

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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October 25, 2012
Start: 3:05 p.m.
Recess: 3:20 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
LEROY G. COMRIE, JR.
Chairperson

COUNCIL MEMBERS:

- Council Member Maria del Carmen Arroyo
- Council Member Charles Barron
- Council Member Inez E. Dickens
- Council Member Daniel R. Garodnick
- Council Member Sara M. Gonzalez
- Council Member Vincent M. Ignizio
- Council Member Robert Jackson
- Council Member Peter A. Koo
- Council Member Jessica S. Lappin
- Council Member Stephen T. Levin
- Council Member Rosie Mendez
- Council Member Annabel Palma
- Council Member Joel Rivera
- Council Member Diana Reyna
- Council Member James Sanders, Jr.

A P P E A R A N C E S

COUNCIL MEMBERS:

Council Member James Vacca

Council Member Albert Vann

Council Member Mark S. Weprin

Council Member Jumaane D. Williams

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

None

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[gavel]

CHAIRPERSON COMRIE: Okay, we're going to start the Land Use Committee meeting, for Thursday, October 25th. We're joined by Council Member Vacca, Arroyo, Levin, Lappin, Gonzalez, Reyna, Rivera, Peter Koo, Vinnie Ignizio, Al Vann, James Sanders, Al Vann, James Sanders and Inez Dickens, Rosie Mendez. [background comment] I said Sara Gonzalez. I think we have a quorum. We are waiting on a couple of other members to come down, we have some items on the Land Use Committee. Number one is a item in Council Member Chin's district, Manhattan Community Board 12, Land Use No. 708, Item No. 20135026 TCM, being voted with modifications for, to establish a sidewalk café at 19 Kenmare Street, known as Juicerie. The next item is regarding the Chelsea Market, that's Land Use Items No. 710 and 711, which are related. I'm sorry, I just need to put this on the record, so if we can have a little quiet while it's going on. It's a Manhattan Community Board 4, Chelsea Market, and in Speaker Quinn's district, Land Use Nos. N 120142 ZRM and 120143 ZMM, and this is the land use applications

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2 regarding Chelsea Market, in Community Board 4.
3 The Land Use Items No. 715 and 716 are related. I
4 want to say that Chelsea Market is being voted
5 with modifications; Juicerie is being voted with
6 modifications; the West Harlem Rezoning and Text
7 Amendment, Land Use Items No. 715 and 716 which
8 are related, are being voted with modifications.
9 It's Item No. C 120309 ZMM, for the West Harlem
10 Rezoning, in Council Member Jackson's district.
11 Community Board 9. And then Item No., Item No. N
12 120310 ZRM is the Land Use 716, West Harlem, which
13 is being voted with amendments. We have a special
14 permit zoning regulation to modify a six story
15 building at 54 Greene Street, Land Use No. 722, in
16 Council Member Chin's district, in Community Board
17 2, Item No. C 090002 ZSM. And then finally we
18 have a, to establish a unenclosed sidewalk café at
19 34-1-9 30th Avenue, known at the Bar 30 Lounge in
20 Council Member Vallone's district, Queens
21 Community Board 1 is a motion to file pursuant to
22 withdrawal, Item No. 20125755 TCQ, to withdraw
23 that item. Everything was vetted in the
24 subcommittees, fully vetted during the
25 subcommittees and during hearings. I recommend a

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2 yes vote on all items, reminding you that the
3 items Land Use No. 723 is an item to withdraw the
4 Bar 30 Lounge from consideration. With that, I
5 would ask the clerk to call the roll and I
6 recommend an aye vote on all items on today's Land
7 Use calendar.

8 CLERK: William Martin, Committee
9 Clerk. Roll call vote, Committee on Land Use.
10 Council Member Comrie.

11 CHAIRPERSON COMRIE: Aye.

12 CLERK: Rivera.

13 COUNCIL MEMBER RIVERA: [off mic] I
14 vote aye.

15 CHAIRPERSON COMRIE: Council Member
16 Levin.

17 COUNCIL MEMBER LEVIN: [off mic]
18 Aye on all.

19 CLERK: Council Member Levin.

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

22 CLERK: Reyna.

23 COUNCIL MEMBER REYNA: [off mic]
24 Aye on all.

25 CLERK: Sanders.

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COMMITTEE ON LAND USE

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COUNCIL MEMBER SANDERS: Aye on

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all.

