

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 22, 2021  
Start: 2:40 p.m.  
Recess: 2:58 p.m.

HELD AT: REMOTE HEARING VIRTUAL ROOM 4

B E F O R E: Chair Rafael Salamanca

COUNCIL MEMBERS: Rafael Salamanca  
Francisco Moya  
Inez Barron  
Adrienne Adams  
Diana Ayala  
Joseph Borelli  
Ruben Diaz  
Oswald Feliz  
Barry Grodenchik  
Peter Koo  
I. Daneek Miller  
Kevin Riley  
Carlina Rivera  
Mark Treyger  
Stephen Levin

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



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3 SGT. BIONDO: Recording to PC has begun.

4 SGT. HOPE: Recording to the cloud has  
5 begun as well and the live stream looks good.

6 SGT. PEREZ: Back up is rolling.

7 SGT. BIONDO: Thank you and welcome to  
8 today's New York City Council remote hearing vote on  
9 land use. At this time, will all council members  
10 please turn on their videos for verification  
11 purposes, and to minimize disruptions, we ask  
12 everyone to please silence their cell phones or  
13 electronic devices. Thank you for your cooperation.  
14 Chair Salamanca, we are ready to begin.

15 CHAIR RAFAEL SALAMANCA: Thank you. Good  
16 afternoon and welcome to the Committee on Land Use.  
17 I am Council Member Rafael Salamanca, Chair of this  
18 committee. I would like to welcome my esteemed  
19 colleagues who are with us today. We have Council  
20 Members Barron, Adams, Ayala, Borelli, Diaz Sr.,  
21 Feliz, Grodenchik, Koo, Miller, Chair Moya, Chair  
22 Riley, Rivera, and Treyger. I would also like to  
23 thank Chair Moya and Chair Riley for their work on  
24 our two sub-committees. Today, we will vote on a  
25 number of applications referred out from our two sub-

2 committees as well as a Bill. Before we begin, I  
3 would like to recognize the Committee Counsel to  
4 review the remote meeting procedures.

5 COMMITTEE COUNSEL JULIE LUBIN: Thank  
6 you, Chair Salamanca. I am Julie Lubin, Counsel to  
7 this committee. Council members who would like to  
8 ask questions or make remarks should use the Zoom  
9 raise hand function. The raise hand button should  
10 appear at the bottom of the participant panel. I  
11 will announce council members who have questions or  
12 remarks in the order that they raised their hands.  
13 Chair Salamanca will then recognize members to speak.  
14 We ask that you please be patient if any technical  
15 difficulties arise today. Chair Salamanca will now  
16 continue with today's agenda items.

17 CHAIR RAFAEL SALAMANCA: Thank you  
18 Counsel. From our land marks and sub-committee,  
19 we'll vote to approve LU897, 898 for the WIN powers  
20 project, approving the designation of an urban  
21 development action area, an urban development action  
22 area project for such area, the disposition of city  
23 or property to the developer selected by the HPD and  
24 a special permit pursuant to section 74-903 of the  
25 New York City Zoning Resolution to allow an increase

2 in permitted floor area ratio for use group three,  
3 non-profit use for sleeping accommodations from 2.43  
4 to 4.8. These actions will facilitate the  
5 redevelopment of a city owned property located at 346  
6 Powers Avenue in the Bronx with two new facilities  
7 buildings, including a permanent support of housing,  
8 facility containing 221 units for families with  
9 children, an off-site daycare center and a new  
10 homeless shelter building with 95 units. This  
11 project is located within the council district  
12 represented by Council Member Ayala. We will also  
13 approve LU881 related to the La Raices project  
14 submitted by HPD pursuant to section 197C of the New  
15 York City Charter. This application requests  
16 approval of the disposition of city-owned property  
17 located at 303 East 102nd Street, 338 East 117th  
18 Street, 505-507 East 118th Street, and 1761-1763 Park  
19 Avenue to a developer selected by HPD. The  
20 disposition approved will facilitate the development  
21 and construction of four new rental developments  
22 containing approximately 81 affordable dwelling units  
23 and community facility space in the council district  
24 represented by Council Member Perkins and Ayala.  
25 From our Zoning sub-committee, we will vote to

