

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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April 14, 2016

Start Time: 12:45 p.m.

End Time: 1:06 p.m.

HELD AT: 250 Broadway - Committee Rm,
16th Fl.

B E F O R E:

David G. Greenfield
Chairperson

COUNCIL MEMBERS:

Mark Weprin
Zamani Williams
Antonio Reynoso
Daniel Garodnick
Vincent Ignizio
Ritchie Torres

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

Rafael Espinal

Raju Man

Julie Lubin

James Lloyd

Amy Leviton

Dillon Casey

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[gavel]

CHAIRPERSON DICKENS: Good morning.

Welcome to a meeting of the subcommittee on zoning and franchises. First I would like to recognized that we are joined by the Chairman of the Land Use committee David G. Greenfield, and my fellow subcommittee members council member Zamani Williams and Antonio Reynoso, council member Daniel Garodnick and council member Vincent Ignizio.

Before we move on to consider the modification to the East new York rezoning, I first will call on a vote to add the items to the agenda, because we were not able to distribute a regular calendar prior to scheduling this meeting, this vote is required under the Land Use Committee rules.

Council, please call the roll for a vote to add land use items 341, 342, 343, 344 to the agenda.

Chair Richards: Aye.

Council member Gentile: Aye.

Council member Garodnick: Aye.

Council member Williams: Aye.

Council member Reynoso: Aye.

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2 COMMITTEE COUNSEL: By a vote of 5 votes
3 in the affirmative, 0 in the negative and 0
4 abstentions, Land Use No. 341, 342, 343, 344 had been
5 added to the subcommittee agenda.

6 Chair Richard: Thank you David. Today,
7 we are going to vote on modification of East New York
8 rezoning. This plan has gone through a full public
9 review process and we are now at the stage, where we
10 must vote on the modifications that the council will
11 make soon approved the proposal and respond to the
12 concerns of the public. I want to commend council
13 member Espinal on all of the efforts that he put in
14 and ensuring that the plan for the East New York was
15 the best possible plan. I also would like to
16 recognize the Council Venue Staff especially Raju
17 Mann, Julie Lubin, James Lloyd, Amy Leviton, Dillon
18 Casey as well as my staff members Gerald Burney and
19 Jordan Gibbons for all of the work that they put in
20 over the last few months. I will let council member
21 Espinal make his own remarks in a moment but first I
22 would describe the modification that the subcommittee
23 will be voting on today.

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2 After a careful consideration, we are
3 voting to make a series of changes to the zoning
4 framework to be applied to East New York.

5 First, we are proposing to modify the
6 zoning tax amendment Land Use No. 344 to make the
7 deep affordability option available in all mandatory
8 inclusionary housing areas proposed in the rezoning
9 area. This option would require 20% of the floor
10 area in a new development be reserved for families
11 making an average of 40% of the area medium income.
12 In East New York making this option available, will
13 help to provide a buffer against potential
14 displacement of existing residents because the
15 affordable units would be reserved for incomes closer
16 to the income of existing East New York residents.

17 Secondly, we will modify the proposed
18 zoning map amendment, land use item No. 341 to cut
19 back on some of the zoning changes in order to
20 preserve existing neighborhood contacts. We would
21 modify the proposed R6A districts on several
22 stretches along Fulton Street to R6B districts. This
23 change would better reflect the existing building
24 character in these areas and help preserve the
25 existing residential building that prevail on the

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2 stretches. We will also preserve the existing zoning
3 of M1-1 along the East side of Sheffield Avenue in
4 order to provide a buffer between heavy industrial
5 zoning to the West and the proposed residential
6 zoning through the East. Certain areas along
7 Atlantic and Liberty Avenue contains thriving
8 preexisting manufacturing or commercial uses. We
9 will modify the proposal to apply a C4-4 district
10 rather than a C4-4 D district to several sites to
11 facilitate the proposed development of a medical
12 center.

13 We would modify the proposal by striking
14 its allowance of residential uses for some areas with
15 thriving manufacturing uses, while retaining the
16 proposal's increase floor area and reduce parking
17 requirements for commercial and manufacturing uses,
18 which we wish to see grow in this area. We would
19 reduce the proposed C4-4 D rezoning districts in two
20 areas along Picton Avenue to R7A/C2-4 district. This
21 modified zoning for these areas would match the
22 proposed zoning for the rest of the Avenue to provide
23 a more uniform zoning across the entire corridor.

24 In the Ocean Hill area along Eastern
25 Parkway, we are modifying the proposed zoning from

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2 R7D to R6A to protect the existing character of the
3 surrounding neighborhood, which is comprise of 1 to 3
4 story buildings.