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CLERK: Vann.

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COUNCIL MEMBER VANN: Aye.

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CLERK: Gonzalez.

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COUNCIL MEMBER GONZALEZ: [off mic]

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Aye on all.

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CLERK: Palma.

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COUNCIL MEMBER PALMA: [off mic]

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Aye.

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CLERK: Arroyo.

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COUNCIL MEMBER ARROYO: [off mic]

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Aye.

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CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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CLERK: Garodnick.

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COUNCIL MEMBER GARODNICK: [off

19

mic] Aye.

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CLERK: Lappin.

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COUNCIL MEMBER LAPPIN: [off mic]

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Aye.

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CLERK: Mendez.

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COUNCIL MEMBER MENDEZ: [pause,

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response not clear]

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CLERK: Vacca.

COUNCIL MEMBER VACCA: [off mic]

Aye on all.

CHAIRPERSON COMRIE: Members,
please sign the Committee reports, I'm not sure
where they are, but you need to sign the Committee
reports.

CLERK: Koo.

COUNCIL MEMBER KOO: I vote aye on
all.

CLERK: Weprin.

COUNCIL MEMBER WEPRIN: [off mic]
Aye.

CLERK: Williams.

COUNCIL MEMBER WILLIAMS: [pause,
background comment]

CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: Aye.

CLERK: By a vote of 17 in the
affirmative, zero in the negative, no abstentions,
all items have been adopted.

COUNCIL MEMBER BARRON: Wait, - - ,
hold, hold, hold on. What you trying to do, man.
[laughs]

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CLERK: Council Member Barron.

COUNCIL MEMBER BARRON: First, may I be excused to explain my vote?

CHAIRPERSON COMRIE: Yeah.

COUNCIL MEMBER BARRON: I have concerns about two items on the agenda. One is the Harlem Rezoning. A lot of the clergy from Harlem are very concerned about an ec--a commitment to economic development, be a part of that. And they felt that that hasn't been included in prior rezonings, like the rezoning in Harlem, and it had a lot to do [background noise]-

CHAIRPERSON COMRIE: Can we have a little quiet, please.

COUNCIL MEMBER BARRON: And some of the commitments in the future, in the past, have not been done by Columbia University and others. So there are people, members of the Harlem community, that have concerns about the rezoning, without a commitment to economic development. So, I'm going to vote no on that item. And as far as the Chelsea Market is concerned, that the character of the market, the concerns about some

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2 of the residents, or some of the groups there,
3 about the new configuration of it, is not suitable
4 for traffic congestion's going to be there, some
5 are concerned about it, the height, the office
6 space and things of that nature, and not listening
7 to sometimes people in the community and groups
8 that have other interests other than profit, other
9 than office space, has often been overpowered by a
10 powerful speaker or a powerful City Council. So,
11 for that, out of respect for those who resist that
12 kind of a development, I'm also voting no on the
13 Chelsea Market.

14 CLERK: Jackson.

15 COUNCIL MEMBER JACKSON: [pause]
16 Thank you. Mr. Chair, may I be excused to explain
17 my vote?

18 CHAIRPERSON COMRIE: No.

19 COUNCIL MEMBER JACKSON: Okay.
20 [laughter] First, let me just say that I
21 appreciate all of the work that has been done by
22 all, everyone involved, in this particular
23 process. More specifically concerning the West
24 Harlem Rezoning, which is totally situated in
25 Council District 7. Going back from about five

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2 years ago when Borough President Scott Stringer
3 approached me and said that he wanted to try to
4 move forward with a West Harlem Rezoning, to
5 ensure the preservation, contextual preservation
6 of the community. I said to him at that time,
7 "I'm in favor of that." So, now we're here five
8 years later, with the 90 blocks from 125th to
9 155th Street under consideration. As you know, in
10 the Zoning Committee, we put forward a, two
11 modifications on that particular matter, based on
12 discussions that I've had with all parties
13 involved in this particular matter. And based on
14 that, I've said yes to that at that point in time,
15 as far as the Zoning Subcommittee. But I just
16 want to address the issue that my colleague
17 Charles Barron has raised. And let me say this,
18 that the issue that had been raised by the clergy
19 is a, issues that are appropriate from a general
20 sense point of view. Meaning that their concern
21 about the displacement of members of the
22 Harlem/Washington Heights community, their concern
23 about gentrification, their concern about, you
24 know, people being priced out--and all of these
25 are very legitimate concerns. And I've indicated

