

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

----- X

November 14, 2017
Start: 10:11 a.m.
Recess: 12:05 p.m.

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

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
Barry S. Grodenchik

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

Howard Goldman, Attorney
Land Use Council

Michael Lythcott, Chairman
National Black Theatre

Sade Lythcott, CEO
National Black Theatre

Soffiyah Elijah, Executive Director
Alliance of Families for Justice

John Sketchens, Stage Manager
Professional Equity Stage Manager
National Black Theatre

Theresa Irene, Member
Upper Manhattan Empowerment Zone Board
Executive Director & CEO
Theater Communications Group

Karen King, Director
Ten Grand Central NEMA

Jon Ruiz, National Black Theatre

Adam Rothkrug, Attorney
Rothkrug & Spector, LLP

Joe Kelleher
Hutchinson Center Development

Brian Newman, Architect
Newman Design

Mariella Salazar
Montefiore Medical Center

Josh Segal
Representing the Developer

David Karnovsky
Land Council

John Kelly, Special Counsel
Nixon Peabody

Amelia Maldonado
Park Lane Tenants Association

Glenn Hillson, Business Services Manager
Building Skills New York

2 [sound check, pause] [gavel]

3 CHAIRPERSON RICHARDS: Alrighty. Good
4 morning. I'm Donovan Richards, Chair of the
5 Subcommittee on Zoning and Franchises, and this
6 morning we're joined by Council Members Grodenchik,
7 Gentile, Perkins, and Reynoso. We have seven
8 applications on our calendar today. We will be
9 holding vote on four applications that were laid over
10 from our last meeting before moving onto public
11 hearings on three new applications. We will now take
12 a vote to approve Land Use Items No. 789 and 784, a
13 sidewalk café application and special permit
14 application in Council Member Chin's district on Land
15 Use Item No. 789, the Kio Sidewalk Café. The
16 applicant has agreed to limit the use of the café to
17 the hours requested by the Community Board, and
18 limiting smoking and noise in the café area.

19 On Land Use Item No. 784, the applicant
20 has submitted a letter committing to conduct outreach
21 to find a culturally related tenant, and to consult
22 with Council Member Chin's office prior to choosing
23 any tenant that would use this space for eating or
24 drinking establishments. We'll also be voting to
25 approve with modifications Land Use Items No. 787 and

2 788, the 723-733 Myrtle Avenue rezoning. On the
3 Myrtle Avenue application, we are modifying to remove
4 MIH Option 2 and to change the zoning so that a
5 portion of the rezoning area outside of the
6 development site is mapped as R6-B instead of R6A,
7 which was proposed. This change would more closely
8 match the existing three-story buildings on the
9 block. Alrighty, with that being said, do any of the
10 Subcommittee members have questions on these
11 applications? Seeing none, I will now call a vote to
12 approve Land Use Items No. 784 and 780-89 and to also
13 approve Land use Items No. 787 and 788 with the
14 modifications that I just described. Counsel, please
15 call the roll.

16 LEGAL COUNSEL: Chair Richards.

17 CHAIRPERSON RICHARDS: I vote aye.

18 LEGAL COUNSEL: Council Member Gentile.

19 COUNCIL MEMBER GENTILE: Aye.

20 LEGAL COUNSEL: Council Member Reynoso.

21 COUNCIL MEMBER REYNOSO: I vote aye.

22 LEGAL COUNSEL: Council Member

23 Grodenchik.

24 COUNCIL MEMBER GRODENCHIK: Aye.

2 LEGAL COUNSEL: By a vote of 4 in the
3 affirmative, 0 in the negative and 0 abstentions,
4 Land Use Items 784 and 789 are approved and 787 and
5 788 are approved with modifications, and all items
6 are referred to the full Land Use Committee.

7 CHAIRPERSON RICHARDS: Okay, and I'll
8 hold the vote open. Okay, so we'll now move onto
9 Land Use Items No. 805 through 807, the National
10 Black Theatre application in Council Member Perkins'
11 district. This is an application for a zoning map
12 amendment changing the area from C4-4A to C4-7
13 zoning, a zoning text amendment to create a new
14 subdistrict within the Special 125th District, and
15 apply the Mandatory Inclusionary Housing Program to
16 the site, and a Special Permit to waive accessory
17 residential parking requirements. These actions
18 would facilitate the development of 20-story mixed-
19 use building that will house a new space for the
20 National Black Theatre including 148,000 square feet
21 of residential use and approximately 25,000 square
22 feet of retail use. I will now open the public
23 hearing on Land Use Items No. 805 through 807.
24 [pause] I'll call the applicants up. Howard
25 Goldman, and John—I'm going to mess your last name

2 up. Sketchins (sp?) I believe. Is that right.

3 [background comment] And whoever else is with you.

4 [laughter] Seems like you had a whole crew there,
5 and you'll just state your names for the record.

6 [background comment, pause] And we'll just ask
7 everyone to state their name for the record who is
8 going to testify with the applicant. [pause] Alright,
9 you're going to light the mic up. Press the mic.
10 Press the light.

11 HOWARD GOLDMAN: Howard Goldman, Land Use
12 Council.

13 MICHAEL LYTHCOTT: Michael Lythcott, the
14 National Black Theatre, Chairman.

15 SADE LYTHCOTT: Sade Lythcott, CEO of the
16 National Black Theatre. So thank you for having us
17 today. Before you is our application for the
18 National Black Theatre. We are the longest
19 continually run black theatre in New York City, and
20 we are the longest continually run theatre by a woman
21 of color in the country. The National Black Theatre
22 is located on the corner of 125th Street and 5th
23 Avenue, and was founded in 1968 by our mother Dr.
24 Barbara Ann Teer. She was a visionary in her time as
25 an artist and as entrepreneur. In 1983, when the

1 space that we rented in, occupied in on 5th Avenue
2 and 125th Street burned to the ground, it left the
3 National Black Theatre homeless as well as the Studio
4 Museum that was also located in our premises. She
5 saw this as an incredible opportunity, and she said
6 she wanted to purchase the city block. It was the
7 most famous address in the world she said, because
8 you could go anywhere in the world and say 5th Avenue
9 and everybody knew New York City and opulence, and
10 you say 125th Street and everybody knows that it's
11 the cultural capital of the Black world, and so there
12 we have committed and built a theater, a community
13 space, a home away from home for the best and the
14 brightest artists from the African Disapora for the
15 last 50 years. In your brochures is some information
16 about our programmatic activities. We have probably
17 the most rigorous theatrical program in the country
18 dedicated to Black artists, and so that's what we do.
19 One of the programs that I'm the most proud of is our
20 Theater Arts program that has four half-century
21 incubated the best and the brightest playwrights,
22 directors, stage managers by proxy is a commitment to
23 these artists, but also a commitment to diversifying
24 the American theater cannon and we have done that by
25

2 training an incredible amount of artists and arts
3 administrators, which have gone on to do incredible
4 things. Also, a program that the city supports
5 that's a key program of the National Black Theatre
6 and I-I only mentioned because it's important in
7 thinking of the context of our project is our
8 Entrepreneurial Arts Project where we subsidize,
9 donate and rent space to individual artists, local
10 non-profit organizations, smaller theater
11 organizations, and do an extreme amount of youth
12 programming through our Entrepreneurial Arts Program.
13 Also, lastly our Fellowship programs, which someone
14 will speak to today, really gives young emerging
15 artists an opportunity to get professional legs in
16 the business and the art of theater. So, thank you
17 for your time.

18 CHAIRPERSON RICHARDS: Thank you.

19 MICHAEL LYTHCOTT: [off mic] My name is-
20 [on mic] my name is Michael Lythcott. I'm Sade's
21 brother and the Chairman of the National Black
22 Theatre. I'm here to talk a little bit about the
23 actual real estate portion of that project. We are
24 applying for the very first visual and performing
25 arts bonus in the City of New York. The law was

1 passed with the Council's help in 2008, and no non-
2 profit has been able to use that law due to many
3 elements. We are now simultaneously going through a
4 process with DCLA to get a chairman certification for
5 a portion of this. So, in separating that, they
6 allowed us to move these two applications together.
7 Currently, our building is a holistic building in
8 that we have commercial tenants like Harlem
9 Children's Zone that feed into our program as well.
10 So, because we're going for the Visual and Performing
11 Arts Bonus to activate that for the first time, the-
12 the envelope with the program that we have has not
13 yet been defined, and in going through our community
14 board, which we passed unanimously, and going through
15 the borough president's office, which also passed
16 unanimously without conditions, and going through
17 City Planning Commission, which we passed unanimously
18 without conditions, all with the caveat that we're
19 trying to balance a real need for housing in our
20 community for deep affordability as well as
21 appropriate sizes so people can raise families with
22 the need for us to have a world class arts
23 institution that supports many other arts
24 institutions. And so, because we live 10 ten blocks

1 away, because we've been there for so long, we are
2 here to balance those two needs, the community
3 facility as well as the housing need and this project
4 does both.

6 HOWARD GOLDMAN: Okay. Howard Goldman.

7 The actions before the Subcommittee we have a zoning
8 change, we have a zoning text amendment and we have a
9 special permit. There is also a Certification for
10 Visual Performing Arts on this, which Michael
11 mentioned that's not technically before the
12 Subcommittee. That's a certification by the Chairman
13 of City Planning. That's in process. The zoning
14 change very briefly is to change the current C4-4A
15 zoning to a C4-7 district. The rezoning would affect
16 just the NBT site, which is an 85-foot deep site on
17 5th Avenue between 125th and 126th Street. It would
18 increase the allowable FAR from 4FAR to 9FAR for
19 residential, 10FAR for mixed use. The second action
20 before the Subcommittee are a number of zoning text
21 amendments to the Special 125th Street zoning
22 district. These amendments basically allow the NBT's
23 entrance to be located of 5th Avenue. It creates a
24 new subdistrict within the district with a maximum
25 building height 245 feet, and it modifies some of the

2 glazing and transparency requirements along the 5th
3 Avenue frontage, and then the third and final action
4 is a Special Permit. The Special Permit is to waive
5 required parking spaces for the market rate units in
6 the project. The affordable units have no parking
7 requirement under zoning, but the—the non-MIH units
8 do because this—because this location is really well
9 situated in terms of mass transit midway between the
10 2-3 Train to the west, the 4-5-6 to east, Metro North
11 one block to the east. We think the waiver is
12 appropriate. It would also save a substantial amount
13 of construction costs that would be associated with
14 underground parking having to dig an additional
15 underground level. And then I mentioned the VPA
16 Certification. That is going through the process.
17 We're awaiting a recommendation from the local Arts
18 Advisory Council, and then there would be a
19 certification by Cultural Affairs and City Planning.
20 That would increase the FAR from—from 10 to a maximum
21 of 12. Thank you.

22 CHAIRPERSON RICHARDS: Thank you. I have
23 a few questions. So, thank you, and I want to thank
24 you for the work that you're doing. I think when we
25 met I spoke of how before I got married my wife and I

2 went on a date. Well, she [laughter] invited me to a
3 play at this place. So, it has a personal semblance
4 to me. So, I wanted to get into--so unit counts. So
5 what--what are we looking at doing? So, how much
6 residential units or--?

7 HOWARD GOLDMAN: We are projecting
8 because there a specific point there? Oh, there's no
9 specific plan being adopted but--adopted but--but we
10 are projecting a total of--I believe it's 240 total
11 units.

12 CHAIRPERSON RICHARDS: So, 240 units and
13 which MIH option?

14 HOWARD GOLDMAN: It hasn't been selected
15 yet.

16 CHAIRPERSON RICHARDS: Okay.

17 HOWARD GOLDMAN: In fact, one of the
18 requests or actions before the subcommittee is a
19 modification that would add the deep affordability
20 options--

21 CHAIRPERSON RICHARDS: Okay. S

22 HOWARD GOLDMAN: for 1 and 2. So, all
23 the options would be on the table.

2 CHAIRPERSON RICHARDS: Okay, good. Just
3 give me--so no setbacks. Tell me about the heights.
4 Are you going up 245 feet?

5 HOWARD GOLDMAN: Sure, there--

6 CHAIRPERSON RICHARDS: [interposing] And--
7 and what--how does that look compared to what's in the
8 surrounding neighborhood? And I know the avenue is
9 pretty thin I think as it is now.

10 HOWARD GOLDMAN: Yeah. The setbacks are
11 15 feet on 126th Street, and then we have 10 feet on
12 5th Avenue and 125th. Those are pretty standard
13 setbacks.

14 CHAIRPERSON RICHARDS: Okay.

15 MICHAEL LYTHCOTT: And in terms of
16 height--in terms of the Victoria Five which just broke
17 ground, which is a block and a half away from us is
18 going to be about 35 feet. They got a mayoral
19 override.

20 HOWARD GOLDMAN: 35 stories.

21 MICHAEL LYTHCOTT: 35 stories. [laughter]

22 CHAIRPERSON RICHARDS: I was about to
23 say. [laughter]

24 MICHAEL LYTHCOTT: Yeah, no they had a
25 mayoral override and then there's a Proton Hospital

2 all the way east that's going to be more than 40
3 stories. So, relative to the existing buildings
4 there we would be about the same size as the--the ops
5 building and--and the Theresa Hotel a little bigger
6 than those, but certainly next to the buildings that
7 are being approved and are being built, we would be
8 one of the smaller new buildings going up.

9 HOWARD GOLDMAN: I'll just add the--it's
10 20-story building, and some--some of the additional
11 high cuts (sic) are in the double height space for
12 the theatre--

13 CHAIRPERSON RICHARDS: Okay.

14 HOWARD GOLDMAN: --but it's 20 stories.

15 CHAIRPERSON RICHARDS: And--and I--and it's
16 safe to say that the--the goal is to make sure that
17 theatre--the theatre is the main focus of this
18 project?