2 approve the modifications to Preconsiderers LU911 for  
3 the citywide hotel special permit tax amendment. The  
4 Proposal six, the zoning tax amendment to establish a  
5 citywide special permit related transient hotel use.  
6 Our modifications will be to add flexibility to  
7 certain provisions as they relate to sites and  
8 theaters subdistricts of the special midtown  
9 district. We will also vote to approve Preconsiderers  
10 LU916 and 917 for the 506 3rd Avenue rezoning related  
11 to property in Council Member Landers district in  
12 Brooklyn. The Proposal six zoning map amendments to  
13 rezone an existing N2-1 district to C4-48 district  
14 and a related zoning tax amendment to establish an  
15 MIH program area utilizing options one and two. Our  
16 modification would be to strike MIH option two and  
17 add the affordability option while retaining option  
18 one. We will also vote to approve the modifications  
19 Preconsiderers LU920 and 921 for the Starrett-Lehigh  
20 and Terminal Warehouse building zoning relating to  
21 property in Speaker Johnson's district in Manhattan.  
22 The proposal six zoning map amendment to rezone an  
23 existing N2-3 district to an N2-4 district in a  
24 related zoning tax amendment to extend the special  
25 West Chelsea district over the rezoning area related

2 to a new subarea within a special district and modify  
3 various use signage zoning regulations. Our  
4 modification would be to reduce the floor area of  
5 limitation for large retail use from 15 percent to 10  
6 percent and as part of the approval, the applicant  
7 has committed to monitoring pedestrian safety,  
8 conditions on West 26th Street and working with DOT  
9 to implement any necessary safety improvements in the  
10 future. Today, we'll also vote on a Bill for  
11 Proposed Introductions 1487-A, a local law to amend  
12 the New York City Charter in relations to studying  
13 populations and housing changes in areas that have  
14 been subject of neighborhood rezonings. Introduced  
15 by Chair Moya, we held a hearing on this Bill at our  
16 meeting on May 7th, 2019. The Bill, as amended,  
17 would require that the Department of City Planning to  
18 conduct a study in connection each covered Land Use  
19 project approved by City Council on or after January  
20 1, 2009 to identify changes in population and housing  
21 that have occurred from effective date of such  
22 covered projects to a date 10 years later. Fourteen  
23 years after the effective date of a covered project  
24 by the end of the year, DCP would be required to  
25 transmit to the mayor and the council and to post on



2 its website a report documenting the results of such  
3 study and providing statistically base context to  
4 describe any changes that have occurred. Covered  
5 projects would be projects for which the city or a  
6 not for profit corporation of which a majority of its  
7 members are appointed by the mayor is the applicant  
8 or co-applicant and include one or more related  
9 applications for a change to the zoning map. A  
10 special permit within the jurisdiction of the city  
11 planning commission, housing and urban renewal plan  
12 pursuant to state and federal laws or the disposition  
13 of city-owned property that changes the maximum  
14 residential floor area or density that can be built  
15 as a right on four adjacent blocks of real property.  
16 The law would go into effect immediately. Council  
17 members who have questions or remarks about today's  
18 items should use the raise hand button now. Counsel,  
19 will you announce members in the order that their  
20 hands have been raised?

21 COMMITTEE COUNSEL JULIE LUBIN: Council  
22 Member Moya has his hand raised.

23 CHAIR RAFAEL SALAMANCA: Council Member  
24 Moya. We recognize Chair Moya, I'm sorry.

2 CHAIR FRANCISCO MOYA: Thank you so much,  
3 Chair Salamanca and to my colleagues, thank you so  
4 much. I am here to speak on the Intro 1487-A. As we  
5 know, New York City is a constantly changing  
6 landscape of new construction and new concepts and  
7 urban planning. History of this change is marked by  
8 large land use actions that have implemented well-  
9 intentioned new policies without consequences. The  
10 downtown Brooklyn rezoning intended to create a new  
11 business district full of new office space, instead  
12 resulted in a massive amount of residential  
13 development within an array of unmitigated and rental  
14 impacts including impacts on transportation and  
15 school overcrowding. The same thing happened in Long  
16 Island City. Other projects of affordable housing  
17 has been a go, it has been through zoning initiatives  
18 for market rate housing developers to raise questions  
19 about whether the developments are making  
20 neighborhoods more affordable or forcing longtime  
21 residents to move elsewhere. It is my hope that with  
22 these reports, we will ride the Land Use Committee  
23 and the Committee of Housing and Building's valuable  
24 information that can be the basis for meaningful  
25 oversight or planning policies to inform future

2 decision making, and so I want to thank all the Land  
3 Use staff, but thank you to my colleagues from the  
4 BLAC who were there and thank you again, I urge  
5 everyone to please vote for Intro 1487 which will  
6 study the population in housing changes in areas that  
7 have been subject of neighborhood rezonings. Thank  
8 you, Chair.

