

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS

AND DISPOSITIONS 1

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITINGS AND DISPOSITIONS

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December 5, 2023
Start: 11:12 a.m.
Recess: 11:52 a.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 16TH
FLOOR

B E F O R E: Farrah N. Louis, Chairperson

COUNCIL MEMBERS:

Carmen N. De La Rosa
Oswald Feliz
Christopher Marte
Sandy Nurse
Sandra Ung
Inna Vernikov

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS
AND DISPOSITIONS 2

A P P E A R A N C E S

Arielle Rawlings, Director of Affordable
Neighborhood Cooperative Program at Department of
Housing Preservation and Development

Stephen Erdman, Executive Director of
Homeownership and Shared Equity at Department
Housing Preservation and Development

Asher Toporovsky of Novis Living, LLC

Steve Waehler, WG Project Management

Arvind Sindhvani, Director of Land Use, Planning
and Development at Department of Housing
Preservation and Development

Andrea Bender, Vice President of External Affairs
at the New York City School Construction
Authority

Kelly Murphy, Senior Director, Real Estate
Services at the New York City School Construction
Authority

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITINGS AND
DISPOSITIONS

3

1
2 SERGEANT-AT-ARMS: This is a microphone
3 check for the Subcommittee on Landmarks, Public
4 Sitings and Dispositions. Today's date is December 5,
5 2023. We're located in the 16th Floor Hearing Room.
6 The recording is done by Rocco Mesiti.

7 SERGEANT-AT-ARMS: Quiet, please. Thank
8 you.

9 Good morning and welcome to the New York
10 City Council hybrid hearing on the Subcommittee on
11 Landmarks, Public Sitings and Dispositions.

12 Please silence all electronic devices.

13 Please, at no time do not approach the
14 dais during the hearing. If you have any questions,
15 raise your hand, and of us, the Sergeant-at-Arms,
16 will kindly assist you.

17 Thank you for your kind cooperation.

18 Chair, we are ready to begin.

19 CHAIRPERSON LOUIS: [GAVEL] Good morning.
20 I'm Council Member Farrah Louis, Chair of the
21 Committee on Landmarks, Public Sitings and
22 Dispositions. This meeting is being held in hybrid
23 format.

24 I am joined today by Council Members De
25 La Rosa, Marte, and Nurse.

1
2 Before we begin with today's agenda, I
3 will remind members of the public who wish to testify
4 remotely that we ask you to register online, and you
5 may do so now by visiting www.council.nyc.gov/landuse
6 to sign up. If you have already registered but have
7 not yet signed into Zoom, please do so now and remain
8 signed in until you have testified.

9 We've also been joined by Council Member
10 Ung. Thank you.

11 For anyone wishing to submit written
12 testimony on the items being heard today, we ask that
13 you please send it via email to
14 landusetestimony@council.nyc.gov. Please indicate the
15 LU number and project name in the subject line of
16 your email.

17 We will now begin with our hearings.

18 I will now open the public hearing on the
19 Preconsidered LU item under application number G
20 230039 XAM, an HPD proposal for the West 120th-126th
21 Street ANCP Cluster in Council Member Richardson
22 Jordan's District in Manhattan. We are joined today
23 by representatives of HPD including Arielle Rawlings,
24 Director of ANCP, and Stephen Erdman, Executive
25 Director of Homeownership and Shared Equity. They are

2 joined by project team members Asher Toporovsky of
3 Novis Living, LLC, and are available for questions
4 and answers as needed, we will also have Steve
5 Waehler from WG Project Management.

6 I'll remind anyone wishing to testify
7 remotely if you have not already done so, you must
8 register online, and you may do that now by visiting
9 Council's website, council.nyc.gov/landuse.

10 Counsel, would you please administer the
11 affirmation?

12 COMMITTEE COUNSEL HUH: I will ask the
13 applicant panelists to take their spot at the table.

14 Please raise your right hands. State your
15 name for the record. I'll ask each one of you in turn
16 to answer the following.

17 Do you affirm to tell the truth, the
18 whole truth, and nothing but the truth in your
19 testimony before this Subcommittee and in answers to
20 all Council Member questions? Arielle Rawlings.

