CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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November 10, 2021 Start: 1:52 PM Recess: 2:23 PM

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Rafael Salamanca, Jr., Chair

## COUNCIL MEMBERS:

Adrienne E. Adams Diana Ayala Inez D. Barron Joseph C. Borelli Selvena N. Brooks-Powers Ruben Diaz Sr. Oswald Feliz Vanessa L. Gibson Barry S. Grodenchik Peter A. Koo Stephen T. Levin I. Daneek Miller Francisco P. Moya Kevin C. Riley Antonio Reynoso Carlina Rivera Mark Treyger

## Committee on Land Use

OTHER COUNCIL MEMBERS IN ATTENDANCE:

Council Member Ben Kallos

2 CHAIRPERSON SALAMANCA: (GAVEL)

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Alright, good afternoon everyone. Welcome to

The Committee on Land Use. I am Council Member

Rafael Salamanca, chair of this committee. I want to

welcome my esteemed colleagues who are present here

today.

We have Council Members Gibson, Barron, Koo,
Levin, Miller, Reynoso, Treyger, Grodenchik, Adams,
Ayala, Diaz, Sr., Chair Moya, Rivera, Chair Riley,
Brooks-Powers, and Borelli. And, we're also being
joined by Council Member Kallos.

I want to thank Chair Moya and Chair Riley for their work on our two subcommittees.

Today we will vote on a number of applications referred out for both of our subcommittees.

From our Land Mark subcommittee, we will vote to approve LU's 847, TMN1002-West Harlem Renaissance and TMN1002-West Harlem Renaissance UDAP, and article XI tax exemption submitted by The Department of Housing Preservation and Development, pursuant to section 693 and 694 of the General Municipal Law and article XI of the Private Housing Finance Law.

The application seeks a waiver of the designation requirements of the section 197-C and 197-D of the

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charter, and an approval of the urban development action area project, and approval of the exemption from the real property taxation for property located at 101 West 141st Street (aka 621-23 Lennox Avenue), and 121-123 West 144th Street in the Manhattan district represented by Council Member Perkins.

We will also vote to approve for modifications LU numbers 889 through 893, Cooper Park Commons for property in Council Member Reynoso's district in Brooklyn.

These applications request approval of a proposed amendment of the zoning map changing an R6 district to an R7-2/C2-4 district and amendment of appendix F of the zoning resolution to designate a mandatory inclusionary housing area, the grant of a special permit pursuant to section 74-743(a)(2) of the zoning resolution to modify height and setback requirements, the minimum distance between buildings within the large-scale general development, the designation of property located at 288 Jackson Avenue (Block 285, Lot 1) as an urban development action area and urban development action area project for such area, and the disposition of the disposition of such property to developer selected by HPD and modifications of a

prior disposition of city-owned property located at

Kingsland Avenue (Block 2885, Lot 10) to change

the permit community facility used from a healthcare

facility to a use to a general community facility

6 uses.

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These actions would facilitate the redevelopment of the 4.5 acres former Greenpoint Hospital Campus in East Williamsburg into Cooper Park Commons, a mixed-use complex with the two new buildings and the enlargement of the two historic former hospital buildings providing approximately 553 units of affordable and senior housing and senior housing, a community facility uses and light retail, and the onsite replacement of the 200 - bed Kleeman Residents' Homeless Shelter.

The council's modification will remove MIH option two and add the deep affordability option and revise the design of the publicly accessible area to reduce parking and vehicle driveway areas and increase open space and pedestrian safety.

We will vote to approve the modifications LU's numbers 848 - 851, related to the Glenmore Manor Project for property in Council Member Darma Diaz's district in Brooklyn.