19 SADE LYTHCOTT: Yeah. It's--so this was
20 our mom's dream, and we never had the opportunity to--
21 we produce world class theatre in a retrofit space.
22 So, the space that we currently are producing in used
23 to be a boxing gym, and--

24 MICHAEL LYTHCOTT: It was a mosque also at
25 one time.

2 SADE LYTHCOTT: It was Mosque No. 7 for a
3 while, too.

4 CHAIRPERSON RICHARDS: For Malcolm X I
5 believe.

6 SADE LYTHCOTT: Built after Malcolm
7 passed.

8 CHAIRPERSON RICHARDS: After. Uh-hm.

9 SADE LYTHCOTT: Yes. I'm saying all that
10 to say we really in looking at the design of this,
11 and DCLA has been so instrumental in saying if we're
12 going to do this, let's do it world class. Let's do
13 it so that you can actually—people in Harlem can
14 actually experience what people downtown experience
15 when they have a theater experience. So double height
16 ceilings so that we can do proper rigging of lighting
17 of proper—all of what it takes to produce theater
18 today. So, that's—

19 CHAIRPERSON RICHARDS: So, just through
20 the last two questions. I'm going to turn it over to
21 Council Member Perkins. So go through job standards
22 on this project. Are you—are we in any
23 conversations? What does local hiring or how is
24 local hiring going to look?

25 MICHAEL LYTHCOTT: So—

2 CHAIRPERSON RICHARDS: [interposing]

3 Again, my last question is on community benefits as
4 well. So, what benefits will the community get out of
5 this?

6 MICHAEL LYTHCOTT: So, I'm—I'm going to
7 say this. We—we interviewed three or four different
8 development partners. We chose L&M on the
9 recommendation of our Community Board 11 with all of
10 the local job hiring that they're doing, and Rex
11 Gardens Project other projects, and I'll say we live
12 10 blocks from the—from the site. We're not
13 developers, but we are always on top of them about—
14 with local hiring, POC hiring, giving people
15 opportunities to train on the job so they can join
16 unions. I mean that's like a—obviously, once we
17 handle the theater issue, which is a community
18 development project. We're 50/50 owners of the
19 project with L&M. So, you know, our reputation is on
20 this project forever, and the issues of
21 affordability, not just affordability, but being able
22 to actually have a space big enough for you to live
23 in, local hiring, construction, all those things are
24 ongoing conversations, and I've never had any

2 pushback from them, you know, on any of those—those
3 issues. So, I'm pretty confident about that.

4 CHAIRPERSON RICHARDS: Even on the
5 affordability, too, why not. So, I—I know you're
6 going to go with the deep affordability option. So,
7 you're not requesting subsidy from the city at all?

8 MICHAEL LYTHCOTT: Well, that's partially
9 true. Councilman Perkins as well as the Speaker did
10 award the project \$10.5 million earlier this year for
11 the theater fit-out and build-out, and we are going
12 to be obviously requesting more capital funding for
13 the theater. So, in part that's a subsidy to make it
14 work. We're also talking to the Mayor about artist
15 housing subsidy. He has got some money set aside in
16 the budget for that. So, we are seeking other kinds
17 of subsidies, The problem for us is that because we
18 have a unique program, if we tap into the traditional
19 subsidies, it's going to eliminate a lot of options
20 that quite frankly the community wants us to—to
21 explore. So, it's like affordable ownership, and
22 also the size of the apartment, the level of
23 affordability. All these things are things that
24 we're not just doing lip service to. They are things
25 that we deeply, deeply care about.

2 SADE LYTHCOTT: Yeah. I think the idea
3 of this whole project is in the same way that our
4 programmatic activity works is we're looking at as
5 being at the table as a developer of this project, we
6 really want to look at the whole complex in one
7 holistic way that it's an ecosystem that is
8 representative of the mission and the vision and the
9 values of the National Black Theatre, and so with
10 that, the issues around housing. To your question
11 around the community give back. It is the National
12 Black Theatre. Now NBT is a space that we always
13 have pay what you can tickets. We are deeply
14 entrenched in the local colleges in our area, the
15 high schools in our area, our program that really
16 donates space to non-profits and subsidy-deep
17 subsidies to those-to those institutions like Take
18 Wings and Soar or Harlem Shakespeare. Whatever the
19 theater, Team CTC Theater, Epic Theater, we really
20 are an ecosystem to allow people to have the
21 opportunity that we did that doesn't exist in Harlem
22 any more because we're being outpriced. So, we're
23 looking at kind of the gentrification and really the
24 genocide from the specific lens and purview of the
25 artists, which is a conversation that I think happens

2 too little in our community, which we have been made
3 world famous for.

4 CHAIRPERSON RICHARDS: Thank you, and I'm
5 going to go to Council Member Perkins.

6 COUNCIL MEMBER PERKINS: Thank you very
7 much, and congratulations on the growth of this
8 journey that you've been on [laughter] and-- the
9 wonderful success that you've had, and that the
10 community has enjoyed for so long. I have a
11 statement I want to read. Dear Councilman Richards,
12 I'm pleased to support the National Black Theatre's
13 application to redevelop the theatre, and create a
14 new mixed-use building. The project, which is located
15 in my Council District at 2033 5th Avenue and 125th
16 Street in the heart of Harlem, New York will not only
17 help to preserve the unique cultural and artistic
18 history of the community, but also bring much needed
19 economic resources to the area for both residents and
20 small businesses. I personally knew and admired the
21 late Dr. Barbara Ann Teer who created the National
22 Black Theatre a/k/a NBT, almost 50 years ago. Her
23 pioneer vision was for the theater to be an anchor in
24 the community with a substantial long-term future in
25 order to preserve the cultural integrity of Harlem.

1 The community is excited about the possibility of
2 continuing her legacy with this redevelopment
3 proposal by her children Michael and Sade Lythcott
4 who currently oversee the organization. The New York
5 City Council's approval of NBT's application will
6 allow them to provide Harlem with a state-of-the-art
7 theater experience for artists of color, to continue
8 having a safe space to write, produce, act, direct,
9 design and entertain so they can help educate and
10 enrich audiences on vital and important social issues
11 happening in this day and age. The proposal for the
12 redevelopment of the theater will be housed in a
13 newly constructed mixed-use building with vibrant
14 retail, commercial and residential uses in
15 approximately 200,000 square feet. The project will
16 provide more than 200 newly constructed units that
17 will also have an affordable component to help fill a
18 critical gap for the diverse and growing population
19 in this area. Ultimately, NBT wants artists to have
20 the opportunity to live, work, and perform in their
21 own community. I wholeheartedly support the
22 redevelopment proposal to help continue the dream of
23 the great Dr. Barbara Ann Teer. Thank you, Mr.
24 Chair.
25

2 CHAIRPERSON RICHARDS: Thank you, Council
3 Member Perkins. We're going to go to Council Member
4 Reynoso.

5 COUNCIL MEMBER REYNOSO: Good morning.

6 SADE LYTHCOTT: Good morning.

7 MICHAEL LYTHCOTT: Good morning.

8 COUNCIL MEMBER REYNOSO: This is—it looks
9 amazing. I'm very—I'm looking forward to being able
10 to go in the future.

11 SADE LYTHCOTT: You can go now, too.

12 [laughter]

13 COUNCIL MEMBER REYNOSO: As a Council
14 Member, well, let me tell you the prices you have on
15 the tickets is just I can get what I want.

16 [laughter] I can do it. You should—you should think
17 about changing that for the new building, but I do
18 want to ask some question about—

19 MICHAEL LYTHCOTT: But you're going to
20 want to give a lot, don't you. [laughter] You
21 wouldn't—I—it's a box that you put it in, right?
22 There's no receipt, and I wanted to ask a couple of
23 things that are important to me.

24 SADE LYTHCOTT: Yeah.

25

2 COUNCIL MEMBER REYNOSO: How—what is your
3 ownership stake on the property as opposed to L&M's
4 ownership stake?

5 MICHAEL LYTHCOTT: Great. So we are 50/50
6 partners right now, 50/50% and after the development
7 we'll be 60/40 partners. That's including all the
8 equity that they're going to put in. So, and, you
9 know, with my passing and Council Member Perkins
10 spoke so eloquently at her funeral, you know, she was
11 always for ownership, and part of the reason why
12 we've been able to navigate this this way is because
13 we can go to the table as an owner. So, when we
14 interviewed developers, we were in the driver's seat
15 as to what was going to happen, and that's never
16 happened before. DCLA has never had a project where
17 the project wasn't just shoved in the bottom by some
18 developer who was trying to just make as much as
19 possible. L&M was very brave to take this project
20 on. This was a process that no one has ever done
21 before in ten years. They weren't sure that we
22 actually could—this would happen. We're in a—in a
23 Community Board that's being totally gentrified, and
24 rezoned, and there's a lot of contentious anger
25 around that, but, you know, we have a lot of

2 guidance. You know, let's not—you know, obviously
3 this wouldn't have worked if it was just me and her,
4 because we don't really know what to do. [laughs]
5 So, you know, we've really picked great partners
6 along the way, and had—had a lot of good support from
7 great people. So, that's really the best answer I
8 can—I can give you on that right now.

9 COUNCIL MEMBER REYNOSO: So, so explain
10 that. Just 50/50 now and 60/40--

11 MICHAEL LYTHCOTT: [interposing] 60/40 at
12 the end.

13 COUNCIL MEMBER REYNOSO: Okay, and that's
14 for development costs?

15 MICHAEL LYTHCOTT: Yeah, so they have to
16 put in a bunch of equity to make it work--

17 COUNCIL MEMBER REYNOSO: [interposing]
18 Yes.

19 MICHAEL LYTHCOTT: --and borrow a bunch of
20 money--

21 COUNCIL MEMBER REYNOSO: [interposing]
22 Yes.

23 MICHAEL LYTHCOTT: --and--and so at the end
24 of all of that, you know, we're contributing our--our
25 land as part of the partnership.

2 COUNCIL MEMBER REYNOSO: Yes.

3 MICHAEL LYTHCOTT: So, it will be a 60/40
4 partnership when it's all done.

5 COUNCIL MEMBER REYNOSO: And you're 60,
6 they're 40?

7 MICHAEL LYTHCOTT: Well, it's actually 60
8 for them and 40 for us. [laughter]

9 COUNCIL MEMBER REYNOSO: I'm not—I'm not
10 a fan of that number at all.

11 SADE LYTHCOTT: But what I will say to
12 you is that our theater, the space that NBT occupies
13 will be 100% owned by the National Company.

14 MICHAEL LYTHCOTT: [interposing] 100%
15 owned by the national company.

16 COUNCIL MEMBER REYNOSO: It will be like
17 counting out to the both of you.

18 MICHAEL LYTHCOTT: [interposing] So, it's
19 not—so the caveat. So, the rest, the hope—so if you
20 add that, it's really probably more.

21 COUNCIL MEMBER REYNOSO: [interposing]
22 But the theater is yours. Then you own the first two
23 floors.

24 SADE LYTHCOTT: 100%.

25 MICHAEL LYTHCOTT: 100%.

2 COUNCIL MEMBER REYNOSO: Okay, the
3 theater is going to be yours. They can't take that
4 away.

5 MICHAEL LYTHCOTT: And the rest of the
6 building is 60/40.

7 COUNCIL MEMBER REYNOSO: Then rest of
8 60/40.

9 SADE LYTHCOTT: And the real purpose of
10 this project is we've been here for half a century,
11 and we want to be here for a half a century more, and
12 it really just bakes in the longevity of us ensuring
13 that no matter what happens in Harlem, National Black
14 Theatre will have a home.

15 COUNCIL MEMBER REYNOSO: Okay, so, so I'm
16 glad to hear that, and I want you to have a home, and
17 I want it to be as beautiful and as imaginative as
18 you could possibly make it. Just ownership is
19 important in this--

20 MICHAEL LYTHCOTT: [interposing] Yes.

21 COUNCIL MEMBER REYNOSO: --in this city.

22 CHAIRPERSON LANDER: 100%.

23 COUNCIL MEMBER REYNOSO: It's the only
24 thing that matters. People don't care about anything

2 else. If you don't own it, you'll be gone before you
3 know it even if it's like 51/49.

4 MICHAEL LYTHCOTT: And the other thing
5 I'll say, too, is that it will be owned free and
6 clear with no mortgage, no debt, nothing and, you
7 know, Councilman Perkins knows that that was what my
8 fought with mortgages and just all kinds of things
9 that happened over the 50 years that we've been
10 there, and the 30 years that we've owned the
11 property. So, bringing in a partner yes. They're
12 elements of, you know, a commercial development that
13 we're not to be, if they ever own any more, but our
14 space will own 100% and we'll be a major partner in
15 the rest of the—the rest of the building and, you
16 know, that goes to who goes in there, what uses there
17 are, how the whole thing feels, the design,
18 everything. So, I think, you know, relative to other
19 people just wanted to put us out or put us in the
20 basement or whatever else, we—we—we did, you know, I
21 think we have a great opportunity.

22 COUNCIL MEMBER REYNOSO: So, the next
23 thing is you've—you have \$10.5 million that have been
24 given to you from the City Council. Council Member
25 Perkins and the Speaker's Office. Why is L&M not

2 committing to offering the entire space absent of
3 city dollars?

4 MICHAEL LYTHCOTT: Well, originally, the
5 program was for the developer to outfit the entire
6 space, but-but MIH. So, we wanted it--so originally
7 the project has been in pre-development,
8 precertification at City Planning for almost five
9 years with Howard. Originally, it was our artist
10 housing program that we wanted to run for local
11 artists and arts administrators that live in Harlem.
12 Most of the conversation about artist housing now is
13 about live/work space for visual artists. So,
14 they're having huge loss and all this stuff. We just
15 need big apartments for families [laughs] that people
16 can afford to live in, and also serve the community
17 in an artistic way be they a performer or someone who
18 works in arts administration. And originally, the
19 program was supposed to be fully funded as an envelop
20 that way. While we love the fact that the
21 conversation of affordable housing is there, is
22 Mandatory Inclusionary Housing, and there isn't
23 really a set-aside allowed for artists, and so we
24 spent about two years trying to get exempted from the
25 Mandatory Inclusionary Housing because we're in

1 special district. Howard fought very hard. City
2 Planning said, look, we love the project, but it's
3 Mandatory Inclusionary Housing. So, you have to
4 follow the MIH program that we prescribe, which does
5 not allow you to protect artists or art
6 administrators as part of your conversation, and so
7 when that happened, you had, you know, almost 20, 25,
8 30% of the building that would have gone to the
9 theater directly taken away. The full amount we
10 needed was—was \$20 million. So, it's about \$1,500 a
11 square feet to build a theater. The city didn't give
12 us all the money that we asked for. L&M is, you
13 know, contributing roughly half of that about \$15
14 million to make the project work, but that's where
15 the numbers penciled out, and the thing we went to
16 three or four developers. So, it wasn't like I just
17 got numbers from one person and just listened to one
18 guy's story. I got the same numbers from 15 people.
19 It is—it is what it is, and that's why the—the
20 Council member was able to help us at least bridge
21 some of the gap. Now, we are going to come back as—
22 as usual to try to keep—continue to ask for more—more
23 support because over time, the idea is to have a
24 place that is going to be a hub, an activation point
25

2 for arts-arts administrators to be able to live in
3 our community.

