

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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August 16, 2016
Start: 9:51 a.m.
Recess: 10:00 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: DONOVAN J. RICHARDS
Chairperson

COUNCIL MEMBERS: Daniel R. Garodnick
Jumaane D. Williams
Antonio Reynoso
Ritchie J. Torres
Vincent J. Gentile
Ruben Wills

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

2 SERGEANT-AT-ARMS: Quiet, please. Keep
3 it down.

4 [sound check]

5 CHAIRPERSON RICHARDS: Okay, good
6 morning. I am Council Member Donovan Richards, Chair
7 of the Subcommittee on Zoning and Franchises, and
8 this morning we are joined by Council Members
9 Gentile, Will, Reynoso, Torres, Garod-Garodnick-I've
10 got to Grodenchik, Garodnick, Cohen, Koo, Rodriguez,
11 Greenfield, Dickens, Palma, Treyger. So today we
12 have two related items on our calendar in regards to
13 a rezoning application for Council Member Rodriguez's
14 district. Land Use Item No. 422, an application to
15 rezone property from an R72 to an RAX/R9A district,
16 and Land Use Item No. 423, a related text amendment
17 to apply the Mandatory Inclusionary Housing Program
18 to the property.

19 Today, we will be voting on a
20 recommendation to disapprove these items. We do not
21 lightly recommend disapproving land use applications
22 here at the Council. It's very easy to say no, and
23 much harder to work to common senses (sic) and build
24 common ground, which is what we often strive to do in
25 these difficult situations. Land use applications

2 always involve difficult trade-offs that require
3 careful consideration, and this application no
4 exception. Here we understand that the challenging
5 issues principally around building scale and housing
6 affordability could not be successfully resolved. We
7 recognize that the applicant has invested years of
8 effort in this proposal, and has worked closely with
9 Council staff and Council Member Rodriguez in
10 attempting to resolve this—the outstanding issues. I
11 want to thank them for their sincere efforts here to
12 find a common ground. With that, I will turn it over
13 to Council Member Rodriguez to make a statement on
14 the project—on the project prior to our vote.
15 Council Member Rodriguez.

16 COUNCIL MEMBER RODRIGUEZ: Thank you,
17 Chair. The first thing, I would like to recognize
18 that I'm so lucky and had the honor to represent a
19 community that is not only diverse by ethnic, and
20 socio-economic but a community that knows how to
21 fight, how to make the voice to be heard loud and
22 clear. I've been listening to my communityOK for
23 months. I know how important it is to preserve the
24 landscape of the community. Also our community
25 understands that from 2000 to 2010, under the

1 previous administration we were left out. We only
2 received 250 new units of affordable housing. Only
3 one building built in those years to-for enable the
4 100% affordable. The locations were there. They did
5 nothing. The location is speaking again with this
6 project. They were the ones who supported the
7 rezoning of Highland and they changed Highland. It
8 will not be majority black any more. Only this year
9 only-the only thing we got was an 80/20 affordable to
10 Harlem, and it pushed the working class. None of
11 those buildings are permanent affordable, because
12 that's not a housing policy that we have established
13 after Mayor de Blasio. Those are 30 year-those are
14 50 years that the city has failed of more
15 establishing and putting the policy to make something
16 permanent. It is the first time that we have a mayor
17 that in the MIH has put some initiative. It's not
18 the only thing. It's not perfect, but it's the first
19 time in our history that we have a policy that we
20 make a percentage of the affordable housing permanent
21 for the future generation, for the immigrant that
22 will come to our city 200 years from now to be able
23 to say we have permanent unit. We are in the need of
24 the discussion of NY-NYC the vision plans that
25

2 rezoning today is on 10th Avenue from 201st to 222.

3 My community has spoke loud and clear that including

4 those voices who spoke against the rezoning of

5 Broadway and Sherman. We are open to continue

6 conversations to the east of 10th Avenue that we did

7 not support the rezoning of Sherman of Broadway. I

8 hope to have you be in this conversation as a partner

9 so that we can advocate. Getting 50% is not an easy

10 thing. It's not easy. I have to give credit to the

11 developer. He was down on the table to make it 50%.

