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SUBCOMMITTEE ON ZONING AND FRANCHISES 1

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND
FRANCHISES

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December 2, 2021
Start: 10:06 a.m.
Recess: 1:01 p.m.

HELD AT: REMOTE HEARING - VIRTUAL ROOM 1

B E F O R E: Francisco P. Moya,
Chairperson

COUNCIL MEMBERS:

- Diana Ayala
- Joseph C. Borelli
- Tiffany Cabán
- Barry S. Grodenchik
- Stephen T. Levin
- Antonio Reynoso
- Carlina Rivera

A P P E A R A N C E S

Richard Lobel
Sheldon Lobel, PC

Kenneth Miraski
Architect for Stephen B. Jacobs Group

Kevin Williams
Equity Environmental

Fayanne Betan
Sheldon Lobel, PC

Amber Kartalyan
Equity Environmental

Scott Barone
Barone Management

John Silviano
Barone Management

Stacey Gauthier
Principal of the Renaissance Charter School in
Jackson Heights

Sean Freas
EDC

Alessandro Zamperla
CAI

Dennis Vourderis
Deno's Wonder Wheel Park

Jimmy Kokotas
Third Generation Owner of Tom's Restaurant of
Prospect Heights

Maya Haddad Miller
Own and Operate Brooklyn Beach Shop on the Coney
Island Boardwalk

Tina Georgoulakos
Owner of Paul's Daughter

A P P E A R A N C E S (CONT.)

1
2
3 Telisha Lee
4 Reading a letter on behalf of April Simpson

5 Alexandra Silversmith
6 Executive Director of the Alliance for Coney
7 Island

8 Nick Liberis
9 Archimaera

10 Jeremy Zuidema
11 Archimaera

12 Kevin Williams
13 Principal of Central Construction Management

14 Louis Handler
15 YIMBY Tracks Construction and Real Estate

16 Steve Wygoda
17 Project Architect

18 Harry Einhorn

19 Rachel Scall
20 Associate at Greenberg Traurig

21 Harley Braun
22 Shorewood Real Estate

23 Uri Kaufman
24 Real Estate Developer

25 Frank St Jacques
Akerman, LLP

Laura Picallo

Steve Trilivas
Home Owner on 32nd Street

Renzo Ramirez
Member of 32BJ SEIU

A P P E A R A N C E S (CONT.)

Gilbert Pickett

Senior Pastor of the Mount Horeb Baptist Church
in Corona

Nakeah George

Community Advocate for Woodside Houses in Queens

Victoria Kammer

Reading on Behalf of Claudia Cogger (SP?)

Bishop Mitchell G. Taylor

Reading a Letter on Behalf of Reverend Bobby
Moore, the Overseer of the Astoria Baptist Church

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2 SERGEANT BIONDO: Thank you. Cloud Recording all
3 set.

4 SERGEANT PEREZ: Backup is rolling.

5 SERGEANT BIONDO: Thank you. Good morning and
6 welcome to today's Remote New York City Council
7 Hearing for the Subcommittee on Zoning and
8 Franchises.

9 At this time, would all panelists please turn on
10 their videos for verification purposes. To minimize
11 disruption, please place all electronic devices to
12 vibrate or silent mode. If you would like to submit
13 testimony, please send via email to
14 landusetestimony@council.nyc.gov. Again, that is
15 landusetestimony@council.nyc.gov. Thank you for your
16 cooperation. Chair Moya, we are ready to begin.

17 CHAIRPERSON MOYA: Thank you so much. Good
18 morning. I'm Council Member Francisco Moya, Chair of
19 the Subcommittee Zoning and Franchises. I'm joined
20 remotely today by Council Members - I'm going to
21 allow you Arthur to name those Council Members.

22 SUBCOMMITTEE COUNSEL: Council Member Grodenchik
23 and Council Member Cabán.

24 CHAIRPERSON MOYA: Great. Today, we will hold
25 public hearings on an amendment to the special

1
2 process agreement related to the Coney Island
3 Amusement Park Plan in Brooklyn, the 1 Wythe Avenue
4 IBIA Proposal, the 79 Quay Street Rezoning and the
5 River Ring Development, all of which are also in
6 Brooklyn. And rezoning proposals for 160-05 Archer
7 Avenue, Beach 79th Street Self Storage, 45-20 83rd
8 Street and 31st Street and Hoyt Avenue, all of which
9 are in Brooklyn, I'm sorry in Queens.