4 COUNCIL MEMBER REYNOSO: So, so, I'm just
5 want to-

6 SADE LYTHCOTT: [interposing] And I also
7 would say that L&M has-is-is taking care of our full
8 core and shift. (sic) So, they are giving that to
9 us as a part of this as well.

10 COUNCIL MEMBER REYNOSO: Yeah, so it-and-
11 and I get you. Now, look, I'm going to-this project,
12 I'm going to support this project 100%. These are
13 great questions on that, but I want you to know that
14 I'm very concerned about it because a lot of people
15 make a lot of money off of these deals--

16 MICHAEL LYTHCOTT: Uh-hm.

17 COUNCIL MEMBER REYNOSO: --and I don't
18 want you to lose a dollar that you can get, and my-my
19 concerns here are one, the 60/40 is a concern, but if
20 you're countering out your property and it's separate
21 and aside, I could see the value in that for sure.
22 The thing is I don't see why the city should be
23 giving any money considering that the developer
24 should have paid for everything in regards to
25 development especially developing out your space, and

2 outfitting it, and on top of MIH can still
3 independently do a memorandum of understanding or a
4 contract—a contract or a regulatory agreement with
5 the theater that 10% of the—what's left over of the
6 70% or 75% of the market rate properties they can
7 give you an amount of that independent of MIH that
8 could be for artists, exclusively for artists. You
9 could build a small board or--

10 MICHAEL LYTHCOTT: [interposing] Yeah.

11 COUNCIL MEMBER REYNOSO: --or a task
12 force that can choose who those artists are.

13 MICHAEL LYTHCOTT: Yeah.

14 COUNCIL MEMBER REYNOSO: We can still do
15 that independent of city dollars, independent of
16 anything. So, I want you to, you know, I know you
17 said, I hope you looked at the numbers. You have the
18 numbers then no one cheating you, and I know that
19 there was, you know, the bidding process, but
20 they're—they're going to make money in this property.
21 Don't—don't—don't, you know, don't think in any way,
22 shape or form that these guys are going to come out
23 barely making a buck because they're helping you out
24 so much. [laughter] I just want you to put it in
25

2 perspective that there's opportunities here for you
3 get where you want with the artist basis

4 MICHAEL LYTHCOTT: Uh-hm.

5 COUNCIL MEMBER REYNOSO: I'm—I don't know
6 if it would have ever passed through here with MIH--

7 MICHAEL LYTHCOTT: [interposing] Right.

8 COUNCIL MEMBER REYNOSO: --because that's
9 a bare minimum. That's a floor--

10 MICHAEL LYTHCOTT: [interposing] Right.

11 COUNCIL MEMBER REYNOSO: --and a lot of
12 people see that as a ceiling. That's a floor.

13 MICHAEL LYTHCOTT: No, I understand.

14 COUNCIL MEMBER REYNOSO: And—and it's
15 Harlem, right, and Harlem isn't looking the same.
16 Seventy-five percent of these people are mostly going
17 to be probably affluent white residents, right. So,
18 just want to put it all in perspective and I want to
19 ask they hard questions because I want the developers
20 to be on notice that we're paying attention to
21 everything they're doing. We're going to make sure
22 we have your back--

23 MICHAEL LYTHCOTT: Thank you.

24 COUNCIL MEMBER REYNOSO: --and that we—we
25 take care of you as much as possible.

2 MICHAEL LYTHCOTT: Thank you. I-I got to
3 say, you know, just we were—we've had this block
4 since 1983. We've had every kind of developer come
5 there and try to steal the property. We've been
6 through so many different—I mean I can't—so, I'm,
7 look, we are—if it wasn't for people like Councilman
8 Perkins and people like yourself, you know, people at
9 Harlem right now we're just to the mercy of-of these
10 guys, and because we're going through an entitlement
11 process, they know that they're going to have to be
12 held accountable for this kind of thing. I can't—the
13 deal that I have was not easy to get, and a lot of it
14 was, quite frankly, the threat that at first I had a
15 great—a good person so that they—it wasn't that bad.
16 But my own fear, a lot of my strength came from the
17 fact that I knew I had people like yourselves that
18 are going to basically allow me to let people put
19 them on notice that you can't just come here and
20 steal this property and trick us and get my sister
21 and I to come over and just do a kind of puppet show.
22 That's not what this is about. So, all your ideas
23 are great. I'm going to take them back to the
24 partnership, and we're really going to look and focus

2 on trying to make sure that we get the best deal
3 possible. Thank you.

4 COUNCIL MEMBER REYNOSO: Yeah, definitely
5 thing about that. They could give you the artist
6 housing as separate and aside from the MIH--

7 MICHAEL LYTHCOTT: [interposing] Yes.

8 COUNCIL MEMBER REYNOSO: --and then the--
9 and your own agreement. Just saying--

10 MICHAEL LYTHCOTT: [interposing] Okay.

11 COUNCIL MEMBER REYNOSO: --they can do
12 that, and I heard Council Member Perkins didn't say
13 125th. He said a Hunt 25th. [laughter] So, it's
14 like you--it's like you've been there awhile.

15 COUNCIL MEMBER PERKINS: I'm too
16 permissive. (sic) [laughter]

17 COUNCIL MEMBER REYNOSO: But again, I'm
18 really excited for you and your future, and I'm
19 grateful that this is happening for the National
20 Black Theatre.

21 MICHAEL LYTHCOTT: Thank you, Council
22 Member Reynoso.

23 CHAIRPERSON RICHARDS: Thank you. Thank
24 you, Council Reynoso. Any other questions from my
25

2 colleagues? Okay, no and we're now going to ask the
3 Counsel to—do you want to open up the vote for this.

4 LEGAL COUNSEL: Okay.

5 CHAIRPERSON RICHARDS: Yeah. We're just
6 going to open the vote back up for Council Member
7 Garodnick.

8 LEGAL COUNSEL: Council Member Garodnick.

9 COUNCIL MEMBER GARODNICK: Thank you very
10 much. I vote aye.

11 LEGAL COUNSEL: The vote stands at 5 in
12 the affirmative, 0 in the negative and 0 abstentions.

13 CHAIRPERSON RICHARDS: Thank you, and
14 just as you come back to the committee, just
15 something to think about. So, on the jobs front
16 perhaps partnering with a local organization.
17 Perhaps you could be helpful with that on the local
18 jobs, and also on the affordable units I know there
19 will be a lottery, but you may want to think about
20 working with an organization on the application
21 process for the market rate units as well, and make
22 sure the community gets the greatest benefit, you
23 know, through the units. So, something to think about
24 as well. Thank you. Alright, Soffiyah Elijah, are
25 you here to testify on this item?

2 SOFFIYAH ELIJAH: Yes.

3 CHAIRPERSON RICHARDS: Oh, come on down.

4 Alliance of Justice or Alliance of Families for
5 Justice. [background comment] And are there any
6 other members of the public who wish to testify? I
7 see John—

8 JOHN SKETCHENS: Yes.

9 CHAIRPERSON RICHARDS: Sketchens, did I
10 get it right?

11 JOHN JACKSON: Yes.

12 CHAIRPERSON RICHARDS: Okay and is this
13 Janay?

14 JANE AIELLE: Jane.

15 CHAIRPERSON RICHARDS: Jane Aielle.

16 .

17 CHAIRPERSON RICHARDS: Aielle.

18 Yes.

19 CHAIRPERSON RICHARDS: Alrighty, I'm
20 going to mess it up. Okay, let's just get this
21 going. [gavel] Alright, Ms. Jane and okay. I'll
22 just everyone to state their name for the record, and
23 then you may begin.

24 SOFFIYAH ELIJAH: Hi, good morning. My
25 name is Soffiyah Elijah. Thank you for the

2 opportunity to speak in favor of the application of
3 the National Black Theatre. I'm the Executive
4 Director of the Alliance of Families for Justice,
5 which is a non-profit organization. It's a statewide
6 organization based in Harlem right around the corner
7 from the National Black Theatre, and our mission is
8 to support, empower and mobilize families of people
9 who are incarcerated, and people who have a criminal
10 record. We specifically chose to be located in
11 Harlem. We're just a year old, but we chose Harlem
12 because Harlem is the reentry corridor for the entire
13 State of New York. More people come back from prison
14 to the Harlem community than any other community in
15 the state. The National Black Theatre was our first
16 community partner, and we hold almost all of our
17 community organizing meetings, which we have on a
18 monthly basis at the National Black Theatre. It has
19 been extremely supportive of the work that we do, and
20 they understand our mission, and the very important
21 service that we provide to the Harlem community, and
22 they've done everything that they possibly could do
23 to support our work and the people that we service.
24 In fact, this Thursday, we're having our annual
25 family dinner, which they readily decided to host. I

2 have been a beneficiary of the National Black Theatre
3 since I was a teenager, and nothing made me happier
4 than when I reached my adult life, having going
5 through being a law professor and a criminal defense
6 lawyer, but when I transitioned into the not-for-
7 profit world, the very first community partner that
8 we sought was the National Black Theatre. I am very
9 hopeful that this project will be approved and I look
10 forward to seeing it come into fruition. I've been
11 talking with Sade for a number of years about it, and
12 we're concerned about all of the red tape. Since I
13 work in another world, it was just like great for me,
14 but it seems that we're moving to a point where I
15 look forward to telling our members that the Alliance
16 of Families for Justice that this institution, the
17 National Black Theatre is going to be able to do even
18 more for the community of Harlem, and the people of
19 this--of this only the state but the entire nation
20 because they provide such an important cultural
21 experience, and they understand the connection
22 between culture, activism and social justice. So,
23 thank you very much and I look forward to the success
24 of this project.

25 CHAIRPERSON RICHARDS: Thank you. John.

2 JOHN SKETCHENS: Good morning. My name
3 is John Sketchens (sic) and it's an honor and a
4 privilege and pleasure for me to be here and speak on
5 behalf of the National Black Theatre. I came to the
6 National Black Theatre 30 years as 17-year-old kid
7 off of the streets of Harlem, and prior to me getting
8 there, [coughs] me—my brother and I we were like in
9 foster care, two group homes, and (coughs) I walked
10 into the National Black Theatre and ran into Dr.
11 Barbara Teer and my life changed, and I've been there
12 ever since, and so I started there in 1987 doing
13 lights, doing acting, doing sound, and then I—I
14 really focused on stage management. And I was able
15 to leave there and go onto stage manage across the
16 world, around the world, off Broadway, on Broadway,
17 and I'm a Professional Equity Stage Manager, and now
18 I'm into focusing on directing and so, I have to go
19 back home to the National Black Theatre because
20 that's where I've gotten all my skills from, and
21 learned everything that I needed to learn to be a
22 professional the world. But one of the—one of the
23 most important things about having the National Black
24 Theatre in Harlem, Dr. Barbara Ann Teer's National
25 Black Theatre it was the place that me as a young

2 black man discovered that I could be loving, I could
3 be valuable, that I can say love, and it really comes
4 from a place of being transformative, and—and I say
5 this often, and I—and I will continue to say it, the
6 National Black Theatre saved my life, and so I'm
7 grateful for that institution, and I'm grateful for
8 Sade and Michael and for Jonathan and the staff of
9 NBT. Thank you.

10 CHAIRPERSON RICHARDS: Thank you for your
11 testimony.

12 JANE AIELLE: [off mic] Hi. [on mic] Oh,
13 hi. I'm Jane Aielle (sp?) I'm an actress, playwright,
14 producer. As an artist here in New York. So, I've
15 been New York for 13 years. I've been in Harlem for
16 10 years. You bounce around a lot as far as homes
17 go, as far as places where you can sit and write,
18 places where you can sit and work, places where you
19 can act. I produced my own version of a play in Hells
20 Kitchen that John come and seen it, and basically it
21 was like do you have a home? And I was like no, I'm
22 wherever I can use or find as a base, which as you
23 know how New York is and he just was like well we
24 have a producing fellowship here, and you obviously
25 produce things. Come—come hang out with us, and it

2 was just a place to—and that was about two years ago,
3 and that was just a place to—to fit and produce and—
4 and watch you produce theater on a larger level and
5 on a more rotating scale while I learned so much as
6 an artist, and as a playwright, and as you know,
7 there is just not a lot of places for people who look
8 like me to actually just like have a place and sit a
9 lot of times. In the New York theater scene, it's a
10 one and done shot. You do our play here, great. We,
11 you know, got that quota offer a black artist and
12 that's it, and there—he's always calling me and
13 emailing me and find the opportunity even, and—and
14 trying to really make NBT a home. And there's just
15 nothing like being an artist and actually having
16 somewhere consistent to go, and not just that, but
17 also having, you know, your face look back at you
18 into the audience. A lot of times you're sort of a
19 hired gun into the New York theater scene or the
20 original theater scene, and there's not a lot of
21 places where you can actually, you know, you're doing
22 work as a black artist and you're actually getting to
23 do this for a black audience, and actually getting to
24 have your people receive you and get to have them
25 receive world class theater in a place where, you

2 know, you don't always feel welcome as an audience.

3 And NBT is really just a mainstay for that especially

4 with the very, very changing New York City and very

5 changing Harlem. They are really just a haven and I

6 just, you know, I mean I, it's a good thing that we

7 only three minutes. I can just go on forever.

8 [laughs]

9 CHAIRPERSON RICHARDS: Alright, give me—I
10 want to hear three lines from one of your plays.

11 JANE AIELLE: [laughter] I have a new
12 one. Keep it clean. Okay, [laughter] where are you.
13 I'm a first generation Nigerian. So, everything is
14 usually in African.

15 CHAIRPERSON RICHARDS: I actually saw a
16 Nigerian play at—when I went actually.

17 JANE AIELLE: Vonesa play probably.

18 CHAIRPERSON RICHARDS: I believe that was
19 it, yeah.

20 JANE AIELLE: Yeah. So, everything.
21 You're—you're home—you are welcome, you know?

22 CHAIRPERSON RICHARDS: Uh-hm.

23 JANE AIELLE: And that just very much I
24 think encapsulates NBT for—for artists and really
25 for—for any artist, but black artists especially.