21 DIRECTOR RAWLINGS: Yes.

22 COMMITTEE COUNSEL HUH: Stephen Erdman.

23 DIRECTOR ERDMAN: Yes.

24 COMMITTEE COUNSEL HUH: Asher Toporovsky.

25 ASHER TOPOROVSKY: Yes.

2 COMMITTEE COUNSEL HUH: Steve Waehler.

3 STEVE WAEHLER: Yes.

4 COMMITTEE COUNSEL HUH: Thank you.

5 CHAIRPERSON LOUIS: Thank you. Panelists
6 may begin.

7 Please let us know when you are ready to
8 share your presentation, and our Staff will display
9 it on the screen.

10 ARIELLE RAWLINGS: We're ready.

11 CHAIRPERSON LOUIS: Thank you. Whenever
12 you're ready.

13 DIRECTOR RAWLINGS: Okay. Thank you,
14 everyone, for having us. We're speaking today on the
15 West 120 to 126th Street Cluster, which is a proposal
16 to rehabilitate four buildings in West Harlem under
17 HPD's Affordable Neighborhood Cooperative Program.
18 The purpose of this project is to gut renovate for
19 our Tenant Interim Lease Program buildings and enable
20 the existing residents of those buildings, of which
21 there are 22 existing residents, to become
22 homeowners. The structure of this project will be a
23 collaboration between a sponsor, Novis Living of whom
24 we have Asher Toporovsky with us today representing
25 Novis, partnering with HPD, and the sponsor, Novis

1 Living, will manage the building during construction
2 and throughout the conversion process. During the
3 actual construction phase, the non-profit, Restoring
4 Communities HDFC, will own the building during
5 construction to prevent any conflicts of interest
6 with the sponsor and, upon building conversion, the
7 building will be owned and managed by the residents
8 of the buildings including the existing residents and
9 then new purchasers of currently vacant units. The
10 requirements for the project building to convert to
11 cooperative which are legislatively mandated are to
12 have 88 percent of existing residents attend at least
13 eight co-op success trainings that will be provided
14 during the construction period, have at least 80
15 percent of existing residents remain current on their
16 rent payments, and have at least 88 percent of
17 existing residents choose to purchase their units at
18 co-op conversion, and any buildings that do not
19 convert to cooperatives will become rent-stabilized
20 rental buildings, although that has never happened
21 under this program.

22
23 To speak to the affordability of the
24 units, for existing units...

2 CHAIRPERSON LOUIS: I'm sorry. If you need
3 us to change the slides, please let us know.

4 DIRECTOR RAWLINGS: Yeah, that would be
5 great. Two slides from where we are now. Perfect.
6 Thank you.

7 For existing residents of the buildings,
8 again, there are 22 households currently occupying
9 the four buildings, the residents will pay 250
10 dollars for any households that are earning up to or
11 anywhere below 80 percent of the area median income,
12 households that earn more than 80 percent of the area
13 median income will pay 2,500 dollars, and the
14 existing residents of the buildings do not have to
15 and will not obtain personal mortgages. For new
16 purchasers of the vacant units currently within the
17 building, of which there are 26, the purchase prices
18 will be set affordable to households earning 80
19 percent of the area median income, and those prices
20 are set so that the purchasers' personal mortgages
21 plus monthly maintenance cost plus any utilities cost
22 will not exceed roughly a third of their income as an
23 affordability metric, and the AMI for a family of
24 three in 2023 is shown below just for reference. Next
25 slide, please.

1 The current (INAUDIBLE) rents that
2
3 residents are paying on their units within these
4 buildings are not producing enough income to maintain
5 the buildings so the monthly cost will change through
6 a rent restructuring process when the buildings
7 convert to cooperative. The expenses that are
8 included in the monthly costs that get paid for by
9 the monthly cost include building insurance, heat and
10 hot water, electric in public areas of the building,
11 maintenance staff salaries, water and sewer bills,
12 accounting and legal, extermination, and minor
13 repairs as well as co-op success support services
14 that have been included in the cost underwriting for
15 this project. The co-op shareholders can decide
16 collectively how much they would like to increase
17 maintenance annually if, let's say, building expenses
18 increase in the future. For the co-op to have enough
19 money to cover expenses at initial conversion,
20 monthly maintenance has been set based on
21 affordability so has been set to be affordable to
22 families earning 40 percent of the area median income
23 so any residents that earn below that amount will
24 receive Section 8 vouchers that ensure that they do
25 not pay more than 30 percent of their total income on

