

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

DECEMBER 9, 2020  
Start: 10:41 a.m.  
Recess: 10:55 a.m.

HELD AT: Remote Hearing

B E F O R E: Francisco Moya  
CHAIRPERSON

COUNCIL MEMBERS:  
Barry Grodenchik  
Rory Lancman  
Stephen Levin  
Antonio Reynoso  
Donovan Richards  
Carlina Rivera  
Peter Koo

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

2 SERGEANT-AT-ARMS: Cloud has started.

3 SERGEANT-AT-ARMS: Backup is rolling.

4 SERGEANT-AT-ARMS: Okay. Sergeant  
5 Kotowski, you may begin with your opening statement.

6 SERGEANT-AT-ARMS: Good morning and  
7 welcome to today's remote New York City Council  
8 hearing of the Subcommittee on Zoning and Franchises.  
9 At this time, would Council staff please turn on  
10 their video? Please place electronic devices on  
11 vibrate or silent. Thank you. Chair, we are ready  
12 to begin.

13 CHAIRPERSON MOYA: Thank you.

14 [gavel]

15 CHAIRPERSON MOYA: Good morning. I am  
16 Council member Francisco Moya, Chair of the  
17 Subcommittee on Zoning and Franchises. Today we are  
18 joined remotely by Council members Grodenchik,  
19 Rivera, Reynoso, Levin, and Koo. Today we will vote  
20 on the Special Flushing Waterfront District Proposal  
21 which was heard by those subcommittee on November  
22 9th. Before we begin, as a reminder, Council members  
23 with comments or questions should use the zoom raise  
24 hand function and will be recognized in order.  
25 Today, we will vote to approve LUs 694 and 695 of the

Special Flushing Waterfront District relating to property in Council member Koo's district in Queens. The application seeks a zoning map amendment to establish the Special Flushing Waterfront District, including the rezoning of existing C 42 an M 31 district to an M 12 R 71 district. As well as a zoning text amendment to create special district rules regarding use, bulk, and parking and related modifications to the underlying district regulations, including the establishment of a mandatory inclusionary housing area utilizing options one and two. The proposal is intended to facilitate the development of approximately 1.6 million square feet of residential space, including 1725 dwelling units, 1.4 million square feet of commercial space, and 22,000 square feet of community facilities space. The district would include a new private roadwork to facilitate access in order to create 2.8 acres of publicly accessible open space. Also a new public plaza and a 40 foot wide sure public walkway along the Flushing Creek waterfront on 36th Avenue and Roosevelt Avenue and 40th Road. Council member Koo, who represents this area of Queens has worked tirelessly to achieve the best possible project for

2 his community. To that end, and due to the Council  
3 member Koo's efforts, the applicant has committed to  
4 maximizing affordable housing on the development site  
5 four. Development site four is the only site seeking  
6 additional residential floor area under the proposal  
7 and is expected to include 300 units. The applicant  
8 will work with the city and other public agencies to  
9 secure funding through existing subsidy programs and  
10 other available funding to achieve that goal. At a  
11 time when so many neighborhoods are struggling, this  
12 project would provide an economic lifeline in the  
13 form of union employment and tens of millions of  
14 dollars in additional tax revenues to the city of New  
15 York. The choice for better jobs, a larger  
16 waterfront, open space, local hiring, and additional  
17 affordable housing as compared with the as of right  
18 option which offers none of these, is clear. At this  
19 time, I would like to take the opportunity to  
20 recognize my colleague, Council member Koo, for some  
21 remarks.

22 COUNCIL MEMBER KOO: Thank you. Thank  
23 you, Chair Moya. I'm really happy to announce that,  
24 last night, we reached an agreement with labor groups  
25 and the applicants that will include union jobs in

1 Special Flushing Waterfront District with 32 BJ and  
2 Hotel Trades Council. This was a hard fought  
3 agreement, but, at the end of the day, the applicants  
4 and the labor groups were able to arrive at a place  
5 that will include good paying local jobs for Flushing  
6 community and, on a grander scale, a commitment to  
7 our economic recovery at a time when we need it most.  
8 We are getting a commitment from the development team  
9 with ties to our community and-- who will finally  
10 connect downtown Flushing to this waterfront  
11 [inaudible 00:04:35] and expanded promenade with  
12 playgrounds, pedestrian trails, and open space. We  
13 are getting 30 percent affordable housing on the  
14 rezoned portion on the site four. Importantly, the  
15 applicants have entered into an agreement with the  
16 city to further engage in discussions over the next  
17 three years with HPD and the Council on ways to  
18 secure financing so we can maximize the amount of  
19 affordable housing on site. Sadly, the pandemic has  
20 caused cuts across the board, so it was necessary to  
21 look to the future where we are not so set back by  
22 budget cuts where we can work on securing funding for  
23 more affordability. To name some benefits, we are  
24 getting a commitment to sustainable sewage  
25