2 CHAIRPERSON RICHARDS: Okay. Thank you
3 so much for your testimony, Jane.

4 MICHELLE WILSON: Can I do this. Hello.
5 My name is Michelle Wilson. I'm happy to be here.
6 I'm a Tony nominated actress, but I wasn't over years
7 ago [laughter] when I tumbled through the doors of
8 National Black Theatre coming from the University of
9 Michigan. Our professor had a relationship with
10 them. They opened the doors so we could do a
11 terrible, terrible play [laughter] in this space, and
12 they humored us and loved us because what they
13 understand is that home needs to be a place where you
14 can incubate as an artist. And since I've been here,
15 it's been a place where we can incubate, where we can
16 be safe. When things go down, you know, the response
17 is immediate. The play *Hands Up, Don't Shoot*, it was
18 a place for us to come in the community and process
19 as playwrights and actors and artists and community,
20 the pain we were feeling nationally. So, before
21 Harlem was sexy, National Black Theatre [laughter]
22 was there, you know, holding it down, and now that
23 it's sexy, we want a piece. We want to stay. We
24 want our home. So thank you.

2 CHAIRPERSON RICHARDS: Thank you so much
3 for your testimony. Thank you all.

4 THERESA IRENE: You know, I'm here.

5 MICHELLE WILSON: There's one more.

6 CHAIRPERSON RICHARDS: Oh, oh, one more.
7 [laughter] Oh, okay. Well, that chair was so far
8 away. [laughter] Alright.

9 MICHELLE WILSON: One might be just
10 memorizing that.

11 CHAIRPERSON RICHARDS: And--and is John
12 Ruiz. Is he--? Alright come on John. [laughter]
13 Pull a chair up. [background comment] I don't know.
14 [laughter] Figure it out.

15 MICHELLE WILSON: I'll give you my chair.

16 CHAIRPERSON RICHARDS: Alright, there you
17 go.

18 JOHN RUIZ: And let's switch out.

19 CHAIRPERSON RICHARDS: Alright. So, you
20 got it. Thank you all for your testimony. Alright,
21 you can go.

22 THERESA IRENE: Council Members, thank
23 you for the opportunity to be here today in support
24 of the National Black Theatre. My name is Theresa
25 Irene. I'm a resident of Harlem. I'm also a member

1 of the Upper Manhattan Empowerment Zone Board, and
2 I'm the Executive Director and CEO of Theater
3 Communications Group, which is the national
4 organization for theater representing a network of
5 500 theaters and thousands of theater artists across
6 the U.S. including New York. I see theater all
7 across the U.S. and the world, and I can tell you
8 there is no theater quite like the National Black
9 Theatre anywhere and we are deeply fortunate to have
10 this cultural and community asset in the city of New
11 York and in the neighborhood of Harlem. When Dr.
12 Barbara Ann Teer had the immense vision to establish
13 a theater, it would be an entrepreneurial and
14 spiritual home for artists, and to purchase the land
15 on which that theater would stand. She also gave
16 generations of artists the chance to control their
17 destiny in ways that so many artists and
18 organizations do not. There are very few thriving
19 theater homes by and for African-American artist in
20 our country.. NBT is one of them. To be in this
21 space to attend one of their remarkable productions
22 of new work, and to experience the dialogue among
23 people of so many different backgrounds. If they
24 connect the stories being told on stage with their
25

own lives humanities both miraculous and moving, and if you haven't been there lately, please go. As we've seen Harlem being developed with new high rises and commercial enterprises moving forward every day, it is the culture and the artistry that must be simultaneously developed and nurtured. Too often, the forces of gentrification price the artists out of their homes and work spaces, stripping those communities of the very things that made and gave them meaning in the first place. The redevelopment project that NBT is pursuing will benefit the artists and residents of our community who will continue to have a theater they call their home meeting artists with national reputations as well as those who are emerging, and it will help ensure that Harlem maintains its global status as a generator of cultural wealth, a destination for visitors and much needed and fertile ground for theater and a place of creativity reflection and community building for artists and residents. Finally, in a national and local cultural system that is privileged predominantly white institutions over organizations of color, this project stands to disrupt the inequality that has been pervasive in our society.

2 NBT deserves to participate in the new development of
3 Harlem with our own redevelopment of scale. So, I
4 urge the positive movement forward on this project.

5 CHAIRPERSON RICHARDS: Thank you.

6 (coughs)

7 KAREN KING: Good morning. My name Karen
8 King. I'm a resident of East Harlem of 126th Street
9 about two blocks away from the theater, luckily, and
10 I'm the Director of Ten Grand Central NEMA. We are a
11 community development group along East 125th Street
12 from 5th Avenue headed eastward, and we're so, so
13 lucky to have National Black Theatre as one of the
14 anchors, the first anchor of the eastern portion of
15 East 125th Street. We—we're a community development
16 group. We organize our small businesses, our schools
17 our non-profits to create a stronger East 125th
18 Street, and this ranges everything from street
19 cleaning to sponsoring Community Plaza to community
20 promotion, and the National Black Theatre has been a
21 huge part of that. We've worked together to partner
22 our small businesses with—with ticket discounts at
23 the theater, and then also have worked together to do
24 a candidate forum that brought record numbers of
25 people out to talk about the future of East Harlem

2 and our candidates. So, I've been in Harlem for 15
3 years. That is a very, very short time compared to
4 the length and history of the Theatre and the legacy,
5 but just being there knowing the strong history, it's
6 very important that it continue and be given the
7 chance to expand and bloom and thrive.

8 CHAIRPERSON RICHARDS: Great. And you're
9 not a BID right?

10 KAREN KING: We're not a BID. We're--
11 we're a quasi BID like in what we do, but we're a
12 community group.

13 CHAIRPERSON RICHARDS: Okay. Mr. Ruiz.

14 JOHN RUIZ: [off mic] Thank you so much,
15 Council Member.

16 CHAIRPERSON RICHARDS: Your mic.

17 JOHN RUIZ: --for being here, and I
18 humbly [on mic] accept this Oscar on behalf of the
19 National Black Theatre. [laughter] I'm sorry. It's
20 the wrong paper. [laughing] Since 1968, the
21 National Black Theatre's commitment to uplifting the
22 community on social, cultural and economic platform
23 remains the same today as it is today, and the track
24 record is unparalleled. Each year, the East Harlem
25 Repertory Theater Company through its school time

performances, educate approximately 30,000 New York City public school children, and as Executive Director of the East Harlem Repertory Theater, I know first hand the difficulties of affordable theater spaces. Through National Black Theatre's generosity, we have performed such performances titled: *Mandella* featuring New York City Mayor David Dinkins, and the *Motown Story*. The New York City Council's approval of the national Black Theater's application will allow NBT to provide Harlem with a state-of-the-art theater experience. So, artists of color can continue having a safe space to write, produce, direct, design, and entertain so that they can help educate and enrich audiences on vital and important social issues happening in this day and age. I enthusiastically support the National Black Theatre's application to redevelop their theater and create a new mixed use building. This project, which is located at 2033 5th Avenue at 125th Street is in the heart of Harlem. NBT will not only help to preserve the unique culture and artistic history of the community, but also bring much needed economic resources to the area for both residents and small businesses. The community is excited about the

2 possibilities of continuing the legacy of the late
3 Dr. Barbara Ann Teer, who started the National Black
4 Theatre almost 50 years ago. Her pioneer vision was
5 for the theater to be an anchor in the community with
6 a sustainable long-term future in order to preserve
7 the cultural integrity of Harlem. I wholeheartedly
8 support their redevelopment proposal to help continue
9 the dream of the great Dr. Barbara Ann Teer, and if
10 you look in the dictionary what NBT means, and I'm
11 going to tell you. It means home to a lot of people
12 not just in Harlem, but everywhere throughout New
13 York City. Thank you so much for allowing me to
14 speak.

15 CHAIRPERSON RICHARDS: Thank you, John,
16 and thank you all for your testimony today. We look
17 forward to certainly engaging in this application
18 further, and I just want to add also. I note--
19 [background comment]

20 JOHN RUIZ: Huh?

21 CHAIRPERSON RICHARDS: And he's short
22 today, right?

23 JOHN RUIZ: Well, where else can you be
24 today? You should go introduce shows, you know.

2 CHAIRPERSON RICHARDS: I just wanted to
3 add also I know Ms. Soffiyah testified and I would
4 love to see a strong partnership on the local jobs
5 front as well with your organization especially for
6 those coming home. So, it's something that I wanted
7 to put out there as well. I want to thank you all
8 for your testimony, and this is a--this is a great
9 project, and for Harlem and for the city. We look
10 forward to having more dialogue as we move forward.
11 Thank you all for your testimony on this application.
12 We're nog going to--are there any other members of the
13 public who wish to testify on this item?

14 Alright, seeing none, I will now close
15 the public hearing on Land Use Item No. 805 through
16 807. We are now going to move onto Land Use Nos. 802
17 through 804, the 1776 East Chester Road Application
18 in Council Member Vacca's district. This application
19 would rezone an area from the current M1-1 zoning
20 district to a mix of R5, C4-2A and C4-2 districts.
21 The text amendment would establish the MIH program on
22 the site. A special permit would allow for non-
23 profit hospital staff dwellings to be located more
24 than 1,500 feet from the associated hospital. The
25 applicant is proposing to develop a portion of the

2 rezoning area with 182 units of non-profit hospital
3 staff dwellings above an existing five-story parking
4 garage that have--hospital staff dwelling would serve
5 the nearby Montefiore Hospital. I will now open the
6 public hearing on Land Use Item No. 802 through 804
7 and we have our first panel I believe. [background
8 comment] Adam Rothkrug, Joe Kelleher (sic) Brian
9 Newman, and Mariba.

10 MARIELLA SALAZAR: Mariella.

11 CHAIRPERSON RICHARDS: Mariella. Oh, I
12 messed it up again. Saliza--Salazar.

13 MARIELLA SALAZAR: Salazar.

14 CHAIRPERSON RICHARDS: Salazar. Alrighty.
15 You may begin.

16 ADAM ROTHKRUG: Chair Richards, my name
17 is Adam Rothkrug. I'm here in connection with a
18 series of applications filed to facilitate
19 construction of a seven-story 182-unit, approximately
20 210,000 square feet in area, non-profit hospital
21 staff dwelling for Montefiore Medical Center. The
22 building is going to be located within the Hutchinson
23 Metro Center Development at 1776 East Chester Road to
24 be constructed on top of the recently completed five-
25 story garage building. Hutchinson Metro Center is a

1 thriving commercial community facility develop on a
2 42-acre parcel that was formerly a state operated
3 psychiatric treatment center before being auctioned
4 off and developed in 2001. It now includes almost 2
5 million square feet of commercial floor area and
6 community facility floor area within five different
7 buildings including office buildings, a Marriott
8 Hotel, an L.A. Fitness Club, Mercy College Satellite
9 Campus and a 12-story 280,000 square feet Ambulatory
10 surgery center completed for Montefiore in 2014. In
11 addition, on part of our zoning lot is the—the—the
12 Police Call Center that was completed, recently
13 completed. So, it's an oversized zoning lot
14 comprising over 1,700,000 square feet. The proposed
15 zoning changes include actually three changes: The
16 development site is proposed to be rezoned from M1-1
17 to C4-2. And area south of the development is
18 proposed to be rezoned from M1-1 to C4-2A, and we're
19 doing a small cleanup of the zoning map for a former—
20 for a zoning line that currently does not align with
21 the street system, which will rezone an area from M1-
22 1 to R5. That also is not part of the site. The C4-
23 2 zoning along with a special permit will permit the
24 construction of the staff dwelling, but we need an
25

1 amendment, a text amendment to the special permit so
2 that the location of the hospital in relation to the
3 zoning lot will be decreased. Right now, the
4 location of the housing needs to be within 1,500
5 square feet of the furthest point of zoning lot.
6 Because this is such a large zoning lot—if you missed
7 the diagram, it goes all the way up to the M1— Oh,
8 sorry about that. Well, if you have it on your
9 handout, and many are like this, on page 2. This is a
10 super sized. That one you're looking at there. That
11 one actually. Yes, so this zoning lot goes all the
12 way up to the tip of the M1 at the top of the sheet
13 there. So, right now we're at the--the furthest
14 point of our zoning lot is more than 1,500 square
15 feet from the hospital. So the text amendment will
16 provide that as long as the housing is within 1,500
17 square feet of the hospital with Community Board 11
18 in the Bronx that will be eligible for the special
19 permit. Finally, there's a text amendment to add a
20 Mandatory Inclusionary Housing district over the
21 entire area that's being rezoned. The Mandatory
22 Inclusionary Housing does not affect our particular
23 site because our staff housing is not a residential
24 use. It's a community facility use, but it would

1 affect any future changes to the residential
2 development on our site, and it will affect all of
3 the area that's not part of our site that is being-
4 that is being rezoned. Montefiore Medical Center has
5 been in the Bronx since 1897. They have more than
6 1,400 intern doctors—doctors, residents, subspecialty
7 and medical and surgical fellows, and over 17,000
8 employees overall making it one of the key medical
9 institutions and top 50 employers in New York State
10 and the largest employer in Bronx County. But like
11 many other businesses and organizations in this city,
12 they suffer from a severe lack of housing. In this
13 case, to service their residents who moved back to
14 Bronx to serve their residencies between 5 and 7
15 years, but have no place to live or inconvenient
16 locations and what ends up happening is that—and as
17 Ms. Salazar will testify to Montefiore loses doctors
18 or is not able to attract doctors because they're not
19 able to compete on a level playing field by not
20 having housing. The proposed 7-story building will
21 182 dwelling units that will be owned by the Medical
22 Center; 77 studios and 105 1-bedrooms. The building
23 will include a recreation room, a gym and a laundry
24 room. There will be plenty of parking on the site.
25

1 There's actually, it will be located right above a
2 470-space garage, and even though we don't believe
3 that many of these residents will have individual
4 cars, there will be adequate parking for all of the
5 residents in the building. We met with Councilman
6 Vacca. He had some suggestions that he requested
7 that we incorporate into the project, which we're
8 happy to do. He wanted to make sure that the
9 development would include adequate—adequate shrubbery
10 and trees. The Hutch Center prides itself on
11 providing a welcoming environment that they do not
12 spare expense on maintaining and improving their
13 property. So we assured Councilman Vacca that there
14 will be a significant amount of new landscaping and
15 trees throughout this building. Right next to this
16 building the Hutch Metro Center just completed a 9/11
17 Memorial site, the only site in the Bronx that has an
18 actual piece of steel from the Twin Towers that's
19 located on their property and serves as a medication
20 and public area from residents of this building as
21 well as the entire Metro Center. Councilman Vacca
22 requested that we consider installing the first green
23 roof within Community District 11 or I think he might
24 have said within his district and while that was not
25

1 planed, the project architect is here today, and
2 we've made a commitment to Councilman Vacca that we
3 will explore the feasibility, and we think it will be
4 feasible to install the green roof on top of the—on
5 top of this building. Finally, he requested that we
6 consider doing a smoke free building. Again,
7 something we had not considered, something that we
8 very much support. We just alerted Montefiore to
9 this. Personally, I don't know what the legal
10 aspects of that are, but we absolutely promised to
11 explore that, and if that fits in with Montefiore's
12 program here, I'm sure they'd be supported. And
13 finally, he wanted to make sure that we provide
14 adequate bicycle parking. So we made a commitment to
15 go beyond what the statute requires. We have a large
16 garage here that accommodates a lot of bicycle
17 spaces, and again, as the Architect Brian Newman will
18 explain, there's—there's plenty of room and we
19 certainly support along with the hospital a healthy—a
20 healthy lifestyle changes in design. So, and none of
21 those issues were a problem. As I said, we have
22 Mariella Salazar from Montefiore Medical Center and
23 Einstein Medical School; Brian Newman, the project
24
25

2 architect and Joe Kelleher from the Hutch Center
3 Development itself. Thank you.

