

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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September 24, 2009

Start: 10:00 am

Recess: xx:xx am

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Tony Avella  
Charles Barron  
Leroy G. Comrie, Jr.  
Elizabeth Crowley  
Inez E. Dickens  
Simcha Felder  
Daniel R. Garodnick  
Eric N. Gioia  
Sara M. Gonzalez  
Vincent Ignizio  
Robert Jackson  
Jessica S. Lappin  
Rosie Mendez  
Annabel Palma  
Joel Rivera  
Larry B. Seabrook  
Helen Sears  
Albert Vann

## A P P E A R A N C E S [CONTINUED]

Sara M. Gonzalez  
Statement in Support of Sunset Park Rezoning  
New York City Council Member

Thank yous:  
Melinda R. Katz  
Chair, Land Use Committee

Tony Avella  
Chair, Zoning Committee

Christine Quinn  
Speaker, New York City Council

Staff  
Committee on Land Use  
Committee on Zoning

Gail Benjamin  
Land Use Staff

Amy Levitan  
Land Use Staff

Amanda M. Burden  
Commissioner  
Department of City Planning

Puna Makapoor  
Borough Commissioner

Mr. Oster  
Commissioner  
Department of Housing Preservation and Development

Staff  
Department of Housing Preservation and Development

Community Board 7

## A P P E A R A N C E S [CONTINUED]

Randy Pierce  
Chairman  
Community Board 7

Ginny and Tom Murphy  
Residents of Sunset Park

Reverend Cressbow  
President  
Clergies for Justice

[START LAND-USE-9-24-09.MP3]

CHAIRPERSON KATZ: And we're going to right into Land Use because we have a quorum, shockingly. Cm Gonzalez, I know you want to say a few words. I'm going to go through the agenda first. Okay, then I'll call on you.

LU numbers 1190 and 1191 is Sunset Park Rezoning and Tex Amendment; it is the rezoning to preserve neighborhood character and to encourage appropriate development in that Community.

LU numbers 1192 and 1193 are related. They are both to facilitate accessory parking in Council Member Rivera's District for the Social Security Administration Building. It is an amendment and a UDAAP, amendment to the zoning map, I'm sorry and a UDAAP.

LU number 1205 and 1206 are both also related in Council Member Arroyo's District. They are both amendments to the zoning text and an amendment to the zoning map to encourage appropriate mixed-use development.

LU number 1207 is laid over.

LU number 1208 is in Council Member

1  
2 Gerson's District. It is the landmarking of 94  
3 Greenwich Street House.

4 LU number 1209 is Jasper's Italian  
5 Cuisine sidewalk café in Council Member Koppell's  
6 District.

7 LU numbers 1210 through 1212 are  
8 also related. They are to facilitate the  
9 development of a mixed-use development in Council  
10 Member James' District. It's an amendment to the  
11 zoning map, a zoning text amendment and a special  
12 permit.

13 LU number 1214, 1215 and 1216 are  
14 also related. They are to facilitate the  
15 construction of mixed-use development also in  
16 Council Member James' District. Amendment to the  
17 zoning map, a special permit and a UDAAP.

18 The UDAAPs of 1109 which is in 63  
19 Thompson is being held over.

20 Let me call on Council Member  
21 Gonzalez for comments on the application in her  
22 District. Council Member Gonzalez.

23 COUNCIL MEMBER GONZALEZ: Thank  
24 you.

25 [Gavel banging]

1  
2 COUNCIL MEMBER GONZALEZ: Thank you  
3 Chair. I would like to thank Chairs Avella and  
4 Katz and the members of the staff of the Zoning  
5 and Land Use Committees as well as Speaker Quinn,  
6 Land Use Staff Gail Benjamin and Amy Levitan who  
7 have been incredibly wonderful in respect to this  
8 issue. I want to thank the Commissioner,  
9 Commissioner Burden, Borough Commissioner Puna  
10 Makapoor and the staff at City Planning, and  
11 Commissioner Oster of HPD and the staff for  
12 working with me.