1 infrastructure that won't contribute CSO. We are  
2 getting workforce agreements where the Chambers of  
3 Commerce of Queens and the Flushing Business  
4 Improvement District. In both of our NYCHA  
5 developments, at Bland Houses and Latimer Gardens, we  
6 are getting new youth mentoring space for La  
7 [inaudible 00:06:10] food pantry and, most  
8 importantly, we are getting an opportunity to provide  
9 economic stimulus to our community for the future. I  
10 would like to thank Speaker Johnson, Chair Moya,  
11 Chair Salamanca, Jason Goldman, Ebony Misch, Anthony  
12 [inaudible 00:06:36], Amy Neverton, Lauren Douglas,  
13 Arthur Huh, Julie Lubin, and the entire land use  
14 division. I would especially like to thank the  
15 applicants and the labor union who came together  
16 despite a lot of misinformation and misleading  
17 rhetoric from agitators. This agreement goes to show  
18 that the real progress can be made if only we decide  
19 not to blame, accuse, and demand, but to talk,  
20 listen, and to compromise. Thank you. I would urge  
21 all my members in this committee to vote affirmative  
22 on this issue. Thank you.

2 CHAIRPERSON MOYA: Thank you, Peter. I now  
3 call for a vote to approve LUs 694 and 695. Counsel,  
4 can you please call the roll?

5 COMMITTEE COUNSEL: Chair Moya?

6 CHAIRPERSON MOYA: Aye.

7 COMMITTEE COUNSEL: Council member  
8 Levin?

9 COUNCIL MEMBER LEVIN: I vote aye.

10 COMMITTEE COUNSEL: Council member  
11 Reynoso?

12 COUNCIL MEMBER REYNOSO: Permission to  
13 explain my vote?

14 CHAIRPERSON MOYA: Permission granted.

15 COUNCIL MEMBER REYNOSO: Thank you. I  
16 want to begin by thanking Council member Koo and the  
17 Chair, Council member Francisco Moya, for all their  
18 work to get this project to where it is now. When  
19 the project initially came to the Council, there was  
20 not a single tangible public benefit associated with  
21 it and do did the negotiations with the applicant, we  
22 now have a guarantee of union labor and potentially  
23 for our more income restricted building on single  
24 site being absorbed. However, as I expressed during  
25 the hearing, I have significant problems with this



1 project and I don't see the proposed project or the  
2 as of right scenario as a true win for the Flushing  
3 community. This is not just a failure by the  
4 applicant team but an indictment on New York City's  
5 approach to land use and planning. The development  
6 of over 1000 condos priced at seven figures does  
7 absolutely nothing to dig us out of our housing  
8 crisis. The ability of a developer to move forward  
9 with such a scenario without any action from the city  
10 Council speaks to a complete abdication of  
11 responsibility by the Department of City Planning to  
12 proactively address our housing crisis through its  
13 zoning and land use tool. The development community  
14 must also step up. And I want to make it clear that  
15 I do not view that concessions made by the developer  
16 to be civic minded , but rather a greedy exploitation  
17 of New York City's terrible planning and land-use  
18 processes. It is long overdue for the city to  
19 develop a comprehensive plan in participation-- in  
20 partnership with communities that would lay out long-  
21 term strategies for addressing issues related to  
22 housing, transportation, healthcare, open space,  
23 resiliency, and economic development. I urge this  
24 Council to introduce and adopt legislation to enact  
25

1 such a plan as soon as possible. I also want to  
2 express my disappointment that this Council continues  
3 to have discussions about bucking member difference  
4 exclusively when projects are situated in communities  
5 represented by members of color. I have watched this  
6 Council through plenty of problematic projects in  
7 districts represented by white members without any  
8 comment at all. I have voiced opposition to the  
9 practice of member difference in the past, but if we  
10 are going to have that conversation, the I expect  
11 that we do so in an inclusive and equitable way, not  
12 just when it is politically convenient. Voting for  
13 this project is a vote for union labor and the  
14 potential for affordable housing to be incorporated  
15 into this project. Voting against it would result  
16 in, essentially, the exact same project, but without  
17 these benefits. At a time when the city is facing  
18 double digit unemployment, it is my responsibility to  
19 ensure that we are creating well-paying jobs for New  
20 Yorkers where we can and, due to the significant work  
21 by 32 BJ Ed HCC, we will receive that with this  
22 project. This is definitely the lesser of two evils  
23 in this about and I am uncomfortable with it.  
24 However, the as of right scenario is clearly the  
25

2 worst option and I am therefore voting yes on this  
3 application. Thank you, Chair.