10 Before we begin, I will first recognize the
11 Subcommittee Counsel to review the remote meeting
12 procedures.

13 SUBCOMMITTEE COUNSEL: Thank you Chair Moya. I
14 am Arthur Huh, Counsel to the Subcommittee. Members
15 of the public who are asked to testify – members of
16 the public wishing to testify were asked to register
17 for today's hearings. If you wish to testify and
18 have not already registered, we ask that you please
19 do so now by visiting the New York City Council
20 website at www.council.nyc.gov to sign up.

21 As a technical note, for the benefit of the
22 viewing public, if you need an accessible version of
23 any of the presentations shown today, please send an
24 email request to landusetestimony@council.nyc.gov.
25

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2 When called to testify, individuals appearing
3 before the Subcommittee will remain muted until
4 recognized by the Chair to speak. Please take a
5 moment to check your device and confirm that your
6 microphone is on before you begin speaking. Public
7 testimony will be limited to two minutes per witness.
8 If you have additional testimony you would like the
9 Subcommittee to consider or if you have written
10 testimony you would like to submit instead of
11 appearing before the Subcommittee, you may email it
12 to landusetestimony@council.nyc.gov.

13 Please indicate the LU Number and/or project name
14 in the subject line of your email. Witnesses are
15 requested to remain in the meeting until excused by
16 the Chair as Council Members may have questions. And
17 with that, Chair Moya, we'll now continue with
18 today's agenda items.

19 CHAIRPERSON MOYA: Thank you Arthur. I now open
20 the public hearing on two Preconsidered LU items for
21 the 45-20 83rd Street Proposal, which seeks a Zoning
22 Map and Zoning Text Amendment under ULURP Numbers C
23 210041 ZMQ and N 210042 ZRQ and relating to property
24 in Council Member Dromm's District in Queens.

1
2 Once again, for anyone wishing to testify on this
3 item, if you have not already done so, you must
4 register online and you may do that now by visiting
5 the Council's website at council.nyc.gov/landuse.
6 Counsel, please call the first panel for this item.

7 SUBCOMMITTEE COUNSEL: The applicant panel for
8 this item will include Richard Lobel and Fyanne
9 Betan and I will ask both panelists to now raise your
10 right hands.

11 Do you swear or affirm to tell the truth, the
12 whole truth and nothing but the truth in your
13 testimony before this Subcommittee and in answer to
14 all Council Member questions?

15 FAYANNE BETAN: Yes, I do.

16 SUBCOMMITTEE COUNSEL: Thank you.

17 CHAIRPERSON MOYA: Thank you Chair, whenever you
18 are ready to begin, please you can begin your
19 testimony.

20 RICHARD LOBEL: Thank you Chair Moya. Good
21 morning, good morning Council Members. Richard Lobel
22 of Sheldon Lobel, PC. I'm joined today with Fyanne
23 Betan from my office, as well as the applicant team
24 Kevin Williams and Amber Kartalyan from Equity
25 Environmental. Ken Miraski from SBJ Group, as well

1
2 as Scott Barone and John Silviano from Barone
3 Management. If you can load the presentation please.

4 I'm going to begin with a brief discussion of
5 this zoning actions that are saw today. Uhm, Kevin
6 and Amber can discuss some of the environmental
7 issues surrounding the rezoning and the negative
8 declaration received and Ken can discuss the
9 architectural aspects of the proposed.

10 So, this is the 45-20 83rd Rezoning. Next slide.
11 By way of background, this rezoning primarily
12 involves three lots that are part of the development
13 site. Uhm, Lot 223 and Lot 80 are the primary lots
14 affected, as well as additional lots which would
15 allow for consistent boundaries for the rezoning.
16 This is in Queens Community District 4.

17 So, the Rezoning action actually encompasses two
18 proposals. The first is to rezone the project area
19 for M1-1 to R7A. And the second would be to of
20 course provide for Mandatory Inclusionary Housing
21 district to be mapped on the R7A as is required now
22 pursuant to the Zoning Resolution. The project as
23 would permitted by this rezoning and Text Amendment
24 would be to facilitate the development of a new nine
25

1
2 story building with roughly 141,000 square feet and
3 approximately 163 dwelling units.

4 This would also allow for an as of right school
5 at the premises. This is one that was previously
6 approved by special permitted BSA's. We can discuss
7 as we proceed to the presentation. Next slide. So,
8 this is a Tax Map which shows with more specificity
9 the area of the rezoning. What do we know it about,
10 uh, the rezoning and the surrounding area. Well,
11 particularly, if you look at the dotted area, that's
12 the area it will be rezoned from M1-1.

