

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, 2013  
Start: 10:52 a.m.  
Recess: 11:08 a.m.

HELD AT: Committee Room  
250 Broadway, 16th Floor

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

COUNCIL MEMBERS:

Leroy G. Comrie, Jr.  
Maria del Carmen Arroyo  
Charles Barron  
Inez E. Dickens  
Daniel R. Garodnick  
Sara M. Gonzalez  
Jessica S. Lappin  
Rosie Mendez  
Diana Reyna  
Joel Rivera  
Albert Vann  
Stephen T. Levin  
Mark S. Weprin

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

## COUNCIL MEMBERS:

Jumaane D. Williams

Peter A. Koo

Ruben Wills

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2 CHAIRPERSON COMRIE: Council Member  
3 Dickens, and Garodnick and Levin are coming in the  
4 door. Good morning. Today is the Land Use  
5 meeting for--

6 COUNCIL MEMBER: [off mic] Good  
7 afternoon.

8 CHAIRPERSON COMRIE: Good  
9 afternoon. This is the Land Use meeting for--  
10 sorry, I am late. It could not be helped. I want  
11 to apologize to the committee for my tardiness,  
12 but I got tied up and they wouldn't untie me.

13 COUNCIL MEMBER: [off mic].

14 CHAIRPERSON COMRIE: Yeah, yeah, I  
15 loved it. Too much information here. We are  
16 going to commence the Land Use Committee meeting  
17 for May 14, 2013. We are joined by Council  
18 Members Garodnick, Council Member Dickens, Council  
19 Member Levin, Council Member Barron, Council  
20 Member Rodriguez, Council Member Koo, Council  
21 Member Reyna, Council Member Rivera.

22 COUNCIL MEMBER GONZALEZ: [off  
23 mic].

24 CHAIRPERSON COMRIE: I'm sorry.  
25 Council Member Sara Gonzalez. Vann is not here.

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[Background noise]

CHAIRPERSON COMRIE: Oh, Al Vann.

Oh, boy. Al Vann.

COUNCIL MEMBER: [off mic] Can we do over?

CHAIRPERSON COMRIE: Yeah, we'll do a do-over, yeah.

COUNCIL MEMBER GONZALEZ: Gonzalez, baby.

CHAIRPERSON COMRIE: Gonzalez, yes.

COUNCIL MEMBER: [off mic] It's all on the record. It's all on the record.

CHAIRPERSON COMRIE: Do-over, yeah. We are joined by Council Members Mark Weprin, Ruben Wills, Maria del Carmen Arroyo, Steve Levin, Joel Rivera, Diana Reyna, Peter Koo, Sara Gonzalez, Charles Barron, Al Vann and Inez Dickens. I said Levin. And Daniel Garodnick is in the hall.

COUNCIL MEMBER: [off mic] You have to do it over. We want you to start on this side.

CHAIRPERSON COMRIE: On this side first. We have--

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[Background noise]

CHAIRPERSON COMRIE: Again, I'm sorry that I am late. That could not be helped. We have a few items on the agenda today. The first item is Land Use 802, it's the special Long Island City text amendment in Council Member Van Bramer's district, dealing with both Community Boards 1 and 2, Item number N 130134 ZRQ. There are some modifications that were put into the text amendment that were approved. It's an amendment to modify certain provisions related to sidewalk cafés and to heighten setback provisions of the Special Long Island City mixed-use district.

We have in Council Member Arroyo's district, Land Use 803 and 804, which are related, dealing with the 580 Gerard Avenue rezoning. Item C 130064 ZMX and N 130065 ZRX, in Bronx Community Board 4. It's 580 Gerard Avenue, which will be an amendment of the zoning map, an amendment of the zoning resolution of the City of New York concerning an Inclusionary Housing Designated area in Community District 4.

We have in Council Member Ulrich's district a landmark designation for Firehouse

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2 Engine Company 268. It's Land Use 805. Item  
3 20135414 HKQ. It's to designate the firehouse,  
4 the old hook and ladder company located at 259  
5 Beach 116 Street as a historic landmark.

6 There's also a firehouse in Council  
7 Member Rivera's district, known as Fire Engine  
8 Company 46, Land Use 806, Item 20135410 HKX. It's  
9 in Bronx Community Board 6. It's to designate the  
10 Firehouse Engine Company 46, Hook and Ladder  
11 Company 17, located at 451-453 East 176 Street as  
12 a historic landmark.