5 Lastly, we would remove the two city
6 blocks bounded by Atlantic Avenue, Liberty Avenue,
7 Berriman Street and Montauk Avenue from the proposed
8 rezoning. This area is known as Arlington Village
9 and was once a self-proclaimed contained community
10 developed between 1946 and 1949 for returning war
11 veterans and their families. The complex has 107
12 buildings, originally developed as a unit and at one
13 time included a diner, grocery store, on street
14 parking and a children's playground. Each of the
15 approximately 900 apartments faces in an enclosed
16 courtyard provided what has been called a garden like
17 atmosphere. Arlington village's history of onsite
18 commercial uses, which supported it's residents and
19 the surrounded community as well as a unique open
20 space arrangements sets it apart from the adjacent
21 areas and thus warrants it's reevaluation. These two
22 blocks are proposed to be removed entirely from the
23 rezoning, so that their unique character in history
24 can be re-examined in zoning, which reflects the
25 balance between buildings and substantial open space

1 including site planning opportunities can be properly
2 considered. In addition to the zoning modification
3 outlined above, the administration has made a series
4 of the commitments for city investments into the East
5 New York neighborhood that would help to support the
6 proposed increased density. While these commitments
7 are not the subject of our approvals today, they
8 would vitally important for supporting the increased
9 density in East New York and will help ensure that
10 East New York remains a vibrant diverse neighborhood
11 going forward. These commitments include increased
12 investment and affordable housing that would produce
13 more units available to lower incomes. Legal
14 representation for tenants confronting with housing
15 issues, investment in sewer and water infrastructure,
16 converting existing homeless shelters to permanent
17 affordable housing, commitments to support and grow
18 the manufacturing economy in the surrounding area,
19 investments in streetscape that would improve safety
20 and support local businesses, investments in Parks
21 and other public spaces, a new school, a new
22 Workforce One center, which will invest in training
23 local residents and system in securing goods paying
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2 jobs and improvements in existing schools in the
3 neighborhood.

4 In addition the City would be launching
5 new programs to support tenants and home owners,
6 preserve existing affordable housing and promote NWBE
7 businesses, local businesses and neighborhood
8 economic development. I commend, council member
9 Espinal on his dedication and resolve in securing
10 these investment for his community and I would now
11 turn to him for a statement in particular on this
12 proposal. I want to say, it has been an honor to
13 work with you in both Chair Greenfield and the Land
14 Use staff on this particular proposal and you have
15 done a hell of a job in ensuring that East New York
16 is going to be well taken care of in that. The
17 investments are things that this community has long
18 needed decades ago are finally come into flourishing
19 and I just want to say, it has been a pleasure to
20 work with you on this. I now, will pass the mic over
21 the council member Espinal.

22 Espinal: Thank you Chair Richards and
23 Chair Greenfield for the opportunity to speak today
24 and for support throughout this process. You both
25 have truly played a significant role making sure that

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2 East New York is the best possible deal and I would
3 say truly has been a pleasure being able to work so
4 closely and get your input and your advocacy behind
5 my neighborhoods. I would like to thank my community
6 including community boards 5 and 16, the coalition
7 for community advancement, and many individual
8 constituents, who through their valuable input help
9 make this plan the best possible plan, the best
10 possible plan we could produce for the district.

11 I would also like to thank board
12 president Eric Adams for his support and for his many
13 helpful suggestions and I also want to thank my
14 colleagues, who are part of this committee. I would
15 extend my special thanks to the council of Land Use
16 Division especially Raju Mann. He is the man, I have
17 to say and James Lloyd, who have worked tirelessly on
18 this proposal as well as my staff, particularly
19 Courtney Peterson and Lloyd Lasprans for their many,
20 many, many hours of work on this project. And
21 finally, I would like thank the administration for
22 working with me over the last two years and for
23 agreeing to my many requests, DCP put in many hours
24 on this project, HPD create a separate housing plan
25 for this neighborhood and EDC created his own plan

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2 for the industrial business zone to make this a
3 comprehensive plan. This has been a very long
4 process, I emphasizes long with excessive public
5 input.

6 To remind everyone here that this area
7 has been under study for years. With the federally
8 funds sustainable community's plan coming before the
9 actual East New York plan. We carefully write the
10 recommendations from the community board, the board
11 president and the city planning commission reports
12 and we listen to eight hours of public testimony in
13 council chambers, which we carefully consider as part
14 of this process.

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16 From the start, I told my community that
17 I would fight for a better plan, one that was not
18 just about housing, but about rebuilding the
19 neighborhood that has been neglected for decades and
20 that takes more than just affordable housing. It
21 takes investments in our infrastructure, parks and
22 schools, and support for our small home owner and
23 local business sales and creating a plan to help
24 those, who are unemployed. I fought for a better
25 plan, and I am proud that we are voting on today, as

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2 a vastly better than the one sent to us by city
3 planning commission months ago.