Submitted by the Department of Housing

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Preservation and Development, these applications request approval of an amendment to zoning map sections 17C and 17D, changing from an R6D to an R7A/C2-4 district and changing from an R6 district to an R7D/C2-4 district, amendment of the zoning resolution modifying appendix F to designate a mandatory exclusionary housing area, a designation of an urban development action area, approval of an urban development action area project for such area, and approval of the disposition of property located at 305-309 Mother Gaston Boulevard, 46-64 Christopher Avenue and 111-117 Glenmore Avenue to a developer of HPD's choosing, and approval of a third amendment to

The proposed actions will facilitate the development of Glenmore Manor and an 11 story mixeduse use building with approximately 232 affordable housing units and 8,600 square feet of commercial and community space as an entrepreneurial hub for the local business and not for profit incubation.

the Brownsville second urban renewal plan to change

the designation of site 11B from public/

institutional use to residential use.

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We will vote to modify the application by striking MIH option two, and adding the deep affordability MIH option.

From our zoning subcommittee, we will vote to approve to modifications and pre-considered items for the 1045 Atlantic Avenue under (INAUDIBLE 05:42) number C210276ZMK and N210277ZRK related to property in Council Member Cornegy's district in Brooklyn.

The proposal seeks a zoning map amendment to change an M1-1 district to a C6-3A district, and a related zoning text amendment to establish an MIH program area utilizing MIH options two and the workforce option, and to establish special street wall regulations for sites in C6-3A district in Brooklyn Community District 3 with frontage on Atlantic Avenue.

Together these actions will facilitate the development of a new 17-story, mixed-use building with ground floor retail and office use on the second floor, and approximately 426 dwelling units. A modification will be to strike MIH workforce option.

We will also vote to approve the modifications to LU's 882 and 883 for the 185-17 Hillside Avenue

2 rezoning related to property in Council Member 3 Gennaro's district in Oueens.

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The proposal seeks a zoning map amendment to resume portions of an existing R3X in R6A district to an R7A district, and to extend an existing C2-4 overlay and a special downtown Jamaica district over the rezoning area along Hillside Avenue, and a related zoning text amendment establishing an MIH program area utilizing one and two, as well as special bulk and parking regulations for R7A district within MIH areas within the special downtown Jamaica District. Our modification will be to strike MIH option two.

We will also vote to approve the modifications of LU's 894 and 895 for the 824 Metropolitan Avenue Rezoning relating to property in Council Member Reynoso's district in Brooklyn.

The proposal seeks a zoning map amendment to rezone portions of an existing R6B and C8-2 district to an R7A district, and to extend an existing C2-4 commercial overlay over the rezoning area along Metropolitan and Bushwick Avenues, and a related zoning text amendment establishing and MIH area utilizing options one and two.

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Our modifications would be to strike MIH option two and to add the deep affordability option.

We will also vote to approve LU's 896 for the 624 Morris Avenue rezoning related to property in my district in The Bronx.

The proposal seeks a rezoning map amendment to establish C1-4 commercial overlay district within an existing R7-1 district to legalize and permit the modest expansion of existing commercial uses on Morris Avenue between East 153rd Street and East 151st Street.

We will vote to approve the modifications of the Gowanus neighborhood plan LU's numbers 869 through 874. These applications effect property in Council Member Lander's and Levin's district in Brooklyn.

Our modification to the zoning text amendment will adjust the permitted uses in manufacturing in MX districts to refine the definition of Gowanus and mixed uses, expand and strengthen the Gowanus mixed incentives, establish lower height limits south of Thomas Green Park to reduce shadows on the park, adjust the authorization for large mixed uses sites, and strike MIH option two -- leaving MIH option one

and the deep affordability option to ensure the deepest affordability.

Together these actions will transform an area of Brooklyn, currently zoned for limited industrial and commercial development, in to a dynamic mixed use, mixed income neighborhood, with approximately 8,495 new housing units, including nearly 3,000 affordable units, 1.5 acres of new parkland, four acres of new waterfront open space, and significant projected commercial and community facility space.

The council members Lander and Levin have negotiated a comprehensive package of additional capital and policy commitments from the administration including an unprecedented city investment in NYCHA.

