

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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September 6, 2017
Start: 11:42 a.m.
Recess: 12:02 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
Deborah L. Rose
Donovan J. Richards
Inez D. Barron
Andrew Cohen
Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger
Rafael Salamanca, Jr.
Barry S. Grodenchik

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

2 [sound check, pause]

3 CHAIRPERSON GREENFIELD: Good morning.

4 My name is David Greenfield. I'm the Council Member
5 from the 44th Council District in Brooklyn. I'm
6 privileged to serve as the Chair of the Land Use
7 Committee. Folks, if we can get a little quiet in
8 the room, if you can just whisper in your
9 conversations, we would appreciate that. I would
10 like to recognize our colleagues who have joined us
11 including Council Member Gentile, Council Member Koo,
12 Council Member Lander, Council Member Williams,
13 Council Member Cohen, Council Member Kallos, Council
14 Member Reynoso, Council Member Torres, Council Member
15 Treyger, Council Member Grodenchik, Council Member
16 Salamanca for arriving early, and Council Member
17 Mendez. I would like to thank Chair Salamanca, Chair
18 Richards and Chair Koo for their outstanding work on
19 the Land Use Subcommittee. I would also like to
20 acknowledge the newest member of the Subcommittee on
21 Zoning and Franchises. Welcome to Council Member
22 Barry Grodenchik. Let's all give him a big land use
23 welcome. Hello. Thank you for joining us. We are--
24 [background comments]. What's that?

25 COUNCIL MEMBER: [off mic]

2 CHAIRPERSON GREENFIELD: There—yes, fair
3 enough. Both—both you and the Mayor anticipated a
4 parade. I'm sorry it didn't work out for you. We
5 are confident that you will enjoy being part of the
6 Land Use Committee here in the City Council, and the
7 best advice that we have for you is jut follow the
8 Chair's vote in everything and you cannot go wrong.
9 Today, we're going to be voting on Resolutions to
10 approve LU 730, 731 and the 15 Nevins Street
11 rezoning. This application would allow for
12 development of 128 units in affordable development in
13 Council Member Levin's district in Brooklyn. The
14 District for Community Living and the largest
15 existing building horizontally and vertically and
16 will provide conventional studios, 2-bedrooms and 3-
17 bedrooms, a set of SRO units to future occupants.
18 This will be a project that is designed and built for
19 formerly homeless individuals.

20 We'll also be voting to approve LU 732,
21 the 40 Wooster Street application special permit in
22 Council Member Chin's district. This special permit
23 will allow retail use on the ground floor and cellar
24 and residential use on the second through sixth floor
25 of an existing building in the SoHo Cast Iron

2 Historic District. The approval will also result in
3 the restoration of the exterior masonry cast iron and
4 metals and restoration or replacement of exterior
5 windows and doors of the six-story building
6 constructed in 1896.

7 We'll also be voting to approve LU 744
8 and 745 the East Shore Special Coastal Risk District
9 in Council Member Matteo's district in Staten Island.
10 This application would modify the zoning regulations
11 applicable to portions of the Oakwood Beach, Grand
12 Beach and Ocean Breeze in Staten Island. These
13 zoning changes are intended to address high flood
14 vulnerability in the area. The special zoning
15 designation would limit future development to low
16 density buildings and creating new discretionary
17 action to ensure sufficient review of the
18 development's potential effects on wetlands,
19 neighborhood character and public safety while
20 allowing owners in existing homes to improve the
21 safety of their buildings. In addition, the proposal
22 would align commercial zoning with existing
23 development patterns and uses. It's very important
24 zoning as we are dealing with the impact of climate
25 change especially as we see two new hurricanes that

2 have recently-- One is currently coming to the
3 United States, but five years later we are dealing
4 with this, and so I congratulate the Council Member
5 on that as well.

6 We're voting to approve with
7 modifications LU 743, the Altus Sidewalk Café in
8 Council Member Rodriguez's district. This
9 application for an unclosed sidewalk café at 4325
10 Broadway will be modified to include conditions,
11 recommended by the Community Board. Specifically,
12 the sidewalk café will be limited in size to no more
13 than 10 tables and 20 chairs, and its hours of
14 operation will be limited to noon until 10:00 p.m.
15 Sunday through Thursday and noon until midnight on
16 Fridays and Saturdays.

17 We'll be voting to approve with
18 modifications the 126th Street Bus Depot Development.
19 This project has four recorded applications: LU 733,
20 734, 735 and 736. EDC seeks approval of a zoning map
21 change, a zoning text amendment, a city map change
22 and a future disposition of city-owned property to
23 facilitate the redevelopment of the 126th Street MTA
24 Bus Depot into a mixed-use project that includes the
25 Harlem African Burial Ground Memorial. This project

2 is expected to result in the development of over 700
3 apartments, approximately 300,000 square feet of
4 commercial space and a new public open space and
5 indoor memorial. Folks, once again, if I could ask
6 if you can just please keep your conversations to a
7 whisper that would be helpful. In order to finance
8 the memorial some market rate units are needed, but
9 the administration is committed to ensuring that no
10 more than 20% of the project will be market rate, and
11 that 80% of the housing will be affordable. At least
12 20% of the project at 30% AMI. Jumaane, is that
13 acceptable to you?

