

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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August 16, 2016
Start: 10:03 a.m.
Recess: 10:11 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: DAVID G. GREENFIELD
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile
Annabel Palma
Inez E. Dickens
Daniel R. Garodnick
Darlene Mealy
Rosie Mendez
Ydanis A. Rodriguez
Peter A. Koo
Brad S. Lander
Stephen T. Levin
Jumaane D Williams
Ruben Wills
Deborah L. Rose
Donovan J. Richards
Inez D. Barron
Andrew Cohen
Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger

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

2 [sound check, pause]

3 CHAIRPERSON GREENFIELD: Good morning.

4 SERGEANT-AT-ARMS: Quiet please.

5 CHAIRPERSON GREENFIELD: My name is David
6 Greenfield. I'm the Council Member from the 44th
7 Council District in Brooklyn. I'm privileged to
8 serve as the chair of the Land Use Committee. I want
9 to welcome my esteemed colleagues, who are members of
10 the committee, Council Members Gentile, Palma,
11 Dickens, Garodnick, Rodriguez, Koo, Wills, Richards,
12 Cohen, Kallos, Reynoso, Torres and Treyger. I want
13 to welcome Council Member Cohen's daughter. Thank
14 you for joining us today. I know she's busy playing
15 on her dad's iPhone. So, it's certainly more
16 important than the work that we're doing here today.
17 I also want to thank--

18 COUNCIL MEMBER COHEN: [off mic] It's
19 more interesting.

20 CHAIRPERSON GREENFIELD: It's more
21 interesting for sure. That's fair. I also [laughs]
22 want to thank Chair Dickens, Chair Koo and especially
23 Chair Richards for their work on their respective
24 subcommittees. There's been a lot of work in those
25 subcommittees. We're going to be voting only on one

2 application today, the rezoning of Broadway and
3 Sherman Avenues, LU 422 and 423. Before I do so, I
4 want to say a few words. I have been privileged to
5 serve as the chair of this committee for over 2-12
6 years, and in my time we have seen many countless-
7 countless difficult and controversial applications.
8 Land Use discussions are broad (sic) and the most
9 challenging ones that we have in the Council, and not
10 just in the Council but in the entire city because of
11 the fact that we live in a city that is growing, but
12 that is running out of space. People from all over
13 the world are continuing to come here, and families
14 are deciding to stay here and raise their children,
15 and that's great, but it also creates a serious need
16 for new housing and especially new affordable
17 housing. Our city's challenge is not if we grow,
18 it's how we grow. As Chair Richards said we do not
19 take decisions to vote lightly, and our job is to
20 find compromise, to make the projects that we get
21 before us better. It's what we have done literally
22 hundreds of time since I've been chair, and it's what
23 we will continue to do. Despite the enthusiasm and
24 applause today in the Chair's view, today is not a
25 happy day, and the reason is because we were not able

2 to find a compromise, which is something that we
3 always try for. Specifically, there were two issues
4 that were outstanding that were the issues around the
5 building's scale. The proposal was for a
6 significantly larger building than could have and
7 would have been built as of right, and just to be
8 clear for those reporters who are out there, it's not
9 just about height. It's also about the bulk of the
10 building and what you can put on. The other piece of
11 it, which was something that we could not reach a
12 compromise on was on the affordability levels, and
13 that is a very significant issue. We do not have a
14 one-size-fits-all process in this city. We have
15 different communities. We have different
16 neighborhoods and different needs when it comes to
17 affordability. To be clear, we did everything in our
18 power including literally pull up the Council's State
19 Meeting by two days today so that we can engage in
20 every opportunity to try to negotiate in good faith
21 to come to a deal. We did that, but we were not able
22 to do so, and the reality is that we have a long
23 tradition of respecting the individual council
24 members especially when the council members have
25 legitimate land use rationales, which this council

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2 member has. And as a result, the resolutions before
3 you, council members, represent a resolution to
4 disapprove LU 422 and LU 423, an application for
5 zoning map change and zoning text change. Do any
6 members have any questions or remarks? Hearing none,
7 I will ask the clerk to call the roll, and just for
8 the record, an aye or a yes vote is a vote is a vote
9 to disapprove the applications before you today.

10 CLERK: Committee Clark Matthew
11 Distefano, Committee on Land Use. Roll call on LU
12 422 and 423, a motion to disapprove. Chair
13 Greenfield.