We will approve LU's numbers 884 through 887, the Gowanus CSO facility application, and LU's 888, The Mercy Home UDAP amendment. These applications include map changes effecting Douglas Street and 5th Avenue, a site selection action, and site selection and acquisition action to facilitate the Gowanus Canal CSO facilities on the east side of the canal between Degraw and Butler Streets in Council Member

Levin's district, and at 2nd Avenue and 5th Avenue in Council Member Lander's district.

The UDAP amendment action will facilitate the development of approximately 45 units of affordable housing at the Mercy Home site of 484-487 4th Avenue.

We will also vote to approve the modifications

343 Madison Avenue MTA/HQ special permit application
under LU numbers 867 and 868. These actions related
to property in Council Member Powell's district in
Manhattan. The council modification would be to
lower the buildings (INAUDIBLE 10:34) height.

We will also vote to approve the modifications LU's 864. 865, and 866 related to the New York Blood

Center.

This proposal seeks a zoning map amendment and zoning text amendment and a special permit pursuant

to the proposed zoning text.

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These actions effect the property in the districts of Council Members Kallos and Powell and will facilitate the development of a proposed, new 16-story, 334 feet tall Life Science Research and Development building at 310 East 67th Street in

Manhattan.

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The council's modifications to the special permit will lower the building site to 218 feet at the top of the street wall of the building, with any mechanical space limited to a maximum of 233 feet.

This is a reduction of over a 100 feet from where we started.

Combined with a \$10.65 million investment in St.

Catherine's Park, and other investments for the Julia

Richman Educational Complex, that makes this a great

outcome for New York City. With the changes we are

making today, I think we have responsibly balanced

the concerns of this community with the broader

citywide need for improving our life science sector.

We will also be producing high quality construction jobs and building service jobs, which is always a win for communities across New York City.

And, with that, I will allow, uh, Council Member Ben Kallos, uh, for his remarks.

COUNCIL MEMBER KALLOS: During my time in office,

I have been proud to support the expansion of the

life sciences sector in my district.

I negotiated a three city block expansion of Rockefeller University over the FDR Drive, which

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resulted in a \$15 million investment in a crumbling waterfront.

I also helped secure \$9 million to open a new biotech incubator we first thought of back on New Year's Day 2014 when we first met on their project.

I cut the ribbon on Cornell Tech Campus, on Roosevelt Island, the Belfer Research Building; we opened a new Memorial Sloan Kettering vertical campus on 74th Street.

We're expanding HSS over the FDR, and we have a new HSS 30-story medical tower on 79th Street.

And, just announced, I believe this week, on 1st Avenue, a new hospital building on 74th Street.

That's just to name a few, and that's not an exhaustive list. Each project involved working closely with the community whether as of right or through a discretionary process.

From the beginning of this process, we have agreed that we have an important opportunity to update and upgrade the New Yorker Blood Center, so it can continue to be a vital asset for our city.

I believe that the best way to achieve this vison would be through a significant modification to the

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building from a commercial office tower that The Blood Center initially proposed.

The developers made the unprecedented choice to skip working with local community board, local elected officials, and instead put all of their efforts in to overturning member deference now and forever.

This is the first rezoning where no changes were made at the community board or for the borough president. The first change was offered at the first and only zoning hearing just last month, where more than 100 residents came out in opposition, along with every, single elected official -- including Congress Member Carol Maloney, State Senator Liz Krueger, Assembly Member Rebecca Seawright, and Borough President Gale Brewer.

After more than five separate requests, the developer finally came to the table this Monday.

And, only after skipping a meeting in the afternoon, did they show up to a meeting in the evening.

We had two more meetings on Tuesday evening. In a council where Land Use projects are often negotiated to the last moment, the developer once again refused to negotiate this morning.

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We have had more conversations in 36 hours than we did in the preceding 36 months. We came close to a win-win for both sides, but we haven't gotten there.

There remain modest changes to the building like moving a 30-foot mechanical void to the roof from the middle of the building, lowering extra luxury 20-foot ceiling heights throughout the building to something more reasonable, and a contextual height limit to protect against what will now be a 500-foot as-of-right tower that they can build. All of which would have had zero programmatic impact on The Blood Center or its partners while getting us to a building that would work for my constituents.