1 housing costs, and that voucher than subsidizes the
2 difference between the resident's share of income
3 that they can afford to pay and the total cost of the
4 40 percent AMI maintenance fee, which is shown here
5 for various family sizes in this year, 2023. Any
6 households that earn above 40 percent AMI, that
7 initial maintenance cost is set so that that amount
8 will be affordable to them accounting for utilities
9 so that their total housing costs will not exceed
10 roughly a third of that household's income. There are
11 some estimates presented below of what monthly
12 maintenance might look like at conversion, but these
13 are just estimates, and the monthly cost will get set
14 closer to the actual conversion date. Next slide.

15
16 The typical project costs that are
17 included in the total amount of rehabilitation work
18 are introducing new building systems, which include
19 low carbon electrical and heating systems and new
20 water and gas lines. This project specifically is
21 going through NYSERDA Electrification Pilot so all
22 four buildings will be fully electrified, and the
23 buildings will also receive new roof and windows,
24 repairs to the façade and masonry, and modernized
25 security, doorbell, fire safety, mail, and other

1 building systems. The costs also go to legalizing the
2 unit layouts and introducing new accessibility
3 features so any illegal bedrooms that currently exist
4 need to be brought up to Code so that the whole
5 building will be brought up to Code. There will be
6 many accessibility improvements including fully
7 accessible showers and other kind of thoughts around
8 wheelchair accessibility within units, and the
9 residents of these buildings have signed off on their
10 new apartment layouts and have seen them and are also
11 receiving updated copies before construction starts
12 so that they have them on file. Residents are
13 relocated during construction for approximately a
14 period of 24 to 30 months, and the project budget
15 covers the difference between the amount they pay
16 currently in rent, which they'll continue to pay
17 during relocation, and then the relocation unit's
18 rent, and the budget also pays for every cost related
19 to moving, to storage down to tape and boxes and
20 movers to help. The project also provides co-op
21 training and other support services to the residents
22 to help build their knowledge and ability to become
23 successful homeowners. The training curriculum will
24 be in partnership with a non-profit co-op monitor who
25

1 will also be hired on potentially at the choice of
2 the residents after the building converts to a co-op
3 to help them with the long-term success of co-op
4 maintenance. The budget also provides a substantial
5 reserve fund to help the building pay for any
6 emergencies that come up down the road. Next slide,
7 please.
8

9 The typical financing for co-op projects
10 which also covers how this project is being financed,
11 the very much is paid for through a City capital
12 loan, HPD no-interest loan, which will be provided in
13 the amount of 500,000 to 700,000 dollars per unit.
14 There will be zero-dollar debt payments and zero-
15 dollar interest payments for 40 years tied to the
16 Article XI property tax exemption that we're applying
17 for, and the first loan payment will be due to the
18 City after 40 years only if the co-op chooses to exit
19 affordability. If the co-op chooses to stay under a
20 regulatory agreement, then there will be no loan
21 payment due and zero-dollar debt payments. HPD's loan
22 does not impact the maintenance fee amount because,
23 as discussed on the earlier slide, that maintenance
24 fee amount has been set to cover the building
25 expenses and also to add an affordability metric to

1 ensure that it's set at 40 percent of the area median
2 income. This project is also receiving funding
3 through a New York State grant AHC which will not be
4 repaid. That's to promote affordable homeownership in
5 the state of New York. The sales proceeds from both
6 the occupied units but primarily from the vacant
7 units will help to provide funds to help finance the
8 project. The Article XI tax exemption that we're
9 applying for will reduce and eliminate the property
10 tax cost on the building for at least 40 years, if
11 not longer. The subsidized acquisition cost of 1
12 dollar per building because the buildings are
13 currently City-owned also brings down the total
14 development cost significantly. In some cases, our
15 projects also receive Resolution A funding which is
16 decided on by City Council or by Borough Presidents,
17 but this project is not anticipating to receive any
18 Resolution A funding. Next slide, please.