13 I would especially like to thank  
14 Community Board 7, its Chair Randy Pierce, local  
15 residents and community groups who today we have  
16 some with us which is as far as Ginny and Tom  
17 Murphy who are here, are life-long residents and  
18 Reverend Cressbow who is the President of Clergies  
19 for Justice.

20 I thank you all, the local  
21 residents, community groups, who addressed our  
22 concerns about new development in Sunset Park that  
23 was inconsistent with the existing built  
24 character. This is a serious problem throughout  
25 the City but particularly in our community as

1  
2 development pressure has moved south from Park  
3 Slope and north from Bay Ridge. In the past years  
4 we have seen rents skyrocket and long-time  
5 community residents get pushed out of our  
6 neighborhood.

7 More recently buildings have been  
8 constructed which have not been affordable to  
9 local residents and have been out of scale with  
10 the rich architectural history and unique  
11 character of Sunset Park. I am pleased to have  
12 Sunset Park join other neighborhoods throughout  
13 the City that have undergone a contextual  
14 rezoning.

15 Our rezoning for 120 blocks in  
16 Sunset Park will seek to preserve the neighborhood  
17 character and scale by placing height limits  
18 throughout the area. It also promotes sensible  
19 new development where appropriate at a height and  
20 scale that is in keeping with the existing  
21 context.

22 The plan will support local retail  
23 corridors and create opportunities for affordable  
24 housing through inclusionary zoning. I also wish  
25 to acknowledge and commend City Planning's

1  
2 commitment to study the 8<sup>th</sup> Avenue corridor in  
3 Sunset Park immediately following the conclusion  
4 of the ULURP process.

5 I am encouraged by the  
6 Administration's commitment that community  
7 preference will be applied to greater than 50% of  
8 any new affordable housing units built in Sunset  
9 Park. Affordable housing is a very serious issue  
10 in my District. HPD and City Planning have agreed  
11 to keep the community apprised of new affordable  
12 housing in our District. Together we will  
13 facilitate and ensure that all available  
14 information is obtained by all interested parties.

15 I share concerns about displacement  
16 and harassment of tenants. I understand that many  
17 of the units are in rent stabilized buildings and  
18 must comply with Department of Housing Community  
19 Renewal. Local Law 7 also provides tenants being  
20 harassed by landlords by giving them tools to seek  
21 relief in Housing Courts. HPD has committed to  
22 work with me to continue to directly educate my  
23 community and work with local nonprofit groups on  
24 anti-harassment policy.

25 I love Sunset Park. I grew up in



1  
2 Sunset Park. For generations, four generations of  
3 my family live in Sunset Park. Certainly I have a  
4 vision for our neighborhoods but I never believed  
5 it was my right to impose that vision on the  
6 residents. That is their right. That is their  
7 job.

8           The residents of Sunset Park have  
9 worked long and hard on this rezoning. The grand  
10 mosaic that is Sunset Park came together to  
11 provide the input that fashioned this plan. I  
12 provided outreach and assistance to all the  
13 neighborhoods of Sunset Park in the hope that they  
14 would unite in a common vision.

15           I simply offered help to increase  
16 visibility on the issue and provided any help  
17 requested to coordinate efforts or navigate  
18 bureaucracies. I am pleased that the prestigious  
19 Pratt Center for Community Development matched the  
20 funding I put forth to conduct an independent  
21 analysis and develop a series of three widely  
22 attended workshops to first explain the rezoning  
23 process and then seek community input from a wide  
24 array of Sunset Park residents.

25           My door was always open. Otherwise

1  
2 I deliberately kept a certain distance away from  
3 any meetings, hearings or deliberations so my  
4 vision would not influence the final outcome.  
5 Oftentimes change is difficult. And some people  
6 lack the vision necessary to accommodate change.

7 I realize that there will often be  
8 opponents to a major rezoning such as this one but  
9 I believe it is in the best interests of the  
10 community to see this move forward and to have the  
11 new development be in scale with the existing  
12 neighborhood and to begin to provide incentives so  
13 our neighbors can continue to call Sunset Park  
14 their home.