4 COMMITTEE COUNSEL: Council member  
5 Grodenchik?

6 COUNCIL MEMBER GRODENCHIK: Permission to  
7 briefly explain my vote, Chair Moya?

8 CHAIRPERSON MOYA: Permission granted.

9 COUNCIL MEMBER GRODENCHIK: Thank you.  
10 First, let me congratulate everybody who was involved  
11 in bringing this critically important project for New  
12 York City to the state where it is today. I want to  
13 congratulate my colleague, Peter Koo. I want to  
14 congratulate the Chair. I know both of you have been  
15 working many, many hours on this and the land use  
16 staff, as well. And I want to thank them for keeping  
17 me informed and everybody that was involved with  
18 this. I grew up on the edge of Flushing and many  
19 times I walked from what is now Peter Koo's district  
20 into what is now Chair Moya's district and looked at  
21 that forlorn piece of property that we are discussing  
22 today. I walked across the bridge because I lived in  
23 a to fair zone and I was often going to see the Mets  
24 get pounded at Shea Stadium. You know, we've done a  
25 lot in recent decades to reclaim our waterfront from

1 what has really been a walled off situation. The  
2 best example in Queens is the waterfront in Long  
3 Island city where you would come this end of the  
4 street and there would be a concrete batching plant  
5 or something like that in there was absolutely no  
6 access to the waterfront. And as the situation that  
7 exists in Flushing today, the Flushing River,  
8 probably more of a tidal estuary than a river,  
9 there's no way to get to it in the largest group of  
10 people that live there are public housing residents  
11 at Bland houses and where there were 400 apartments.  
12 So, I am voting for this. I want to thank Peter Q  
13 for his outreach to be and I know, as Councilman  
14 Reynoso just said, this is a much better project than  
15 we would have had as of right and we are getting also  
16 a park in an area that is desperately in need of  
17 public parkland, as well. And I see that the  
18 doubling of the width of the promenade along the  
19 waterfront will also be a public park like amenity.  
20 So, with congratulations to all involved in  
21 remembering my dear friend, mentor, and former  
22 [inaudible 00:13:05] Claire Shoman, this was the last  
23 project she worked on. I happily vote aye.

24  
25 CHAIRPERSON MOYA: Thank you.

2 COMMITTEE COUNSEL: Council member  
3 Rivera.

4 COUNCIL MEMBER RIVERA: Permission to  
5 explain my vote?

6 CHAIRPERSON MOYA: Permission granted.

7 COUNCIL MEMBER RIVERA: Thank you. I want  
8 to thank Chairperson Moya and, of course, Salamanca,  
9 Council member Koo for working together with the  
10 applicant's and the labor leaders to achieve a deal  
11 that includes better jobs and potential affordable  
12 housing opportunities for low income New Yorkers and  
13 I just want to echo what my colleague, Council member  
14 Reynoso said of the issues and why we are voting yes  
15 here today. I personally need to review more of the  
16 details announced this morning by Council member Koo  
17 and the applicant and I look forward to examining the  
18 agreement before our full Council vote at tomorrow's  
19 stated meeting. So, with that in mind, and with some  
20 of the comments previously made, I vote yes.

21 COMMITTEE COUNSEL: By a vote of five  
22 in the affirmative, zero in the negative, and no  
23 abstentions, the items are recommended for adoption  
24 by the full land use committee.

2 CHAIRPERSON MOYA: Thank you, Arthur. That  
3 concludes today's business and I would like to thank  
4 my colleagues. And congratulations, again, to  
5 Council member Koo. Also to the subcommittee  
6 counsel, land use and other council staff and the  
7 sergeant-at-arms for anticipating in today's meeting.  
8 But, in particular, I'd like to really recognize the  
9 incredible work that was done by our land use staff,  
10 Raju Mann [sp?], who continues to always amaze at how  
11 we can do this through this period that we are  
12 experiencing now with Covid. All the land use staff  
13 has gone through some serious rezonings that we've  
14 been working on, but they truly work 24 seven. So  
15 thank you, Raju, and to John Douglas and Amy Levitan,  
16 and everyone from the land use staff for your work on  
17 this project and helping it-- bringing it home. So,  
18 with that, thank you. This meeting is hereby  
19 adjourned.

20 [gavel]

21  
22  
23  
24  
25

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 December 15, 2020