

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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April 14, 2010
Start: 10:39 am
Recess: 10:52 am

HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:
Charles Barron
Inez E. Dickens
Daniel R. Garodnick
Sara M. Gonzalez
Robert Jackson
Jessica S. Lappin
Rosie Mendez
Diana Reyna
Joel Rivera
James Sanders, Jr.
Larry B. Seabrook
James Vacca
Albert Vann
Brad S. Lander
Stephen T. Levin

A P P E A R A N C E S

COUNCIL MEMBERS:

Mark S. Weprin
Jumaane D. Williams
Vincent M. Ignizio
Peter A. Koo

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

Howard Weiss

Counsel

Davidoff, Malito and Hutcher LLP

CHAIRPERSON COMRIE: Good

afternoon. I'd like to call order to the full
Land Use Committee meeting for April 14, 2010.

I'm Leroy Comrie. Present with us today we have
Jessica Lappin, Diana Reyna, Peter Koo, Jimmy
Vacca, Joel Rivera, Charles Barron, Steve Levin,
Rosie Mendez, Vincent Ignizio, Barry Grodenchik,
Mark Weprin, Al Vann, Larry Seabrook, Inez
Dickens, Brad Lander, Robert Jackson, Sara
Gonzalez, Domenic Recchia, et al.

Today we have two items left on the
agenda. Land Use items number 51, 52 and 53 which
are related. Brooklyn Community Board 1, Item
C08039, it's an amendment to a zoning map. It's
in Council Member Levin's district. There was a
lot of work done on this project by many people.
We've been joined by Council Member Jumaane
Williams.

I think that this has been the most
interesting project that has come before me during
my short tenure in this committee as chair. I
want to congratulate Council Member Levin and all
of the parties involved to get to today's
decision.

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2 Clearly, when you're working on
3 projects and you have people with different
4 mindsets about how to get a final solution, it
5 takes a lot of conversation. This project took a
6 lot of conversation but it still got done within
7 the timeframe. I want to congratulate the Land
8 Use staff for all of their work on this. I want
9 to congratulate Council Member Levin for doing
10 everything he needed to do to continue to
11 represent his community in the manner that he was
12 elected. I want to congratulate all of the people
13 were trying to put the project together for their
14 desire and willingness to have the conversations
15 necessary to get to this point today. Without
16 cooperation we can't get things done, and I want
17 to say that the level of cooperation and desire
18 was admirable by all parties involved.

19 Also, we have Land Use number 57, a
20 citywide project; it's a residential streetscapes
21 preservation project. It's an amendment to the
22 citywide zoning text. As it is citywide, it's
23 item N 100139 ZRY. This is creating conditions to
24 improve and codify opportunities to clean up a lot
25 of problems that were dealing with front yard

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2 parking, with creating parking locations and curb
3 cut regulations for residential usage, tightening
4 up the responsibilities and regulations dealing
5 with homeowners.

6 I want to congratulate again City
7 Planning, the Land Use staff. I want to also
8 congratulate Council Member Mark Weprin on all of
9 the things that he did with these two projects.
10 You were hiding back there when I was looking for
11 you a second ago. Domenic was hiding up. We want
12 to thank all of the people that were involved in
13 putting these together.

14 There is a longstanding ancillary
15 issue that has come up that we need to address.
16 We do have a commitment from the Mayor's Office to
17 sit down and have some substantive discussions
18 about R-3 and R-4 housing and what we can do to
19 deal with some issues around that housing that are
20 happening in practicality but need to be dealt
21 with substantively.

22 Does anyone have any questions on
23 any items on today's agenda? We've been joined by
24 Council Member Gale Brewer. I think I caught
25 everyone in the house. Are there any questions?

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2 With that, Council Member Levin, you spoke during
3 the subcommittee? I just wanted to ask. With
4 that, I would recommend a yes vote on all items
5 and I'd ask the clerk to call the roll.