4 CHAIRPERSON RICHARDS: Thank you. I'm
5 just going to open the vote back up.

6 LEGAL COUNSEL: Council Member Williams.

7 COUNCIL MEMBER WILLIAMS: Aye on all.

8 LEGAL COUNSEL: Council Member Torres.

9 COUNCIL MEMBER TORRES: Aye on all.

10 LEGAL COUNSEL: The vote stands at 7 in
11 the affirmative, 0 in the negative and 0 abstentions.

12 CHAIRPERSON RICHARDS: Alright, thank
13 you. We'll continue. A few questions. So go
14 through—so one, how—so there's 182 units.

15 ADAM ROTHKRUG: Correct.

16 CHAIRPERSON RICHARDS: How do you select
17 who gains access to these units?

18 ADAM ROTHKRUG: Well, those will only be—
19 that is Montefiore Medical so maybe Mariella can
20 address it.

21 CHAIRPERSON RICHARDS: And I just want to
22 know a little bit more about the process of how it
23 happened.

24 MARIELLA SALAZAR: Oh, okay. Perfect.
25 So, those apartments will be available for residents,

2 So, it will be that—I believe that this year we maybe
3 had about 182 rented and instead of enrolled. So,
4 based on those applications and, of course, based on
5 the availability of the apartments because currently
6 we have about 100 apartments, but we've received
7 about 350 applications for those apartments. So,
8 it's based on the availability and, of course, those
9 residents that apply for housing.

10 CHAIRPERSON RICHARDS: And what [pause]
11 are units if that's a case, so--?

12 MARIELLA SALAZAR: I'm not sure. You
13 know, that's currently what we have.

14 CHAIRPERSON RICHARDS: Okay, got it.

15 MARIELLA SALAZAR: And that's why we hope
16 that we can little apartments--

17 CHAIRPERSON RICHARDS: [interposing] No
18 because I think you're going to gain a much more
19 attractive-

20 MARIELLA SALAZAR: [interposing] Exactly.
21 We want to remain competitive.

22 CHAIRPERSON RICHARDS: Yes.

23 MARIELLA SALAZAR: We are one of the
24 largest medical training centers in the nation, and
25 so what we've noticed is that housing is a major

2 factor when a resident is applying for a residency
3 program, which is why we think that building these
4 apartments at the Hutch Center not only is it walking
5 distance from one of our hospitals at Weiler Campus
6 and other Montefiore buildings, but it is also in a
7 location that has other amenities like Adam mentioned
8 the restaurants and gyms that we think will be ideal
9 for those applicants, which we think will make it a
10 nice choice when you're selecting a residency
11 program.

12 CHAIRPERSON RICHARDS: And no family
13 units, right? So, this is just strictly for--

14 MARIELLA SALAZAR: It is just for them,
15 too.

16 ADAM ROTHKRUG: There are studios and 1-
17 bedrooms.

18 CHAIRPERSON RICHARDS: One bedroom, but
19 if you add a family would you be able to, or not
20 necessarily?

21 ADAM ROTHKRUG: Yeah, so.

22 CHAIRPERSON RICHARDS: [interposing] Or
23 we don't know that?

24 ADAM ROTHKRUG: Yeah, so these plans have
25 been—I mean this project is—well, I don't feel so bad

2 now since National Black Theatre that came before has
3 been working five years. So, we've only been four.

4 CHAIRPERSON RICHARDS: We're working on
5 that.

6 ADAM ROTHKRUG: We've—we've only been
7 four years in the making, but I think that when the
8 time comes to hopefully actually start construction
9 that that Montefiore will review their needs, and
10 obviously would have the ability to throw in some
11 larger units if they felt their resident population
12 demanded it.

13 CHAIRPERSON RICHARDS: And then you're—
14 you're going with MIH option. Which option are you?

15 ADAM ROTHKRUG: So, our--

16 CHAIRPERSON RICHARDS: [interposing] And
17 I noticed those.

18 ADAM ROTHKRUG: -yeah, so our building
19 is—our building is not an MIH building because it's a
20 community facility. So, for the rest of the site
21 because there is no program involved at the current
22 time, we just designated it MIH 1 or 2.

23 CHAIRPERSON RICHARDS: Right, but that's
24 to protect. That's protection in case--

25 ADAM ROTHKRUG: [interposing] Absolutely.

2 CHAIRPERSON RICHARDS: --chain remission
3 of-

4 ADAM ROTHKRUG: Well, so that changes,
5 yes, that-if-if-if-if Montefiore were ever to give up
6 the staff housing, and it went back, then it would
7 have to comply with Option 1 or 2.

8 CHAIRPERSON RICHARDS: And then can you
9 go through open space and just transit. Tell me
10 about transit a little bit in this area.

11 ADAM ROTHKRUG: Maybe I'll turn that over
12 to Mr. Kellerher who's on site and the most familiar
13 with the-the area.

14 JOE KELLEHER: Yes. Thank you. So, in
15 terms of transportation, we have a shuttle service.
16 Hutchinson Richardson has it's own shuttle service
17 that goes every 20 minutes from our complex to the
18 Westchester Square Station. In addition to that the
19 B24 MTA bus services the site as well, comes into the
20 site, within a half a block walking distance from
21 this, any facility the B31 and B21 service as well.
22 In addition to that, 2023 the MTA is installing a new
23 MTA train station, which will be on the Amtrak tracks
24 and it would be on the Morris Park Avenue location,
25 which is again walking distance from the Marriott

2 Hotel and this particular facility. So, we have a
3 pretty robust public transportation system in and
4 around the borough.

5 CHAIRPERSON RICHARDS: And lastly on MWBE
6 and local job hiring, how are you attacking this?

7 JOE KELLEHER: As--first off, as the
8 Chairman of the Bronx Chamber of Commerce, which is
9 another hat I wear and the Co-Chair of the
10 Westchester Square BID, and with the Hutchinson Metro
11 Center as a whole--

12 CHAIRPERSON RICHARDS: You wear a lot of
13 hats.

14 JOE KELLEHER: I do wear a lot of hats,
15 but we--we believe in giving back to the community and
16 that's part of it, service in the community being
17 part of this organization. So, our interest is to
18 buy Bronx, build Bronx. We have customarily done
19 MWBE outreach in all of our projects.

20 CHAIRPERSON RICHARDS: Are there any
21 goals associated?

22 JOE KELLEHER: There's no mandatory
23 goals, but we do--depending on the project if there
24 was projects that involved I-caps and things like
25 that we've done in the past, you know, you--you need

2 to do that outreach, but we customarily do that
3 anyway because we believe in buying Bronx, building
4 Bronx, and we've been very successful in doing that.

5 CHAIRPERSON RICHARDS: Alright. So, I'm
6 going to say we would love to see a goal. I like the
7 standard of at least 30% on MWBE, local hiring,
8 figuring out a partnership with the local
9 organization perhaps the Chamber or whomever the
10 local Council member selects on making sure there's a
11 pipeline. I understand yes we build Bronx, hire
12 Bronx, but definitely something in writing with a
13 connection to a local organization that you can work
14 with through the hiring processes is also important
15 to this committee. Very happy to hear about smoke-
16 free housing. It is legal NYCHA is actually going to
17 smoke-free housing, they're going smoke-free. So, I
18 don't see any reason we couldn't do it here. Again,
19 I love the idea of the green roofs so I think that
20 that's--that's great, and if you could just go through
21 any open space for your residents as park--benches,
22 playgrounds as well. I guess you wouldn't--

23 ADAM ROTHKRUG: Sure.

24 CHAIRPERSON RICHARDS: --have
25 playgrounds, but--

2 BRIAN NEWMAN: Brian Newman, Newman
3 Design.

4 CHAIRPERSON RICHARDS: Yeah.

5 BRIAN NEWMAN: So, this parcel or this
6 project is part of the much larger campus. So,
7 directly adjacent to the building that we're talking
8 about, Mr. Rothkrug was just mentioning there's that
9 contemplation space, that 9/11 memorial, which is
10 literally--

11 CHAIRPERSON RICHARDS: Okay.

12 BRIAN NEWMAN: --steps from the entrance
13 of the--of this building, but then within the entire
14 Hutchinson Metro campus, there are numerous outdoor
15 spaces, gardens, courtyards, sculpture areas, outdoor
16 seating areas--

17 CHAIRPERSON RICHARDS: [interposing]

18 Okay.

19 BRIAN NEWMAN: --throughout the entire
20 campus, and this is an extension of that.

21 CHAIRPERSON RICHARDS: Okay, great. Okay,
22 thank you. Thank you all for your testimony. Any
23 questions from my colleagues? Okay, seeing none, I
24 will now close the public hearing on Land Use Nos.
25 802 through 804, and move onto our last items for

2 today. We'll move onto our first public hearing.
3 Oh, I'm sorry, not first, but for our public hearing
4 today on Land Use Items No. 800 and 801, the 1965
5 Lafayette Avenue Rezoning in Council Member Palma's
6 district. In his is application the developer is
7 seeking to rezone an area from the existent R6
8 District to an R8/C2-4 overlay district and apply the
9 Mandatory Inclusionary Housing program to the area.
10 These changes would facilitate the development of 430
11 new units of affordable housing on existing parking
12 lots and basketball courts that are part of an
13 existing 353 unit Mitchell Lama development. I will
14 now open the public hearing on Land Use Items. No.
15 800 and 801.

16 JOSH SEGAL: Good morning.

17 CHAIRPERSON RICHARDS: And we'll just ask
18 everyone to state their name for the record and then
19 you may begin.

20 JOSH SEGAL: Hi. I'm Josh Segal on
21 behalf of the applicant.

22 DAVID KARNOVSKY: David Karnovsky for
23 Land Council to the Project.

24 JOHN KELLY: John Kelly, Nixon Peabody
25 Special Counsel to the project.

2 JOSH SEGAL: Okay. Should I begin?

3 Thank you. So, Councilman Richards, I apologize if
4 you've already kind of heard this already. So, I'll
5 try to keep it brief. So, what we're proposing, and
6 we'll go into a little more detail in a second, is a
7 change from an R6 to an R8, but what we're trying to
8 do really is a real win-win-win for the city. So,
9 if you look at the map up-up there, you see an
10 existing 353-unit existing city Mitchell Lama with
11 large parking lots both to the right and the left.
12 This is in the Soundview District of the Bronx. So,
13 it's the main thoroughfare is White Plains Road as
14 you look to the-to the left running north/south and
15 it's-and it's bifurcated by Lackie (sic) Avenue to
16 the south and Terminal to the north. Big area
17 landmarks are Stevenson Commons, which is to your
18 lower left, and the post office and high school also
19 in that area. What we're looking to do today is
20 extend affordability. What the zoning change will
21 allow is it will pursue the-pursue the Mayor's agenda
22 of more affordable housing. When this built-project
23 was built, it was built with what we call-they call
24 town and park zoning. So, you can see it's a large
25 building with large open space around it. What we're

1 trying to do with this is create a win for the
2 existing tenants by extending the affordability on
3 the existing building for a long-for a long period,
4 and then do a new development, which will bring in
5 approximately 430 units of new affordable housing.
6 So the combination together will allow the city to
7 have 800 either new or affordable-or preserved units.
8 [background comment] Do you have a question? So,
9 this is the actual existing site right now, existing
10 building, parking lot to the right, parking lot to
11 the left. There's actually not a playground there.
12 There's actually a basketball court there. I'll turn
13 it over for a moment to my colleague David Karnovsky,
14 who will describe the land use action we're seeking.

16 DAVID KARNOVSKY: Thank you. Yeah, very
17 briefly with respect to the rezoning, the block is
18 750 feet by 200 feet. It's zoned R6 and has been for
19 many years since the 1960s. Under the rezoning, the
20 western most 200 feet of the block would be rezoned
21 from R6 to R8 with a commercial overlay and the
22 middle portion of approximately 340 feet would also
23 be rezoned from R6 to R8, and the text amendment
24 would designate the area an MIH area. Now, the
25 rezoning to R8 would permit two things to occur.

