

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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October 24, 2018
Start: 11:28 a.m.
Recess: 11:51 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: RAFAEL SALAMANCA, JR.
Chairperson

COUNCIL MEMBERS: Adrienne E. Adams
Inez D. Barron
Costa G. Constantinides
Chaim M. Deutsch
Ruben Diaz, Sr.
Vanessa L. Gibson
Barry S. Grodenchik
Ben Kallos
Andy L. King
Peter A. Koo
Rory I. Lancman
Stephen T. Levin
I. Daneek Miller
Francisco P. Moya
Antonio Reynoso
Donovan J. Richards
Carlina Rivera
Ritchie J. Torres
Mark Treyger

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

2 [background comments] [sound check]

3 [pause] [gavel]

4 CHAIRPERSON SALAMANCA: Alright, good
5 morning everyone. Welcome to the Committee on Land
6 Use. I am Council Member Rafael Salamanca, Chair of
7 this committee. I would like to welcome my esteemed
8 colleagues who are members of the committee. Today,
9 we have Council Members Gibson, Barron,
10 Constantinides, King, Koo, Lancman, Levin, Reynoso,
11 Torres, Grodenchik, Diaz and Rivera. I want to thank
12 members—I want to thank Council Member Levin for
13 filling in while Chair Moya is away, and Chair Adams
14 and Chair Kallos for their work on our Land Use
15 Subcommittees. Today, we will be voting on
16 applications referred out of our subcommittees. We
17 will vote approve Preconsidered LUs 246 and 247 the
18 11-14 35th Avenue Rezoning for property in Council
19 member Van Bramer's District in Queens. The actions
20 are a rezoning from an R5 zoning district to an R6A
21 zoning district with a commercial overlay, and a
22 zoning text amendment to apply MIH Option 1 and 2 to
23 the rezoning areas. Approvals will facilitate the
24 development of an 8-story mixed-used building with
25 approximately 74 dwelling units of which 22 units

will be affordable under MIH. The application has selected the—the applicant has selected MIH Option 2, but has committed to reaching deeper affordability than is—than is required by the option. We will vote to modify Preconsidered LUs 244 and 245, the Variety Boys and Girls Club rezoning for property in Council Member Constantinides' district in Queens. These are applications for a zoning map change from R7A and R7B to R7X, and a zoning text amendment to apply MIH Option 2 to the rezoning area. These actions will facilitate the development of a new residential building and a community facility, which would include approximately 112 units of approximately 34—approximately—of which approximately 34 would be affordable under MIH Option 2. The community facility building would front on 30th Road and house a new space for the Variety Boys and Girls Club including a new swimming pool and basketball court. Our modification will be to add MIH Option 1 to a zoning text amendment since the rezoning area is larger than just the development site. We will vote to modify Preconsidered LUs 248 and 249, the 3901 9th Avenue Rezoning for property in Council Member in Council Member Menchaca's district in Brooklyn. The

2 actions are a rezoning for MIH-for M1-2 to R7A/C2-4
3 and a related zoning text amendment to establish
4 Mandatory Inclusionary Housing Area on the rezoning
5 area, with MIH Option 1 and 2. These actions will
6 facilitate the development of a 6-story mixed-use
7 building with ground floor commercial space and
8 approximately 40 housing units. Our modification
9 will be remove—our modification will be to remove
10 Option 2. Our next vote is on LUs 214 and 215, the
11 110 East 16th Street Special Permit Application for
12 property in Council Member Rivera's district in
13 Manhattan. The applicant seeks two zoning special
14 permits to develop a new 21-story mixed-use
15 development of property that is part of a larger
16 zoning lot including properties occupied by an
17 individual—an individual landmark and theatrical
18 school. The proposed new buildings would use floor—
19 would use floor area generated by these two
20 properties and the funds received by these
21 institutions would enhance the preservation including
22 (a) continuing maintenance program the landmark. The
23 first special permit pursuant to Section 74-711 would
24 modify the building's envelope restrictions allowing
25 the new building to use the transferred floor area.

2 The second special permit is to allow for an
3 automated parking facility with a maximum capacity of
4 23 accessory parking spaces. We will vote to approve
5 the bulk special permit, but we will be modifying the
6 application for the automated parking garage to
7 reduce its capacity from 23 to 18 in this transit
8 rich neighborhood of Union Square. We will vote to
9 modify LUs 235 through 237 the 69-02 Queens Boulevard
10 rezoning for property in Council Member Holden's
11 district in Queens. The applicant applied for a
12 zoning map amendment to change the rezoning area from
13 M1-1 to R7X with a C2-3 Commercial Overlay, and a
14 zoning text amendment, which would apply MIH Option 2
15 to the rezoning area. The applicant also applied for
16 a general large scale special permit to modify the
17 maximum height, and a number of stories of the new
18 buildings. These actions were intended to facilitate
19 the development of two mixed-use buildings, one with
20 14 stories and one with 17 stories. We are modifying
21 the special permit to reduce the height of the taller
22 building from 17 stories to 15 stories and capping
23 its height at approximately 161 feet. Our
24 modification will eliminate the height waiver for the
25 shorter of the two buildings so that it cannot exceed