6 CAROL SHINE: Carol Shine, Counsel
7 to the committee. Chair Comrie?

8 CHAIRPERSON COMRIE: Aye on all.

9 CAROL SHINE: Council Member
10 Rivera?

11 COUNCIL MEMBER RIVERA: I vote aye
12 on all.

13 CAROL SHINE: Council Member Reyna?

14 COUNCIL MEMBER REYNA: Aye on all.

15 CAROL SHINE: Council Member
16 Barron?

17 COUNCIL MEMBER BARRON: May I be
18 excused to explain my vote? I'm going to vote no.
19 Not to take away from the great work and
20 negotiations that took place, but when you already
21 have 80% market and then you take a third of the
22 30% that's going to be 120% of the AMI. I don't
23 understand why that needs to happen when only 30%
24 is affordable in an area that has a \$30,000 family
25 of four AMI. Why would we take away from the

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2 affordability, the 30% of that affordability? So
3 I want to vote no on that. I'm also voting no on
4 the city line item because of the R-3 and R-4
5 issues and the homes have not been really
6 resolved. That might be an overburden for some of
7 our homeowners in our neighborhoods.

8 CAROL SHINE: Council Member

9 Jackson?

10 COUNCIL MEMBER JACKSON: I thought
11 I already voted aye on all.

12 CAROL SHINE: No.

13 COUNCIL MEMBER JACKSON: That was
14 in Zoning. Then let me say it again, aye on all.

15 CAROL SHINE: Council Member
16 Seabrook?

17 COUNCIL MEMBER SEABROOK: Aye on
18 all.

19 CAROL SHINE: Council Member Vann?

20 COUNCIL MEMBER VANN: Aye.

21 CAROL SHINE: Council Member
22 Gonzalez?

23 COUNCIL MEMBER GONZALEZ: Aye on
24 all.

25 CAROL SHINE: Council Member

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2 Dickens?

3 COUNCIL MEMBER DICKENS: Aye on

4 all.

5 CAROL SHINE: Council Member

6 Garodnick.

7 COUNCIL MEMBER GARODNICK: Aye.

8 CAROL SHINE: Council Member

9 Lappin?

10 COUNCIL MEMBER LAPPIN: Aye. I'd
11 like to say to Council Member Levin that you have
12 really done an excellent job. I know it hasn't
13 been easy over the last couple of weeks to
14 reconcile the varying interests in you community
15 and to try to come to this positive resolution and
16 I think it's wonderful that you did. I vote aye.

17 CAROL SHINE: Council Member

18 Mendez?

19 COUNCIL MEMBER MENDEZ: Yes.

20 CAROL SHINE: Council Member Vacca?

21 COUNCIL MEMBER VACCA: Aye, with

22 pleasure.

23 CAROL SHINE: Council Member

24 Lander?

25 COUNCIL MEMBER LANDER: I also want

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2 to congratulate Council Member Levin. On LU 0057,
3 the streetscape amendment, I'm going to
4 reluctantly vote yes. I have some very strong
5 concerns and reservations what this means in terms
6 of making what are now illegal occupancies safe
7 and legal for our firefighters and for the
8 families that live there. But I appreciate the
9 chair's statement that the administration is
10 committed to a dialogue to really start the
11 conversation to move towards a saner policy on
12 this issue. With that understanding, I vote aye
13 on all.

14 CAROL SHINE: Council Member Levin?

15 COUNCIL MEMBER LEVIN: Can I
16 explain my vote? I am going to be voting aye on
17 all items. With regard to the streetscapes bill,
18 I echo the concerns raised by Council Member
19 Lander and other colleagues of mine. It's my hope
20 that the administration will continue a dialogue
21 and work with this Council and work with the
22 members of this committee and the members of the
23 Housing and Buildings Committee and Chairman Dilan
24 on resolving issues with regards to legalizing
25 spaces now that are currently not legalized so

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that we have an equitable way of going forward.
With that I vote aye.

