

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 20, 2014
Start: 11:22 a.m.
Recess: 11:53 a.m.

HELD AT: Committee Room - City Hall

B E F O R E:

DAVID G. GREENFIELD
Chairperson

COUNCIL MEMBERS:

- ANDREW COHEN
- ANNABEL PALMA
- ANTONIO REYNOSO
- BEN KALLOS
- BRAD S. LANDER
- DANIEL R. GARODNICK
- DARLENE MEALY
- DONOVAN J. RICHARDS
- INEZ D. BARRON
- INEZ E. DICKENS
- JUMAANE D. WILLIAMS
- MARIA DEL CARMEN ARROYO
- MARK S. WEPRIN
- MARK TREYGER
- PETER A. KOO
- RITCHIE J. TORRES

COUNCIL MEMBERS: (CONTINUED)

ROSIE MENDEZ

RUBEN WILLS

STEPHEN T. LEVIN

VINCENT IGNIZIO

VINCENT J. GENTILE

YDANIS A. RODRIGUEZ

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

[gavel]

CHAIRPERSON GREENFIELD: Good morning.

My name is David Greenfield. I'm the council member for the 44th council district in Brooklyn. Quiet on the set please. And I'm privileged to serve as the chair of the Land Use committee. I want to welcome Council Members Gentile, Dickens, Garodnick, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Torres, and Ignizio. I want to thank all of you for your prompt attendance. You will see on the table before you several items relating to the committee. First is the agenda prepared by the committee staff containing those matters which had had a hearing and have been reviewed and fully vetted by the subcommittees. Those are the matters in which we will be acting on today. I'd like to thank the subcommittees chairs; Chair Weprin, Chair Koo, and Chair Dickens. Also before you are the joint reports on the Land Use Committee and applicable subcommittee for each item you're voting on today... the proposed resolution for each item. What the committee's voting on today is to approve each of the resolutions before you for presentation... the council. The resolutions reflect

1 the recommendations of the applicable subcommittee.
2 Today we have the following applications on our
3 calendar for our consideration. Land Use number 134
4 Barchetta, an application for revocable consent to
5 operate an unenclosed sidewalk café located at 461
6 West 23rd Street with two tables and eight chairs
7 in Community Board 4 in Council Member Johnson's
8 District. Land Use number 143 Lantern; an
9 application for a sidewalk café located in Council
10 Member Mendez' district, the Department of
11 Consumers Affairs has withdrawn its recommendation
12 for this café so we have of course a motion to file
13 this matter pursuant to DCA's withdraw letter. Land
14 Use number 146 auto showroom... amendment, an
15 application for an amendment of the zoning
16 resolution to facilitate an automobile servicing
17 and repairs in conjunction with the automobile
18 dealership in Community board 4 in Council Member
19 Johnson's district. Land Use number 143 two special
20 projects, an application by HPD for properties
21 located at 3603 Broadway and 3605 Broadway with 36
22 total units in Community Board 9 in Council Member
23 Levine's district. Land Use number 139 890 Flushing
24 Avenue TPT [sic] an application by HPD for approval
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1 of tax exemption, property located 890 Flushing
2 Avenue in Community Board 4 in Council Member
3 Reynoso's district. Land Use number 140 to 142...
4 associates. It's an application waiting to a
5 portfolio of 17 buildings with 676 residential
6 units and one vacant lot. The portfolio is being
7 sold and the new owner is seeking a new 30 year
8 regulatory apartment agreement with HPD and... this
9 property tax exemption in exchange for
10 rehabilitating the buildings and preserving them as
11 affordable housing in Community Board 16 in Council
12 Member Gibson's district. Land Use number 148
13 through 150 Lexington Gardens applications for two
14 new Article 11 property tax exemptions for
15 Lexington Gardens... eight affordable housing
16 building located on Lexington Avenue between East
17 107th and East 108th Street in Community Board 11 in
18 the Speaker's district. The subcommittees have
19 recommended approval of these items. The chair
20 recommends approval on all these items as well. Any
21 questions or comments? Hearing none I'll ask the
22 clerk to call the roll.
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COMMITTEE CLERK MARTIN: William Martin,
Committee Clerk. Roll call vote, Committee on Land
Use. Chair Greenfield.

CHAIRPERSON GREENFIELD: Aye on all.

COMMITTEE CLERK MARTIN: Gentile.

COUNCIL MEMBER GENTILE: No on Land Use
number 134, aye on the remainder.

COMMITTEE CLERK MARTIN: Dickens.

