

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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June 5, 2017
Start: 12:05 p.m.
Recess: 12:22 p.m.

HELD AT: Committee Room - City Hall

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

COUNCIL MEMBERS:
Vincent J. Gentile
Annabel Palma
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

COUNCIL MEMBERS:

Antonio Reynoso

Ritchie J. Torres

Mark Treyger

Rafael Salamanca, Jr.

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

1
2 CHAIRPERSON GREENFIELD: Just exercising
3 my wrists. [gavel] [background comments]

4 Hello. Welcome everyone. My name is
5 David Greenfield; I'm the Council Member from the
6 44th Council District of Brooklyn; I'm privileged to
7 serve as the Chair of the Land Use Committee.

8 I want to welcome my esteemed colleagues
9 who are members of the Committee and who have joined
10 us today. I want to welcome Council Member
11 Garodnick, Council Member Mendez, Council Member
12 Rodriguez, Council Member Koo, Council Member Lander,
13 Council Member Levin, Council Member Williams,
14 Council Member Wills, Council Member Richards,
15 Council Member Cohen, Council Member Kallos, Council
16 Member Torres, Council Member Treyger, and Council
17 Member Salamanca. I want to thank Chair Salamanca,
18 Chair Richards and Chair Koo for their outstanding
19 work on our Land Use Subcommittees.

20 Today we will be voting to approve all of
21 the items on our calendar except for LU 635, 649 and
22 650, which we will vote to approve with modifications
23 and LU 643 and 644, the 251 Front Street application
24 which we will move to file, as the application has
25 been withdrawn.

1
2 Four of the items we will approve are
3 sidewalk cafés -- LU 631, Pat'e Palo; LU 632, Barking
4 Dog; LU 647, Pret A Manger, and LU 648 are all
5 applications for revocable consents for unenclosed
6 sidewalk cafés in Manhattan.

7 These applications are in Council Member
8 Rodriguez's district, Council Member Kallos'
9 district, and Council Member Mendez's district.

10 The next series of items are zoning and
11 text map amendments.

12 The 13-15 Greenpoint Avenue application,
13 LU 635, in Council Member Levin's district. This is
14 for a zoning text amendment establishing Section 62-
15 356 of the Zoning Resolution which would treat the
16 lot lines separating the development site from the
17 WNYC Transmitter Park -- a lovely park by the way --
18 as a street line for purposes of applying bulk
19 regulations. We will be voting on modifications that
20 would increase the required setback for the park from
21 28 feet on the residential portion pertaining to
22 legally required windows, prohibited balconies on the
23 side of the building facing the park and require a 6-
24 10-foot wall separating the park from the development
25 site. These modifications would help ensure a

1 harmonious transition from public to private space.
2 The developer has also agreed to setback beyond the
3 distance mandated by zoning text for the commercial
4 portion from 8 feet to 18 feet. All parties seem to
5 be pleased by this compromise.
6

7 We will also be voting to modify the
8 Watson Avenue Rezoning, LU 649 and 650, in Council
9 Member Palma's district. This application is for a
10 zoning map amendment to change the project area from
11 an R5/C1-2 to an R71/C1-4 and a text amendment to
12 create a Mandatory Inclusionary Housing Area. The
13 application currently proposes Option #2; our
14 modification would change text amendment to MIH
15 Option 1, requiring 25% of the floor area averaging
16 at 60% of AMI. This application will create 286 new
17 residential units and ground floor retail.

18 I want to congratulate Council Members
19 Levin and Palma on these modifications which will
20 improve these two projects considerably.