13 To the north of the site, there is an existing
14 R7A on the remainder of our block. This was rezoned
15 back in 2006. So, our M1-1 on this block really is
16 just a hold over and is kind of an island of M1-1 in
17 a surrounding sea of residential district. So, you
18 see the R7A to the north and east of the site,
19 including along Broadway as well as residential
20 districts to the south in the form of R6 and to the
21 west in the form of R6-B. So, really here the
22 rezoning would allow for uses that are more within
23 the context of the surrounding area than the existing
24 M1-1. Next slide.

1 So, the next slide demonstrates a Land Use Map.
2
3 Importantly here, although there's a designation of
4 M1-1, on the eastern portion of the site, there is
5 under construction Renaissance Charter School. This
6 was permitted pursuant to a BSA Special Permit
7 obtained last year and so, the rezoning to R7A will
8 have the added benefit of allowing that school to be
9 as of right.

10 And also, providing for contextual residential
11 uses adjacent to the school. So, it's really seemed
12 to be a good thing for the general area as well as
13 for this block. Next slide. Here you can see the
14 Zoning Change Map. You can see the oddly proportion
15 M1-1 currently on the block and then the rezoning to
16 R7A post zoning change. You can also see that this
17 would even out some of the orders of the existing R7N
18 site. Uhm, you know which would allow for a
19 consistent R7A along the entirety of the block. Next
20 slide. So, the next slide demonstrates site photo,
21 which shows the uhm, the school at the premises which
22 is under construction.

23 And with that, I actually would defer to Ken for
24 a brief discussion with regards to the architectural
25 aspects of the project.

1
2 KENNETH MIRASKI: Thank you Richard. Ken Miraski
3 here with Stephen B. Jacobs Group as the Architect
4 for the school project and the Proposed Zoning for
5 the residential building. Next slide.

6 So, this slide just shows the zoning massing of
7 the proposed residential development adjacent to the
8 school. The school is in blue, residential building
9 in white. We're proposing a nine story building with
10 a cellar, 163 dwelling units with a mix of studio one
11 bedroom, two bedroom and three bedrooms. The mix
12 that we proposed is more heavy on the one and two
13 bedrooms for the - considering the community.

14 The massing's you see here are consistent with
15 the adjacent R7A massing's that you see next to our
16 site. And we're proposing a 141,000 square foot
17 residential development. Next slide.

18 This is just a site plan showing the location of
19 our residential development fronting 47th Avenue with
20 the school fronting 83rd Street. We're proposing an
21 interior court yard for light and air and distance
22 between our school and the residential development.
23 Next slide.

24 This is just a zoning section showing the
25 residential building next to the school. We're going

1
2 to have our accessory parking detention tank and
3 bicycle parking below grade, with lobby and amenity
4 recreation space for the residential building on the
5 first floor and apartments, dwelling units on the
6 floors above. Next slide.

7 And these are just some illustrations of the
8 proposed development. This is a view looking down
9 47th Avenue towards 82nd Street. Elmhurst Plaza,
10 which is a neighboring development is off to the
11 left. Our building would be composed of like a metal
12 paneling system, large windows to let in light and
13 air, and we have this transitional bulk because we're
14 next to the R6B District, kind of showing how our
15 building would step back up at the upper floors.
16 Next slide.

17 And this is just another view looking down 82nd
18 Street toward our development. Uhm, once again
19 showing the setbacks up at the top and then next
20 slide. And then I'll turn it back over to Rich who
21 can talk more about uhm, the affordability and the
22 project.

23 RICHARD LOBEL: Thanks Ken. So, briefly just
24 touching upon the affordability of course, we're
25 requesting a Text Amendment to Appendix F to allow

1
2 for Mandatory Inclusionary to be imposed on the site.
3 And this would result in anywhere from 41 to 49 units
4 of affordability, either pursuant to Option One or
5 Option Two. The applicant has elected to map Option
6 One and Option Two to allow for greater flexibility
7 within the project area. And so, depending on the
8 option, we would be averaging either 60 or percent
9 AMI's in accordance with the uhm proposal that you
10 see in front of you. There's also a breakdown
11 between 60 percent and 80 percent on the bottom of
12 the screen as well as 40 percent, which would be
13 achieved depending on the option.

