

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 3, 2016
Start: 11:40 a.m.
Recess: 11:52 a.m.

HELD AT: COMMITTEE ROOM-CITY HALL

B E F O R E: DAVID G. GREENFIELD
Chairperson

COUNCIL MEMBERS:

- Annabel Palma
- Vincent Gentile
- Inez E. Dickens
- Daniel R. Garodnick
- Rosie Mendez
- Ydanis Rodriguez
- Peter Koo
- Brad Lander
- Stephen Levin
- Deborah Rose
- Jumaane D. Williams
- Donovan Richards
- Andrew Cohen
- Ben Kallos
- Ritchie Torres
- Mark Treyger
- Ruben Wills
- Antonio Reynoso
- Inez Barron

CHAIRPERSON GREENFIELD: [gavel] Good morning. My name is David Greenfield. I'm the council member for the 44th council district of Brooklyn. It's my pleasure to serve as the chair of the Land Use Committee. I want to welcome my esteemed colleagues, who are members of the committee today. I recognize that we were joined first by Council Member Palma; also Council Member Gentile; Dickens; Garodnick; Mendez; Rodriguez; Koo; Lander; Levin; Rose; Williams; Richards; Cohen; Kallos; Torres; Treyger and Wills. I want to thank Chair Dickens for her work with the Planning Subcommittee and Chair Richards for conducting our hearings in the Zoning Subcommittee and Chair Koo, as always, for his leadership of the Landmarks Subcommittee.

The committee will be voting today on the resolutions before you for presentation and vote by the full council.

The first item on the agenda is LU 472-474, 141 Willoughby Street rezoning. Propose rezoning from C6-1 and C6-4 to C6-6 [**inaudible**] Special Downtown Brooklyn District. Zoning application amendment to establish a mandatory inclusionary housing area and city map changes to facilitate the

1
2 development of 141 Willoughby Street. We will be
3 modifying the 141 Willoughby Street Application LU
4 4723474 by reducing the maximum permitted full area
5 ratio of [inaudible] from 18 to 15 for the C6-6
6 zoning district. The maximum of 9 [inaudible] to be
7 permitted for residential, with the remainder allowed
8 for commercial. These changes will reduce the
9 overall density of the project to make it more
10 consistent with the C6-6 zoning citywide, while still
11 allowing for development of significant affordable
12 housing and office space in the building. The twin
13 goals of additional office space and affordable
14 housing have been long-standing policy priorities in
15 Downtown Brooklyn, dating back at least 12 years to
16 the adoption of the Downtown Brooklyn rezoning.
17 Unfortunately, we haven't fully realized those goals,
18 but with this application and the modifications the
19 council's proposing, we will be able to achieve both.
20 This application is in Council Member Levin's
21 district.

22 LU Number 495 and 496, the Upper
23 Manhattan Development Corporation is seeking a zoning
24 application amendment and a zoning tax amendment to
25 facilitate the development of three buildings, to be

1
2 known as Concourse Village West. Concourse Village
3 West Apartments, with approximately 213 residential
4 units, all of which will be affordable. We will be
5 voting to modify this application to replace
6 Mandatory Inclusionary Housing Option 2 with Option
7 1. Option 1 requires a 25% of the residential floor
8 area be affordable for families making an average of
9 60% of the Area Median Income, with the required 10%
10 at 40 AMI. This application is in Council Member
11 Salamanca's district.

12 LU Number 497-500, 1932 Bryant Avenue, an
13 application for [**inaudible**] development of a new
14 mixed use building at 1932 Bryant Avenue, located in
15 the West Farms area of the Bronx. This building will
16 include 294 affordable dwelling units up to 10,000
17 square feet of community facility up to 14,500 square
18 feet of commercial retail. We are voting to modify
19 this application to allow for 6,000 square feet of
20 additional residential floor area on Parcel Number 9.
21 The additional residential floor area will be offset
22 by reducing the community facility and commercial
23 space on the parcel. The additional residential
24 floor area will allow the applicant to provide 100%
25 affordable housing projects with a cross range of

2 incomes. This application is in Council Member's
3 Salamanca's district.

4 LU Number 505, Ferrara Brothers Maritime
5 Lease and application pursuant to Section 1301 of the
6 New York City Charter will propose a maritime lease
7 between the New York City Department of Small
8 Businesses and the Ferrara Brothers, LLC for
9 approximately 103,000 square feet of land located
10 along the waterfront of 3rd Avenue and 24th Street in
11 the borough of Brooklyn. This application will also
12 allow the city to move on forward with a project
13 they've been working on, which is the development of
14 affordable housing on the land that Ferrara Brothers
15 sitting on. This application is in Council Member
16 Menchaca's district.