1 First, it would facilitate the new development, but
2 it would do while also maintaining zoning compliance
3 with respect to the exiting Mitchell Lama building in
4 the middle of the block. The existing building has
5 372,000 approximately square feet of floor area, and
6 the site under R6 height back is only--generates
7 383,000 square feet so you can see that there's no
8 appreciable amount of floor area remaining for
9 additional development, and with the rezoning to the
10 R8, the existing building would remain zoning
11 compliant even as the new development is able to
12 proceed.
13

14 JOSH SEGAL: Okay. So, let's go through
15 the new development overview. I'll turn them--I'll
16 flip to the next page. The new development--and
17 welcome Councilman Palma, Council Member Palma. The
18 new development will consist of two adjoining
19 buildings. The first will be a roughly 280,000
20 square feet with 296 fully affordable units. The
21 second will be a--approximately 109,000 square feet
22 fully affordable senior building under the HPD SARA
23 Program with 133 units with a project based Section 8
24 contract. The Mix and Match program along White--
25 White Plains Road will have approximately 19 to 1,000

1 feet of retail. The idea of the retail is to service
2 the residents' needs, and to enliven the streetscape
3 along White Plains Road, and frankly to create a
4 safer environment for the residents because currently
5 it's kind of a dark spot along-along the road. Each
6 building will have a separate entrance, and separate
7 staff. The Mix and Match Building will enter on
8 Lafayette Street. The senior building will enter on
9 Turnbull Street. The bill-the-excuse me. The
10 overall building will have a common basement, and
11 garage, which will-which will accommodate all the
12 required parking for the new building and if there's
13 any overflow from the existing building as well.
14 The-the senior building and the Mix and Match
15 building will have 7,000 square feet of amenity
16 space, which will be shared and it hasn't been
17 programmed yet, but it will be community rooms, it
18 will be gyms, a fitness center, and stuff for
19 seniors. The only thing that will be shared between
20 the existing building and new building is the
21 basketball court, which will be moved, as you can
22 see, to that corner, the kind of the-the corner of
23 the building. So, that's the-the new-new
24 development. Here is a rendering. The new

2 development is 14 stories. The exist—the existing
3 building is 21 stories.

4 CHAIRPERSON RICHARDS: Is it the existing
5 Mitchell Lama--

6 JOSH SEGAL: Yeah, the existing Mitchell
7 Lama--

8 CHAIRPERSON RICHARDS: --is 21?

9 JOSH SEGAL: 21.

10 CHAIRPERSON RICHARDS: And the—and the
11 new development will be 14.

12 JOSH SEGAL: It is 14 with a series of
13 setbacks.

14 CHAIRPERSON RICHARDS: And the—and the
15 new development will be 14?

16 JOSH SEGAL: It is 14 with a series of
17 setbacks.

18 CHAIRPERSON RICHARDS: Okay.

19 JOSH SEGAL: Correct. There's—so that's a
20 view looking northeast—northeast and the next view
21 is, in fact it was looking essentially south.
22 Looking southeast, and then that's amassing. In
23 terms of project AMI levels, which is a big—a big
24 concern, the senior building as required by the
25 city's program will have roughly 30% of our space,

1 which is former homeless, which is 41% of the units.
2 The balance will be seniors who qualify at 50% AMI or
3 lower, but everyone will have a project base—we're
4 dealing with our project vouchers. So, regardless of
5 how their income flows over time, the—the max they'll
6 pay is 30% of their income. In the Mix and Match
7 building we have what we try to meet the community's
8 request and Council Member Palma's request and the
9 Borough President's request to have a broad range of
10 incomes. So, 10% the units at 30% of AMI, roughly 10%
11 of 40% of AMI, 29% of 57% of AMI, and then 50%, 25%
12 at 80 and 25% at 90, which is roughly where the
13 market is today. So, the combination of 296 units,
14 and Council Member Palma, since we spoke to you last
15 we tried to cover your request as best we can. So,
16 we've actually eliminated two studios and one 1-
17 bedroom and added two 2-bedrooms. I'll give a brief
18 overview of the preservation. So, both buildings
19 both the new building and the—and the preservation
20 building will require an Article 11 Tax Abatement.
21 The new building, new development will be a full
22 Article 11 abatement, and the preserved building with
23 the partially abated taxes, the owner of the—of the
24 building will enter into a 30—30 year or more long-

term regulatory agreement. The way the preservation deals work the tenants will be bifurcated with a series of income bans relative to the AMI. There's currently seven units now, which have a Section 8 App Contract, that 20% of the units. The second band will be below 50% of the AMI. That's 42% of units. Band 2, as you can see, will be 50 to 80% of the AMI, which is 29% of the units. Band 3 will cover tenants with incomes between 80 and 120. That's 5% of the units, and Band 4 is tenants with in excess of 125 of AMI will become premarket, but no tenants will face any rent increases currently. It's only on—only on vacancy, and the rents will be capped to ensure that it does not exceed, in those income bands does not exceed 30% of any tenant's current household income subject to various, you know, AAA (sic) and vacancy increases. Against—they're again capped at 30% of household income. So, what this will allow us to do for the existing residents, this will allow us to take out no city subsidies required in this—in this transaction. This will allow us to take out new financing, and the tenants will request—the tenants multiple times both the tenant leaders and the I present it to the tenant by themselves. They present

2 us with a list of requests, which I—unfortunately I
3 don't have in here for some reason, but we're going
4 to actually meet all the request that those include
5 fixing the façade of the building, which hit needs
6 fixing. New—a new front entrance, kind of a fixed up
7 lobby, some new fencing. The pool area has two
8 locker rooms. They want the locker rooms fixed and
9 it's a couple of the kind of minor hallway
10 improvements that are—also be done, and we're also
11 going to be increasing the amount of security cameras
12 in the area. So it's a win-win in terms of for the
13 existing tenants. They get an upgraded building, and
14 we're going to have 427 new units. So the—the
15 Council Members have all asked about a series of
16 things. So, let's start with the last one perhaps.
17 You asked, Councilman—Council Member Richards, you
18 asked about local hiring. We're working with two
19 groups. One of the gentleman was here from one of
20 the groups, Building Skill New York. We don't build
21 ourselves. So, we're going to hire third party
22 general contractors, but Building Skills New York
23 they specialize in reaching out to local community
24 members who either are in the construction business
25 or are looking to get in the construction business,

2 and getting them jobs on our sites. I've also had
3 discussions with a local group called United Hispanic
4 Construction Workers, Dave Rodriguez. We're
5 actually--so were going to work with both groups to
6 get as much local hiring as we can. At this point, I
7 can't give you a mandate as to how many we'll try to
8 go to contracts with our GC and do some form of
9 minimum mandate. In terms of the lottery, this is
10 actually a big issue in affordable housing. Our
11 management arm, Grenada (sic) Realty Management has a
12 very long history in affordable housing and, in fact,
13 what happens in affordable housing is you have a
14 lottery, as you're well aware, and what happens is
15 you get 4,000 applications for a 100 spots, and--

16 CHAIRPERSON RICHARDS: [interposing]

17 Only, 4,000 nowadays?

18 JOSH SEGAL: There's probably more than
19 that.

20 CHAIRPERSON RICHARDS: 15,000.

21 JOSH SEGAL: 50,000 [laughter] We're
22 not--we're, but the problem is, the problem, the
23 problem is that I got the--I did a building the Bronx
24 about, not too far from here on Sedgwick Avenue. I
25 got 5,000 for 131 spots. Of the 5,000 some don't

2 qualify based on income, but like only 10 qualified
3 because they didn't fill--because they didn't fill the
4 application out correctly. So, we're going to have--
5 we're going to run seminars? We're going to have our
6 people on the ground. We're going to advertise
7 beforehand and we're going to make sure that the
8 tenants, the residents of Community Board 3 in the
9 Bronx, we'll fill as best we can--we'll fill their
10 preference and will not get disqualified because--
11 because, you know, they didn't put a certain form in
12 or filled something out incorrectly or whatever it
13 is. And then we've also committed to the--to the
14 existing tenants to minimize all destruction. I
15 can't guarantee just getting no destruction during
16 construction, but there a series of mitigations you
17 can do. We can do--we're going to use the--the latest
18 equipment with noise abatement. We'll have a--a
19 rodent control program. So, we'll have a series of
20 issues, and then we're going to have a--both a hotline
21 and an email. So, if there are any resident
22 complaints, I'll know immediately what's going on and
23 be able to fix it, you know, I think--within hopefully
24 within the hour, and that's--that's what we've got.

2 CHAIRPERSON RICHARDS: Okay, thank you.

3 Council Member Palma, you had a statement you want to
4 read in, and then I'll take your questions.

5 COUNCIL MEMBER PALMA: I—not a statement.

6 Just basically to say that I'm—I'm in full support of
7 this project that we've had many discussions, and I
8 appreciate the transparency that has been provided,
9 you know, in the hearing how the developer and—and,
10 you know, the company has come to the table in even
11 adhering to what the—the residents requested for
12 themselves, and how they advocated for themselves.

13 You know, people may say this is too good to be true,
14 right? Well, when—when is the shoe going to drop?

15 But, I believe that, you know, it—it was recognized
16 that these units are very much needed particularly in
17 this part of the Bronx. And so, I appreciate the way
18 that the respect has been given to the people that
19 currently live in—in that development, and—and, you
20 know, I—I foresee this—this new construction just
21 enhancing the—the look of—of that neighborhood. We
22 just built a brand new school a block away from there
23 and so this development is going to complement that
24 construction, and I—although I'm exiting December
25 31st, I'm still very much part of that community. I—

2 I that's where I live, and so I look forward to
3 continuing to work with—with the developer there and—
4 and the residents there to make sure that, you know,
5 what—what's needed to bring this to fruition come
6 true, you know, becomes positive. So, I thank you
7 for holding the hearing, and—and really appreciate
8 again how—how you've come to the table in a real way.
9 Not only, you know, for preserving affordable
10 housing, but creating housing for seniors and—and
11 engaging and real talks about wages and opportunities
12 for the people of that community.

13 JOSH SEGAL: Thank you. I appreciate
14 that.

15 CHAIRPERSON RICHARDS: Thank you. A few
16 questions. So, just go through some of the
17 improvements for the existing building you're going
18 to do and what the timeline of these improvements
19 are.

20 JOSH SEGAL: John, give a—

21 JOHN KELLY: [off mic] Why don't you just
22 try to improve on this? I think it's fine--

23 CHAIRPERSON RICHARDS: So, I know that
24 you to, and if you could just press your mic.

25 JOSH SEGAL: You went off there.

2 JOHN KELLY: The time—the time line is
3 expectations. We're working with HPD to get this
4 Article 11 in place. Once we get the Article 11 in
5 place and the financing for the improvements will be
6 put in place and will move forward. So, the
7 expectation it will be sometime, you know, between
8 now and the, you know, end of the year.

9 CHAIRPERSON RICHARDS: So, is there no
10 way to provide at least a minimum year start date?

11 JOHN KELLY: Oh, no, and we'll start
12 that.

13 CHAIRPERSON RICHARDS: Alright. So,
14 before we approve this in this committee, I would
15 love to see, you know, what does that timeline look
16 like. I don't know when—when will the lobby
17 improvements begin, will the start?

18 JOHN KELLY: Maybe you can describe it.

19 CHAIRPERSON RICHARDS: [interposing]
20 Think we would with the other project or--?

21 JOHN KELLY: Again, we're working with
22 HPD to get the Article 11 in place. Once the Article
23 11 is in place then the financing will be put in
24 place for beginning the improvements.

2 CHAIRPERSON RICHARDS: And when do you
3 anticipate that so the--?

4 JOHN KELLY: By the end of this year?

5 CHAIRPERSON RICHARDS: Okay. So, do you
6 anticipate next year improvements--

7 JOHN KELLY: [interposing] Yes.

8 CHAIRPERSON RICHARDS: --will start at
9 this program? Okay.

10 JOHN KELLY: Next year.

11 CHAIRPERSON RICHARDS: Okay, so that's--
12 that's what I'm looking for.

13 JOHN KELLY: Yes.

14 CHAIRPERSON RICHARDS: You know, I don't
15 want to get--pin you down to an exact date--

16 JOHN KELLY: Right.

17 CHAIRPERSON RICHARDS: --but, you know,
18 but--

19 JOHN KELLY: [interposing] Right, right.

20 CHAIRPERSON RICHARDS: --you know, but--
21 but--

22 JOHN KELLY: Right, right.

23 CHAIRPERSON RICHARDS: --2018.

24 JOSH SEGAL: Yeah, 20. Once--once--once we
25 get the Article 11 in place, what the Article 11

2 allows us to do is take our private financing, which,
3 we—we're guessing, we're approximating is \$10 million
4 in improvements.

5 CHAIRPERSON RICHARDS: Okay.

6 JOSH SEGAL: And those improvements will
7 take approximate 12, 18 months. We trying to get a
8 long slate time item is the—is the Local 1011 work.

9 CHAIRPERSON RICHARDS: Okay.

10 JOHN KELLY: The side work.

11 CHAIRPERSON RICHARDS: Okay, got it.

12 Alrighty, so if we can have that in writing that
13 would be great because I'm sure the existing tenants
14 are not now going to see a new development come up
15 alongside them, and they're like well, what about us?
16 And would they have access so they would be able to
17 apply to the lottery?

18 JOSH SEGAL: Absolutely.

19 CHAIRPERSON RICHARDS: Okay, and—and no
20 preference for them or—?

21 JOSH SEGAL: Their—they had the same
22 preference as any other member of the Community Board
23 yes.

24 CHAIRPERSON RICHARDS: Alrighty.

2 JOSH SEGAL: Well, they have to have that
3 preference yes, but the same one acceding to it.

4 CHAIRPERSON RICHARDS: Go through your
5 30% AMI again. So, I know you're doing Our Space,
6 which is for formerly homeless or homeless. Can you
7 speak to--so how much 30 would--percent of AMI would be
8 available to the local community outside of Our
9 Space?

10 JOSH SEGAL: Currently, we're working
11 with HPD on that. So, I do not have a really have a
12 great answer for you at the moment. I'm working with
13 HPD to see what we can do to accommodate that.

14 CHAIRPERSON RICHARDS: And you said 30%
15 is going to be at Our Space?

16 JOSH SEGAL: Yes.

17 CHAIRPERSON RICHARDS: Alrighty.

18 JOSH SEGAL: 30 to 30--

19 CHAIRPERSON RICHARDS: [interposing] and
20 do you know if those are form Bronx residents who
21 were--?

22 JOSH SEGAL: 30% or--30% of the senior
23 building and 10% of the Mix and Match.

24 CHAIRPERSON RICHARDS: But the 30% is on
25 the seller (sic) right? So, those are--?

2 JOSH SEGAL: Correct.

3 CHAIRPERSON RICHARDS: Okay, so those are
4 people who may not be who just have been on the
5 Section 8 list, right for the long time looking for
6 units. So, they may not necessarily come from the
7 Community Board. So, what I'm looking to hear only
8 because I'm doing a SARA project in the Rockaways and
9 I-I don't know how many of those units. So, maybe
10 Josh you could speak to this.