Ultimately, these remaining changes were rejected, and I have to vote no on this proposal. Today's outcome sets a troubling precedent for council members' ability to win for the city and their constituents.

With today's vote, we become a city where real estate developers are only emboldened to side step the concerns of the communities in which they build. The long standing tradition of member deference has been in place to give New Yorkers, in 51 council

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districts across five boroughs a voice at the table with developers who seek to reshape the very neighborhoods in which they live.

Thanks to a rarely invoked charter, 283 protests filed by buildings included in this spot zoning against their will, when this project comes to a vote of the full council, it may require a three (INAUDIBLE 15:52) supermajority to pass.

I urge my colleagues to consider the precedence we are setting, and vote their conscience. As I've said before, and I will say again, no matter the outcome of the vote, we will work with The Blood Center to build a new, modern facility.

Thank you.

CHAIRPERSON SALAMANCA: Thank you Council Member Kallos.

I would like to also recognize that we've been joined by Council Member Feliz.

Uh, with that, are there any questions or remarks from members of the committee?

UNKNOWN: What was that again?

CHAIRPERSON SALAMANCA: Are there any questions or remarks from members of the committee?

22 COUNCIL MEMBER GIBSON: Thank you, Chair 23 Salamanca.

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explain her vote.

Goodness, it's been a long day already. Many of us have been here since 10:00 a.m. this morning.

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Uh, thank you, Chair, and all of my colleagues and those who are watching. I just wanted to speak on the New York Blood Center proposal that is before this body, and truly understand Council Member Ben Kallos and all of the work that he's done serving, uh, with you as your colleague for the past eight years.

As council members, it is our responsibility to make sure that we address the issues of our individual districts.

I support member deference, and I recognize that council members should know what's in the best interest of the residents in which they represent.

But, I also know that there are instances that we come across as a member of this body in which projects physically sit in one district, but have a citywide impact.

As someone who represents a district in The Bronx of working families who have struggled over the past two years during COVID-19 with access to food, and quality healthcare, and jobs, and dealing with the plague of gun violence that I face every, single day in The Bronx, I know that there are instances where

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the New York Blood Center's work saves lives of my constituents in The Bronx.

When you talk about life sciences and research, and education, and 21st century technology, when you talk about people that live with debilitating diseases every, single day, it is the work of the New York Blood Center that can not only save their lives, but that can give them stability.

And, as someone who understands the work that The Blood Center has done, understanding that this building is old, if this body does not take any action, I don't know what the future will hold for the New York Blood Center. And, so for my time here in the city council, as someone who has always supported council member deference, understanding that you should be the biggest champion on behalf of your district. But, I need a little bit more than understanding that shadows over a park and construction noise is the reason why I'm being asked to oppose a project. I want substance. I want you to tell me how you can save the lives of my people who have been devastated by COVID-19.

I want to understand how we can create more jobs for our people in this city -- good paying jobs that

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build sustainability and create a real pathway to the middle class.

And, so I say all that to say, as council members we take positions that are sometimes not popular but the right thing to do.

What is the right thing to do, is not always the popular thing to do. And, so I'm going to stand here as a member of this body who has served with all of my colleagues for eight years, and I'm going to support what is the right thing to do for the future of my constituents, so they can live healthier, more vibrant lives for themselves and their families, and they can have the good paying jobs that they rightfully deserve in a city that grows unaffordable every, single day.

And, for those of us that represent districts where our people are struggling for basic necessities, I cannot stand here and oppose a project that will have life saving measures -- in the long-term -- not short-term, but looking to the future.

And, so, I thank you, colleagues; I thank you
Chair Salamanca, and the Land Use team, and
(INAUDIBLE 21:46), and everyone for all of the great
work that you've done to get us to this point.

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No project is perfect. No project ends the way it starts. And, I know a lot of labor has gone in to this proposal, and with that, I will be voting yes on behalf of my constituents in The Bronx that I know will benefit from this New York Blood Center's

I vote yes on all.

proposal.

