

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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July 23, 2008  
Start: 10:00am  
Recess: N/A

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Tony Avella  
Charles Barron  
Leroy G. Comrie, Jr.  
Inez E. Dickens  
Daniel R. Garodnick  
Eric N. Gioia  
Simcha Felder  
Vincent Ignizio  
Robert Jackson  
Michael E. McMahon  
James S. Oddo  
Joel Rivera  
Helen Sears

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Letitia James  
Rosie Mendez  
David I. Weprin

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2 YVETTE MOLINA: Testing. Today's  
3 date is July 23, 2008. This is a committee  
4 hearing on Land Use and it's recorded by Yvette  
5 Molina.

6 CHAIRPERSON MELINDA R. KATZ: Ring  
7 the bell downstairs and we can alert the members,  
8 where ever they are in the building, that we are  
9 about to start Land Use. It will be a very quick  
10 meeting, hopefully, so they should come up right  
11 away.

12 This is Hudson Square North  
13 rezoning L.U. number 818 C070575 ZMM. It is a  
14 rezoning from an M15 to an M15R7X District  
15 amounting to residential in the area of Hudson  
16 Square North. It is in Council Member Quinn's  
17 district. I want to, once again, thank everybody  
18 for their patience. As you know, for any council  
19 member in this body, when they're trying to work  
20 out particulars with the community, the developers  
21 or with the Community Board, we do hold up Land  
22 Use so that they can actually reach accommodations  
23 that they feel are better for the community in  
24 which they represent. There has been an agreement  
25 with Speaker Quinn and so from that agreement, I

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2 will read into the record the accommodations that  
3 were reached.

4 From a market rate residential  
5 project, there is now going to be 25,000 square  
6 feet of commercial use above grade. There will be  
7 5,000 square feet below grade retail use. 20% of  
8 the units will be affordable to 80% AMI for the  
9 life of the building; it will be permanent  
10 affordable. And 25,000 square feet will now be  
11 open space. So with the recommendation, any  
12 discussion? Council Member Barron.

13 COUNCIL MEMBER CHARLES BARRON:

14 Thank you Madam Chair. I just wanted to encourage  
15 my colleagues. Issues like this, particularly  
16 when the community is very, very concerned about  
17 the changing of zoning in their particular area  
18 and what can happen in the future, that there  
19 should be more time for the community to be review  
20 at least the latest settlement that just happened  
21 a few minutes ago. I know they met with community  
22 people last night and the community wanted a 41 or  
23 40,000 square feet of open space. The community  
24 wanted a larger portion of affordability. The  
25 Speaker, I first heard at one moment she was with

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2 the community and against this project and now  
3 with the project.

4 So I'm going to encourage you to  
5 vote no on this project. I know it's very, very  
6 difficult to vote against the Speaker. But to  
7 vote no in respect to the community and allow them  
8 to be more involved in the process and make them  
9 respect the community more so they could get more  
10 affordability and more square footage of space for  
11 open space. And not let this be a developer  
12 driven session but let the change come from the  
13 bottom up as opposed to the top down. I want  
14 encourage you to vote no on this particular item.

15 CHAIRPERSON KATZ: Council Member  
16 Avella.

17 COUNCIL MEMBER TONY AVELLA: I want  
18 to echo the comments of my colleague, Council  
19 Member Barron. The community has been dead set  
20 against this project from the beginning. Although  
21 there have been some negotiations, it's more or  
22 less telling the community what the deal is rather  
23 than real involvement. From my understanding,  
24 despite the fact that there is a compromise, the  
25 community is still against the project.

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2 As Charles said and something that  
3 I've said for a long time now, this is a perfect  
4 example of planning from the top down and not from  
5 the bottom up and involving the community. Also  
6 from what I understand, this goes against a  
7 rezoning we passed for this community in 2005. So  
8 I would urge my colleagues to vote against the  
9 project despite the fact that the Speaker has  
10 asked us to vote for it.