4 First and foremost, I fought hard for
5 additional affordability and as a result of the plan
6 now includes more units for families making below
7 \$38,000 dollars a year in public sites. Over 100
8 more units of affordable housing and public land,
9 identified on Christopher Street Glenmore Avenue,
10 meaning that we are guaranteed over 1300 units of
11 affordable housing in the first years of the plan.
12 We are also getting 500 link vouchers to help 500
13 homeless families get out of the shelters and into
14 affordable housing. The conversion of a homeless
15 shelter and two cluster sites as a permanent
16 affordable housing and the mandatory inclusionary
17 housing deep affordability option, so that more
18 residents at extremely low income can get affordable
19 housing. The preservation of affordable housing is
20 just as important. Not only has HPD committed to
21 renewing regularity agreements for the 1,100 units
22 that will expire the next 5 years, they are also
23 launching the community retrofit NYC campaign to
24 boost participation in the green housing preservation
25 program, which targets small buildings.

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3 Tenant harassment is a major concern of
4 mine and I fought to extend the free housing legal
5 services from two years to five years. I fought hard
6 for improvement of our school, parks, streets, and
7 industrial business zone and the plan now includes
8 over a quarter billion dollars in capital
9 improvements to the neighborhood up from the original
10 \$150 million dollars.

11 For schools and childcare, the
12 administration has committed to \$98 million dollars
13 for a new thousand seat school for elementary and
14 middle school students, \$17 million dollars for
15 improvements to the existing schools and \$2.8 million
16 dollars for a new childcare center. For parks and
17 community centers, the administration has committed
18 to \$18 million dollars to completely remake Callahan-
19 Kelly Playground and including new bathrooms, \$13
20 million dollars for Highland Park to renovate aging
21 equipment in the entire park, \$10 million dollars to
22 turn the city owned building at 127 Pennsylvania
23 Avenue into a much needed multipurpose community
24 center with a variety of programs for the youth, \$5
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2 million for the City Line Park to turn an
3 acre of vacant asphalt into a new recreational space,
4 and \$2.2 million dollar for improvement of Sperandeo
5 Brothers Playground. Playgrounds at PS677 and PS345
6 and a play area and NYCHA's Fiorentino Plaza.

7 For infrastructure, the administration
8 has committed to \$41 million dollars to make Atlantic
9 Avenue safer for pedestrian and cars alike, as well
10 as repainting the major arteries, \$21 million dollars
11 for Bioswales to absorb and manage storm water,
12 improving water quality in Jamaica Bay by beautifying
13 our streets, \$17 million dollars in the water main
14 and sewer work, and \$1.7 million dollars for
15 broadband conduit on Atlantic Avenue.

16 I fought hard, also for my home owners,
17 who are a huge part of my constituency and my
18 district and as a result, the plan includes a home
19 owner helpdesk in the community with financial and
20 legal counselors to help home owners modify
21 mortgages, prevent foreclosures, access home repairs
22 and revitalization loans and address scams such as
23 deep debts and other issues. A working group to
24 study how to legalize basement units in East New York
25 as spent \$12 million dollars on conversion or other

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2 home repairs. Water rate relief for low income
3 owners and affordable housing. The home first down
4 payment assistance program, which provides up to
5 \$15,000 dollars towards the down payment or closing
6 cost on a 1-2 family home, condominium or
7 cooperative.

8 A cease and desist zone to stop
9 harassment of home owners by a group of speculators.
10 For economic development the plan includes a
11 Workforce One Career Center that will connect
12 constituents to local jobs and job training, spending
13 of \$16.7 million of City capital in the industrial
14 business zone to renovate a city owned industrial
15 building to better serve business needs, improve
16 connectivity and streetscape and bring high speed
17 broadband to the businesses in the IBZ. The plan
18 also includes a neighborhood retail preservation
19 program, requiring new developments to set-aside this
20 council space for local businesses, a commercial
21 district needs assessment with a half a million of
22 dollars of guaranteed streetscape improvements
23 upfront and rezoning of the IBZ to foster
24 manufacturing jobs.

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2 A commitment used industrial developer
3 funds to create and modernized industrial space in
4 the IBZ, which we spoke about and there is a
5 projection of 4,000 new jobs that could be created in
6 IBZ and when they follow on study of Broadway
7 Junction, so that we can build a regional anchor
8 there as original plan intended. I spent hours on
9 zoning with my staff and as a result as the chair
10 mentioned earlier, we have changed the proposed
11 zoning to preserve industrial jobs, provide a buffer
12 for the IBZ, reduce heights in Ocean Hill and on
13 Fulton Street to reflect the character of local
14 buildings, adjust a zoning on Atlantic for a needed
15 medical center and remove all interrelation on the
16 rezoning.

17 I am confident that this plan is the best
18 that we have ever seen in the city and I probably ask
19 my colleagues to vote yes.