19
20 In terms of development timeline, the
21 sponsor designation process has already occurred.
22 Novis Living will be the sponsor on this project. The
23 pre-development phase is the phase we're currently
24 in, but we're quickly approaching moving into the
25 development or the construction period. Throughout

1 pre-development, there has been a lot of ongoing
2 engagement with the current residents of the
3 building. The budget, the financing, and the scope of
4 work for this project have been determined. The
5 tenants have all signed off on their unit design
6 layouts for after the rehabilitation work occurs.
7 We're now going through the UDAAP disposition
8 process, and then the tenants will be relocated
9 starting in January 2024 to allow us to start
10 construction. Construction, we are anticipating will
11 take between 24 and 30 months. During that period,
12 the deed of the buildings will be transferred from
13 the City to Restoring Communities, the temporary
14 owner of the buildings. The construction loan will
15 close, and construction will begin as soon as tenants
16 are relocated. Tenants will attend those co-op
17 homeownership trainings and also have the opportunity
18 to ask questions, to ask also for specific training
19 curriculum that they think would be useful to them,
20 and then the sponsor will engage an attorney to
21 create an offering plan which is what allows us to
22 convert to co-op at the end of construction. After
23 construction finishes, we anticipate it will take
24 between 9 and 12 months to go through the marketing
25

2 and conversion process so the tenants will be moved
3 back into the building as soon as it's ready.

4 Marketing for the vacant units will begin. The
5 building will convert to co-op once those units are
6 being marketed and have signed purchasers, and the
7 deed will be transferred to the co-op, and then the
8 construction loan will be paid off at that co-op
9 conversion point by permanent financing.

10 That is all in terms of the presentation,
11 and we're happy to answer questions. Thank you.

12 CHAIRPERSON LOUIS: Thank you for that
13 presentation.

14 Before I turn it over to my Colleagues, I
15 have one quick question. What has the level of
16 support been among existing residents for the ANCP
17 conversion?

18 DIRECTOR RAWLINGS: The support has been
19 really good. We actually met with residents a week
20 ago on Tuesday night to discuss relocation. Every
21 household actually had at least a representative at
22 the meeting, we hosted two meetings at one of the
23 meetings, except for one household who was not able
24 to attend, and we've spoken with since. Many of them

1 actually expressed interest in relocating before
2 January out of eagerness to start construction.

3
4 CHAIRPERSON LOUIS: Thank you. Do any of
5 my Colleagues have questions?

6 All right. Thank you very much. The
7 applicant panel is now excused.

8 Counsel, are there any members of the
9 public who wish to testify?

10 COMMITTEE COUNSEL HUH: If there is anyone
11 with us in the room today wishing to testify on this
12 item, please come forward, see a Sergeant to complete
13 a speaker card.

14 We will just check to see if there's
15 anyone online as well.

16 Chair, it appears we have no members of
17 the public seeking to testify either here with us in
18 person or online.

19 CHAIRPERSON LOUIS: Thank you. Being there
20 are no members of the public who wish to testify
21 regarding West 120th to 126th Street ANCP Cluster
22 under application number G 230039 XAM, the public
23 hearing on this item is now closed.

24 I now open the public hearing on the
25 Preconsidered LU item under application number G

2 230040 XAK, which is a request by HPD for an Article
3 XI tax exemption related to a previously approved
4 project known as New Penn in Council Member Barron's
5 District in Brooklyn, which the Council approved in
6 2021. To summarize this request, we are joined today
7 by Arvind Sindhvani from HPD.

8 I will remind anyone wishing to testify
9 remotely if you have not already done so, you must
10 register online, and you may do that do that now by
11 visiting Council's website at
12 council.nyc.gov/landuse.

13 Counsel, will you please administer the
14 affirmation?

15 COMMITTEE COUNSEL HUH: Please raise your
16 right hand and state your name for the record.

17 DIRECTOR SINDHWANI: Arvind Sinhwani.

18 COMMITTEE COUNSEL HUH: Do you affirm to
19 tell the truth, the whole truth, and nothing but the
20 truth in your testimony before this Subcommittee and
21 in answer to all Council Member questions?