15 I urge all my colleagues to vote yes  
16 on this plan. Thank you.

17 CHAIRPERSON KATZ: Thank you. Any  
18 other discussion? Let's call the roll.

19 MS. CAROL SHINE: Carol Shine,  
20 Counsel to the Committee. Chair Katz.

21 CHAIRPERSON KATZ: I vote aye on  
22 all.

23 MS. SHINE: Council Member Avella.  
24 Oops.

25 COUNCIL MEMBER AVELLA: Aye on all

1  
2 except I vote no on the 2 Sunset Park rezoning  
3 applications.

4 MS. SHINE: Council Member Rivera.

5 COUNCIL MEMBER RIVERA: I vote aye  
6 on all.

7 MS. SHINE: Council Member Barron.

8 COUNCIL MEMBER BARRON: May I be  
9 excused to explain my vote.

10 CHAIRPERSON KATZ: Yes.

11 COUNCIL MEMBER BARRON: You know,  
12 Sara on the major rezonings, there's always a big  
13 issue, even when we did that in Brooklyn and  
14 Conarsee, we had to meet with our residents over  
15 and over again to satisfy people 'cause there's  
16 always differences from our perspective. And we  
17 didn't pass anything until we made sure everybody  
18 had a chance to express what they felt. And this  
19 one I did talk in passing to some of the people of  
20 Sunset Park and they're very, very upset by the  
21 displacement, by the heights that they might go up  
22 to and they wanted more conversation, more input.  
23 So for that reason, it's going to pass anyway, but  
24 just so that their voice is heard, you know, I  
25 think I'm going to vote no on that because I know

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what it means to go through a major rezoning and trying to satisfy everybody sometimes you'll never do that but at least the length of your process sometimes to get some--if there's major disagreement. And it seems to be that in this particular case. So my no vote is based upon giving the voice of those who have a major disagreement with this rezoning. So I vote aye on all and no on the 2 Sunset Park pieces.

COUNCIL MEMBER GONZALEZ: Thank you.

MS. SHINE: Council Member Comrie.

COUNCIL MEMBER COMRIE: Aye on all except for LU 1208, I vote no.

MS. SHINE: Council Member Gioia.

COUNCIL MEMBER GIOIA: I vote yes.

MS. SHINE: Council Member Jackson.

COUNCIL MEMBER JACKSON: I vote aye on all.

MS. SHINE: Council Member Seabrook.

COUNCIL MEMBER SEABROOK: Aye on all.

MS. SHINE: Council Member Sears.

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COUNCIL MEMBER SEARS: Aye on all.

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MS. SHINE: Council Member Vann.

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COUNCIL MEMBER VANN: Aye on all.

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MS. SHINE: Council Member

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Gonzalez.

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COUNCIL MEMBER GONZALEZ: Aye.

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MS. SHINE: Council Member Palma.

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COUNCIL MEMBER PALMA: Aye on all.

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MS. SHINE: Council Member Dickens.

11

COUNCIL MEMBER DICKENS: [No

12

audible response]

13

MS. SHINE: Council Member

14

Garodnick.

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COUNCIL MEMBER GARODNICK: Aye.

16

MS. SHINE: Council Member Lappin.

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COUNCIL MEMBER LAPPIN: Aye.

18

MS. SHINE: Council Member Mendez.

19

COUNCIL MEMBER MENDEZ: [No audible

20

response]

21

MS. SHINE: Oh okay. Council

22

Member Crowley.

23

COUNCIL MEMBER CROWLEY: Aye - - .

24

MS. SHINE: Council Member Ignizio.

25

COUNCIL MEMBER IGNIZIO: Yes. I

1  
2 just want to wish Sara Gonzalez well. I know how  
3 difficult she, hard she worked bringing people  
4 together and congratulate her for what is, you  
5 know, good is not the enemy of perfect, right?  
6 Isn't that what we always say? So congratulations  
7 on your hard work. I vote no on Land Use 1208 and  
8 aye on all others.