CHAIRPERSON SALAMANCA: Thank you Council Member Gibson.

Well, we're going to ask the Sergeant At Arms if you could just, uhm, uh, two minutes for all the members, an opportunity when they vote. Thank you.

COMMITTEE CLERK: Barron?

COUNCIL MEMBER BARRON: (Off mic) (INAUDIBLE 22:33) my vote.

CHAIRPERSON SALAMANCA: Council Member Barron to explain her vote. Can you just reset the clock for Council Member Barron, so we get the mic on? Thank you.

COUNCIL MEMBER BARRON: I won't take two minutes... (Cross-Talk)

CHAIRPERSON SALAMANCA: Oh, okay.

COUNCIL MEMBER BARRON: thank you so much.

Thank you to the Chair. Uh, I just want to say I vote age on all. And, I think that the negotiations that finally came about with The Blood Center are ones that I can accept.

Many of you know that I did have some concerns, and I expressed them to you. But, I think that the proposal that we have come to is one that I can, uh, support.

And, also want to say, I also had some concerns, because we're giving up residential to rezone as commercial, and I think that the developer,

Longfellow Real Estate, is going to be, uh, quite...

come out quite profitable in this venture. But, I do think that The Blood Center being able to have new accommodations, new facilities -- even though I understand is not really an increase in space, but an opportunity to update their equipment -- will be able to benefit from that.

Thank you.

COMMITTEE CLERK: Council Member Koo?

COUNCIL MEMBER KOO: I, uh, I respect Council
Member Kallos effort, uh, in helping his community.
But, uh, in considering New York Blood Center has

come down on the high end of incentives for the

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community, uh, I will vote abstain on 864, 865, and 866 and aye for the other ones. Thank you.

COMMITTEE CLERK: Levin?

COUNCIL MEMBER LEVIN: Permission to explain? CHAIRPERSON SALAMANCA: Council Member Levin to explain as well.

COUNCIL MEMBER LEVIN: Thank you very much, Chair. Uhm, first I... I just want to acknowledge, uhm, the work that Council Member Lander did, uhm, on the Gowanus rezoning and the community. Uh, we spoke about it at the sub-committee, so, uhm, I'll refer you to my comments there.

Uhm, and, but I... I also wanted to, uhm, acknowledge the work that Council Member Kallos has done, and... In, uhm, in making this a more contextual building, bringing down the height, uh, significantly, uhm, or a 100 feet, uhm, uh, to accommodate, uhm, uh, the shadow impacts on the... on the neighborhood, uhm, park across the street.

Uhm, I can, just as a, uh, a matter of... of policy, I reorganize that, uhm, having sunlight in an open space is important, uhm, to the families that use it. And, uhm, and so that's... That's a real impact. And, so, I commend Council Member Kallos on

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    his, uhm, on his work to... to minimize that
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     impact, uhm, even if it's not all the way that, uh,
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    he was hoping to get. I think that it's, uh,
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     significant.
        And, so, with that, I vote age on all.
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        COMMITTEE CLERK: Thank you.
        Council Member Miller?
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        COUNCIL MEMBER MILLER: (INAUDIBLE 26:06)
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        COMMITTEE CLERK: Council Member Miller votes aye
    on all.
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        Revnoso?
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        COUNCIL MEMBER REYNOSO: I vote aye on all.
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        COMMITTEE CLERK: Council Member Reynoso votes aye
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     on all.
        Council Member Treyger?
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        COUNCIL MEMBER TREYGER: Aye.
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        COMMITTEE COUNSEL: Council Member Treyger votes
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    aye.
        Grodenchik?
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        COUNCIL MEMBER GRODENCHIK: I going to reserve my
     comments to the stated, but I... I know that...
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    We're not voting on some... one issue today, uh,
    that the stated that we're voting on now. And, I...
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I want to be consistent with my voting, so I vote aye

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issues of sickle cell disease, HIV/AIDS, Black

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maternal morbidity, and the need to save lives of women of color in the crosshairs of early death.