9 CHAIR RAFAEL SALAMANCA: Thank you, Chair  
10 Moya. Counsel, are there any other members with  
11 their hands raised for comments and questions?

12 COMMITTEE COUNSEL JULIE LUBIN: No,  
13 Chair. No, Chair Salamanca.

14 CHAIR RAFAEL SALAMANCA: All right,  
15 seeing none. I will now call for a vote in  
16 accordance with the recommendations of the sub-  
17 committees and local council members and note that a  
18 vote of I on all will be to adopt the following:  
19 Approve LUs 881, 897, 898, and Proposed Intro numbers  
20 1487-A and to approve modifications as I've describe  
21 LUs 911, 916, 917, 920, or 921. Will the Clerk  
22 please call the roll?

23 COMMITTEE CLERK WILLIAM MARTIN: Good  
24 afternoon, William Martin, Committee Clerk, roll call

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2 vote, Committee on Land Use, all items are coupled.  
3 Chair Salamanca.

4 CHAIR RAFAEL SALAMANCA: I on all.

5 COMMITTEE CLERK WILLIAM MARTIN: Gibson.

6 COUNCIL MEMBER VANESSA GIBSON: I vote I  
7 on all. I want to wish my colleagues and the staff  
8 and all the families a happy season of Thanksgiving.  
9 I vote I on all, thank you.

10 COMMITTEE CLERK WILLIAM MARTIN: Thank  
11 you. Council Member Barron.

12 COUNCIL MEMBER INEZ BARRON: Permission  
13 to explain my vote.

14 CHAIR RAFAEL SALAMANCA: Council Member  
15 Barron to explain her vote.

16 COUNCIL MEMBER INEZ BARRON: Thank you  
17 very much, Mr. Chair. I vote I on all with the  
18 exception of 897, 898. I think that the city has got  
19 to move from building shelters to committing to  
20 building housing in which the people who lived  
21 formally in shelter will be guaranteed a place to  
22 live in permanent housing, and I ask to be added to  
23 1487-A. I think it's very important that we  
24 understand the impact of the decisions that we've

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2 made long term and ask to be added to that 1487-A,  
3 thank you. I vote I on all.

4 COMMITTEE CLERK WILLIAM MARTIN: Thank  
5 you.

6 COUNCIL MEMBER INEZ BARRON: Thank you.

7 COMMITTEE CLERK WILLIAM MARTIN: Council  
8 Member Koo. Council Member Koo? We'll come back to  
9 Council Member Koo. Miller.

10 COUNCIL MEMBER PETER KOO: Hi, I vote I.

11 COMMITTEE CLERK WILLIAM MARTIN: Council  
12 Member Koo, thank you.

13 COUNCIL MEMBER PETER KOO: Yeah, you got  
14 it?

15 COMMITTEE CLERK WILLIAM MARTIN: Yes,  
16 sir.

17 COUNCIL MEMBER PETER KOO: Thank you.

18 COMMITTEE CLERK WILLIAM MARTIN: We got  
19 it. Thank you. Council Member Miller.

20 COUNCIL MEMBER I. DANEEK MILLER: I want  
21 to follow the great Peter Koo. Council Member Miller  
22 votes I on all.

23 COMMITTEE CLERK WILLIAM MARTIN: Thank  
24 you, sir. One second. Treyger.

25 COUNCIL MEMBER MARK TREYGER: I.

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2 COMMITTEE CLERK WILLIAM MARTIN: Thank

3 you. Grodenchik.

4 COUNCIL MEMBER BARRY GRODENCHIK: I vote

5 I.

6 COMMITTEE CLERK WILLIAM MARTIN: Thank

7 you, Adams.

8 COUNCIL MEMBER ADRIENNE ADAMS: I vote I

9 on all.