21 The next seven items -- LU 656, 657, 658,
22 661, 664, 665 and 667 are known as the POMP
23 applications for tax exemption pursuant to Article XI
24 of the Private Housing Finance Law. These properties
25 were acquired rem by the City of New York and then

1 disposed of through the Private Owner Management
2 Program to the sponsor, hence the clever term "POMP."
3 This portfolio does not currently have any regulatory
4 restrictions other than rent regulation; the tax
5 exemptions will result in a regulatory agreement
6 restricting the rents to 50-75% of AMI, depending on
7 the project location. These buildings are in the
8 district of Council Members Cabrera, Torres and
9 Salamanca.
10

11 The next four items -- LU 668,
12 Neighborhood Stabilization Associates I; LU 669,
13 Neighborhood Stabilization Associates II; LU 670,
14 Sixth Avenue Rehab I; and LU 671, Sunset Park Housing
15 Associates, are for a new 30-year tax exemption to
16 preserve affordability, including Section 8
17 affordability in existing rental housing in Council
18 Member Menchaca's district in Brooklyn.

19 The last item for our vote to approve is
20 LU 673, Lexington Gardens II, in Speaker Melissa
21 Mark-Viverito's district. The project was approved
22 in 2016 but there have been changes to the
23 affordability mix, so an amendment to UDAAP and a new
24 Article XI tax exemption are being sought.
25

1
2 The local Council Members are all in
3 support of these applications. Are there any
4 questions or remarks on these applications?

5 Hearing none, we will now move on to a
6 vote in accordance with the recommendations of the
7 Subcommittees to approve LU 631, 632, 647, 648, 656,
8 657, 658, 661, 664, 665, 667, 668, 669, 670, 671,
9 673, and to approve with the modifications I have
10 described, LU 635 and LU 649 and 650 and to file
11 LU 643 and 644 to remove this application from the
12 calendar. Will the clerk please call the roll?

13 COMMITTEE CLERK: William Martin,
14 Committee Clerk, roll call vote Committee on Land
15 Use; all items are coupled. Chair Greenfield.

16 CHAIRPERSON GREENFIELD: I vote aye on
17 all.

18 COMMITTEE CLERK: Mealy.

19 COUNCIL MEMBER MEALY: I vote aye on all.

20 COMMITTEE CLERK: Mendez.

21 COUNCIL MEMBER MENDEZ: Aye.

22 COMMITTEE CLERK: Koo.

23 COUNCIL MEMBER KOO: Aye.

24 COMMITTEE CLERK: Lander.

25 COUNCIL MEMBER LANDER: Aye.

COMMITTEE CLERK: Levin.

COUNCIL MEMBER LEVIN: I vote aye and I want to thank Chair Richards and Chair Greenfield, as well as the Land Use staff for working with me and both affected communities, in the Greenpoint Williamsburg community, with respect to the 13-15 Greenpoint Avenue project and with the Vinegar Hill community at the 251 Front Street application. I also want to acknowledge the Vinegar Hill Association, Friends of Transmitter Park, as well the applicant for 251 Front Street for making a good faith effort to go through the issues with us; unfortunately we were unable to reach a conclusion that was going to be satisfactory and therefore they opted to withdraw the application, but I do want to acknowledge that they made a good faith effort and we certainly respect the amount of work that they put into this application. With that, I vote aye on all.

CHAIRPERSON GREENFIELD: Thank you and congratulations, Council Member.

COMMITTEE CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

COMMITTEE CLERK: Rose.

COUNCIL MEMBER ROSE: Aye.

[background comments]

COMMITTEE CLERK: Williams.

COUNCIL MEMBER WILLIAMS: Aye.

COMMITTEE CLERK: Wills.

COUNCIL MEMBER WILLS: Aye.

COMMITTEE CLERK: Richards.

COUNCIL MEMBER RICHARDS: Aye.

COMMITTEE CLERK: Treyger.

COUNCIL MEMBER TREYGER: Aye.

COMMITTEE CLERK: Salamanca.

COUNCIL MEMBER SALAMANCA: Aye.

COMMITTEE CLERK: By a vote of 13 in the affirmative, 0 in the negative and no abstentions, all items have been adopted.

CHAIRPERSON GREENFIELD: Folks, we're going to keep the roll open for 15 more minutes. If you can just hold on just for one more minute, folks, just one more minutes.