I understand the sensitivity of this proposal, and I believe that its benefits will make a substantial difference in life sciences and global health.

With that, I vote age on all.

COMMITTEE COUNSEL: Ayala?

COUNCIL MEMBER AYALA: I vote aye.

COMMITTEE CLERK: Ruben Diaz, Senior?

COUNCIL MEMBER DIAZ, SENIOR: Permission to

explain my vote?

CHAIRPERSON SALAMANCA: Council Member Diaz to explain his vote.

COUNCIL MEMBER DIAZ, SENIOR: Thank you.

I hear people saying, "I respect Council Member Kallos, but I'm gonna vote yes." People saying that.

That's no way you're gonna respect a council member if you're voting against him. The only thing that a council member has is the option to decide what the people in the district that voted for him want.

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Once you take away that member, uh, tools to represent his community, that member's worth... worth nothing. He's been disrespected.

This is not about Kallos... This is not about Kallos. Some of the people... I got about 25 more days here. So, I could care less if I got (INAUDIBLE 29:16) that way. But, the future of this body, the people that are coming, that gonna represent their community, they spend money, they spend time, they went around tried to get elected. And, the community trusted them to elect them, and they're here to represent.

Now, when they come in here, and they have no power, they have no say in... in what the community wants, that's disrespectful not only to the council member, but the community that that council member represents.

So, Kallos have never been with me, (INAUDIBLE 29:55) remember (INAUDIBLE 29:57) support of me, but I'm gonna support Kallos, because it's the principle and member deference. That member should be... should be respected.

And, I am -- even though I'm leaving -- and even though Kallos has never supported me, I am supporting

1 Committee on Land Use 28 2 Kallos this time, and I'm voting no in LU 864, 865, 3 and 866. 4 And, one more thing, one more thing, somebody 5 sent me some (INAUDIBLE 30:26) saying the (INAUDIBLE 30:29) saying we spent \$178 million last year in 6 7 staff salaries. They got 1,749 employees, but they spend \$178 million in salary. That picture doesn't 8 look right. 10 So, Mr. Chairman, I'm voting yes on everything 11 else except 864, 865, and 866. And, to those member 12 that gonna keep... that gonna stay here next year --13 for the next four years -- be careful what you wish 14 for; you might get it. 15 Thank you. 16 COMMITTEE CLERK: Council Member Moya? 17 COUNCIL MEMBER MOYA: (INAUDIBLE 31:17) aye.

COMMITTEE CLERK: Rivera?

COUNCIL MEMBER RIVERA: I vote aye.

COMMITTEE CLERK: Riley?

COUNCIL MEMBER RILEY: I vote aye.

2.2 COMMITTEE COUNSEL: Council Member Riley votes

23 aye.

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Council Member Brooks - Powers? 24

COUNCIL MEMBER BROOKS - POWERS: I vote aye.

1 29 COMMITTEE CLERK: Council Member Brooks - Powers 2 3 votes aye. Council Member Feliz? 4 COUNCIL MEMBER FELIZ: Aye. COMMITTEE CLERK: Council Member Feliz votes aye. 6 Council Member Borelli? 7 COUNCIL MEMBER BORELLI: I vote aye. 8 COMMITTEE CLERK: Thank you. One moment. All items in today's Land Use agenda have been 10 11 adopted by a vote of 18 in the affirmative, 0 in the 12 negative, and no abstentions with, uh, Land Use items 864, 865, and 866 being adopted by the committee with 13 14 a vote of 15 in the affirmative, 2 in the negative, 15 and one abstention. 16 That is the full committee, Mr. Chair. 17 CHAIRPERSON SALAMANCA: Thank you. I would like to thank the members of the public, 18 19 my colleagues, council of Land Use staff and sergeant 20 at arms for attending today's hearing. 21 This meeting is hereby adjourned.

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(GAVEL)

UNKNOWN: (INAUDIBLE 32:15)

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 24, 2021