17 LU Number 501, 1 Flushing, an application
18 submitted by the New York City of Housing,
19 Preservation and Development is an amendment to a
20 previously approved tax exemption approval for a mean
21 real property exemption. This application is in
22 Council Member Koo's district.

23 LU Number 513, a third party transfer and
24 application submitted by the Department of Finance
25 and the Department of Housing, Preservation and

2 Development for the transfer and disposition of
3 property and related tax exemptions in Council
4 Member's Barron's district.

5 LU Number 514, the third party transfer
6 and application submitted by the Department of
7 Finance and Department of Housing and Preservation
8 for the transfer of disposition of property and
9 related tax exemptions for a 20 year building in
10 Council Member Rodriguez's district.

11 Each and every single one of these
12 members are in support of these applications as they
13 have been proposed or as they have been modified, and
14 with that, I'd like to ask Council Member Steve Levin
15 if he'd like to make any remarks regarding the very
16 important 141 Willoughby Street rezoning.

17 COUNCIL MEMBER LEVIN: Thank you. Thank
18 you, Chair Greenfield and members of the committee.
19 Today, we are here to determine the next steps on the
20 141 Willoughby application. I have discussed this
21 project in-depth with Downtown Brooklyn residents,
22 community stakeholders and appreciate the over 400
23 people that have contacted our office to share their
24 opinions about this project. I want to thank
25 Community Board 2, Borough President Eric Adams and

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2 the City Planning Commission for their work on this
3 matter and I'd also like to extend my gratitude to
4 Speaker Melissa Mark-Viverito, the Council Land Use
5 Division: Raju Mann; Dylan Casey, Brian Paul, Amy
6 Levitan, the entire Land Use staff, as well as my
7 staff: Legislative Director, Julie Bero, Community
8 Liason Glomani Bravo-Lopez, Chief of Staff Jonathan
9 Boucher and Communications Director Edward Paulino,
10 all of whom have spent many hours on this
11 application. Additionally, I appreciate the ongoing
12 discussions that I have had with the Economic
13 Development Corporation and with the team at Savana,
14 including representatives here Ed Wallace and Jay
15 Segal. They have engaged in thoughtful communication
16 around how to address community needs and concerns.

17 Taking into consideration all of the
18 issues and concerns raised by the community, we'll be
19 modifying the application to decrease the allowable
20 density from 18 to 15 FAR comprised of 9 FAR
21 residential, and it's down from 12, and 6 FAR
22 commercial. This modification accomplishes multiple
23 policy goals: decreasing the impact of new
24 residential units on existing infrastructure,
25 including schools; adding new affordable units

1 through the MIH program. The pre-existing
2 Inclusionary Housing program in Downtown Brooklyn was
3 a really a lackluster volunteering Inclusionary
4 Housing program that would have added 10 or 15% new
5 affordable units. This will be adding 30% new
6 affordable units and increasing the amount of much
7 needed office space in Downtown Brooklyn, which is a
8 significant policy goal that, if any of you look at
9 Downtown Brooklyn now, when they rezoned in 2004,
10 they thought that it was going to be all office
11 buildings. It turns out that it's been all
12 residential and so we have a lack of office space,
13 which means a less vibrant downtown, so we want to
14 make sure that we're incentivizing that and ensuring
15 that those office buildings get developed. I welcome
16 similar proposals for mixed use developments that
17 will continue to build the neighborhood as a
18 technological and business hub, aligning downtown
19 with the needs of the 21st century, and I want to
20 thank you, Mr. Chair; Chair Greenfield, as well as
21 Subcommittee Chair Donovan Richards for your help and
22 support throughout this entire process and with that,
23 I encourage my colleagues to vote aye.
24

2 CHAIRPERSON GREENFIELD: Thank you and
3 congratulations. Would any members have any
4 questions? Would any members like to make any
5 remarks? Hearing none, I'll ask the clerk to call
6 the roll.

7 COMMITTEE CLERK: Committee Clerk Matthew
8 DeStefano. Committee on Land Use roll call vote.
9 Chair Greenfield.

10 CHAIRPERSON GREENFIELD: Aye on all.

11 COMMITTEE CLERK: Gentile

12 COUNCIL MEMBER GENTILE: Aye on all.

13 COMMITTEE CLERK: Palma

14 COUNCIL MEMBER PALMA: Aye on all.

15 COMMITTEE CLERK: Garodnick.

16 COUNCIL MEMBER GARODNICK: Aye.

17 COMMITTEE CLERK: Mendez.

18 COUNCIL MEMBER MENDEZ: Aye.

19 COMMITTEE CLERK: Rodriguez.

20 COUNCIL MEMBER RODRIGUEZ: Aye.

21 COMMITTEE CLERK: Koo.

22 COUNCIL MEMBER KOO: Aye on all.

23 COMMITTEE CLERK: Lander.

24 COUNCIL MEMBER LANDER: Aye.

25 COMMITTEE CLERK: Levin.

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2 COUNCIL MEMBER LEVIN: Aye.

