

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

----- X

October 14, 2020
Start: 11:06 a.m.
Recess: 11:27 a.m.

HELD AT: Remote Hearing

B E F O R E: Rafael Salamanca
CHAIRPERSON

COUNCIL MEMBERS:

- Adrienne Adams
- Diana Ayala
- Inez Barron
- Chaim Deutsch
- Ruben Diaz, Sr.
- Vanessa Gibson
- Barry Grodenchik
- Peter Koo
- Rory Lancman
- Stephen Levin
- I. Daneek Miller
- Francisco Moya
- Antonio Reynoso
- Donovan Richards
- Carlina Rivera
- Mark Treyger

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

2 UNIDENTIFIED: Can you hear me?

3 SERGEANT-AT-ARMS: Yes. We can hear you.

4 UNIDENTIFIED: Okay.

5 SERGEANT-AT-ARMS: Good morning, everyone,
6 and welcome to today's remote New York City Council
7 hearing on the Committee on Land Use. At this time,
8 would all panelists please turn on their video? To
9 minimize disruption, please place electronic devices
10 to vibrate or silent. Thank you for your
11 cooperation. We are ready to begin.

12 [gavel]

13 CHAIRPERSON SALAMANCA: All right. Good
14 morning. I am Council member Rafael Salamanca, Chair
15 of the Committee on Land Use and I am joined today by
16 Council members-- We have Chair Adams, Council
17 member Grodenchik, Rivera, Deutsch, Ayala, Richards,
18 Chair Moya, Barron, Treyger, Koo, Lancman, Dia-- and
19 Diaz. I want to thank Chair Moya and Chair Adams for
20 their work on our Zonings and Landmarks subcommittee.
21 Today we will vote on a number of applications
22 referred out of these committees. But before we
23 begin, I would like to recognize the committee
24 counsel to review the remote meeting procedures.

2 COMMITTEE COUNSEL: Thank you, Chair
3 Salamanca. I am Julie Lubin, counsel to this
4 committee. Council members who would like to ask
5 questions or make remarks today should use the zoom
6 raise hand function. The raise hand button should
7 appear at the bottom of the participant panel. I
8 will announce Council members who have questions or
9 remarks in the order that they raise their hands.
10 Chair Salamanca will then recognize members to speak.
11 I would like to remind Council members and members of
12 the public who are watching that there may be
13 extended pause is if we encounter technical delays.
14 We ask that you please be patient as we try to
15 resolve any technical difficulties that may arise.
16 Chair Salamanca will now continue with today's agenda
17 items.

18 CHAIRPERSON SALAMANCA: Thank you, counsel.
19 Today, we will vote to approve LU's 681, the Landmark
20 Preservation Commission designation of the Manida
21 Street historic district in my Council district.
22 This residential block in the neighborhood of Hunt's
23 Pointe contains 42 properties that were built between
24 1908 and 1909 with complete facing rows of intact
25 Renaissance, revival style semidetached houses with a

2 strong historic character and a sense of place. I am
3 very excited about this recognition of the history of
4 the South Bronx. Turning now to applications from
5 our Zoning Subcommittees, we will vote to file all of
6 the Industry City applications, LU's 674 through 677,
7 to remove them from our calendar. By letter filed on
8 October 13th, the applicant withdrew these
9 applications. We will also vote to approve Lu's 658,
10 the 50 Old Fulton Street rezoning relating to
11 property in Council member Levin's district in
12 Brooklyn. The application seeks approval of a zoning
13 map amendment to change and M2-1 to an M1-5 district
14 to facilitate the construction of a five story
15 commercial office building. The rezoning would
16 increase the maximum FAR for commercial and
17 industrial yes from two to five and would allow
18 greater flexibility with regard to allowable retail
19 uses. We will also vote to approve LU's 682 through
20 685 for the 1510 Broadway rezoning proposal related
21 to property and Council member Alicka Ampry-Samuel's
22 district. The application, by the New York City
23 Department of Housing Preservation and Development,
24 seeks approval of a set of related land-use actions,
25 including an urban development action area project