2 the height that will be allowed under the applicable
3 zoning. With these reductions, the proposed
4 development will continue to provide housing, but
5 would be more aligned with the neighborhood
6 character. In addition, because the area has an
7 enormous need for school seats, Council Member Holden
8 encouraged the applicant to consult with the School
9 Construction Authority about incorporating a school
10 into the project. As a result, a much needed
11 elementary school will be provided on the development
12 site to be acquired by the SCA, which is a huge win
13 for this area. We will vote to approve LUs 221 and
14 222 the Hunters Point South Tax exemption and UDAAP
15 applications. The property is in—the property that
16 is the subject of the tax exemption is located at 52-
17 03 Center Boulevard also known as Parcel C, the North
18 Tower in the Long Island City neighborhood of Council
19 Member Van Bramer's district in Queens. The new tax
20 exemption pursuant to Article 11 of the Private
21 Housing Finance Law would for a period of 40 years.
22 The project, which will provide rental housing for—
23 for low-income families received UDAAP approval in
24 2008. It will consist of one residential building
25 totaling 855,541 square feet with 8,071 square feet

2 of commercial space. LU 222 is an application to
3 modify the UDAAP approval previously granted in 2008
4 to reflect the addition of two new 80,000 square feet
5 SCA schools to the overall Hunter's Point South Plan.
6 Pursuant to Article 16 of the General Municipal Law,
7 HPD seeks UDAAP designation for property located at
8 Second Street, 54-02 Second Street and 52-50 Second
9 Street in the Long Island City neighborhood of Queens
10 in order to accommodate the inclusion of the new
11 schools to the project and lower AMIs for residents.
12 Under the proposed project, the city will still sell
13 the disposition area for the construction of
14 approximately 16 buildings containing a total of
15 approximately 4,076 units. However, under this
16 approval, families with much lower incomes will be
17 reached there (sic) under the prior approval
18 including households with incomes of 30% of AMI. LUs
19 226, 227, 228 and 229 Sunset Park 1 through 4 related
20 to several blocks, and lots containing 39 municipal
21 dwellings in Council Member Menchaca's district in
22 Brooklyn or providing rental housing for low-income
23 families. In 2017, the Council approved a 30-year
24 tax exemption pursuant to Article XI of the Private
25 Housing Finance Law, which coincided with the 30-year

2 terms of the regulatory agreement. HPD and the new
3 owners will amend the regulatory agreement to change
4 the restriction period from 30 to 40 years, and
5 accordingly HPD is requesting that the tax exemption
6 be extended from 30 to 40 years. We will vote to
7 approve LUs 233, the Hopkins Parks Park Place
8 Application for property located at 1612 Park Place,
9 and 416 Thomas Boyland Street in the Brownsville
10 neighborhood of Council Member Ampry-Samuel's
11 district in Brooklyn. This is an application to
12 modify the UDAAP designation and disposition pursuant
13 to Article 16 of the General Municipal Law that was
14 approved in 2009. The proposed amendment to the
15 project summary will allow HPD to place the entire
16 land debt and the construction loan in one mortgage
17 secured against the property owned by cooperative—the
18 cooperative corporation. This will benefit the
19 individual co-op owners because upon completion of
20 the construction that will no longer be allocated
21 among the individual cooperative units. The sponsor
22 of this project Habitat for Humanity, the Thomas
23 Boyland Housing Development Corporation is
24 constructing up to three buildings containing
25 approximately 25 cooperative units for the sale

2 affordable to families with annual household incomes
3 between 80% and 130% of AMI. LUs 234 is an
4 application for a project—for a project site at 21
5 Arden Street in the Inwood section of Manhattan in
6 Council Member Rodriguez's district. HPD is seeking
7 approval of the Urban Development Action Area Project
8 and related action pursuant to Article 16 of the
9 General Municipal law, and approval of a 40-year real
10 property tax exemption pursuant to Section 577 of the
11 Private Housing Finance Law. This building, which
12 entered city ownership through in rem foreclosure in
13 1991 has been participating in the Tenant Interim
14 Lease Program since 2004, has 12 occupied units and 3
15 vacant units. Once we have completed—once rehab is
16 complete, the building will be conveyed to a
17 cooperative HDFC formed by the building senate.
18 Cooperative interest to occupied apartments will be
19 sold to existing tenants for \$2,500 per unit and
20 vacant apartments will be sold with AMIs targeted
21 between 80 and 90% of the AMI. We will vote approve
22 LUs 209, 213, the Jackson Avenue Rezoning Application
23 for property in Council Member Van Bramer's District
24 in Queens. HPD and DCAS are seeing approvals of
25 disposition of a negative easement on city-owned

2 parcel Block 267, Lot 25 for the benefit of the two
3 development sites in connection with the sale of the
4 development rights from the city-owned parcel and the
5 disposition of a permanent easement on Block 267, Lot
6 25 for the purpose of light and air for the proposed
7 developments. These actions would facilitate the
8 development of two mixed-use buildings. One would
9 have approximately 361 apartments of which of
10 approximately 112 would be permanently affordable.
11 The owner building—the other building would have
12 approximately 120 apartments of which approximately
13 40 will be permanently affordable. For each
14 development site there is a related private
15 application for 2701 Jackson Avenue, LLC and 2632
16 Jackson Avenue, LLC for special permits to modify the
17 street wall location and setback provision of the
18 zoning resolution. There is also one application for
19 a special permit to allow a 91-space parking—a public
20 parking garage. Are there any questions or remarks
21 from members of the committee? Chair Kallos, do you
22 have a comment?