3 COMMITTEE CLERK: Rose.

4 COUNCIL MEMBER ROSE: Aye.

5 COMMITTEE CLERK: Williams.

6 COUNCIL MEMBER WILLIAMS: Permission to
7 explain my vote.

8 CHAIRPERSON GREENFIELD: Council Member
9 Williams to explain his vote.

10 COUNCIL MEMBER WILLIAMS: Thank... what's
11 all the sighs? Can you sigh a little louder? They
12 can't... I'm abstaining on Land Use Number 474 and I am
13 voting aye on all the rest. I just wanted to say why
14 and I did want to congratulate Council Member Levin.
15 I know he worked hard on this project. I've had a
16 long-standing tradition of really pushing us to go
17 further in the AMIs, particularly as we are all
18 railing against the increases in homelessness in the
19 streets. There are people finding shelters across
20 the city and I think in this body we have a duty to
21 push as far as we can. That's the reason I voted
22 against MIH. I believe if there was a mandatory
23 minimum in MIH, we'd be solving some of the problems
24 that are out here when these projects come before us
25 and so I'm going to continue to express my

2 disappointment in some of those issues, while trying
3 my best to respect my colleagues and their projects.
4 I'm going to abstain on that one and go aye on the
5 rest and it's no personal thing to any of my
6 colleagues.

7 COMMITTEE CLERK: Wills.

8 COUNCIL MEMBER WILLS: Aye.

9 COMMITTEE CLERK: Richards.

10 COUNCIL MEMBER RICHARDS:

11 Congratulations, Council Member Levin. I vote aye.

12 COMMITTEE CLERK: Barron.

13 COUNCIL MEMBER BARRON: Permission to
14 explain my vote.

15 CHAIRPERSON GREENFIELD: Council Member
16 Barron to explain her vote.

17 COUNCIL MEMBER BARRON: Thank you. I
18 want to just echo the comments made by my colleague.
19 I don't think that as we're talking about
20 constructing a 49-story tower Downtown Brooklyn,
21 which is not far from where I grew up in the Fort
22 Greene projects, and dedicating 70% of that to market
23 rate... I don't think that that helps us resolve the
24 issue of homelessness, families living in shelters;
25 temporary shelters, so I'm voting no on 472. I'm

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2 voting aye on all the rest and I think that on the
3 third party transfer Number 513, which is in my
4 district, is the way that we get towards providing
5 housing for people who are in need. Thank you.

6 COMMITTEE CLERK: Cohen.

7 COUNCIL MEMBER COHEN: I vote aye.

8 COMMITTEE CLERK: Kallos.

9 COUNCIL MEMBER KALLOS: Aye.

10 COMMITTEE CLERK: Reynoso.

11 COUNCIL MEMBER REYNOSO: Aye.

12 COMMITTEE CLERK: Torres.

13 COUNCIL MEMBER TORRES: I vote aye.

14 COMMITTEE CLERK: Treyger.

15 COUNCIL MEMBER TREYGER: Aye.

16 COMMITTEE CLERK: By a vote of 19 in the
17 affirmative; 0 in the negative and no abstentions,
18 the items have been adopted, with the exception...
19 (background conversation) Alright. Council Member
20 Barron.

21 COUNCIL MEMBER BARRON: Thank you.

22 Correcting my no vote it's 472 and 474.

23 COMMITTEE CLERK: Thank you.

24 COUNCIL MEMBER BARRON: Thank you.

2 COMMITTEE CLERK: Okay, by a vote of 19
3 in the affirmative, 0 in the negative and no
4 abstentions, the items have been adopted, with the
5 exceptions of LU 474, which was adopted by a vote of
6 17 in the affirmative, 1 abstention and 1 negative,
7 and LU 472, which was adopted by a vote of 18 in the
8 affirmative, 1 in the.. (background voice) 1 negative
9 and 0 abstentions.

10 [Pause]

11 CHAIRPERSON GREENFIELD: Thank you very
12 much. Congratulations to all of my colleagues.
13 Congratulations to Council Member Steve Levin on his
14 significant accomplishment.

15 This formally concludes the Land Use
16 Committee for the meeting of November 3rd, 2016.
17 This meeting is hereby adjourned.

18 [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 28, 2016