Today is the last Land Use Committee for the longest-serving member of the Land Use Division, Peter Janasek [sp?]. Peter... [cheers, clapping] Folks, Peter started working here in February of 1985; there's actually a Council Member who was born in 1988, so that's pretty impressive. He was the

1 Council Liaison to the Board of Estimate -- for those
2 of you who are youngsters, you can Google that and
3 you can find information about what the Board of
4 Estimate was. He has more experience working here
5 and more institutional knowledge than literally
6 everyone, anyone I've ever met in my time as the
7 chair of the Land Use Committee. He's been a trusted
8 adviser to hundreds of Council Members, to dozens of
9 City agencies; his work at the Council has covered a
10 wide array of projects, from the Coordinated Street
11 Furniture Franchise, which shaped the way of how our
12 streets look, to the 42nd Street light rail, and even
13 the Yankee Stadium Project.

14
15 The truth is that what makes Peter stand
16 out is his incredible diligence and his dedication,
17 especially to the painstaking work that we force him
18 to do when we call up those sidewalk cafés and thank
19 you for that, Peter. Despite my best attempts at
20 convincing Peter to get samples while visiting those
21 sidewalk cafés, he has resisted for more than 30
22 years. He has an uncanny ability to identify issues
23 and then work hard to reach a fair and equitable
24 solution with the applicant. This is the kind of
25 hard work and good government focus that really

1
2 people don't appreciate, but it's the work that makes
3 our city function so well. And Peter has worked with
4 tens of thousands of small businesses across New York
5 to help them stay in business and ensuring that our
6 community needs are being resolved.

7 Peter is an extraordinarily proud dad to
8 Aaron and Laura and husband to Peg; I know he's eager
9 to spend more time with them and in Florida and take
10 care of his beautiful home in Staten Island, but we
11 will miss him here; we admire him; we respect him,
12 and we are so grateful for his years of service and
13 for his wisdom and I will tell you that whenever we
14 have an intractable problem, we would sit around the
15 conference room and then we'd say, where's Peter and
16 Peter would come in and somehow he would manage to
17 solve what seemed like some of the most difficult
18 technical issues in the City of New York.

19 Peter, we pay huge respect to you; we tip
20 our hat to you; you will be missed, and we
21 congratulate you upon your retirement. Let's give
22 Peter a big round of applause.

23 [cheers, applause, singing]

24 So we're going to keep the vote open for
25 15 more minutes. Please join us for cake.

1 [background comment] Please join us for cake and
2 some non-alcoholic beverages, and the clerk will
3 continue to call the roll. Thank you.

4 COMMITTEE CLERK: Council Member... excuse
5 me... Council Member Cohen.

6 COUNCIL MEMBER COHEN: Aye.

7 COMMITTEE CLERK: Reynoso.

8 COUNCIL MEMBER REYNOSO: Aye.

9 COMMITTEE CLERK: Torres.

10 COUNCIL MEMBER TORRES: Aye.

11 [pause]

12 CHAIRPERSON GREENFIELD: Peter, would you
13 like to say a few words? [background comments]

14 [pause]

15 I mean I'm the best chair, obviously,
16 right? Okay. I just... make sure we... [background
17 comments] Thank you.

18 [pause]

19 [cheers, clapping]

20 CHAIRPERSON GREENFIELD: We love you,
21 Peter.

22 [pause]

23 COMMITTEE CLERK: Continuation roll call,
24 Committee on Land Use. Council Member Kallos.
25

COMMITTEE ON LAND USE

14

COUNCIL MEMBER KALLOS: Aye on all.

[pause]

COMMITTEE CLERK: Continuation roll call,
Committee on Land Use. Council Member Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Aye.

[background comments]

COMMITTEE CLERK: Continuation roll call,
Committee on Land Use. Council Member Gentile.

COUNCIL MEMBER GENTILE: Aye on all.

[background comments]

COMMITTEE CLERK: Final vote, Committee
on Land Use; all items have been adopted by a vote of
19 in the affirmative, 0 in the negative and no
abstentions. Thank you everybody.

[background comments]

CHAIRPERSON GREENFIELD: This concludes
the Land Use Committee for the meeting of June 5,
2017. This meeting 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 June 29, 2017