2 designation and this position approval. Acquisition
3 of a portion of the development site by the city, on
4 a map amendment, and a zoning text amendment to map
5 an MIH area utilizing options one and two. Together,
6 these actions will facilitate the construction of a
7 new eight story building with approximately 107 units
8 of affordable housing and 9000 square feet of ground
9 floor commercial space. We will also vote to
10 disapprove LU 680, the Three St. Mark's Place special
11 permit application relating to the property in
12 Council member Rivera's district in Manhattan. The
13 application seeks approval of a special permit
14 pursuant to zoning resolution section 74 - 79 to
15 transfer unused development rights from an individual
16 landmark site across the street into wave height and
17 setback regulations along the narrow street frontage.
18 And to facilitate the construction of a 10 story
19 commercial building located at Three St. Mark's Place
20 in the heart of East Village. Council member Rivera
21 will discuss why approval-- why disapproval of this
22 application-- why approval of this application is
23 not appropriate and I would like to turn to her
24 remarks.

2 COUNCIL MEMBER RIVERA: Thank you so much.
3 Thank you, Mr. Chair, for giving me the opportunity
4 to speak briefly on this application. I am going to
5 just condense the remarks that I made earlier at the
6 Zoning Subcommittee on LU 680 which is an application
7 for a proposed transfer of 8386 square feet of
8 development rights from the landmark for St. Mark's
9 Place, otherwise known as the Hamilton Holly House of
10 the newly proposed development at Three St. Mark's
11 Place. As we vote on this application, I want to be
12 clear about my deep concerns regarding this proposal
13 not only because it fails to properly address the
14 considerations of this 74 - 79 permit being sought,
15 but also because the applicant did not take the ULRP
16 process seriously, continuously showing it in
17 unwillingness to consider the community is request
18 for community space or any sort of community benefit
19 and taking a highly unusual approach to the Council's
20 charter mandated public hearing on September 24th.
21 At that hearing, the applicant did not come prepared
22 with any visual presentation such as project
23 drawings, renderings, or site photos. A first in my
24 three years on the committee. They did not have a
25 zoning attorney or architect present and they said

2 only one representative. One who had not been
3 involved in discussions with my office, who was not
4 well-versed in our areas of concern, and who was not
5 prepared to discuss how the project met the required
6 special permit findings. Regardless of the
7 applicant's disrespect for the Council's role in the
8 land-use process, the application itself fails to
9 address significant issues regarding the request for
10 74 - 79 special permit, the first outside of a
11 central business district or adjacent to a
12 residential district. The City Planning Commission,
13 and adopting section 74 - 79 of the Zoning
14 Resolution, wrote of a desire to promote architecture
15 that will relate to and enrich the areas around
16 landmark sites and not be detrimental to its
17 surroundings. The proposed building neither relates
18 to nor enriches its surroundings and, in my view, the
19 added bulk on the St. Mark's Place frontage is
20 detrimental. I will close by, once again,
21 highlighting my profound disappointment in the
22 applicant's unwillingness to address valid concerns
23 or answer questions throughout this process and I
24 will note that Community Board Three and the
25 Manhattan borough president also recommended

2 disapproval of this application. I will be voting
3 to disapprove this application today and I urge my
4 committee colleagues to do the same. Thank you, Mr.
5 Chair, for the time.

6 CHAIRPERSON SALAMANCA: Thank you, Council
7 member Rivera. Are there any other members of the
8 committee who wish to speak or give remarks?

9 Counsel, do you see anyone with their hands up?

10 COMMITTEE COUNSEL: Just one moment,
11 Jerry. I do not see any hands.

12 CHAIRPERSON SALAMANCA: Okay. Before I
13 move forward, I just want to recognize that we have
14 been joined by Council member Miller and we have also
15 been joined by Council member Steve Levin. So, with
16 that, I now call for a vote in accordance with the
17 recommendations of the subcommittees in the local
18 Council members to approve LU 658 and LU 681 through
19 685 and to disapprove LU 680 and to file Lu's 674
20 through 677. Will the clerk please call the roll?

21 COMMITTEE CLERK: Morning. William
22 Martin, Committee Clerk. Roll call vote Committee on
23 Land Use. All items are coupled. Chair Salamanca?

24 CHAIRPERSON SALAMANCA: Aye on all.

25 COMMITTEE CLERK: Koo?

1 COMMITTEE ON LAND USE 10

2 COUNCIL MEMBER KOO: Aye on all.

3 COMMITTEE CLERK: Barron?

4 COUNCIL MEMBER BARRON: All right. Just to
5 be clear, this is not addressing 680 at the Council
6 member just spoke on? That's separate?