COUNCIL MEMBER DICKENS: [off mic] Aye.

COMMITTEE CLERK MARTIN: Garodnick.

COUNCIL MEMBER GARODNICK: No on 134,
aye on the rest.

COMMITTEE CLERK MARTIN: Mendez.

COUNCIL MEMBER MENDEZ: Permission to
explain my vote?

CHAIRPERSON GREENFIELD: Of course.

COUNCIL MEMBER MENDEZ: I'd like to
vote... Well first regarding Land Use number 143
which is in my district and there is a withdraw I
just wanted to talk about the issues that have been
plaguing me and I'm sure others in their district.
This is a case where a sidewalk café license was
issued. It was contrary to zoning. And DCA issued
the license not once, not twice, not three times,

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2 but four times. And when the license was re-asked
3 for the license to be withdrawn and the revocable
4 consent to be submitted forthwith and that was not
5 done. This puts my staff in the position of always
6 having to check these items because it's clear that
7 DCA does not. So this bad actor could come back
8 later and ask for another sidewalk café. While I'm
9 glad it's finally being withdrawn DCA needs to go
10 after these bad actors and really impose penalties
11 and my complaints have fallen on deaf ears. In
12 addition to that I vote no on 134 and aye on all
13 the rest. Thank you.

14 CHAIRPERSON GREENFIELD: Thank you
15 Council Member.

16 COMMITTEE CLERK MARTIN: Koo. Lander.

17 COUNCIL MEMBER LANDER: [off mic] aye on
18 all.

19 COMMITTEE CLERK MARTIN: Weprin.

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

22 COMMITTEE CLERK MARTIN: Williams.

23 COUNCIL MEMBER WILLIAMS: No on 134, aye
24 on all the rest.

25 COMMITTEE CLERK MARTIN: Wills.

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

COMMITTEE CLERK MARTIN: Richards.

COUNCIL MEMBER RICHARDS: Aye on all.

COMMITTEE CLERK MARTIN: Cohen.

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

COMMITTEE CLERK MARTIN: Torres.

COUNCIL MEMBER TORRES: Aye on all.

COMMITTEE CLERK MARTIN: Ignizio.

COUNCIL MEMBER IGNIZIO: [off mic] Aye.

CHAIRPERSON GREENFIELD: We're going to
hold the roll open as members are still coming and
with that members who have voted can leave and if
there is no other business and we will keep the
roll open for at least another 20 minutes. Thank
you.

COMMITTEE CLERK MARTIN: Council Member
Mealy.

COUNCIL MEMBER MEALY: I vote aye on
all.

COMMITTEE CLERK MARTIN: Levin.

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2 COUNCIL MEMBER MEALY: And I want to
3 thank this committee for all that they have done
4 for me. Thank you.

5 COMMITTEE CLERK MARTIN: Council Member
6 Levin.

7 COUNCIL MEMBER LEVIN: I vote aye on all
8 except for Land Use number 134 which is Barchetta
9 and on that I vote no.

10 COMMITTEE CLERK MARTIN: Rodriguez.

11 COUNCIL MEMBER RODRIGUEZ: Aye.

12 COMMITTEE CLERK MARTIN: Council Member
13 Kallos.

14 COUNCIL MEMBER KALLOS: Aye on all.

15 COMMITTEE CLERK MARTIN: Council Member
16 Barron.

17 COUNCIL MEMBER BARRON: Thank you. I
18 vote aye on all but 134, I vote no.

19 COUNCIL MEMBER ARROYO: I have, I have
20 to vote no on one.

21 COMMITTEE CLERK MARTIN: Arroyo.

22 COUNCIL MEMBER ARROYO: Give me a
23 minute. No on 134. Aye on the rest.

24 COMMITTEE CLERK MARTIN: Treyger.

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COUNCIL MEMBER TREYGER: With the recommendation of the chair aye on all. Oh.

COMMITTEE CLERK MARTIN: Council Member Treyger.

COUNCIL MEMBER TREYGER: Aye on all.

COMMITTEE CLERK MARTIN: Final vote in Committee on Land Use is now; all items have been adopted by a vote of 21 in the affirmative, zero in the negative, and no abstentions with the exception of Land Use item 134 which has been adopted by a vote of 14 in the affirmative, seven in the negative, and no abstentions. Thank you.

CHAIRPERSON GREENFIELD: I'm very happy to publically announce that we no longer sign committee reports as that is not necessary. And this Land Use Committee for November 20th, 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 November 25, 2014