14 So, with that, next slide. That concludes the
15 bulk of the presentation. Again, we have uhm, Kevin
16 and Amber from Equity who are available for
17 environmental discussions but with that, we would ask
18 the Chair and the Council Members if there is any
19 questions.

20 CHAIRPERSON MOYA: Thank you Richard. Yeah, just
21 one quick question here. Uh, the Community Board had
22 a lengthy set of conditions. Could you identify some
23 of their concerns and respond to them as best as you
24 can here today?

1
2 RICHARD LOBEL: Sure, so and I think actually it
3 might be useful to have Kevin and Amber address this.
4 There were some discussions with regards to
5 infrastructure and the ability of the street system,
6 as well as the you know water retention and sewer
7 systems to uhm, handle the capacity of the additional
8 development here.

9 I would just note that with regards to bulk and
10 the actual size of the building that was not really a
11 general concern given the fact that we are adjacent
12 to R7A districts on our block, as well as to the
13 east. And also, we've got uhm, you know the existing
14 R7A building to the north of us at eight stories with
15 140 units. And prior to moving forward to Kevin and
16 Amber and I would also ask that the slide
17 presentation be reloaded because some of the
18 environmental concerns that were discussed at the
19 Community Board are on the slides.

20 Uhm, it's important to note that the R7A that's
21 there now on this block from 2006, precedes Mandatory
22 Inclusionary Housing. So, the primary difference in
23 terms of Inclusionary Housing is that that building
24 that exists to the north of us did not have a
25 requirement, whereas, with MIH now, all these R7A

1
2 districts that are being rezoned, will carry an MIH
3 requirement. So, you know we're happy to be able to
4 bring that affordability to the area.

5 Uhm, Kevin, Amber, do you want to briefly touch
6 on the uhm, the sewer and stormwater issues?

7 KEVIN WILLIAMS: Sure, I can start and then if
8 Amber wants to add something. Kevin Williams from
9 Equity Environmental.

10 So, as folks here me know, you know the seeker
11 analysis uhm there are some you know 22 different
12 categories of impact analysis and two of them involve
13 storm and sewer. Generally those sections of seeker
14 and this is probably not satisfying you know to the
15 Community Board members but the project falls well
16 below city environmental quality review standards to
17 evaluate capacity analysis or combined sewer area.
18 You know generally you have to get to 500, 600, 700
19 units in such an area to trigger an analysis.

20 So, the architect although has identified and
21 deployed several measures as shown on the screen to
22 provide a more sustainable building and you know many
23 of these are per you know emerging requirements over
24 the last several years through the Department of
25 Buildings you know that provide for sustainability

1
2 measures and obviously, a lot of the concerns that
3 have emerged were related to you know the recent
4 storm that really inundated New York City in multiple
5 areas. This area in particular is not one of those
6 that was heavily impacted in the Queens area, which
7 we know that that was one of the most heavily
8 effected boroughs of the city in certain areas.

9 Having said that, you know comparing this current
10 site, which is entirely impermeable, uhm, you know
11 where you have a previous industrial area in a
12 parking lot. You know the building as designed when
13 compared to a potential M1-1, such as the paper
14 production facility that was there before, actually
15 you know would result in an improvement most likely
16 in terms of stormwater management and stormwater
17 capture in the area.

18 So, I just ask that that be taken into
19 consideration and we're available for additional
20 comments or inquiries regarding capacity issues as
21 required by the Council.

22 CHAIRPERSON MOYA: Great, thank you for that.
23 That's all the questions that I have for the panel.
24 We've been joined by Council Members Treyger, Borelli
25

1
2 and Ayala. Counsel, do we have any Council Members
3 with any questions?

4 SUBCOMMITTEE COUNSEL: Chair, I see no members
5 with questions. I'll just note that uh, we've also
6 been joined by Council Member Levin.

7 CHAIRPERSON MOYA: Okay, there being no further
8 questions, the applicant panel is excused. Counsel,
9 are there any members of the public who wish to
10 testify on the 45-20 83rd Street Rezoning Proposal?

11 SUBCOMMITTEE COUNSEL: We have one member of the
12 public to testify on this item and we will call her
13 now. We are calling on Stacey Gauthier is it? I
14 apologize if I mispronounced that.

15 STACEY GAUTHIER: Yes.

16 SUBCOMMITTEE COUNSEL: Thank you.

17 STACEY GAUTHIER: Thank you so much and good
18 morning everybody. My name is Stacey Gauthier, I am
19 the Principal of the Renaissance Charter School in
20 Jackson Heights and the Executive Director of the
21 Renaissance Charter School Two, the school referred
22 to in the presentation.