23 COUNCIL MEMBER KALLOS: [off mic] Not at
24 this time.

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2 CHAIRPERSON SALAMANCA: Okay. Alright, I
3 will now call a vote in accordance with the
4 recommendations of the subcommittees and the local
5 Council Members to approve LUs 221, 222, 226, 227,
6 228, 229, 233, 234, 246, 247, and 209 through 213 to
7 approve the modifications that have been described LUs
8 214, 215, 248, 249, 244, 245 235 through 237. Will
9 the clerk please call the roll.

10 CLERK: William Martin, Committee Clerk,
11 roll call vote committee Land Use. Chair Salamanca.

12 CHAIRPERSON SALAMANCA: Aye on all.

13 CLERK: Kallos.

14 COUNCIL MEMBER KALLOS: Aye on all.

15 CLERK: Gibson.

16 COUNCIL MEMBER GIBSON: [off mic] Aye on
17 all.

18 CLERK: Barron.

19 COUNCIL MEMBER BARRON: Permission to
20 explain my vote.

21 CHAIRPERSON SALAMANCA: Council Member
22 Barron to explain her vote.

23 COUNCIL MEMBER BARRON: Thank you, Mr.
24 Chair. I'm voting aye on all with the exception of
25 Land Use 209 through 2013, which is going to

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2 construct two towers, and has what I think is
3 inappropriate number of housing at so-called
4 affordable rates. It's less than 30% in each of the
5 two towers that's going to be constructed, and also
6 on LU 235 through 237 and the accompanying
7 resolutions for basically the same reasons, and
8 housing that will be at 75% market rate. Thank your.
9 [pause]

10 CLERK: King.

11 COUNCIL MEMBER KING: Aye on all.

12 CLERK: Constantinides.

13 COUNCIL MEMBER CONSTANTINIDES: Aye on

14 all

15 CLERK: Koo.

16 COUNCIL MEMBER KOO: Aye on all.

17 CLERK: Lancman.

18 COUNCIL MEMBER LANCMAN: Aye.

19 CLERK: Levin.

20 COUNCIL MEMBER LEVIN: Aye on all.

21 CLERK: Reynoso.

22 COUNCIL MEMBER REYNOSO: Aye on all.

23 CLERK: Torres.

24 COUNCIL MEMBER TORRES: I vote aye on

25 all.

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2 CLERK: Grodenchik.

3 COUNCIL MEMBER GRODENCHIK: Aye.

4 CLERK: Diaz.

5 COUNCIL MEMBER DIAZ: [off mic] Aye on

6 all. (sic)

7 CLERK: Rivera.

8 COUNCIL MEMBER RIVERA: Aye. [pause]

9 [background comments]

10 CLERK: All items on today's Land Use
11 Agenda have been adopted by a vote of 14 in the
12 affirmative, 0 in the negative and no abstentions
13 with the exceptions of Land Use Items 209 through
14 213, and 235 through 237, which are adopted by the
15 committee 13 in the affirmative, 1 in the negative
16 and no abstentions.

17 CHAIRPERSON SALAMANCA: I would like to
18 thank the members of the public, my colleagues,
19 Council and Land Use staff for attending today's
20 hearing. I will leave the roll open for 15 minutes.

21 [background comments, pause]

22 CLERK: Continuation roll call, the
23 Committee on Land Use. Council Member Treyger.

24 COUNCIL MEMBER TREYGER: Aye. [background
25 comments, pause]

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2 CLERK: Continuation roll call Committee
3 on Land Use. Council Member Deutsch.

4 COUNCIL MEMBER DEUTSCH: Aye on all.
5 [background comments, pause]

6 CLERK: The final vote Committee on Land
7 Use. All items have been adopted by a vote of 16 in
8 the affirmative, 0 in the negative and non
9 abstentions with the following Land Use Items 209,
10 210, 211, 212, 213, 235, 236, and 237 are adopted by
11 the committee 15 in the affirmative, 1 in the
12 negative and no abstentions. [pause] [background
13 comments] [gavel]

14 COUNCIL MEMBER KALLOS: It stopped. (sic)

15 COUNCIL MEMBER: Let the record—let the
16 record reflect that the have gavels have been
17 stopped. [background comments]

18 CLERK: Council Member Deutsch.

19 COUNCIL MEMBER DEUTSCH: I adjourn.
20 [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 November 10, 2018