22 DIRECTOR SINDHWANI: I do.

23 COMMITTEE COUNSEL HUH: Thank you.

24 CHAIRPERSON LOUIS: You may begin.
25

2 DIRECTOR SINDHWANI: Thank you and good
3 morning.

4 HPD respectfully requests that the
5 Council approve pursuant to Section 577 of the
6 Private Housing Finance Law an exemption from real
7 property taxation for the project known as New Penn
8 Development, a previously approved affordable housing
9 project for the development of 10 vacant City-owned
10 lots in Brooklyn, Council District 42. Specific
11 addresses and block and lots are written in the
12 Council filing.

13 The project obtained two previous Council
14 approvals for disposition authority in 2021. The
15 project was unable to obtain the anticipate tax
16 credits needed to reach the deep affordability so HPD
17 and the sponsor are now pursuing an Article XI
18 exemption to maintain the affordability of the
19 project.

20 The sponsors of the project were Joy
21 Management and PM Architecture, both MBE-certified
22 firms, were selected through a competitive process
23 and have proposed to develop the City-owned sites
24 under HPD's Neighborhood Construction Program, also
25 known as NCP. Under NCP, sponsors purchase City-owned

1
2 or privately owned land or vacant buildings and
3 construct multi-family buildings in order to create
4 mid-sized rental housing projects on infill sites
5 affordable to families earning up to 80 percent of
6 the area median income. The proposed development will
7 consist of 10 new construction residential buildings
8 on 10 sites with approximately 73 affordable units
9 including 8 AIRS units, also known as senior units,
10 and 2 super units. The proposed development will
11 include a mix of studios, one-bedroom, two-bedroom,
12 and three-bedroom apartments. Income tiers include a
13 set-aside for formerly homeless as well as 30
14 percent, 40 percent, 50 percent, 60 percent, and 80
15 percent of AMI bands, and rents will range from 952
16 dollars for a studio at the lowest AMI tier to 2,161
17 dollars for a three-bedroom unit at the highest AMI
18 tier. The project will set aside approximately 10
19 percent of the units for homeless families and
20 individuals referred from other social service
21 agencies such as the Department of Homeless Services.
22 The buildings will be built to exceed Enterprise
23 Green Community Standards, and amenities will include
24 a laundry room, bike storage, and landscaped rear
25 yards. Thank you.

2 CHAIRPERSON LOUIS: Thank you. Do any of
3 my Colleagues have any questions about this project?

4 Quick question, your presentation today,
5 is it only for the Article XI for the project that
6 was approved in 2021? Can you state it for the
7 record?

8 DIRECTOR SINDHWANI: That's correct.

9 CHAIRPERSON LOUIS: Thank you. Council
10 Member Nurse.

11 COUNCIL MEMBER NURSE: I do have a
12 question. Forgive me. Is this the project in the 42nd
13 that had the request for partnership through the
14 Interborough (INAUDIBLE)

15 DIRECTOR SINDHWANI: That'll be Linden
16 Gardens.

17 COUNCIL MEMBER NURSE: Okay, sorry. Never
18 mind.

19 CHAIRPERSON LOUIS: Thank you. The
20 applicant panel is now excused.

21 Counsel, are there any members of the
22 public who wish to testify on this item?

23 COMMITTEE COUNSEL HUH: If there's anyone
24 in the room with us who would like to testify on this
25

2 item, please come forward, see a Sergeant to complete
3 a speaker card.

4 Chair, we'll just confirm online that
5 there are no other witnesses as well.

6 Chair, there is no one registered or
7 seeking to testify on this item.

8 CHAIRPERSON LOUIS: All right, being that
9 there are no members of the public who wish to
10 testify regarding the Preconsidered LU item number
11 under application number G 230040 XAK for the New
12 Penn Article XI tax exemption request, the public
13 hearing on this item is now closed.

14 I now open the public hearings for two
15 site selection approval requests from the School
16 Construction Authority. We will hear two
17 presentations from SCA team, and we will open it up
18 for public testimony for both projects. We will be
19 hearing a Preconsidered LU item under application
20 number G 230042 SCQ regarding site selection approval
21 for a new 696-seat public school facility located in
22 Flushing Queens in Council Member Ung's District, and
23 we will then hear a Preconsidered LU item under
24 application number G 230041 SCK regarding site
25 selection approval for a new 676-seat high school

2 facility located in Bay Ridge Brooklyn in Council
3 Member Brannan's District.