23 First, I want to just uhm say a public thank you
24 to Chair Moya and to Council Member Dromm for all
25 your support for both of our schools for the last

1
2 many, many years. Renaissance has been around for
3 over 22 years and Renaissance Two is very excited to
4 be coming to our permanent home in September 2022.

5 I strongly endorse this project because I think
6 that the area will be better served by having
7 housing. It will continue to improve the
8 neighborhood feel over there. It's a wonderful area
9 with a lot of families, a big park nearby. Our
10 building is going to be a beautiful school and we
11 look forward to serving the students of District 24.

12 Just one other piece, we've done a lot of
13 community outreach in District 24 and have been very
14 welcomed there. And so, I think having housing on
15 the other side of this lot is really a preferred type
16 of development versus something else that might go
17 and we will of course and part of the school continue
18 to be the great neighbors that we are already in
19 Jackson Heights and look forward to working with
20 everybody in Community School District 24. Thank you
21 very much.

22 CHAIRPERSON MOYA: Thank you Stacey. Thank you
23 for your testimony. Good to see you, glad you are
24 doing well. Uhm, Counsel, do we have any members
25 with questions for the panelist?

1
2 SUBCOMMITTEE COUNSEL: No Chair, I see no members
3 with questions.

4 CHAIRPERSON MOYA: There being no further
5 questions, the panel is now excused.

6 SUBCOMMITTEE COUNSEL: Alright, we will see if
7 there any other speakers at this time, Mr. Chair. If
8 there are any other members of the public who wish to
9 testify on the 45-20 83rd Street Proposal, please
10 press the raise hand button now. And Chair, we will
11 stand the meeting at ease very briefly to confirm.

12 Chair if you allow it, I'll just also advise that
13 we've been joined by Council Member Reynoso and
14 Council Member Rivera.

15 CHAIRPERSON MOYA: Thank you.

16 SUBCOMMITTEE COUNSEL: Chair Moya, I see no other
17 members of the public who wish to testify on this
18 item.

19 CHAIRPERSON MOYA: Okay, thank you. There being
20 no members of the public who wish to testify on the
21 Preconsidered LU items for the 45-20 83rd Street
22 Proposal under ULURP Numbers C 210041 ZMQ and N
23 210042 ZRQ, the public hearing is now closed and the
24 items are laid over.

1
2 Okay, at this time we are going to vote on two
3 items previously heard by the Subcommittee at our
4 October 25th and November 18th meetings. We will vote
5 to approve with modifications LU Numbers 914 and 915
6 for the Proposed Special Brooklyn Navy Yard District
7 relating to property in Council Member Levin's
8 District in Brooklyn.

9 The Proposal seeks a Zoning Text and Zoning Map
10 Amendment to establish the new Special Brooklyn Navy
11 Yard District. Our modification will be to include
12 periodic reporting requirements relating to Navy Yard
13 tenants. Council Member Levin is in support of the
14 proposal as modified.

15 We will also vote to approve LU's 925 and 926 for
16 the 103-16 Van Wyck Expressway Rezoning relating to
17 property in Council Member Adam's District in Queens.
18 The Proposal seeks a Zoning Map Amendment to Rezone
19 an existing R3A District to an R6B C2-3 District and
20 a related Zoning Text Amendment to establish an MIH
21 program area utilizing Options One and Two. Our
22 modifications will be to strike MIH Option Two while
23 retaining Option One. Council Member Adams is in
24 support of this Proposal. And now, I will call for a
25 vote to approve with modifications I have described.

1
2 LU's 914, 915, 925 and 926. Counsel, if you can
3 please call the roll.

4 SUBCOMMITTEE COUNSEL: Chair Moya?

5 CHAIRPERSON MOYA: I vote aye.

6 SUBCOMMITTEE COUNSEL: Council Member Levin?

7 COUNCIL MEMBER LEVIN: I vote aye.

8 SUBCOMMITTEE COUNSEL: Council Member Reynoso?

9 We'll come back to Council Member Reynoso. Council
10 Member Grodenchik?

11 COUNCIL MEMBER GRODENCHIK: Aye.

12 SUBCOMMITTEE COUNSEL: Council Member Ayala?

13 COUNCIL MEMBER AYALA: I vote aye.

14 SUBCOMMITTEE COUNSEL: Council Member Rivera?

15 COUNCIL MEMBER RIVERA: Aye.

16 SUBCOMMITTEE COUNSEL: Council Member Borelli?

17 COUNCIL MEMBER BORELLI: I vote aye.

18 SUBCOMMITTEE COUNSEL: Council Member Reynoso?

19 Council Member Reynoso on a vote on the Land Use
20 Items?

21 COUNCIL MEMBER REYNOSO: I vote aye on all.

22 SUBCOMMITTEE COUNSEL: Okay, Chair, by a vote of
23 seven in the affirmative, zero in the negative and no
24 abstentions, the items are adopted and recommended
25 for approval to the full Land Use Committee.