7 CHAIRPERSON SALAMANCA: This, to be clear,
8 we are voting to disapprove--

9 COUNCIL MEMBER BARRON: Okay.

10 CHAIRPERSON SALAMANCA: as per the request
11 of Council member Rivera.

12 COUNCIL MEMBER BARRON: Thank you. So, I
13 vote aye on all with the exception of 670, 678, and
14 679. Thank you.

15 COMMITTEE CLERK: Deutsch?

16 COUNCIL MEMBER DEUTSCH: Aye on all.

17 COMMITTEE CLERK: Thank you. Lancman?

18 COUNCIL MEMBER LANCMAN: Aye.

19 COMMITTEE CLERK: Thank you. Levin?

20 COUNCIL MEMBER LEVIN: Aye.

21 COMMITTEE CLERK: Miller?

22 COUNCIL MEMBER MILLER: Aye.

23 COMMITTEE CLERK: Thank you. Reynoso?

24 COUNCIL MEMBER REYNOSO: I vote aye on
25 all.

1 COMMITTEE ON LAND USE 11

2 COMMITTEE CLERK: Thank you. Richards?

3 COUNCIL MEMBER RICHARDS: Aye.

4 COMMITTEE CLERK: Thank you. Treyger?

5 COUNCIL MEMBER TREYGER: I vote aye.

6 COMMITTEE CLERK: Grodenchik?

7 COUNCIL MEMBER GRODENCHIK: Aye.

8 COMMITTEE CLERK: Adams?

9 COUNCIL MEMBER ADAMS: I vote aye on all.

10 COMMITTEE CLERK: Thank you. One--

11 Excuse me. Thank you. Ayala?

12 COUNCIL MEMBER AYALA: I vote aye.

13 COMMITTEE CLERK: Diaz?

14 COUNCIL MEMBER DIAZ: [speaking foreign

15 language]

16 COMMITTEE CLERK: Thank you. Moya?

17 COUNCIL MEMBER MOYA: I vote aye.

18 COMMITTEE CLERK: Rivera?

19 COUNCIL MEMBER RIVERA: Aye.

20 COMMITTEE CLERK: Thank you. One moment.

21 All items on today's land use calendar have been
22 adopted by a vote of 16 in the affirmative, zero in
23 the negative, and no abstentions as indicated on the
24 land use calendar.

25

2 CHAIRPERSON SALAMANCA: I'm sorry. Thank
3 you, Council member Barron. I would like to thank
4 the members of the public, my colleagues, counsel and
5 land use staff for attending today's hearing. We
6 will leave the role open for five minutes.

7 COUNCIL MEMBER RIVERA: Thanks, everyone.
8 Have a good day. Thanks to the staff.

9 COUNCIL MEMBER BARRON: I'm back.

10 COMMITTEE COUNSEL: Hi, Council member
11 Barron. Did you want to clarify your vote?

12 COUNCIL MEMBER BARRON: Yes. To clarify my
13 vote, I'm voting aye on all with the exception of 670
14 with the understanding the 678 and 679 were already
15 voted upon previously.

16 COMMITTEE COUNSEL: Okay. 670 is also
17 not on today's calendar.

18 COUNCIL MEMBER BARRON: Okay. So, then I'm
19 voting aye on all.

20 COMMITTEE COUNSEL: Okay. Thank you.

21 COUNCIL MEMBER BARRON: Okay. Thank you.

22 COMMITTEE CLERK: You got it. Thank you,
23 Council member.

24 COUNCIL MEMBER BARRON: Thank you.

2 CHAIRPERSON SALAMANCA: All right, Clerk.
3 Can you give us the final amount? I am going to
4 close the role.

5 COMMITTEE CLERK: Sure. All items on
6 today's land use agenda have been adopted by a vote
7 of 16 in the affirmative, zero in the negative, and
8 no abstentions.

9 CHAIRPERSON SALAMANCA: All right. Thank
10 you to all the members of the public, my colleagues
11 counsel, and council staff for attending today's
12 hearing. This meeting is hereby adjourned. Thank
13 you.

14

15

16

17

18

19

20

21

22

23

24

25

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 October 23, 2020