it's a 100% affordable, there's no AMI above 45% to 50% and all of it is 179 affordable rentals and they're putting solar panels on top so we can get into solar energy in the 'hood. Do you see what I'm saying? So thank you very much Madam Chair, I appreciate this

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2 opportunity. And thank you'll so much for your
3 support. Can't we all just get along all the
4 time? Thank you very much.

5 CHAIRPERSON KATZ: For those of you
6 that missed the sub committee meeting, Council
7 Member Barron requested a yes vote despite what he
8 did to everyone else's project. So I'll recommend
9 the same despite what he's done. No, it is a very
10 good project and you ought to be congratulated for
11 your hard work on it. Council Member Mark-
12 Viverito.

13 COUNCIL MEMBER MARK-VIVERITO: All
14 right. Well thank you Madam Chair. I just wanted
15 to make a comment because I think this was an
16 exciting project. This is in my district. It's
17 actually is a relationship between NYCHA and HPD.
18 These were basically NYCHA owned buildings. It
19 was a set of 12 buildings over two blocks, all
20 section 8 units that basically these buildings
21 were in really bad state of repair.

22 NYCHA forged an agreement with HPD
23 where they're going to basically lease the land to
24 HPD for development. Half of the buildings are
25 going to be demolished and we're going to rebuild.

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2 Some of the buildings are going to be
3 rehabilitated. When HPD originally came to us,
4 they did not want to really make a commitment to
5 securing all the Section 8 units. It's about 165
6 or so units, if I'm not mistaken. I forget the
7 exact numbers right now. But it was about 165
8 units of Section 8 housing through vouchers. So
9 we were able to negotiate that every single
10 Section 8 unit was going to be preserved and all
11 of the people that were going to be temporarily
12 moved were going to be able to come back and move
13 into this new building and the newly refurbished
14 apartments.

15 So it's a good relationship. I
16 know we've had conversations in the City Council
17 about NYCHA properties and NYCHA property and HPD
18 selling off the property for affordable housing.
19 WE just have to be very vigilant about how we
20 approach those transactions and to make sure that
21 they really do provide affordability to the
22 community. So I'm very excited about this. WE
23 were able to really secure people coming back and
24 the Section 8 units. For that, I ask my
25 colleagues to vote aye on this item. Thank you.

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2 CHAIRPERSON KATZ: Thank you very
3 much and Council Member Recchia.

4 COUNCIL MEMBER RECCHIA: Yes, I
5 would ask all my colleagues to vote yes on the
6 Coney Island Commons. This is a community center,
7 which Coney Island waited for years. It's going
8 to be urn by the Y with affordable housing above
9 it. It was supposed to be co-ops but we are
10 turning it into rentals due to the environment and
11 the economy the way it is because we want this
12 project to get off the ground.

13 I just want to also say I want to
14 thank the Y because they worked with us and the Y
15 is going to make sure, we have an agreement that
16 no individual will be turned away due to the
17 inability to pay. It will be kids cars and it
18 will be structured according to their income. I
19 just want to thank everyone involved with this
20 project. I want to also thank the Y for working
21 with us in our community. These agreements in
22 writing will be sent to the community board.

23 CHAIRPERSON KATZ: Thank you very
24 much. Any other discussion on any item? Please
25 call the roll.

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2 COUNSEL: William Martin, committee
3 clerk. Roll call on the Committee on Land Use.
4 Council Member Katz.

5 CHAIRPERSON KATZ: Aye on all.

6 COUNSEL: Avella.

7 COUNCIL MEMBER AVELLA: Aye on all.

8 COUNSEL: Barron.

9 COUNCIL MEMBER BAR: Aye on all.

10 COUNSEL: Comrie.

11 COUNCIL MEMBER COMRIE:

12 Congratulations to the three Council Members,
13 especially to Council Member Barron for creating a
14 totally affordable project throughout and to
15 Council Member Recchia for getting the first part
16 of Coney Island done and ensuring that the
17 community center, which is long needed in that
18 area, is done. I want to thank the Y and I hope
19 that the Y can continue to do similar projects in
20 the area because we sorely need a community center
21 in Southeast Queens. So I just want to lay it
22 down now that I'll be coming to you real soon.
23 Congratulations. Aye on all.