13 Another firehouse in Council Member  
14 Arroyo's district, known as Engine Company 73.  
15 Land Use 807, Item 20135411 HKX. It's to landmark  
16 the designation of the Fire Engine Company 73,  
17 Hook and Ladder Company 42, located at 655-659 and  
18 661 Prospect Avenue, East 152nd Street, as a  
19 historic landmark.

20 More firehouses. One in Council  
21 Member Gonzalez's district, known as Firehouse  
22 Engine Company 28, Land Use 808, Item 20135412  
23 HKK, in Community Board 7 in Brooklyn. It's to  
24 landmark the designation--to create a landmark  
25 designation of the Firehouse Company 28, now

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2 Engine Company 228, located at 436 39th Street,  
3 Block 709 Lot 19, as a historic landmark.

4 In Council Member Lander's  
5 district, we're going to landmark Firehouse Engine  
6 Company 40, Land Use 809, Item 20135413 HKK, also  
7 in Community Board 7 in Brooklyn, to landmark the  
8 battalion located 1307-1309 Prospect Avenue as a  
9 historic landmark.

10 We have, back in Council Member  
11 Arroyo's district, we have two UDAAPs. The first  
12 one is Land Use 810, known as 847 Fox Street, in  
13 the Bronx Community Board 2, Item 20135524 HAX, to  
14 do a UDAAP for a property located at 847, Bronx,  
15 pursuant to Article 16 of the New York General  
16 Municipal Law and Section 577 of the Private  
17 Housing Finance Law.

18 Also, she's doing a UDAAP in  
19 Council Member Arroyo's district again, known as  
20 748 Beck Street, Land Use 812, Item 20135525 HAX.  
21 It's to do a UDAAP for a property at 784 Beck  
22 Street, again pursuant to Article 16 of New York  
23 Municipal Law and Section 577 of the Private  
24 Housing Finance Law.

25 We're doing a UDAAP in Council

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2 Member Chin's district, known as 244-246 Elizabeth  
3 Street, Land Use 814, Item 20135529 HAM, in  
4 Manhattan Community Board 2, to do a UDAAP for a  
5 property at Elizabeth Street, pursuant to the same  
6 two, municipal law and the Private Housing Finance  
7 Law.

8 We have a motion to file in Council  
9 Member Rivera's district, Land Use 818. It's  
10 TPTTBX 904 Creston Heights, Item 20135521 HAX.  
11 This is a motion to file because it's handled by  
12 the Finance Committee.

13 We have a couple of sidewalk cafes.  
14 One in the Speaker's district, known as Ben and  
15 Jack's Steakhouse, Land Use 820, Item 20135404  
16 TCM, in Community Board 5 in Manhattan. It's to  
17 continue to maintain and operate an unenclosed  
18 sidewalk café located at 255 Fifth Avenue.

19 We have, in Council Member Reyna's  
20 district, a sidewalk café known as the  
21 Williamsburg Café. The Williamsburg Café, in  
22 Community Board 1 in Brooklyn, Land Use 822,  
23 20135399 TCK. It's to continue to maintain and  
24 operate an unenclosed sidewalk café located at 623  
25 Grand Street.



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2 Then we have two, two, two land use  
3 items, 815-817, Urban Development Area Action Acts  
4 to do ULURPs. One in Council Member Ignizio's  
5 district, Land Use 815, Item 20135532 HAR, address  
6 is 176 Dewey Avenue, tenant ownership program.  
7 And in Council Member Dilan's district, it's four  
8 addresses, under Land Use 817, Item 20135526 HAK,  
9 201, 203, 205 Mother Gaston Boulevard and 2396  
10 Dean Street. It's under the new foundation  
11 programs and it's Section 696 of the tax exemption  
12 programs under the municipal and city laws that  
13 are necessary.

14 We are joined by Council Member  
15 Jumaane Williams, Rosie Mendez and Jessica Lappin.  
16 Everything has been vetted in the subcommittees.  
17 Do any members have any comments on anything on  
18 today's agenda? Seeing no one raising their  
19 hands... Council Member Gonzalez?