20 Chairman Richard: Thank you council
21 member Espinal and again excellent work negotiating
22 on the behalf of your community, however you can
23 catch up on some sleep now. East New York residents
24 would truly benefit from these changes that you help
25 to secure as long as overdue on improvement to

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streets, parks and schools, which will finally become in a way as you said. Overall, I think, we are presented with a proposal which as modified and with the proposed community investment would promote the growth and vibrancy of East New York for years into the future. I support these applications with the modifications, we just discussed. Now are there any members that have any questions or comments on these particular items.

Alright, if not, since I seen none.

Okay, I will couple land use items No. 341, 342, 343 and 344 the East New York Rezoning plan for a vote through a prove with a modifications as discussed. While we are not proposing to modify land use items 342 or 344, the urban renewal plan amendment and disposition, these items will be referred to the city planning commission along as items related to the modified items in accordance with the charter and the city council rules. Now, with that being said, after a very long negotiation, council please call the roll.

Chair Richards: I am going to read everything, that I said earlier. I vote, aye. Once

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2 again, just want to congratulate council member
3 Espinal on a phenomenal job in negotiating for his
4 community. I vote aye again.

5 Council Member Gentile: I add my
6 congratulations to council member Espinal on a job
7 well done and I vote, Aye.

8 Council Member Garodnick: With congrats,
9 I vote; Aye.

10 Council Member Williams: Can I choose
11 not to vote?

12 Chair Richards: No, yes you may sir.

13 Council Member Williams: Thank you, I
14 was probably going to do it anyway but thank you.
15 First, I got to get some sleep too because that was
16 an amazing night of basketball last night if anybody
17 watched that the Black Mamba and Worriers, but I have
18 to say, I just got this morning, so I do want to look
19 over it, particularly in my capacity as a housing
20 chair, right now I am going to abstain that may
21 actually change before the vote on the full stated
22 but I am very impressed council member Espinal for
23 what you are able to achieve. If what I am seeing is
24 correct, I am not sure who much more you could have
25 actually gotten from this deal. I do have one

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2 concern that obviously if LI is not chosen, it
3 reversed back to MIH, which I did not fully support
4 but I am happy that you chose the two options that
5 get lowest affordability that we can get. It seems
6 like everything that was under your control, you did
7 a really good job. So, I am abstaining for now, so I
8 can look some more over it but I do, from what I see,
9 I do want to extend my congratulations and I would
10 like to say thank you.

11 Council Member Antonio Reynoso:

12 Commission wants me to say my vote?

13 Chair Richards: Yes sir.

14 Council Member Antonio Reynoso: First I
15 want to say, congratulations, of course council
16 member Esipanol to the residents of East New York
17 just know that he worked extremely hard. He cared
18 deeply about the concerns that you raised and I was
19 always open to listen to council members and
20 residents as what they thought would be best here. I
21 have never seen affordability this low or this much
22 in any of the city owned units in the city of New
23 York anywhere you can show me that we were able to
24 attain 50% of the housing and 50% or below in the
25 city owned sites or 80% at 60% or below. That's

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2 about 400 units of City owned sites that he was able
3 to add. I just want to commend you for that. I have
4 never seen units that affordable and that much in any
5 city owned site. I also want to say that there was a
6 significant reduction in overall units, which was
7 another concern that was hearing from residents and
8 it's seems that you were able to cut that down
9 significantly and that is a plus. There is also an
10 increase in M zones. I don't believe in MX. I do
11 not think that it is a real zoning option and should
12 never be used but in this case, you were able to
13 remove an entire site right off of M3 zone, which is
14 a heavy industrial and by maintaining the M1 zone
15 right next to it, you are going to allow for this to
16 a buffer and for the M3 zones to continue to feel
17 comfortable that there are still and the
18 manufacturing zones are going to be able to do their
19 work. You were also able to cut out several M
20 districts within the MX zones in two significant
21 areas that I think the business owners, there are
22 going to be very happy about, when I talked to
23 residents of East New York, those were three things
24 they told me they wanted addressed and you addressed
25 all three. So, I am extremely excited that we have

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2 gotten to this point and that you have worked so hard
3 to make this happen. I congratulate you and I will
4 be voting, Aye.

5 Council member Torres: Rafael You are
6 the man and I vote, Aye.

7 COMMITTEE COUNCIL: I vote 5 votes in the
8 affirmative, 0 in the negative and 1 abstention, Land
9 Use items No. 341, 342, 343, 344 are approved with
10 modifications and referred to the full Land Use
11 Committee.

12 Chair Richards: This hearing is now
13 closed. We will now, I believe officially begin land
14 use. Chair Greenfield will take the seat. Thank you
15 and once again congratulation council member Espinal.

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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 April 14, 2016