12 I have to give credit to the Administration who also

13 were—were ready to have conversations about the 50%

14 affordable, but that was not the only thing. There

15 was question about the flip over of control and the

16 reality that we have in our city. How it has

17 happened in other places when developers got a 50K

18 rezoning, created a situation where the developers

19 sold that certificate for two other ones that did not

20 honor agreements that it made. And also there was a

21 question about affordable for who? And as I said,

22 affordable for someone like my mother who relies on

23 her SSI with \$10,000. But affordable for the teacher

24 and the police officer who both of them together they

25 can be making \$120,000 and also we had to build for

1 that group. We have the large numbers of
2 preferential rent apartments. I live in one of those
3 on 111th Street. I know that in my time is on the
4 clock. I know that the landlord there is a lot of
5 time when he can tell me with a new time for you to
6 renew your lease. We have another tenant who is
7 paying the market rent, and I will be out. So I
8 understand the reality of those thousand of tenants—
9 residents that I represent, but I also call on you to
10 understand that those apartments where we live, those
11 apartments used to belong to Daniel Juan Garcia to a
12 Maria Paris (sic) who probably were paying \$700.
13 When they—when the Albany failed or not protecting
14 our tenants it allowed those owners to use whatever
15 they vacancy decontrol they could to include those
16 rents and put those apartments on the market so that
17 the new tenants will move in from Brooklyn from the
18 West Side, and then have been there as a preferential
19 rent. My community I have said before is a home for
20 residents who will stay there for decades for the
21 Irish, for the Jewish, for the Cubans, for the Puerto
22 Ricans, for the African-Americans, for the
23 Dominicans. Those who stay watching an eye, when
24 we're evicting our crack in clients. (sic) But my
25

2 community is a destiny for the new coming, and we
3 embrace everyone as we hope that in the future the
4 new coming will be there 100 years from. So we were
5 not able to reach the agreement, on this project. I
6 will not be getting to the details. We will continue
7 conversation but in the rezoning that's for the
8 Sherman and Broadway, I encourage my colleagues to
9 support me...to support me voting no on this proposal.
10 Thank you.

11 CHAIRPERSON RICHARDS: Thank you, Council
12 Member. [applause]

13 SERGEANT-AT-ARMS: Quiet, please. Quiet
14 place. Keep it down, please. Keep it down.

15 CHAIRPERSON RICHARDS: I want to thank
16 you Council Member Rodriguez for your statement. I
17 also just want to acknowledge we're joined by
18 Assembly Member Linares, and also former Council
19 Member Robert Jackson as well. Okay, with that being
20 said, do any of the subcommittee members have any
21 questions or statements on these items? If not, we
22 will call the counsel to call the roll.

23 LEGAL COUNSEL: Chair Richards.

24 CHAIRPERSON RICHARDS: I vote aye.

25 LEGAL COUNSEL: Council Member Gentile.

2 COUNCIL MEMBER GENTILE: (off mic)

3 LEGAL COUNSEL: And that vote is for-to
4 disapprove.

5 CHAIRPERSON RICHARDS: All right, so it
6 counts. so this is to disapprove both Land Use Items
7 No. 422 and Land Use Items No. 423 an the Broadway
8 Sherman Rezoning.

9 COUNCIL MEMBER GENTILE: I vote aye.

10 LEGAL COUNSEL: Council Member Garodnick.

11 COUNCIL MEMBER GARODNICK: Aye.

12 LEGAL COUNSEL: Council Member Wills.

13 COUNCIL MEMBER WILLS: Aye.

14 LEGAL COUNSEL: Council Member Reynoso.

15 COUNCIL MEMBER REYNOSO: Aye.

16 LEGAL COUNSEL: Council Member Torres.

17 COUNCIL MEMBER TORRES: (off mic)

18 LEGAL COUNSEL: By a vote of 6 in the
19 affirmative, 0 in the negative and 0 abstentions,
20 Land Use Items 422 and 423 are disapproved and
21 referred to the full Land Use Committee.

22 CHAIRPERSON RICHARDS: Thank you. I want
23 to thank the public and all of the advocates and the
24 developers in particular for their work around this

2 application, and with that being said, this hearing
3 is now closed?

4 COUNCIL MEMBER: Here.

5 [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 August 18, 2016