24 COUNSEL: Gioia.

25 COUNCIL MEMBER GIOIA: Thank you.

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2 I vote yes. I'd like to congratulate the Council
3 Members' whose districts these are in. I also
4 want to reiterate what Council Member Comrie said.
5 I have a Y in my district that opened up around
6 the same time that we were elected in 2001. They
7 have been a wonderful partner. They've made an
8 extraordinary difference, particular in
9 Queensbridge and Ridgewood. I want to thank them
10 for their work.

11 COUNSEL: Sears.

12 COUNCIL MEMBER SEARS: Aye on all.

13 COUNSEL: Gonzalez.

14 COUNCIL MEMBER GONZALEZ: Aye on
15 all.

16 COUNSEL: Dickens.

17 COUNCIL MEMBER DICKENS: I
18 congratulate all of the Council Members, however
19 on Council Member Barron, I do salute him for that
20 phenomenal job he got for affordability. And yes,
21 I have been dethroned but I want all in this room
22 to understand that it took Council Member Barron
23 to have sat in the Council for seven years and I
24 as a freshman for him to finally be able to
25 dethrone me. Aye on all.

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COUNSEL: Garodnick.

COUNCIL MEMBER GARODNICK: I vote
aye. Thank you.

COUNSEL: Lappin.

COUNCIL MEMBER LAPPIN: Aye.

COUNSEL: Mendez.

COUNCIL MEMBER MENDEZ: I vote aye
and for the record, I want to state that Council
Member Barron actually voted in favor of my
rezoning so if that was lost. I think that was
the only yes vote from Charles in the Council on
any rezoning so I want to give him credit for
that. Thank you.

COUNSEL: Crowley.

COUNCIL MEMBER CROWLEY: I vote
aye.

COUNSEL: Ignizio.

COUNCIL MEMBER IGNIZIO: Yes.

COUNSEL: Liu.

COUNCIL MEMBER LIU: Yes.

COUNSEL: Felder.

COUNCIL MEMBER FELDER: Yes.

COUNSEL: By a vote of 15 in the
affirmative, zero in the negative and no

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2 abstentions, all items have been adopted. Council
3 Members please sign the committee report. Thank
4 you.

5 CHAIRPERSON KATZ: ...Delegation is
6 just breaking up their meeting, I understand.
7 We're going to leave the vote open until Finance
8 starts. Finance will be next door at 11:00. City
9 Planning will be first up. Council Member
10 Martinez, how do you vote?

11 COUNCIL MEMBER MARTINEZ: Aye on
12 all.

13 CHAIRPERSON KATZ: Thank you very
14 much. The vote stands...

15 COUNSEL: The vote is now 16 in the
16 affirmative.

17 COUNSEL: Council Member Vann.

18 COUNCIL MEMBER VANN: Aye on all.

19 COUNSEL: The vote is now 17 in the
20 affirmative.

21 COUNSEL: Council Member Palma.

22 COUNCIL MEMBER PALMA: Aye on all.

23 COUNSEL: The vote now stands at 18
24 in the affirmative.

25 COUNSEL: Arroyo.

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COUNCIL MEMBER ARROYO: Aye.

COUNSEL: Rivera.

COUNCIL MEMBER RIVERA: I vote aye
on all.

COUNSEL: Seabrook.

COUNCIL MEMBER SEABROOK: I vote
aye on all.

COUNSEL: Baez.

COUNCIL MEMBER BAEZ: Aye.

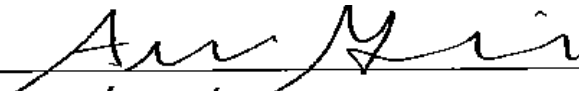
COUNSEL: Final vote on the
Committee on Land Use is now 21 in the
affirmative, zero in the negative and no
abstentions.

COUNSEL: Correction on the final
vote. Final vote for the Committee on Land Use is
22 in the affirmative, zero in the negative and no
abstentions. Thank you.

C E R T I F I C A T E

I, Amber Gibson, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature _____



Date _____ June 4, 2009