11 CHAIRPERSON KATZ: Any other  
12 questions, comments? Okay. I need to just check  
13 something else. So if everybody can just remain  
14 for one second, that'd be great. We have a  
15 restricted declaration, just so you know, that's  
16 being drafted.

17 COUNCIL MEMBER SIMCHA FELDER:  
18 Madam Chair, I have an urgent matter to take care  
19 of. Can I be excused to vote?

20 CHAIRPERSON KATZ: How do you vote?

21 COUNCIL MEMBER FELDER: Yes.

22 CHAIRPERSON KATZ: Thank you. [No  
23 audio] If the Sergeant at Arms could please notify  
24 any other council member either in the Speaker's  
25 office, in the lounge, in other community rooms

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2 across the way also, that we are starting Land  
3 Use. It's going to be a relatively brief meeting  
4 but we need them in the room. Okay? So let me  
5 just call on Councilman Avella for a comment.  
6 Councilman Avella.

7 COUNCIL MEMBER AVELLA: I just  
8 wanted to note for the record, normally when an  
9 item comes out of the sub-committee it's by  
10 Council Members Katz, the Chair of Land Use  
11 Committee and myself as Chairman of the sub-  
12 committee. In this case this particular item was  
13 pushed up to the Land Use Committee so there was  
14 no recommendation from the sub-committee. So I  
15 just ask on a technicality that my name be removed  
16 since I'm actually voting against it.

17 CHAIRPERSON KATZ: Okay. We will  
18 correct that. Any other comments? I'm going to  
19 call the roll and I'm going to make a  
20 recommendation to approve. I'd like it to be  
21 noted, in every single project we do for Land Use  
22 there are compromises made by the council member  
23 whose district is represented by that area. I  
24 vote aye today because I believe that the council  
25 member who represents this district has made a

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2 judgment call that this is the best project and  
3 the best thing that she is going to deliver for  
4 her constituents. So on that note, I vote aye.

5 MALE VOICE: Rivera.

6 COUNCIL MEMBER JOEL RIVERA: I vote  
7 aye.

8 MALE VOICE: Avella.

9 COUNCIL MEMBER AVELLA: No.

10 MALE VOICE: Barron.

11 COUNCIL MEMBER BARRON: Nuh-uh,  
12 nuh-uh.

13 CHAIRPERSON KATZ: How do you vote?

14 COUNCIL MEMBER BARRON: No.

15 CHAIRPERSON KATZ: Thank you.

16 MALE VOICE: Comrie.

17 COUNCIL MEMBER LEROY G. COMRIE,  
18 JR.: Aye. I vote aye.

19 MALE VOICE: Gioia.

20 COUNCIL MEMBER ERIC N. GIOIA: I  
21 vote yes.

22 MALE VOICE: Jackson.

23 COUNCIL MEMBER ROBERT JACKSON:  
24 Aye.

25 MALE VOICE: McMahan.



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COUNCIL MEMBER MICHEAL E. MCMAHON:

Aye.

MALE VOICE: Sears.

COUNCIL MEMBER HELEN SEARS: Aye.

MALE VOICE: Arroyo.

COUNCIL MEMBER MARIA DEL CARMEN

ARROYO: Aye.

MALE VOICE: Dickens.

COUNCIL MEMBER INEZ E. DICKENS:

Aye.

MALE VOICE: Garodnick.

COUNCIL MEMBER DANIEL R. GARODNICK:

Aye.

MALE VOICE: Ignizio.

COUNCIL MEMBER VINCENT IGNIZIO:

Yes.

MALE VOICE: Oddo.

COUNCIL MEMBER JAMES S. ODDO: Yes.

MALE VOICE: By a vote of 13 in the affirmative, 2 in the negative and no abstentions the item is adopted. Council members please sign the Committee Reports.

CHAIRPERSON KATZ: We're going to leave it open only for five minutes since we have

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Finance, I think is backed up for here. There's

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another Committee meeting happening right now so

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five minutes.

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 \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Amber Gibson", written over a horizontal line.\_\_\_\_\_  
Date \_\_\_\_\_08/22/2008