1
2 CHAIRPERSON MOYA: Thank you and with that, we
3 will return to our public hearings. And with that, I
4 now open the public hearing on the Preconsidered LU
5 item related to the Coney Island Amusement Park
6 Project Plan for the Proposed Third Amendment to the
7 Special Process Agreement and relating to property in
8 Council Member Treyger's District in Brooklyn.

9 I will remind the viewing public for anyone
10 wishing to testify on this item, if you have not
11 already done so, you must register online and you may
12 do that now by visiting the Council's website at
13 council.nyc.gov/landuse. Counsel, if you could uhm,
14 please call the first panel to this item.

15 SUBCOMMITTEE COUNSEL: The applicant panel for
16 this item will include Sean Freas of EDC, Alessandro
17 Zamperla of CAI and Dennis Vourderis of Deno's Wonder
18 Wheel Park.

19 I will ask all panelists to now raise your right
20 hands. Thank you. Do you swear or affirm that the
21 testimony you are about to give to this Subcommittee
22 will be the truth, the whole truth, and nothing but
23 the truth and that you will answer all Council Member
24 questions truthfully?

25 PANEL: I do.

1
2 SUBCOMMITTEE COUNSEL: Thank you.

3 CHAIRPERSON MOYA: Thank you. You may begin.

4 SERGEANT AT ARMS: Time starts now.

5 SEAN FREAS: Good morning Chair Moya and members
6 of the Subcommittee on Zoning and Franchises. Would
7 you mind bringing up my presentation please. Thank
8 you.

9 My name is Sean Freas and I am a Vice President
10 of Portfolio Management at the New York City Economic
11 Development Corporation. I am joined by Alessandro
12 Zamperla from Central Amusement International and
13 Dennis Vourderis from Vodou Food Corp and the
14 Operator of Deno's Wonder Wheel. We are pleased to
15 testify before the Subcommittee in support of the
16 Resolution to approve the Third Amendment to the
17 Agreement Special Process or New York City Council
18 review and approval of Coney Island Amusement Park
19 Project Plan, otherwise referred to as the Special
20 Process Agreement. Which governs the historic Coney
21 Island Amusement District.

22 This Amendment would authorize the city to extend
23 its lease with NYC EDC and NYC EDC to extend our
24 ground leases with the operators of the Coney Island
25 Amusement Parks CAI and Deno's, for an additional ten

1 year period from 2027 to 2037. As part of this
2 transaction, CAI intends to enter into sublease
3 extensions with current small business boardwalk
4 subtenants, Brooklyn Beach Hoffa foods one summer and
5 Tom's Coney Island for the same ten year period 2037.
6 Please note that NYC EDC entering into any ground
7 lease extensions must first be approved by EDC's
8 Board of Directors and require notice provided in
9 compliance with the requirements of the New York
10 State Public Authorities Law and EDC must also
11 receive applicable lease extensions from the city.
12

13 Additionally, the Third Amendment to the Special
14 Process Agreement must be signed by City Council and
15 the Mayor. Next slide please.

16 So, here you can see a map of the Coney Island
17 Amusement area along with the map of Brooklyn to help
18 orient you. The specific portions that we're
19 discussing today are outlined in green. So, CAI,
20 Deno's and the small businesses at Coney Island have
21 faced disproportionate impacts from the COVID crisis
22 and you'll hear directly from them about that later.

23 Through this Proposed Amendment though to the
24 Special Process Agreement and the resulting ground
25 lease and sublease extensions, the city will do its

1
2 part to support one of the worlds most iconic and
3 urban amusement parks along with the small businesses
4 that are central to New York City's economic and
5 cultural life. Next slide please.

