

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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August 13, 2008  
Start: 10:00am  
Recess: N/A

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Tony Avella  
Charles Barron  
Inez E. Dickens  
Simcha Felder  
Eric N. Gioia  
Vincent Ignizio  
Robert Jackson  
Jessica S. Lappin  
John C. Liu  
Michael E. McMahon  
Rosie Mendez  
James S. Oddo

## A P P E A R A N C E S

## COUNCIL MEMBERS:

James Sanders

Helen Sears

Albert Vann

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

Carol Clark  
Assistant Commissioner of Local Legislative Affairs  
Department of Housing Preservation & Development

Wendell Walters  
Assistant Commissioner for Housing Production  
Department of Housing Preservation & Development

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2                   CHAIRPERSON MELINDA R. KATZ: We  
3 need 13 council members on the room that are  
4 actually on Land Use. Please, if the Sergeant at  
5 Arms could be ask all the council members to come  
6 back into the room so we can continue to have a  
7 quorum. If Wendell and Carol can just come up to  
8 the stand so we can quickly try to get through the  
9 hearing so everybody could get back to our  
10 districts. We need one more council member in the  
11 room. Vinny just walked in. Tony? If Simcha  
12 sticks his head in, we will have a quorum, I  
13 believe. Okay. We have a quorum.

14                   Let me thank everyone for their  
15 patience. As I said, there are times we need to  
16 negotiate. I am told that L.U. number 747 is  
17 right to now be heard. So everybody knows,  
18 Council Member Garodnick, the Chair of the Sub-  
19 committee on Planning is on his honeymoon at the  
20 moment. And has asked that we pull this item up  
21 to the full Land Use Committee, have the quick  
22 hearing on it and vote on it on his behalf. So  
23 thank you very much.

24                   L.U. number 747, we have the  
25 testifiers as Wendell Walters of HPD, Carol Clark

1  
2 of HPD. I promise you that this meeting will be  
3 as short as we can possibly do the important  
4 substance on hand today. Wendell?

5 CAROL CLARK: Yes. I'm Carol  
6 Clark, Assistant Commissioner of HPD. L.U. 747  
7 amends a project previously approved by the City  
8 Council in November of 2003. Arverne East owners,  
9 LLC, will construct up to 718--

10 CHAIRPERSON KATZ: [interposing]  
11 Wait. Hold on one second. Can we have some order  
12 in the room? I appreciate it, thank you. Go  
13 ahead Carol.

14 MS. CLARK: Once again I'm Carol  
15 Clark, Assistant Commissioner of Local Legislative  
16 Affairs at HPD. HPD is here requesting the  
17 following approvals: designation of a disposition  
18 area as an urban development action area in the  
19 Arverne East area. Also designation of the  
20 amended project, amending something that was  
21 passed by the Council in November 2003 as an Urban  
22 Development Action area, or UDAP, Project and  
23 approval of a UDAP tax exemption, which will  
24 increase affordability across the entire project.  
25 Wendell Walters, the Assistant Commissioner for

1  
2 Housing Production at HPD, will give you the  
3 particulars.

4 WENDELL WALTERS: Again, my name is  
5 Wendell Walters, Assistant Commissioner of Housing  
6 Production at HPD. As Carol mentioned, Land Use  
7 number 747 amends a project previously approved by  
8 City Council in November of 2003, Arverne East in  
9 the Far Rockaway section of Queens, owners LLC  
10 will construct up to 718 residential buildings  
11 containing up to 1,650 dwelling units, 300,000  
12 square feet of commercial space, 3.3 acres of open  
13 space and 52.5 acres of public park land. The  
14 building mix will include approximately 690 two-  
15 and three-family homes, 7 mid-rise cooperative  
16 buildings, 1 mid-rise rental and 20 four-story  
17 walk ups. We have been in extensive discussion  
18 with local council member, Council Member Sanders  
19 who has reviewed the project and indicated his  
20 support.

21 CHAIRPERSON KATZ: I thank you.  
22 Just to point out, how many units of affordable  
23 housing?

24 MR. WALTERS: There's approximately  
25 44% of the total project is going to be affordable

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to 175% of AMI and lower.

CHAIRPERSON KATZ: How lower?

MR. WALTERS: We do have additional lower tiers in that 44% at 80% and 130% as well.

CHAIRPERSON KATZ: Thank you.

Councilman Sanders, do you wish to make a comment?