9 MS. SHINE: Council Member Felder.

10 COUNCIL MEMBER FELDER: May I be  
11 excused to explain my vote?

12 CHAIRPERSON KATZ: Yes.

13 COUNCIL MEMBER FELDER: Oh the  
14 rezoning, the Sunset rezoning, I just wanted to  
15 share that for those of my colleagues who remained  
16 through the hearing, through most of the testimony  
17 and listened to most of the testimony, I think the  
18 point that my colleague Council Member Barron  
19 made, I think you would have felt otherwise if you  
20 had had the opportunity. I know you had other  
21 pressing matters, to listen to the testimony that  
22 was presented at the hearing. I found the  
23 testimony, and I'm not--I can't say that there is  
24 no one who feels the way you described, but those  
25 that came to testify, many of them had what I felt

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2 I think it was pretty clear if you would watch  
3 the, what is it Channel 74 whenever it comes up, a  
4 political and personal motive to come and testify  
5 and say what they said. Most of the testimony had  
6 nothing to do with the rezoning. It had to do  
7 with Sara Gonzalez being wonderful or not  
8 wonderful or this or that or the other thing. And  
9 the Mayor being wonderful or not wonderful or not  
10 wonderful, whatever else. So all I'm saying is  
11 that at the hearing itself, we usually find that  
12 the people who feel most strongly about an issue  
13 come to testify. Those that don't, and there may  
14 be others that don't but those that certainly  
15 presented whatever they had, feelings, to me it  
16 seemed like very clear that it was very personal,  
17 nothing to do with the rezoning. It had to do  
18 with whether they like or don't like the Community  
19 Board. They don't like the elected official.  
20 They don't like this or that or the other thing.  
21 And I feel, based on the testimony, not about  
22 other things, that this is a wonderful rezoning.  
23 I didn't find that in the testimony at all any  
24 real clarity as to there not being enough  
25 outreach, enough hearings, enough meetings

1  
2 whatsoever. All right. That's why I vote yes.  
3 That's one of the reasons I vote yes. And I just  
4 wanted that to be on the record.

5 MS. SHINE: Council Member Mendez.

6 COUNCIL MEMBER MENDEZ: [No audible  
7 response]

8 CHAIRPERSON KATZ: Say it again.

9 This--

10 [Off mic]

11 CHAIRPERSON KATZ: We're already in  
12 Land Use. Surprise.

13 COUNCIL MEMBER FELDER: See it's  
14 Starbucks.

15 CHAIRPERSON KATZ: Did you bring  
16 enough? Did you bring coffee for everyone?

17 COUNCIL MEMBER FELDER: Yeah I mean  
18 how come--

19 [Audience noise]

20 COUNCIL MEMBER FELDER: She did  
21 offer to get me something I've got to tell you. I  
22 make a motion that we recess the meeting until we  
23 decide which meeting we want. That's...

24 CHAIRPERSON KATZ: Council Member  
25 Mendez, how do you vote? Did you vote?



COUNCIL MEMBER MENDEZ: [Off mic]

All right. Yes.

CHAIRPERSON KATZ: Anything? Okay.

MS. SHINE: By a vote of--

[Audience laughter, noise]

MS. SHINE: Ready? By a vote of 19 in the affirmative and none in the negative and no abstentions the aforementioned items are approved with the exception of LUs 1190 and 1191 which is approved by a vote of 17 in the affirmative, 2 in the negative and no abstentions; and LU 1208 which is approved by a vote of 17 in the affirmative, 2 in the negative and no abstentions.

CHAIRPERSON KATZ: We will leave the vote open for ten minutes. Thank you. Another meeting is September 30<sup>th</sup>, guys, September 30<sup>th</sup>, 9:45 for Planning, 10:00 o'clock Land Use. 9:45 Planning, 10:00 o'clock Land Use, September 30<sup>th</sup>, your offices will be called.

MS. SHINE: Thank you Melinda.

[Background noise]

[END LAND-USE-9-24-09.MP3]

C E R T I F I C A T E

I, Laura L. Springate 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.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature \_\_\_\_\_ Laura L. Springate \_\_\_\_\_

Date \_\_\_\_\_ October 4, 2009 \_\_\_\_\_