11 JOSH SEGAL: [interposing] I can speak to
12 that.

13 CHAIRPERSON RICHARDS: But what I'm
14 getting at is that there should also be access on the
15 30% AMI to the local communities as well, unless
16 you're telling me that Our Space units, you know, and
17 I know the Mayor's policy is there, and we're going
18 to ship people who were homeless back into their
19 communities. I'm looking to hear a little bit on
20 this-this 30% is for people who might have been
21 displaced from their local community.

22 JOSH SEGAL: So, the Our Space Units in
23 the SARA building again are for formerly homeless
24 seniors, and the way that the process works is that
25 Department of Homeless Services asks residents of the

2 shelter where they want to live. Most often the
3 answer that they get back is the neighborhood that
4 they came from.

5 CHAIRPERSON RICHARDS: But everybody is
6 going to look for a unit. So, is this—so if you're
7 telling me you're asking homeless people do they want
8 housing?

9 JOSH SEGAL: No, no, no. We're asking
10 them where do you want—when we place you, where do
11 you want to live?

12 CHAIRPERSON RICHARDS: Okay.

13 JOSH SEGAL: And many of them say that
14 they want to live in the neighborhood that they came
15 from, and then when their number comes up, we're
16 trying to place people into the community that they
17 requested.

18 CHAIRPERSON RICHARDS: Right, but there's
19 no exact coordination in DHS that says if you were
20 from this Community Board, you're going to be here?

21 JOSH SEGAL: There is—there is a
22 challenge in doing that--

23 CHAIRPERSON RICHARDS: [interposing]
24 Right, right, right.

2 JOSH SEGAL: --with respect to the
3 community preference, as you know.

4 CHAIRPERSON RICHARDS: Right. Okay. Go
5 through how we are going to ensure that there's 30
6 AMI for local residents outside of Our Space.

7 JOSH SEGAL: So, for the Mix and Match
8 buildings do you have the AMIs for the Mix and Match
9 building or--there is. Okay. So for the Mix and Match
10 building, the non-Our Space units are 50, 60, 80 and
11 90 and it's those units that will have a 50%
12 Community Board preference. At this time, there are
13 no--

14 CHAIRPERSON RICHARDS: [interposing] So,
15 of those there's no 30?

16 JOSH SEGAL: At this time there are not
17 any 30% AMI units that are--that would be lottery
18 units.

19 CHAIRPERSON RICHARDS: And you don't
20 anticipate doing any subsidy?

21 JOSH SEGAL: [interposing] Yeah, we've
22 got to be. So, I'd say a couple of things. We've
23 got five different income tiers here, all below 90%
24 of AMI, which--which we're happy about. You know,
25 we're--we're trying to get a mix of incomes and

2 particularly in the Bronx when we can get--there--there
3 are not--not every neighborhood supports this kind of
4 mix of incomes that we're seeing here. You know
5 we're--we're not always trying to maximize 30s on
6 every single project.

7 CHAIRPERSON RICHARDS: So, I'm not
8 saying--

9 JOSH SEGAL: [interposing] Certainly a
10 citywide role--

11 CHAIRPERSON RICHARDS: Yeah.

12 JOSH SEGAL: --but not on every single
13 project.

14 CHAIRPERSON RICHARDS: Alright.

15 JOSH SEGAL: So, because we are getting
16 so many units in the senior building below 50, so
17 many units of Our Space on the entire plot, you know,
18 we're--we are diving pretty deep on the affordability
19 levels even though they're not--

20 CHAIRPERSON RICHARDS: [interposing]
21 What's the local residents? They're not--they're
22 going to walk past these buildings. What's the
23 average AMI in this neighborhood?

24 JOSH SEGAL: I--I don't have it. I just
25 didn't bring it with me.

2 CHAIRPERSON RICHARDS: I probably know
3 the answer to that. It's rhetorical actually. So, I
4 would love to see a little bit more of an effort on
5 reaching deeper tiers in the Mix and Match building,
6 40, 30. So, you know, I look forward to hearing a
7 little bit more about that as we move through the
8 process, and I definitely get the diversity of
9 incomes, but I don't see anything on these new
10 buildings that include the local community out. In
11 Our Space, I'm very happy about that, but what about
12 access for local residents who may live in the
13 surrounding community or in the Bronx who are looking
14 for adequate housing, too? Any comment on that?
15 [pause] Don't be so shy. Come on, Josh.

16 JOSH SEGAL: No, mean I think that—I
17 think that we have a—our—our position would be that
18 we have a very strong mix of incomes already that
19 when we do projects all over the Bronx and all over
20 the city, we are trying to include very low income
21 units as much as we can, and--

22 CHAIRPERSON RICHARDS: Okay.

23 JOSH SEGAL: --we think this is a
24 preferred way to do that.

2 CHAIRPERSON RICHARDS: [interposing]

3 Well, you have your position and I have my position.

4 So, my position is we need to figure out how to meet

5 some lower tiers because the Council the last I

6 checked is going to have to approve this project

7 right? So, just wanted to hear a little bit more

8 about that. Go through your Open Space again on the-

9 so basketball courts. Anything outside of basketball

10 courts?

11 JOSH SEGAL: Well, the-in the open space

12 there's a basketball court, as you can see. The

13 residence they have two, actually two existing pools,

14 an adult pool and a kiddy pool for lack of better

15 terms. So, that will be, that will remain the name

16 for the preserved building for the existing-existing

17 Mitchell Lama building. You know, we'll also do some

18 landscaping improvements and gardening improvements

19 and stuff like that, but that-those haven't-haven't

20 been programmed yet.

21 CHAIRPERSON RICHARDS: So, only a

22 basketball court and no other playground equipment

23 for children or--

24

25

2 JOSH SEGAL: [interposing] There's--
3 there's no room on the site with parking and
4 everything else, and so-but-but-but--

5 CHAIRPERSON RICHARDS: [interposing] You
6 know, where are you requiring space to do--?

7 JOSH SEGAL: Well, the indoor space. So,
8 the indoor space. So we have 7,000 feet of indoor
9 spaces. We'll certainly do a kids' room, a room for
10 the seniors a fitness center, et cetera, et cetera,
11 but no outdoor space.

12 CHAIRPERSON RICHARDS: And there's no
13 room, you're saying right now to do some kiddy--

14 JOSH SEGAL: [interposing] We-we can--

15 CHAIRPERSON RICHARDS: --playground
16 equipment so they--

17 JOSH SEGAL: --we-we can look into it.

18 CHAIRPERSON RICHARDS: Yeah, I would
19 appreciate that because you know, we want kids to get
20 fresh air, right, you know. [laughs]

21 JOSH SEGAL: Now, of course, I-I-we-I
22 understand you do. The-the issue, frankly is--

23 CHAIRPERSON RICHARDS: [interposing] Some
24 swings or something.

2 JOSH SEGAL: [interposing] Well, the
3 issue is--

4 CHAIRPERSON RICHARDS: [interposing]
5 There had to be a way to figure it.

6 JOSH SEGAL: The issue is frankly is
7 parking is the--is the issue.

8 CHAIRPERSON RICHARDS: Alright, go
9 through your parking.

10 JOSH SEGAL: Um, we're maintaining the--
11 the--the-what's--what's--what's there existing.

12 CHAIRPERSON RICHARDS: And what is the
13 utilization rates right now?

14 JOSH SEGAL: It varies--it's varied over
15 the last five years. There's 220 spots. It's gone--
16 it's been as low as 160, as high as about 180, 190.
17 We're providing 220 spots. There's 159 spots. We're
18 restriping the eastern parking lot with 159.

19 CHAIRPERSON RICHARDS: Okay.

20 JOSH SEGAL: There will be 42, if you can
21 see the image in the buildings between two buildings
22 there's 42, and then there's--there's underground. We
23 have 19 spots should they--should the Mitchell--the
24 Mitchell Lama--the Mitchell Lama parents will have
25 first preference in those spots if they need them,

2 but currently they're using about 100--between 180 and
3 190 spots depending on the month.

4 CHAIRPERSON RICHARDS: And go through
5 your improvements on the pool. I'm sorry, Annabel,
6 you want to--you have questions. Alright, we'll go to
7 her in a minute. Go through some of the--the--so, you
8 said you're going to be redoing the pool or locker
9 room?

10 JOSH SEGAL: Yes, there's--there's--there's
11 two locker rooms.

12 CHAIRPERSON RICHARDS: Okay.

13 JOSH SEGAL: Now, in the locker room
14 we're going to redo the male/female locker room.

15 CHAIRPERSON RICHARDS: Okay.

16 JOSH SEGAL: But we're going to put up
17 new fencing alongside the building.

18 CHAIRPERSON RICHARDS: [interposing] And
19 do you have timeline for that? Will that be included
20 in the--after the Article 11 is approved and--

21 JOSH SEGAL: [interposing] Yes.

22 CHAIRPERSON RICHARDS: --financing--?

23 JOSH SEGAL: Yes.

24

25

2 CHAIRPERSON RICHARDS: Okay, got it.

3 Okay, and go through your unit sizes again. So, how
4 many studios as opposed to 2s and 1s and 3s?

5 JOSH SEGAL: I think you have—have it way
6 back in the appendix. So, HPD sets—sets the unit
7 sizes. I don't have any discretion in terms of
8 units.

9 CHAIRPERSON RICHARDS: So, you don't know
10 what the unit count and sizes are?

11 JOSH SEGAL: They are—they're right
12 there.

13 CHAIRPERSON RICHARDS: Okay, I got that.
14 Okay.

15 JOSH SEGAL: So, we have 62, 20% studios,
16 45% 1s, give or take 30% 2s and about 5% 3s, and
17 those are the units. That's in the new building.
18 The existing building will be all studios and 1s for
19 the seniors.

20 CHAIRPERSON RICHARDS: Okay. On the SARA-

21 -

22 JOSH SEGAL: Yes.

23 CHAIRPERSON RICHARDS: --what's the unit
24 size? Do you know?

25

2 JOSH SEGAL: The exact same thing as HPD.
3 So, \$350 or \$400 for studios and \$500 and \$550 for 1-
4 bedrooms.

5 CHAIRPERSON RICHARDS: Okay and are there
6 any shadow impacts, my last question--

7 JOSH SEGAL: Yeah.

8 CHAIRPERSON RICHARDS: --that you
9 anticipate?

10 JOSH SEGAL: No, we did--we did--we did an
11 EAS.

12 CHAIRPERSON RICHARDS: Okay.

13 JOSH SEGAL: The--there was--we have a
14 conditional declaration and there was two very minor
15 impacts, and one of them is trying to be changing a
16 light, a traffic light by one second, and the other
17 was changing a parking lane to a right hand turn
18 lane. So, there's no impacts.

19 CHAIRPERSON RICHARDS: Okay, great. I'm
20 going to go to Council Member Palma for questions
21 that she has. I'll just leave off once again on the
22 question of--I'm glad to see that you're working with
23 local organizations.

24 JOSH SEGAL: Yes.

2 CHAIRPERSON RICHARDS: We'd love to see a
3 goal somewhere on local hiring.

4 JOSH SEGAL: Okay.

5 CHAIRPERSON RICHARDS: As I said to prior
6 applicant, you know, 30% MWBE.

7 JOSH SEGAL: Right.

8 CHAIRPERSON RICHARDS: We like to see
9 goals attached to these projects, revisiting
10 playground space for children, not just inside the
11 building, but outside the building, and then on the
12 affordability piece, it's a question for HPD on-on
13 how we could figure out how to reach some lower tiers
14 in this project as well. Alrighty, I'll go to
15 Council Member Palma.

16 COUNCIL MEMBER PALMA: Thank you, Mr.
17 Chair. In regards to the-the Portable Section A
18 Vouchers, are those vouchers-are-are those vouchers
19 to remain with the unit or is kind of equal?

20 JOSH SEGAL: You-are you talking about
21 the senior building?

22 COUNCIL MEMBER PALMA: Yes.

23 JOSH SEGAL: The senior building has-the
24 building itself has the vouchers. They're called
25

2 Project Based Vouchers. So, the Vouchers stay with
3 the actual building. So, they're not portable.

4 COUNCIL MEMBER PALMA: Okay.

5 JOSH SEGAL: So, when a tenant—the
6 advantage is I think when a tenant moves in let's say
7 Mrs. Johnson moves in to a unit, if she's making
8 whatever, 50% of AMI now, if her income drops, let's
9 say she retires and she's on Social Security, if her
10 income drops, she's paying 30% of her income. So
11 the—so the building itself has a voucher and
12 protects—and—and protects, you know, that senior.

13 KELLY: If I can just add. So under the Federal
14 Project based, the way project based vouchers work is
15 that after one year of living there, you are then
16 able to request a—a move voucher. You can take your
17 voucher with you. The voucher will remain on the
18 building so that any one who lives there for what is
19 a 20-year contract, a 15 or 20-year contract will—
20 will have that subsidy. When you request the move
21 voucher, it gives you a priority for—to—for a tenant
22 based voucher where—where you can go and live where
23 you want, but it doesn't guarantee that that number
24 will be called. So, so—that's the general rule.

2 COUNCIL MEMBER PALMA: [interposing] But
3 the tenant—but the tenant will have the ability to
4 move with that voucher?

5 JOSH SEGAL: That's right.

6 COUNCIL MEMBER PALMA: And—and then the
7 apartment?

8 JOSH SEGAL: If—if—if a voucher becomes
9 available.

10 COUNCIL MEMBER PALMA: Okay, alright, and
11 then I just—just—

12 JOHN KELLY: [interposing] Just—I take
13 that from experience that we've had, there's very,
14 very few seniors who want to move.

15 JOSH SEGAL: That's right.

16 JOHN KELLY: So, that usually is not an
17 issue there.

18 COUNCIL MEMBER PALMA: Okay, and is that
19 also for the regular tenants?

20 JOSH SEGAL: In the—in the new
21 development?

22 COUNCIL MEMBER PALMA: [off mic] Yes.

23 JOSH SEGAL: No, they'll qualify based
24 upon the lottery, and they don't get—they don't get—
25 they don't get vouchers.