14 CHAIRPERSON GREENFIELD: Aye.

15 CLERK: Treyger.

16 COUNCIL MEMBER TREYGER: [off mic] Aye.

17 CLERK: Gentile.

18 COUNCIL MEMBER GENTILE: [off mic] I vote
19 aye.

20 CLERK: Palma.

21 COUNCIL MEMBER PALMA: [off mic] Aye.

22 CLERK: Dickens.

23 COUNCIL MEMBER DICKENS: Aye.

24 CLERK: Garodnick.

25 COUNCIL MEMBER GARODNICK: Aye.

2 CLERK: Rodriguez.

3 COUNCIL MEMBER RODRIGUEZ: Before I vote,
4 I would like to thank Chair Greenfield for all the
5 support that I received in the last few days, and
6 Chairman Richards and Ramon Martinez, the Speaker and
7 the Land Use Committee led by you and the rest of the
8 team. They were amazing providing me with all the
9 support that I needed in order to make the best
10 decision for my district. I want to thank all the
11 voices of my community for and against it that were
12 there. Also, I would like to thank my entry-my
13 communication legislation, and now holding the
14 position today is by Russell Murphy, and my former
15 Chief of Staff Carmen de la Rosa who was the one who
16 led this conversation with the developers and the
17 administration like a year and a half ago. So thanks
18 to everyone. Again, as I said before, we-I have the
19 honor to represent the best district in our city
20 composed by middle-class, upper class and working
21 class who really care to prepare the landscape. And
22 also, we're in the same. I think it's important to
23 build affordable housing for our residents. With
24 that, I vote aye.

25 CLERK: Koo.

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2 COUNCIL MEMBER KOO: I vote aye.

3 CLERK: Rose.

4 COUNCIL MEMBER ROSE: Aye.

5 CLERK: Wills.

6 COUNCIL MEMBER WILLS: Aye.

7 CLERK: Richards.

8 COUNCIL MEMBER RICHARDS: The 31st

9 District is the best district in the city, and I vote
10 aye on all.

11 CLERK: Cohen.

12 COUNCIL MEMBER COHEN: Aye.

13 CLERK: Kallos.

14 COUNCIL MEMBER KALLOS: Permission to
15 explain my vote?

16 CHAIRPERSON GREENFIELD: Council Member
17 Kallos to explain his vote.

18 COUNCIL MEMBER KALLOS: I just want to
19 congratulate Council Member Ydanis Rodriguez for
20 taking on a very difficult situation, and working to
21 the very last minute to try to negotiate the best
22 possible deal for the district, but ultimately being
23 a champion for your district fighting for
24 preservation and working with the community to do the
25 best. I-I proudly vote ay with you in support, and I

2 think just to the district, just so many folks in
3 your district have mobilized and come out, and it's a
4 model for anywhere else in the city that if the spot
5 zoning or any zoning is coming that folks aren't
6 happy with that you're there to support your council
7 member, and you council member—and give your council
8 member what they need to be able to take a stand. We
9 in the Council can take a stand for what's right, and
10 preserving our communities, and all of you have been
11 incredibly mobilized. And I for one have been
12 hearing from your community and from Council Member
13 Rodriguez on this, and I am proud to stand with you
14 on this. And, if we can just give after we're done
15 with the vote a huge round of applause because this
16 is [cheers/applause] our full stand. (sic)

17 COUNCIL MEMBER: After the vote.

18 COUNCIL MEMBER KALLOS: I—I vote aye.

19 [background comments and laughter]

20 COUNCIL MEMBER KALLOS: Okay, I—I vote
21 aye.

22 CLERK: Reynoso.

23 COUNCIL MEMBER REYNOSO: Thank you,
24 Ydanis, for helping restore the faith of many folks

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2 in this ULURP process. That obviously works, and I
3 vote aye.

4 CLERK: Torres.

5 COUNCIL MEMBER TORRES: I vote aye.

6 CLERK: By a vote of 15 in the
7 affirmative, 0 in the negative and no abstentions,
8 the motion to disapprove has been adopted.

9 CHAIRPERSON GREENFIELD: Thank you.

10 [applause/cheers]

11 CHAIRPERSON GREENFIELD: The Land Use
12 Committee for Tuesday, August 16th is hereby
13 adjourned. Enjoy the rest of your summer. We'll see
14 you in September. [gavel]

15 [background comment]

16 CHAIRPERSON GREENFIELD: --Council Member
17 Greenfield.

18 SERGEANT-AT-ARMS: Quiet, please. Quite,
19 please.

20 CHAIRPERSON GREENFIELD: Quiet on the
21 set, please. Council Member Greenfield reopening
22 Committee on Land Use, August 16th for a conclusion
23 of vote. Council Member Levin--[interposing]

24 SERGEANT-AT-ARMS: Keep it down, please.
25 Keep it down, please.

2 CHAIRPERSON GREENFIELD: --how do you
3 vote? An aye vote is a vote to disapprove.

4 CLERK: Council Member Mealy.

5 COUNCIL MEMBER MEALY: I vote aye on all.

6 COUNCIL MEMBER LEVIN: Aye on all.

7 CLERK: The vote now stands at 16 in the
8 affirmative, 0 in the negative and no abstentions.

9 COUNCIL MEMBER LEVIN: [off mic] You
10 didn't count my vote. (sic)

11 CLERK: Council Member Levin.

12 COUNCIL MEMBER LEVIN: Aye on all.

13 CLERK: The vote now stands at 17 in the
14 affirmative, 0 in the negative and no abstentions.

15 CHAIRPERSON GREENFIELD: This formally
16 concludes the August 16th Land Use hearing. Enjoy
17 the rest of the day and the rest of the summer.

18 [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 August 21, 2016