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2 to them, when I've met with them on at least two
3 occasions, that those concerns we can address
4 overall and attempt to address on a continuous
5 basis, by a group that they want to form. In
6 dealing with either landlords or developers or in
7 northern Manhattan. But I did indicate to them
8 that this particular rezoning is about
9 preservation, and not about upzoning overall, such
10 as Seward Park, such as 125th Street. This was,
11 95 percent was about preservation. And the one
12 area that is being upzoned from a M1 to a mixed
13 use, is something that has been requested by
14 Community Board 9, that's in their 197A plan. So,
15 it's what everyone wants. So, I say that to say
16 that we have ongoing issues in the City of New
17 York concerning affordable housing, concerning
18 displacement, and all the other issues and
19 concerns that have been raised. But concerning
20 this particular matter, I think that we have,
21 concerning the West Harlem Rezoning, I have met
22 with everyone that wanted to meet with me on this
23 particular matter, and I am clear in my mind, as
24 the representative, that the two modifications are
25 appropriate for this particular West Harlem

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2 Rezoning. And with that, Mr. Chair, and members
3 of the public, and my colleagues, I hereby vote
4 aye on all matters in front of us today. Thank
5 you.

6 [pause]

7 CHAIRPERSON COMRIE: Can somebody
8 get Council Member Williams back in the room?
9 Council Member Mendez, we didn't call you? I'm
10 sorry.

11 COUNCIL MEMBER MENDEZ: I had said
12 come back.

13 CHAIRPERSON COMRIE: Oh, all right,
14 sorry. Council Member Palma, did you vote?

15 COUNCIL MEMBER PALMA: I, I voted,
16 yes, yes.

17 CHAIRPERSON COMRIE: Okay. Council
18 Member Mendez.

19 CLERK: Council Member Williams.

20 [background comment]

21 CHAIRPERSON COMRIE: She's here.
22 Council Member Mendez is here. [background
23 comment]

24 COUNCIL MEMBER WILLIAMS: I vote
25 aye.

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2 COUNCIL MEMBER MENDEZ: I never
3 voted, I said come back.

4 CLERK: [off mic] Oh, all right.
5 [on mic] Council Member Mendez.

6 COUNCIL MEMBER MENDEZ: I vote aye
7 on all, and I abstain on Land Use matters 710 and
8 711.

9 [pause, background noise]

10 CHAIRPERSON COMRIE: Council Member
11 Sanders wants to amend his vote.

12 COUNCIL MEMBER SANDERS: Based on
13 the conversation that representative--Mm, Council
14 Member Barron has come out with, I want to abstain
15 on the issue of Chelsea and on the issue of
16 Harlem.

17 CHAIRPERSON COMRIE: So you're
18 abstaining on 710 and 711, and 715 and 716. Sure,
19 you're sure now?

20 COUNCIL MEMBER SANDERS: [off mic]
21 Yes, sir, thank you.

22 [pause, background noise]

23 CLERK: Vote, Committee on Land
24 Use, all items have been adopted by a vote of 20
25 in the affirmative, zero in the negative and no

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2 abstentions, with the exception of West Harlem,
3 which has been adopted by a vote of 17 in the
4 affirmative, one in the negative, two abstentions;
5 and in Chelsea Market, which has been adopted by a
6 vote of 17 in the affirmative, one in the negative
7 and also two abstentions.

8 CHAIRPERSON COMRIE: Who was
9 negative?

10 CLERK: Excuse me. Correction on
11 the West Harlem vote, that vote's been adopted by
12 18 in the affirmative, one in the negative, and
13 one in the abstention.

14 [pause, background noise]

15 CHAIRPERSON COMRIE: Did everyone
16 present sign the Committee reports that's eligible
17 to sign? [background comment] With that, the
18 Committee, Land Use Committee for October 25th is
19 now adjourned.

20 [gavel]

C E R T I F I C A T E

I, JOHN DAVID TONG 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 that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date November 19, 2012