4 Once again, for anyone wishing to testify
5 remotely, we ask that you register in advance online,
6 and you may do that now by visiting Council's
7 website, council.nyc.gov/landuse.

8 Appearing today for the SCA on these two
9 siting proposals is Andrea Bender and Kelly Murphy.

10 Counsel, please administer the
11 affirmation.

12 COMMITTEE COUNSEL HUH: Panelists, please
13 raise your right hands. I'll ask each of you in turn
14 to answer the following question and just state your
15 name for the record please when you do.

16 Do you affirm to tell the truth, the
17 whole truth, and nothing but the truth in your
18 testimony before the Subcommittee and in answer to
19 all Council Member questions? Andrea Bender.

20 VICE PRESIDENT BENDER: I do.

21 COMMITTEE COUNSEL HUH: Kelly Murphy.

22 SENIOR DIRECTOR MURPHY: I do.

23 COMMITTEE COUNSEL HUH: Thank you.

24 SENIOR DIRECTOR MURPHY: Good morning,
25 Chair Louis and Members of the Subcommittee. We're

1 really excited to be here today to present two site
2 plans for two new schools, one in Brooklyn and one in
3 Queens. I think I'll just present them separately,
4 and I'll start with the Queens site.
5

6 The first site is a proposed new
7 approximately 696-seat primary school located at 137-
8 41 45th Avenue in the Flushing neighborhood of
9 Queens. Pursuant to Section 1731 of the New York
10 State Public Authority Law, the New York City School
11 Construction Authority has undertaken the site
12 selection process for a new approximately 696-seat
13 primary school at 137-41 45th Avenue Block 5145, Lot
14 90 in the Borough of Queens. The site is
15 approximately 69,757 square feet and located in
16 Queens Community Board 7 and Community Education
17 Council number 25. The purpose of the proposed site
18 plan is for a new school to provide additional
19 permanent school seat capacity identified in the
20 DOE's five-year capital plan for 2020 to 2024. During
21 this past school year, schools in District 25
22 operated about 111 percent over their targeted design
23 capacity. Go to the next slide, please.

24 There's a little red bullseye. That's the
25 proposed site. It's currently vacant, and you can see

1 it's right in the heart of the neighborhood. Next
2 slide, please.

3
4 This is the tax map identifying the exact
5 lot that is the subject of the site selection. If you
6 can go to the next slide.

7 This is a little bit more blown in. The
8 surrounding neighborhood is a mixture of adjacent to
9 the site itself some two-story buildings and then
10 some mid-rise and high-rise apartment buildings. Next
11 slide, please.

12 Unfortunately, I have to read from this.
13 This is the notice of filing of the site plan was
14 published in AM New York and the City Record on
15 February 20, 2023, at which time the CEC number 25,
16 Queens Community Board number 7, and the City
17 Planning Commission were all notified of the proposed
18 site plan. The Community Education Council held a
19 public hearing on March 1, 2023, and Community Board
20 7 held a public hearing on March 13, 2023. All
21 comments received on the site were considered as part
22 of the site selection process. The SCA affirms that
23 the site plan pursuant to 1731 of the New York Public
24 Authority Law in accordance with Section 1732 of the
25 Public Authority Law, the SCA submitted the proposed

1 site plan to the Mayor and City Council by letter
2 dated December 4, 2023. If you can go to the next
3 slide.
4

5 This slide and the next few just kind of
6 give you more close-up images of the site. Like I
7 said, it's currently vacant. It's the site on the
8 right with the fence, and these are kind of mid-rise
9 buildings. Next slide.

10 Just different views looking at the site
11 from one direction from the east and the other to the
12 west. Next slide.

13 This is just looking literally inside the
14 vacant with, like I said, the small two-story
15 buildings directly touching the site and then you can
16 see the high rises in the background.

17 Should the SCA receive approval to
18 acquire the property, the new primary school will be
19 constructed and anticipated to open in 2027. The
20 school includes 36 classrooms for grades pre-K to
21 grade 5, a kitchen cafeteria, a medical suite,
22 administrative suite, a gymnasium, science room,
23 exercise room, a library, project and arm room, two
24 special education rooms, a music room, guidance, and
25

2 it will include approximately 29,800 square feet of
3 at-grade play. Go to the next slide.