10 COMMITTEE CLERK WILLIAM MARTIN: Thank

11 you. Ayala.

12 COUNCIL MEMBER DIANA AYALA: I vote I on

13 all.

14 COMMITTEE CLERK WILLIAM MARTIN: Thank

15 you. Ruben Diaz.

16 COUNCIL MEMBER RUBEN DIAZ: I on all.

17 COMMITTEE CLERK WILLIAM MARTIN: Thank

18 you, sir. Moya.

19 CHAIR FRANCISCO MOYA: I vote I on all.

20 COMMITTEE CLERK WILLIAM MARTIN: Thank

21 you. Rivera.

22 COUNCIL MEMBER CARLINA RIVERA: I vote I.

23 COMMITTEE CLERK WILLIAM MARTIN: Thank

24 you.

25 COUNCIL MEMBER CARLINA RIVERA: I.

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2 COMMITTEE CLERK WILLIAM MARTIN: Got it,  
3 thank you. Riley.

4 COUNCIL MEMBER KEVIN RILEY: I vote I on  
5 all.

6 COMMITTEE CLERK WILLIAM MARTIN: Thank  
7 you. Feliz.

8 COUNCIL MEMBER OSWALD FELIZ: I vote I on  
9 all, thank you, and Happy Thanksgiving to everyone  
10 and their family.

11 COMMITTEE CLERK WILLIAM MARTIN: Thank  
12 you, to you as well. Council Member Borelli.

13 COUNCIL MEMBER JOSEPH BORELLI: I vote I.

14 COMMITTEE CLERK WILLIAM MARTIN: Thank  
15 you. One moment.

16 COMMITTEE COUNSEL JULIE LUBIN: Chair,  
17 we're expecting two more members possibly to vote, if  
18 we can hold it for a few minutes.

19 CHAIR RAFAEL SALAMANCA: Okay.

20 COMMITTEE CLERK WILLIAM MARTIN: Land Use  
21 vote, all items have been adopted by the committee  
22 with 15 in the affirmative, zero in the negative, and  
23 no abstentions. With Land Use items 987 and 989  
24 being adopted by the committee with 14 in the  
25 affirmative, one in the negative, and no abstentions.

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2 CHAIR RAFAEL SALAMANCA: Council Member  
3 Levin coming on right now.

4 COUNCIL MEMBER STEPHEN LEVIN: I on all.

5 COMMITTEE CLERK WILLIAM MARTIN: Council  
6 Member Levin, thank you.

7 COUNCIL MEMBER STEPHEN LEVIN: I on all,  
8 thank you.

9 CHAIR RAFAEL SALAMANCA: Committee  
10 Counsel, are we expecting another member?

11 COMMITTEE CLERK WILLIAM MARTIN: Possibly  
12 one.

13 COMMITTEE COUNSEL JULIE LUBIN: Yes,  
14 we're checking on him now.

15 CHAIR RAFAEL SALAMANCA: All right. I  
16 would like to thank the members of the public, my  
17 colleagues, council, Land Use staff and Sergeant of  
18 Arms for attending today's hearing. We're going to  
19 keep the roll open for approximately five minutes,  
20 thank you. All right, did the member arrive? I have  
21 to go.

22 COMMITTEE COUNSEL JULIE LUBIN: No, he  
23 hasn't.

24 CHAIR RAFAEL SALAMANCA: Yeah, all right,  
25 well, I would like to thank Land Use staff, Sergeant



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2 at Arms for attending today's hearing. This meeting  
3 is hereby adjourned. Thank you.

4 COMMITTEE CLERK WILLIAM MARTIN: Real  
5 quick, we're just going to do a final vote.

6 CHAIR RAFAEL SALAMANCA: Yes.

7 COMMITTEE CLERK WILLIAM MARTIN: Okay.

8 Excuse, so thank you. All items have been adopted by  
9 a vote now of 16 in the affirmative, zero in the  
10 negative, and no abstentions with Land Use items 897  
11 and 898 being adopted by the committee, 15 in the  
12 affirmative, one in the negative, and no abstentions.  
13 Thank you.

14 CHAIR RAFAEL SALAMANCA: Thank you all.  
15 This meeting is hereby adjourned. Have a Happy  
16 Thanksgiving.

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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 31, 2021