20 COUNCIL MEMBER GONZALEZ: Good  
21 morning. Thank you, Chair. Well, as a member of  
22 this Land Use Committee, I'm very excited today  
23 because we're voting to landmark Engine Company 28  
24 which was, it's now, today, 228. It's a firehouse  
25 over at 436 39 Street in Sunset Park. I think it

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2 begins and continues to be a part of protecting  
3 the character and history of our neighborhoods. I  
4 think that's so important and I'm really thrilled  
5 today to be a part of this. I ask you all to  
6 support it. Thank you.

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I just want to give a shout out.  
8 I'm sorry. I just mean to Josephine is here  
9 today. Josephine Sanfilio [phonetic], fights very  
10 hard for firehouses, is a friend of firefighters,  
11 so I just want to welcome her. Thank you.

12

CHAIRPERSON COMRIE: Our next set  
13 of meetings will be held on June 4th, the  
14 subcommittee meetings, and also that day, the  
15 executive budget hearings will be held for Land  
16 Use, so it's a long day for Land Use. Be prepared  
17 to be here all day on the 4th of June. If no one  
18 else has anything to say, other than the mumblings  
19 and grumblings that are going on, we will be ready  
20 to vote. I just said mumblings and grumblings.  
21 Everybody's understandably antsy.

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So with that, we will move forward  
23 and call for a yes vote on everything on today's  
24 agenda. Will the clerk, Billy Martin, please call  
25 the roll? I recommend an aye vote on the entire

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agenda.

WILLIAM MARTIN: William Martin,  
Committee Clerk, roll call vote, Committee on Land  
Use. Council Member Comrie?

CHAIRPERSON COMRIE: Aye on all.

WILLIAM MARTIN: Rivera?

COUNCIL MEMBER RIVERA: Aye on all.

WILLIAM MARTIN: Reyna?

COUNCIL MEMBER REYNA: Aye on all.

WILLIAM MARTIN: Barron?

COUNCIL MEMBER BARRON: I vote...

[Pause]

COUNCIL MEMBER BARRON: I think  
they turned it off on purpose. I vote no on LU  
810, no on LU 812 and no on LU 814, because all of  
those projects are 120 percent of the AMI. As you  
all know, the AMI in New York City is \$83,000 for  
a family of four, so 120 percent brings it up to  
about \$103,000 income for a family of four to get  
into these developments. So I vote no on those  
three and aye on all the rest.

WILLIAM MARTIN: Vann?

COUNCIL MEMBER VANN: Aye.

WILLIAM MARTIN: Gonzalez?

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COUNCIL MEMBER GONZALEZ: Aye on

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all.

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WILLIAM MARTIN: Arroyo?

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COUNCIL MEMBER ARROYO: Yes.

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WILLIAM MARTIN: Dickens?

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COUNCIL MEMBER DICKENS: Aye.

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WILLIAM MARTIN: Lappin?

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COUNCIL MEMBER LAPPIN: Aye.

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WILLIAM MARTIN: Mendez?

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COUNCIL MEMBER MENDEZ: Aye.

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WILLIAM MARTIN: Koo?

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COUNCIL MEMBER KOO: Aye.

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WILLIAM MARTIN: Levin?

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COUNCIL MEMBER LEVIN: Aye on all.

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WILLIAM MARTIN: Weprin?

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COUNCIL MEMBER WEPRIN: Aye.

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WILLIAM MARTIN: Williams?

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COUNCIL MEMBER WILLIAMS: Aye.

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WILLIAM MARTIN: Wills?

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COUNCIL MEMBER WILLS: Aye. Yes.

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[Pause]

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WILLIAM MARTIN: Council Member

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Garodnick?

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COUNCIL MEMBER GARODNICK: Thank

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you. Aye.

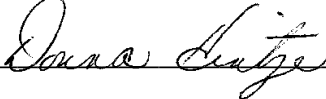
WILLIAM MARTIN: All items on today's agenda have been adopted by a vote of 16 in the affirmative, zero in the negative and no abstentions, with the exceptions of the following. Land use items, LU 810, 812 and 814 are adopted by a vote of 15 in the affirmative, one in the negative and no abstentions. Council Members, please sign the committee reports. Thank you.

[Pause]

CHAIRPERSON COMRIE: We are hereby closing the Land Use Committee meeting for May 14, 2003. Thank you all.

C E R T I F I C A T E

I, Donna Hintze 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 May 23, 2013 \_\_\_\_\_