6 So, let's talk about how we got here. The 2009
7 Coney Island rezoning set the stage for much of the
8 redevelopment that is taking place in the
9 neighborhood today, including the preservation and
10 revitalization of the iconic Coney Island Amusement
11 area. So first, the 2009 rezoning permitted mixed
12 use developments in the Coney Island District and in
13 the past decade, the city has made significant
14 investments in infrastructure and housing in the
15 Coney Island District including funding for thousands
16 of units of affordable and mixed income housing, new
17 retail options and new office space for city programs
18 like the City Human Resources Administration and
19 Health and Hospitals.

20 Everyone at NYC EDC would like to thank Council
21 Member Mark Treyger for his continued support and
22 advocacy for the Coney Island community and this
23 historic amusement area.

24 Second, the 2009 rezoning called for the
25 reactivation of vacant parcels at Coney Island with

1
2 in field development. To support beloved attractions
3 by creating new world class amusement developments
4 and by strengthening the historic Coney Island
5 Amusement area. And as we'll discuss in a moment,
6 the Proposed lease extension will help achieve that
7 goal.

8 And finally, the 2009 rezoning created the
9 Special Process Agreement or SPA that we're here to
10 discuss today. Under the SPA, the city and EDC are
11 authorized to enter into leases and land within the
12 Coney Island Amusement Area. Under the authority
13 granted by the SPA in 2009 and subsequently amended
14 in 2013 and 2018, the city leased property to EDC and
15 EDC entered into ground leases with CAI and Deno's to
16 develop and operate world class amusements and
17 entertainment attractions in Coney Island. These
18 ground leases are set to expire in 2027.

19 In the past dozen years, CAI and Deno's have made
20 significant investments to help revitalize Coney
21 Island's Amusement area aided by the Council's
22 approval of previous amendments to the SPA.

23 In 2013, the Council approved the first amendment
24 to the Special Process Agreement, which facilitated
25 CAI's construction of the thunderbolt rollercoaster

1
2 as shown in the picture at the top. And in 2018, the
3 Council approved the second amendment. This
4 amendment added new vacant properties for development
5 and you know, you can see a picture of the
6 groundbreaking here on the bottom.

7 And next season, these lots will be the setting
8 for a brand-new log flume ride, an open ropes course,
9 more dining and entertainment options and additional
10 public open space to be enjoyed by New Yorkers for
11 years to come.

12 We thank the Council for their assistance to
13 enable these crucial investments, which will help to
14 cement Coney Island as the peoples playground. Next
15 slide please. Thanks.

16 So, we are here today to ask for the Council's
17 assistance once again, by approving the Third
18 Amendment Process Agreement to authorize the city and
19 EDC to enter into a ten year extension of the leases
20 from the city to EDC and from EDC to CAI and Deno's
21 from 2027 to 2037. Again, and here on the bottom is
22 a picture of the Coney Island Boardwalk. These lease
23 extensions will help support one of the world's most
24 iconic urban amusement parks. Its boardwalk, the
25

1
2 small businesses and residents who are central to New
3 York City's economic and cultural life.

4 The COVID-19 crisis presented significant
5 challenges for the amusements in the Coney Island
6 Amusement area. Typically, more than five million
7 people across the Coney Island Amusement area helped
8 to sustain the longstanding small businesses deeply
9 embedded in the districts rich cultural history.

10 However, due to the mandated government closure in
11 2020, Luna Park, their respective subtenants, Deno's
12 Wonder Wheel and surrounding areas were shutdown for
13 18 months throughout the entire 2020 season resulting
14 in severe financial losses.

15 This proposed lease extension will help CAI,
16 Deno's and the subtenants recoup losses incurred
17 because of the government closures and will support
18 their continued efforts and investment in the
19 amusement area.

20 To close, by approving the Third Amendment to the
21 Special Process Agreement, the Council will ensure
22 that the unique and iconic Coney Island Amusement
23 area and community continues to thrive for future
24 generations. And it will help the city take one step
25 closer toward a recovery for all. We therefore

1
2 respectfully request your consideration and approval
3 of the Third Amendment to the Special Process
4 Agreement.

5 I will now turn the floor over to Alessandro
6 Zamperla from CAI to describe his company's history
7 in Coney Island and their shared and continued
8 investment in this historic amusement area. Thank
9 you. You may also now take down the presentation.

10 ALESSANDRO ZAMPERLA: Good morning everyone,
11 Chair Moya, Council Members, thank you for your time
12 and for your attention. My name is Alessandro
13 Zamperla, I am the President and CEO of Central
14 Amusement International Inc. and we are here today to
15 support a Council's approval of the Third Amendment
16 to the Special Process Agreement which would
17 authorize EDC to extend the entering ground lease
18 with CAI.