COUNCIL MEMBER JAMES SANDERS, JR.:

Yes, I do. I want to thank you Madam Chair for giving me the opportunity. I want to thank my colleagues, especially for their sensitive ear on this one. I do also want to take this time and thank HPD, especially its assistant commissioner Wendell Walters who had to put up with me. I want to thank the Blue Stone Group and all of the partners involved in this. I want to declare a victory that 44% of this mega project will be affordable and some of it, truly affordable. We will also see commitments of a vocational school being created through this. I'm looking for you to read this into the record. I will yield on those points. And then advisory board making sure that the business representation reflects the Queens community, especially my community. I will yield at this point because I believe they have

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things that they want to read into the record.

CHAIRPERSON KATZ: Do you want to read something into the record?

MR. WALTERS: That is correct. After a lengthy discussion quite recently with the Councilman, the development team has committed to a goal of 20% local participation of minority women and Queens based businesses for participation in the construction of the project out there. In addition, with much discussion again, an advisory committee is to be established to facilitate these goals, which the local council seeks. Will have adequate representation, up to one-third, of the advisory seats.

CHAIRPERSON KATZ: Anything else, Councilman?

MR. SANDERS: I'm not sure if I heard the vocational school aspect.

MR. WALTERS: Carol Clark will speak to that point.

MS. CLARK: We want to thank you Councilman Sanders for talking about the vocational school, both in the short and the long term. We are committed, the administration is



1  
2 committed, we are fully committed to working with  
3 you to implement that vocational training program  
4 in the Rockaways. Thank you.

5 MR. SANDERS: Thank you very much.  
6 I enjoy working with the administration. We must  
7 do this more often. It is good to work with the  
8 Committee.

9 CHAIRPERSON KATZ: Yes. You have  
10 several projects, I believe, coming up for the  
11 Rockaways, right?

12 MR. SANDERS: Yes. I look forward  
13 to reconvening a team. But I do want to thank our  
14 Chair for her patience and her diligence on this  
15 issue also.

16 CHAIRPERSON KATZ: Thank you very  
17 much.

18 MR. SANDERS: And I really want to  
19 thank my colleagues around this table and others  
20 for standing firm in making sure that the people  
21 of the Rockaways, as we stand firm for the people  
22 of New York. Thank you kindly.

23 CHAIRPERSON KATZ: Thank you. Is  
24 there any other discussion on this item before I  
25 close the hearing on this item? Councilman

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2 Felder?

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COUNCIL MEMBER SIMCHA FELDER: Just quick note, I'm very excited about the vocational training. Of course there are a lot of students, including myself, that didn't have the patience to sit and vocational training would have done me a lot of good. But now it's a little too late.

MR. SANDERS: There's still time.

MR. FELDER: Say it again.

MR. SANDERS: You are welcome to the vocational school.

MR. FELDER: I think he's out of order Madam Chair. Anyway. I just wanted to say that I hope a day will come when non-public schools also are able to benefit from government funds for vocational training for all children in the city.

CHAIRPERSON KATZ: Thank you very much, Councilman. Anybody else? All right. We're now closing the hearing on L.U. number 747. Thank you very much. We are now opening--we don't have to open, right?

FEMALE VOICE: No.

CHAIRPERSON KATZ: We will now call

1  
2 the roll and open for discussion all the items  
3 that were brought up to us from the sub-  
4 committees. First items, L.U. numbers 820 through  
5 824, is a contextual rezoning to protect the  
6 character of five neighborhoods and allow housing  
7 and retail development. It is a text amendment  
8 and a map amendment in the Rockaway neighborhood  
9 rezoning. It is in Community Board 14, Council  
10 Members Addabbo and Sanders districts.

11 L.U. numbers 832 through 833 at 610  
12 Lexington Avenue to facilitate the development of  
13 a 63-story mixed use building. It is a zoning  
14 text amendment and a special permit.

15 L.U. number 834 is a Hudson Yard's  
16 text amendment, motion to approve as modified and  
17 its amendment to the Hudson Yard's text amendment.  
18 That's it.

19 L.U. number 860 is Qdoba Mexican  
20 Grill. It is in Council Member Quinn's district.  
21 It is a motion to file pursuant to referral by the  
22 applicant.

23 L.U. number 747 is in Council  
24 Member Sanders district and it is a UDAP to  
25 facilitate housing.

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2 Any discussions on the motions to  
3 approve? Call the roll.