4 That's the completion of the presentation
5 for the proposed site plan in Queens. I don't know if
6 you want me to keep going or break here.

7 CHAIRPERSON LOUIS: No, if you could keep
8 going to Brooklyn.

9 SENIOR DIRECTOR MURPHY: Okay, thank you.
10 You can move right to the second slide. Thank you.

11 The second site is for a proposed new
12 approximately 676-seat high school located at 425 to
13 439 and 441 to 443 Ovington Avenue in the Bay Ridge
14 section of Brooklyn. We especially want to thank
15 Council Member Brannan for his dedicated and diligent
16 efforts to bring this project to fruition.

17 Pursuant to Section 1731 of the New York
18 State Public Authorities Law, the New York City
19 School Construction Authority has undertaken the site
20 selection process for a new high school facility at
21 Ovington Avenue, Block 5873, Lot 73 and 77 in the
22 Borough of Brooklyn. The site is approximately 35,472
23 square feet. It's about .81 acres, and the property
24 contains two one-story parking garage buildings, a
25 two-story unoccupied residential building, and a

2 vacant five-story building which was formerly a
3 senior care center known as the St. Nicholas Home.
4 The site is located within Brooklyn Community Board
5 10 and Community Education Council 20. If you look
6 here, again, the red bullseye is the site, and you
7 can see this is a really kind of dense residential,
8 fully built out residential neighborhood. The purpose
9 of this site plan like the last is to provide
10 additional permanent school capacity identified in
11 the DOE's five-year capital plan for 2020 to 2024. In
12 this case, the surrounding high schools in South
13 Brooklyn here are all at 100 percent or exceeding
14 their target capacity. For example, Fort Hamilton is
15 at 153 percent of capacity, New Utrecht High School
16 is at 139 percent of their capacity, and Franklin
17 Roosevelt High School is at 128 percent of capacity.
18 Next slide.

19 Again, this is just the tax map that
20 shows the lots that are subject to this site
21 selection. Next slide.

22 This is a more zoomed in site view. It's
23 a mid-block location with the buildings I identified
24 previously on there. Can I go to the next slide?

1
2 The notice of following for the site plan
3 was published in AM New York and the City Record on
4 April 19, 2023, at which time the Community Education
5 Council, Council on High Schools, Community Board
6 number 10, and the City Planning Commission were all
7 notified along with all the local officials.

8 Community Education Council, the Council on High
9 Schools held a public hearing on May 10, 2023, and
10 Brooklyn Community Board number 10 held a public
11 hearing on May 4, 2023. The Community Board issued a
12 recommendation against siting the school at this
13 location and recommended a different location that
14 the SCA already purchased. The SCA affirms the site
15 plan pursuant to Section 1731 of the New York Public
16 Authorities Law and in accordance with Section 1732
17 of the Public Authorities Law, the SCA submitted the
18 proposed site plan to the Mayor and City Council in
19 letter dated December 4, 2023. Next slide.

20 These are again just more close-up
21 photos. On the left the existing St. Nicholas Home,
22 and on the right you can see the St. Nicholas Home
23 (INAUDIBLE) the photo and the vacant housing unit.
24 Next slide.

1
2 This is the next lot which contains, the
3 one on the right, you can see a little bit more. It's
4 inside the site. These two very old parking garages
5 are actually historic. We came to an agreement with
6 the State Historic Office to preserve a corner of the
7 parking garage on the right as part of the
8 redevelopment of the site. Next slide.

9 I just wanted to kind of go over some of
10 the amenities that you'll find in this site. It will
11 have 16 classrooms I believe for grades 9 through 12,
12 District 75 classrooms, music and art classrooms,
13 science room, science labs, a gymnasium, a library,
14 kitchen cafeteria, administrative space, medical
15 suite, and exercise room. This school is also
16 anticipated to be open in 2027.

17 That's the end of the presentation on
18 both schools, and we look forward to your favorable
19 consideration, and we'd like to answer any questions
20 you have. Thank you.