CAROL SHINE: I'm sorry, Council
Member, how did you vote?

COUNCIL MEMBER LEVIN: I vote aye.

CAROL SHINE: Thank you. Council
Member Weprin?

COUNCIL MEMBER WEPRIN: Aye on all.

CAROL SHINE: Council Member
Williams?

COUNCIL MEMBER WILLIAMS: May I be
excused to explain my vote?

CHAIRPERSON COMRIE: So moved.

COUNCIL MEMBER WILLIAMS: I just
want to thank Council Member Levin. Although it's
not as affordable as we hoped and there are a lot
of things that can be better, he did champion his
community for a good while and I appreciate the
compromise that came out of it. So I vote aye on
all, with the exception of Land Use 0057. I do
think there is a lot of work that needs to be done
in terms of converting and I think it
disproportionately affects certain parts of New
York City and I hope that we can continue to have

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2 discussion on it. Thank you.

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CHAIRPERSON COMRIE: I just want to remind members that every community board voted for the streetscapes plan and that the issue at hand that was raised as a concern is actually not part of the text of the streetscapes plan. It's an addendum that is being requested and we are going to do everything we can to address that issue. I just want to remind everyone that every community board in Brooklyn, in the Bronx and Manhattan, there is only one community that had an amendment to the streetscapes plan and that was in Queens.

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CAROL SHINE: Council Member

Williams, did you vote no or are you abstaining?

COUNCIL MEMBER WILLIAMS: I voted

no on LU 0057.

CAROL SHINE: Thank you. Council

Member Ignizio?

COUNCIL MEMBER IGNIZIO: Yes.

CAROL SHINE: Council Member

Mendez?

COUNCIL MEMBER MENDEZ: I vote aye

on all and I abstain on the text amendment

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2 legislation, resolution, whatever it is that's in
3 front of us at the moment. Thank you.

4 CHAIRPERSON COMRIE: LU 0057.

5 COUNCIL MEMBER MENDEZ: LU 0057,
6 yes, thank you.

7 CAROL SHINE: The vote stands at 17
8 in the affirmative and one in the negative on LU
9 0051, LU 0052 and LU 0053.

10 CHAIRPERSON COMRIE: We're joined
11 by Council Member Sanders and Council Member Koo.

12 CAROL SHINE: Council Member Koo?

13 COUNCIL MEMBER KOO: Aye on all.

14 CAROL SHINE: I'm sorry, Council
15 Member Koo. Council Member Sanders?

16 COUNCIL MEMBER SANDERS: One
17 moment.

18 CAROL SHINE: Council Member
19 Sanders?

20 COUNCIL MEMBER SANDERS: Aye on
21 all.

22 CAROL SHINE: By a vote of 18 in
23 the affirmative and one in the negative, LU 0051,
24 LU 0052 and LU 0053 are approved and referred to
25 the full Council. By a vote of 15 in the

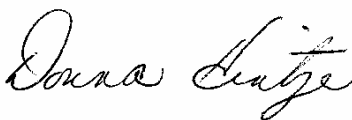
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2 affirmative, two in the negative and one
3 abstention, LU 0057 is approved and referred to
4 the full Council. Please sign the reports.

5 CHAIRPERSON COMRIE: We have a
6 couple of people that are on their way because of
7 traffic. We will hold the vote open until the
8 next committee meeting starts. Finance is next
9 and it sounds like the chair is right over my
10 shoulder. This meeting is adjourned. Thank you
11 very much.

12 COUNCIL MEMBER: For those of you
13 who are interested in education, at the ceremonial
14 today, the school that's rated number two in high
15 schools in the City of New York and number one in
16 the Borough of Brooklyn will be recognized at the
17 ceremonial. Please come up for the ceremonial
18 today. It's very important. If you profess to be
19 interested in education, let's show that by
20 showing up. Thank you.

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 April 29, 2010