2 COUNCIL MEMBER PALMA: And in the
3 existing building?

4 JOSH SEGAL: The existing building will
5 remain with--with--I think it's 20% of the building has
6 vouchers. Something like that.

7 JOHN KELLY: That's a half voucher.

8 JOSH SEGAL: It's a half voucher.

9 JOHN KELLY: So, those--those you can't
10 and that's a half contract. That stays with the
11 building, and if the tenant does--if the tenant moves
12 out, the tenant does not have any additional subsidy.
13 (sic)

14 COUNCIL MEMBER PALMA: The tenants--the-
15 the--the voucher, the subsidy doesn't travel with
16 them. So, he's caught for that, and--and the new
17 tenant coming in will then have access to that
18 subsidy?

19 JOHN KELLY: So, the tenant is replacing
20 the Section 8--

21 JOSH SEGAL: [interposing] Correct.

22 JOHN KELLY: --if the tenant qualifies.
23 Yes.

24

25

2 COUNCIL MEMBER PALMA: Okay, and so we're
3 not going to see a loss in-in that subsidy in-in the
4 existing building?

5 JOSH SEGAL: No.

6 JOHN KELLY: No. No.

7 COUNCIL MEMBER PALMA: Okay, and then
8 just for clarity, I know that the chair raised the-
9 the fact about a playground for kids, and there's
10 actually a couple of playgrounds surrounding that
11 existing development. You have one park two blocks
12 away, another playground four blocks away. I know
13 it's extremely important for the tenant-for the
14 residents of that-that building to keep their
15 parking, and so I mean if you can explore to create a
16 little space for the children as the chair raised,
17 but-but that we know that-how important the tenants
18 have expressed the parking spaces be preserved. And
19 so, I would appreciate I mean if-if you could
20 magically create a playground that's-that's greatly
21 appreciated.

22 JOSH SEGAL: Yes.

23 COUNCIL MEMBER PALMA: But that-that
24 every adult have some existing parks that have been
25 renovated in the last few years. [pause]

2 CHAIRPERSON RICHARDS: Alrighty, great.
3 Thank you. Alrighty. So thank you for your
4 testimony.

5 JOSH SEGAL: Thank you.

6 CHAIRPERSON RICHARDS: We're now going to
7 go onto those who wish to testify. We're going to go
8 to Amelia, and I hear parking loud and clear.

9 JOSH SEGAL: Amelia—

10 CHAIRPERSON RICHARDS: But she—as you
11 said, as she said, magically appear. Figure this
12 out. Magically. We like magic here. Amelia
13 Maldonado from the Tenants Association.

14 JOSH SEGAL: [interposing] We're actually
15 friends—we're actually old friends Amelia and I.

16 CHAIRPERSON RICHARDS: [laughter] And
17 Glenn—Glenn Hillson, Building Skills New York. You
18 may begin, Ms. Amelia.

19 AMELIA MALDONADO: Thank you for allowing
20 me the opportunity to speak.

21 CHAIRPERSON RICHARDS: It's your house.
22 You have the right to.

23 AMELIA MALDONADO: I live—I lived in Park
24 Lane for over 40 years. I raised two marvelous boys
25 in that building. Both work in the hospital there.

1 I've been living there under the Mitchell Lama
2 program. Eleven years ago the landlord decided that
3 he wanted to opt of the Mitchell Lama program like
4 did a lot of landlords. We went to all elected
5 officials including Annabel Palma, Sean Donovan who
6 was the Commissioner of HPD, Julia Walpert,
7 Congressman Crawley, and we hired an attorney, and
8 the decision was that we must remain in the Mitchell
9 Lama Program. Well, 50 years has not gone by. We
10 have a commitment of 50 years. We have five more
11 years, and now they want to change it to Article 11.
12 That is not Mitchell Lama at all. This building is
13 mostly—all really minorities. Most of them are
14 elderly people. People are going to have to start
15 packing their bags. Besides walking sideways now
16 because we're not going to have room to walk in this
17 area, we're going to have to pack our bags and move
18 after all these years because were told, and I have a
19 letter here from Community Board 9 that we must end-
20 extend the Mitchell Lama Affordability Program. That
21 was one of the criteria that Community Board 9 gave
22 for authorizing any changes in the Land Use
23 Agreements. Article 11 and the Mitchell Lama Program
24 is like a cat and a dog. It's just difference. So,
25

2 as the—the tenants are not happy. I could have had a
3 bus load of Park Lane Tenants here today, but opt
4 that only I would come and speak. While the
5 landlords have been nice to us, Josh and always, and
6 Annabel Palma has been receptive. I can't say more,
7 you know, good things about them, but after my age
8 now, I don't think I should have to pack up my stuff
9 and leave. [pause] So, we're going to be walking
10 sideways. No, parking. They were going to take both
11 parking lots from us. They decided to take one after
12 a hassle, but it was an issue. We would have had to
13 put our cars in our heads. It's like there's nowhere
14 to park. My kids come over now, they can't park.
15 Now, they come over and they can't park. Imagine
16 with the two new buildings, and we don't have a
17 problem with affordability and two new buildings.
18 The landlord has, you know, he has to eat. He has
19 to—we—we understand that, but leaving us in the
20 Mitchell Lama program was something that was a
21 priority to the Tenants Association, and to all the
22 tenants in Park Lane. [pause]

23 COUNCIL MEMBER PALMA: I—you know, I—I
24 think we need to—we need to regroup with the Tenant
25 Association, and the residents of—of the building and

1 continue to have the discussion about the Mitchell
2 Lama and the Article 11, and how it does preserve
3 affordability for those tenants and you're not going
4 to see, you know, you're not going to be forced to
5 move out to pack your bags or to leave. I think that
6 people need to better understand how the programs do
7 work, and although they're not called the same, they
8 both do the same function. And so, you will now be
9 entering into 40—another—between 30 and 30 and 40
10 more years of affordability without seeing any
11 changes in what you currently pay in terms of rent
12 and—and what's going with—with—with the current
13 situation in—in the building. And so, I think we
14 definitely need to put that meeting together so
15 tenant—you know, the—give the—the developer and the
16 landlord the opportunity to come and have HPD come
17 and explain the diff—you know, the difference between
18 what Mitchell Lama does and Article 11 does, but how
19 they really do the same function in terms of
20 affordability for those current residents there.

22 AMELIA MALDONADO: That's not what I've
23 seen in other buildings. When I went into Article
24 11, that's not what I've seen. I've seen their
25 rents. People in Stevenson Commons you could see the

2 moving van out there, everyday people moving out
3 because they can't live there no more.

4 CHAIRPERSON RICHARDS: In defense of this
5 because I've had to convert because I actually lived
6 in one Mitchell Lama that was converted, and it's-
7 it's been good so far. One of the-the issues that
8 does arise is I think as the Section 8 Vouchers now
9 come online, right? Am I right? Can you just come
10 up Jordan and you just speak to the process a little
11 bit more, but through the process, you know, you're
12 going to have to fill out paperwork and new paperwork
13 and all of these things. And one of the things that
14 we did witness as we converted was problems with
15 communication. So, I'm glad that HPD is going to be
16 there. I would really suggest as we move through
17 this process that there is perhaps our local partners
18 who is there to really work with residents as these
19 conversions happen because I think communication is-
20 really was the biggest issue, and there were like
21 letters sent out and mistakenly that told tenants
22 their rent-their rents were going to be raised
23 although that was far from the truth because I think
24 the federal government picks up more of the costs
25 along the way. So, I-so I-I think that that's

2 important, and how with the Article 11 are going to
3 do the max?

4 JOSH SEGAL: It's reported 40-40 years.

5 CHAIRPERSON RICHARDS: 40 years okay.

6 So, I will say in defense of the program, and I think
7 we've converted three years ago that we have not seen
8 major displacement, you know, in the particular
9 places that we did have conversions. But once again,
10 just getting back to making sure that communication
11 through this process because what've found was, you
12 know, tenants sort of said what you said today,
13 right. We're going to be displaced. We're going to
14 be packing our bags, and that is a legitimate fear,
15 but the more we make sure that communication is
16 happening in whatever new application that are going
17 to come online, or-or run smoothly. I think we could
18 sort of get through the process smoothly. So, there
19 is-it's-it's-it's-it's a sad thing Mitchell Lama,
20 there's just not the financing of them. They're just
21 not where they used to be back in the days and, you
22 know, we want to make sure that there is some
23 improvements as new things happen in a neighborhood.
24 You know, we want to ensure that the local residents
25 that have been there also can see improvements as

2 well. But I think this is more of a question for HPD
3 and how they're going to work through this process.

4 JOSH SEGAL: Yeah, so, we've—we've
5 already been in conversations about making sure that
6 the—the education of—about what the process will be
7 like, will—will be robust and so that all the—all the
8 questions you have are answered. We'll do—we'll work
9 through the—the Tenant Association to make sure that
10 we schedule time. HPD will be there along with the
11 property owner to talk about all those protections.
12 What else did I want to say? There will be a
13 regulatory agreement that binds the owner to levels
14 of affordability, term of affordability, and then a
15 number of other good asset management standards.
16 Even something rent stabilized. So, you have the—the
17 protection of rent stabilization. In some ways, some
18 people view that as advantageous over Mitchell Lama
19 because an owner of a Mitchell Lama building is able
20 to take budget based rent increases when—when they're
21 needed. They need to apply to HPD for those
22 increase, but unlike—in—in lieu of that process
23 instead you're going to have rent stabilization as
24 your protection from rents going up, and your
25 Succession Rules will remain the same because the

2 Article 11 mimics the Mitchell Lama with respect to
3 succession, which particularly—I mean it's for
4 everyone, but particularly for long-term residents
5 and for seniors. That's a huge issues. So, we'll—
6 we'll talk about all of that with-with the residents.

7 CHAIRPERSON RICHARDS: Right and I would
8 love to see a set schedule on, you know, a commitment
9 on how many of these seminars you're going to hold,
10 and, you know, I think communication is of essence
11 truth. As someone who's lived through this process,
12 I can tell you it does not always go right. We found
13 some problems with the process, but I think we fixed
14 those with HPD and with the developer, and it—and it
15 actually turned out to be good. So, I think that as
16 someone with experience I think so what you're saying
17 that is key through this process.

18 AMELIA MALDONADO: The Mitchell Lama had
19 a commitment of 50 years. It's 45 years. We've got
20 five years left. So, they're changing the game now.
21 Who's to say they're not going to change the game,
22 you know, again.

23 CHAIRPERSON RICHARDS: [interposing] It's
24 not--

2 AMELIA MALDONADO: This a law. This is-
3 it's actually against the law to change it. The
4 Commitment was 50 years. They paid nothing for that
5 land. That's why they got it under the Mitchell Lama
6 programs, and it says here from the attorney 50
7 years. You—you can't just change game around. I'm
8 not going to qualify for any voucher. I won't qualify
9 for a quarter of a voucher, a third of a voucher.
10 I'm not gong to qualify for nothing, and neither is a
11 lot of the people in the Tenants Association, they're
12 not going to qualify for nothing.

13 CHAIRPERSON RICHARDS: Okay. I think
14 we'll continue this conversation--

15 AMELIA MALDONADO: [interposing] Okay.

16 CHAIRPERSON RICHARDS: --once again just
17 getting back to communication and how this works is
18 going to be critical. Building Skills.

19 GLENN HILLSON: Good afternoon. My name
20 is Glenn Hillson, and I am the Business Services
21 Manager of Building Skills New York, and I'm here to
22 speak about local hiring. Building Skills a not-for-
23 profit organization that helps unemployed and under
24 employed New Yorkers find construction jobs
25 throughout New York City. The Buildings Skills Job

2 Bank provides a continuing large pipeline of good
3 paying jobs allowing more New Yorkers to readily
4 access job opportunities, and viable career paths.
5 Building Skills transforms lives and helps residents,
6 revitalize communities by growing a skilled
7 construction workforce that represents the diversity
8 of New York City. By linking a network of locally
9 based workforce agencies, which have access to
10 unemployed and underemployed residents who are ready
11 to work with our extensive group of participating
12 construction employers, Building Skills provides an
13 efficient and convenient process for finding a
14 construction job for many residents who have long
15 been unable to gain access to careers in the
16 construction industry. This makes Building Skills
17 uniquely positioned to assist government, the
18 development community and local communities achieve
19 local hiring initiatives and goals. Building Skills
20 is also focused on job retention and job continuity.
21 We regularly monitor worker on-job performance and
22 intervening when appropriate with counseling and
23 support. We track each worker to ensure that after a
24 project has ended, they are prompt-promptly placed in
25 a job on another project providing unprecedented

1 continuity of employment. This is important because
2 assisting workers in acquiring advanced construction
3 skills can lead to broader career pathways and
4 expended opportunities with higher compensation
5 levels. All of this makes Building Skills uniquely
6 positioned to assist 1965 Lafayette construction
7 hiring needs. We are here today in support of the
8 project at 1965 Lafayette Avenue in the Bronx. We
9 plan to work with the owners, subcontractors, and
10 community stakeholders at the site to determine their
11 local hiring needs for the project. Building Skills
12 will work with community stakeholders, hold
13 recruiting fairs and advertisement flyers for
14 construction openings at 1965 Lafayette. Thank you
15 for allowing me to comment today.

17 CHAIRPERSON RICHARDS: Thank you. Very
18 glad to hear that. I'm familiar with your work, and
19 I thank you for your continued work, and I'll just
20 stress once again, as I spoke to them, the local goal
21 also ensuring that obviously at this site that would—
22 ensuring that local residents know about the
23 opportunities. I'm very glad to hear about your
24 strategy and we look forward to hearing and working

2 with you as we move forward. Council Member Palma,
3 any questions? Okay, thank you all--

4 AMELIA MALDONADO: [interposing] Thank
5 you.

6 CHAIRPERSON RICHARDS: --for your
7 testimony.

8 AMELIA MALDONADO: Thank you.

9 CHAIRPERSON RICHARDS: Alrighty,
10 alrighty, well I want to thank everyone for coming
11 out today. Today, we are going to be laying over
12 these three applications, and also laying over Land
13 Use Items No. 785 and 786 the Special Harlem River
14 Waterfront District Expansion, and with that being
15 said, this meeting is adjourned. [gavel]

16

17

18

19

20

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 November 27, 2017