4 MALE VOICE: Council Member Katz.

5 CHAIRPERSON KATZ: I vote aye on  
6 all just with one comment that the Rockaways  
7 rezoning was the result of a lot of work by a lot  
8 of folks for many, many years. All the rezonings  
9 that we have, we do try to balance contextual  
10 zonings with areas in need of renewal. And so I  
11 want to just congratulate everyone who worked very  
12 hard on that rezoning. Especially the two council  
13 members and Council Member Addabbo, who spoke on  
14 the motion before.

15 And also the community that works  
16 so hard in so many of the aspects of this. I  
17 think it's the longest rezoning that we've done so  
18 it's a lot of space and area that we are rezoning  
19 today. I want to thank all of the work that was  
20 put into that. And I vote aye on all.

21 MALE VOICE: Avella.

22 COUNCIL MEMBER TONY AVELLA: Madam  
23 Chairperson, may I explain my vote?

24 CHAIRPERSON KATZ: Yes.

25 MR. AVELLA: Very quickly I just

1  
2 wanted to comment on the sidewalk application that  
3 we're accepting the withdrawal from the applicant,  
4 The QDoba Grill. Here's the situation, where the  
5 architect, in my opinion I think others,  
6 deliberately false certified an application. In  
7 the opinion of some of the City Council Land Use  
8 staff, it was the worst application they'd ever  
9 seen in 18 years. It has to be a situation where  
10 we will not tolerate. And we have to go after  
11 this architect; we have to start sending a message  
12 to these architects who deliberately put down  
13 false information knowing that the Department of  
14 Consumer Affairs will not really review the  
15 application. They put their license on the line.  
16 Well we should start to go after their license.

17 I know this is in the Speaker's  
18 district, but I urge the Speaker to notify the  
19 state education department to go after this  
20 architect. We can not tolerate this anymore. It  
21 shouldn't be on the City Council to find these  
22 mistakes. It should be on the agency and it also  
23 should be on the architects since they're putting  
24 their license on the line. I vote aye on all  
25 items.

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CHAIRPERSON KATZ: Thank you.

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MALE VOICE: Barron.

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COUNCIL MEMBER CHARLES BARRON: Aye

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on all.

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MALE VOICE: Gioia.

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COUNCIL MEMBER ERIC N. GIOIA:

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Thank you. I vote yes.

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MALE VOICE: Jackson.

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COUNCIL MEMBER ROBERT JACKSON: Aye

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on all.

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MALE VOICE: McMahon.

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COUNCIL MEMBER MICHAEL E. MCMAHON:

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Aye on all.

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MALE VOICE: Liu.

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COUNCIL MEMBER JOHN LIU: Yes.

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MALE VOICE: Sears.

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COUNCIL MEMBER HELEN SEARS: Aye on

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all.

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MALE VOICE: Vann.

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COUNCIL MEMBER ALBERT VANN: Yes.

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MALE VOICE: Arroyo.

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COUNCIL MEMBER MARIA DEL CARMEN

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ARROYO: Yes.

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MALE VOICE: Dickens.

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2 COUNCIL MEMBER INEZ E. DICKENS: I  
3 vote yes and I congratulate my colleague, Council  
4 Member Sanders, on the phenomenal work that he did  
5 on behalf of his constituents.

6 MALE VOICE: Lappin.

7 COUNCIL MEMBER JESSICA S. LAPPIN:  
8 Aye.

9 MALE VOICE: Mendez.

10 COUNCIL MEMBER ROSIE MENDEZ: Aye.

11 MALE VOICE: Ignizio.

12 COUNCIL MEMBER VINCENT IGNIZIO: I  
13 vote aye on all. I just wanted to call attention  
14 to the fact of the minority and women owned  
15 business provision. And I'll hopefully begin a  
16 discussion and dialogue in having them be eligible  
17 to disabled American veterans. It's a  
18 conversation that I want to have citywide. Since  
19 it reared its head here today, I wanted to put  
20 that on the table. Thank you. Aye on all.

21 MALE VOICE: Oddo.

22 COUNCIL MEMBER JAMES S. ODDO: Yes.

23 MALE VOICE: Felder.

24 COUNCIL MEMBER SIMCHA FELDER: Yes.

25 MALE VOICE: By a vote of 16 in the

1  
2 affirmative, 0 in the negative and no abstentions,  
3 all items have been adopted. Members please sign  
4 Committee reports.

5 CHAIRPERSON KATZ: Yeah. As  
6 shocking as this may be to everybody, there is no  
7 Committee meeting tomorrow before the stated  
8 meeting. We have finished all the business at  
9 hand. Anybody else we're expecting? Meeting  
10 closed.



C E R T I F I C A T E

I, Amber Gibson, 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 Amber Gibson

Date 08/18/2008