21 CHAIRPERSON LOUIS: Thank you so much. One
22 quick question before I turn it over to my
23 Colleagues. Can you tell us about the utilization
24 rates at comparable facilities in the immediate
25

2 surrounding areas for the school in Queens in
3 Flushing.

4 VICE PRESIDENT BENDER: Yes, thank you so
5 much for your question. In Queens, in the area
6 surrounding the proposed redevelopment site, we have
7 PS20 currently at 89 percent utilization, PS22 on
8 Sanford Avenue at 130 percent utilization, PS24 on
9 Union Street at 107 percent utilization, PS120 on
10 136th Street at 86 percent utilization, and we have
11 an early childhood center at PS244 at 157 percent
12 utilization.

13 CHAIRPERSON LOUIS: Thank you. Do any of
14 my Colleagues have questions?

15 Council Member Ung, do you want to share
16 anything?

17 COUNCIL MEMBER UNG: Yes, I do support the
18 project, and I know the Community Board also does
19 too.

20 CHAIRPERSON LOUIS: Thank you. The
21 applicant panel is now excused.

22 Counsel, are there any members of the
23 public who wish to testify on either of these two SCA
24 sitings regarding either the primary school in
25 Flushing or the high school in Bay Ridge?

2 COMMITTEE COUNSEL HUH: Chair, we have no
3 one signed up remotely to testify.

4 Once again, if there is anyone here with
5 us today in person who would like to testify on
6 either one of these SCA sitings, please come forward,
7 complete a speaker card, submit it to the Sergeants.

8 Okay, it appears we have no one here to
9 testify either in person or online.

10 CHAIRPERSON LOUIS: Perfect. Being there
11 are no members of the public who wish to testify
12 regarding either of the Preconsidered LU item number
13 under application G 230042 SCQ for the public school
14 facility in Flushing Queens or the Prconsidered LU
15 item under application number G 230041 SCK for the
16 high school facility in Bay Ridge Brooklyn, the
17 public hearing on these items are now closed.

18 Now, we will vote on a number of HPD
19 requests that were heard by the Subcommittee in
20 October along with Article XI item related to New
21 Penn that was heard today.

22 I'll take this opportunity to recognize
23 any of my Colleagues who have questions or remarks.

24 All right, as a reminder, the HPD items
25 include the 506 West 135th Street ANCP project in

Council Member Abreu's District in Manhattan under LU number 281 and two related requests for the Linden Gardens project with sites located in Council Member Nurse's and Council Member Barron's Districts in Brooklyn, LU numbers 282 and 283.

I will now call for a vote to approve the Preconsidered HPD requests for Article XI approval related to the previously approved New Penn project along with the LUs 281, 282, 283 for the items which we heard in October.

Counsel, please call the roll.

COMMITTEE COUNSEL HUH: Chair Louis.

CHAIRPERSON LOUIS: I vote aye.

COMMITTEE COUNSEL HUH: Council Member
Feliz.

COUNCIL MEMBER FELIZ: Aye on all.

COMMITTEE COUNSEL HUH: Council Member De
La Rosa.

COUNCIL MEMBER DE LA ROSA: Aye on all.

COMMITTEE COUNSEL HUH: Council Member
Marte.

COUNCIL MEMBER MARTE: Aye on all.

COMMITTEE COUNSEL HUH: Council Member
Nurse.

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2 COUNCIL MEMBER NURSE: Aye on all.

3 COMMITTEE COUNSEL HUH: Council Member

4 Ung.

5 COUNCIL MEMBER UNG: Aye on all.

6 COMMITTEE COUNSEL HUH: Council Member

7 Vernikov.

8 COUNCIL MEMBER VERNIKOV: Aye on all.

9 COMMITTEE COUNSEL HUH: Chair, by a vote
10 of seven in the affirmative, zero in the negative,
11 and no abstentions, the items are approved and
12 recommended to the full Land Use Committee.

13 CHAIRPERSON LOUIS: Thank you. That
14 concludes today's business.

15 I would like to thank the members of the
16 public, my Colleagues, Subcommittee Counsel, Land Use
17 Staff, and Sergeant-at-Arms for your participation
18 today.

19 The meeting is hereby adjourned. [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 December 8, 2023