14 COUNCIL MEMBER WILLIAMS: [off mic] It
15 is.

16 CHAIRPERSON GREENFIELD: We'll find out
17 soon. Given the difficult history of this site I
18 want to commend and congratulate Speaker Melissa
19 Mark-Viverito, the East Harlem Burial Ground Task
20 Force, and EDC for coming together to create this
21 shared vision and very important memorial to the
22 Harlem African Burial Ground.

23 We'll be voting on a modification to
24 require at least 18,000 square feet of the outdoor
25 memorial space and to restrict MIH program to the

2 lower AMI options: Options 1 and 3, the deep
3 affordability options. Are there any questions or
4 remarks on these applications? Hearing none, we will
5 now move onto a vote in accordance with
6 recommendations of the Subcommittee and with the
7 support of the local council members to approve LUs
8 730, 731, 732, 744, 745 and to approve with
9 modifications LU 733 to 736 and LU 743. Will the
10 Clerk please call the roll.

11 CLERK: Committee Clerk Matthew Di
12 Stefano, Committee on Land Use, roll call vote to
13 approve LU No. 730 through 732, 744 and 745, and to
14 approve with modifications LU 733 through 736 and
15 743. Chair Greenfield.

16 CHAIRPERSON GREENFIELD: I vote aye.

17 CLERK: Gentile.

18 COUNCIL MEMBER GENTILE: I vote aye.

19 CLERK: Mendez.

20 COUNCIL MEMBER MENDEZ: Aye.

21 CLERK: Koo.

22 COUNCIL MEMBER KOO: I vote aye.

23 CLERK: Lander.

24 COUNCIL MEMBER LANDER: [pause] Sorry.

25 Aye. [laughs]

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2 CLERK: Williams.

3 COUNCIL MEMBER WILLIAMS: Abstaining on LU

4 No. 732. Aye on all the rest.

5 CLERK: Cohen.

6 COUNCIL MEMBER COHEN: [off mic] Aye.

7 CLERK: Levin.

8 COUNCIL MEMBER LEVIN: Aye on all.

9 CLERK: Kallos.

10 COUNCIL MEMBER KALLOS: Yes.

11 CLERK: Reynoso.

12 COUNCIL MEMBER REYNOSO: Aye on all.

13 CLERK: Torres.

14 COUNCIL MEMBER TORRES: Aye on all.

15 CLERK: Treyger.

16 COUNCIL MEMBER TREYGER: Aye.

17 CLERK: Garodnick.

18 COUNCIL MEMBER GARODNICK: Aye.

19 CLERK: Grodenchik.

20 COUNCIL MEMBER GRODENCHIK: Aye.

21 CLERK: Salamanca.

22 COUNCIL MEMBER SALAMANCA: Aye on all.

23 CLERK: No, it's 14. By a vote of 14 in

24 the affirmative, 0 in the negative and no

25 abstentions, the following items have been approved:

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2 LU No, 730, 731, 744 and 745. LU 732 has been
3 approved by a vote of 13 in the affirmative, 0 in the
4 negative and 1 abstention and LU 733 through 736 and
5 743 have been approved with modifications by a vote
6 of 14 in the affirmative, 0 in the negative and no
7 abstentions.

8 CHAIRPERSON GREENFIELD: Thank you. As
9 is our practice, we are going to keep the vote open
10 for 15 minutes 'til 12:05 p.m. I have to across the
11 street and vote, a Transportation Committee vote. So,
12 I will ask that the last member who is here shall
13 close out the vote on our behalf. Thank you.

14 CLERK: Council Member Cohen.

15 COUNCIL MEMBER COHEN: I vote aye on all.
16 [pause] [background comments]

17 CLERK: Continuation of roll call vote,
18 Committee on Land Use. Council Member Rodriguez.

19 COUNCIL MEMBER RODRIGUEZ: Aye.

20 [pause, background comments]

21 CLERK: Continuation of roll call vote,
22 Committee on Land Use. Council Member Richards.

23 COUNCIL MEMBER RICHARDS: I vote aye on
24 all. Thank you. [pause]

25

2 CLERK: Continuation of roll-of roll
3 call, Committee on Land Use. Council Member Barron.

4 COUNCIL MEMBER BARRON: I vote aye.
5 [pause]

6 CHAIRPERSON GREENFIELD: Are we good?
7 Seeing how there are no other council members who
8 intend on voting today, this formally concludes the
9 Land Use Committee for the meeting of September 6,
10 2017. This meeting is hereby adjourned. [gavel]

11 Clerk, will you call the final vote,
12 please?

13 CLERK: Okay, the final roll call for
14 today, LU 730, 731, 744 and 745 were approved by a
15 vote of 18 in the affirmative, 0 in the negative and
16 no abstentions. LU 732 was approved by a vote of 17
17 in the affirmative, 0 in the negative and 1
18 abstention. LU 733 through 736 and 743 were approved
19 with modifications by the same 18 in affirmative, 0
20 in the negative and no abstention vote. [background
21 comments]

22 CHAIRPERSON GREENFIELD: Apologies,
23 Clerk, for my enthusiasm to get to my next vote. The
24 meeting of the Land Use Committee for September 6,
25 2017 is hereby adjourned. [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 September 8, 2017