19 As shown explained earlier in conjunction with
20 this ground lease, CAI will simultaneously extend our
21 subleases with our small business of tenants that
22 like Luna Park are critical to the identity of Coney
23 Island.

24 In coordination with EDC and the Parks
25 Department, CAI has revitalized the historic

1
2 amusement district with the development of Luna Park
3 in Coney Island and as operated amusement rides and
4 attraction in the Coney Island Amusement District
5 since 2010.

6 In order to fulfill our shared vision of
7 returning Coney Island to its glory days, our small
8 business has invested tens of millions into
9 development of the Coney Island Amusement District
10 through Luna Park which benefited our small business
11 community in the district, brought record revenues to
12 the boardwalk businesses, and provided thousands of
13 job opportunities to the broader Coney Island
14 community.

15 With 11 years of experience working in Coney
16 Island, we have demonstrated great care for the
17 neighborhood context. Not only by recreating and
18 thrilling and affordable amusement park for all ages,
19 but also by strengthening the relationship with our
20 community surrounding Luna Park. A key goal of CAI
21 is to hire locally to create economic opportunities
22 and to support the growth of a professional system
23 that benefits the surrounding neighborhood.

24 With this purpose in 2021, we launched the Luna
25 Park Leadership Academy courses designed to reach our

1
2 employee skill sets for long-term career growth in
3 the hospitality industry. As we continue to invest
4 in the Coney Island Amusement district, we'll
5 continue to work with the City of New York, local
6 organization, to provide local hiring programs for
7 Luna Park and to expand and strengthen our
8 relationship with local officials, schools and
9 community organizations.

10 In addition to hiring locally, CAI's been
11 building a strong relationship with the surrounding
12 neighborhood by founding the Coney Island Alliance in
13 2012 with other key stakeholders to facilitate the
14 collaboration and cooperation amongst the Coney
15 Island business community and the residential
16 community.

17 In 2018, CAI developed a donation day, a day
18 where we provide free entry on rides all day to
19 guests that make us more donations to a local
20 community organization and we help and highlight the
21 local extensions to support -

22 SERGEANT AT ARMS: Time expired.

23 ALESSANDRO ZAMPERLA: Children - hello? Can you
24 hear me?

25 SERGEANT AT ARMS: Yes, you can continue.

1
2 ALESSANDRO ZAMPERLA: Oh sorry. Yeah, sorry,
3 donation day, we provide free entry on all rides all
4 day to guests that make a small donation to our local
5 community organization and we help and highlight
6 local organization that supports children from
7 difficult backgrounds.

8 As our neighborhood has been hit very hard by the
9 COVID pandemic, CAI partnered with the City of New
10 York to incentivize COVID-19 vaccinations by 10,000
11 respins and rides on the Coney Island Cyclone to VAX
12 for NYC. Although nothing could have prepared us for
13 the financial challenges that CAI faced through the
14 COVID-19, as our operation was shutdown for 18 months
15 throughout the entire 2020 seasons, we are thankful
16 to be operating again.

17 2020, amongst other things demonstrated how
18 critical the amusements are to the economic ecosystem
19 of Coney Island in South Brooklyn as our small
20 business of tenants were allowed to operate during
21 this season when our park was closed, but they still
22 suffer severe financial losses. To make matters
23 worse for CAI, amusement parks were excluded from
24 critical federal and state aid programs designed to
25 help businesses shattered due to the pandemic.

1
2 For example, we were not included in the shatter
3 venue operators grant.

4 Fortunately, as it became clear the outdoor
5 amusement park is one of the safest activities in a
6 COVID context and when [INAUDIBLE 36:42] was allowed
7 to reopen, New Yorkers have been unbelievably
8 supportive. Unfortunately, CAI and our small
9 business of tenants would not recuperate the economic
10 losses, however, an extension will provide economic
11 stability while we continue our long-term investment
12 in Coney Island as New York City recovers from the
13 unprecedented pandemic and its devastating effects.

14 As CAI continues to invest in development of
15 Coney Island with their new attraction and
16 environmentally friendly pedestrian plaza slated to
17 open in 2022, Luna Park, we've created an additional
18 one hundred jobs for the local community. Despite
19 the severe financial losses due to the pandemic, our
20 commitment to Coney Island has not waivered.

21 We are continuing our long-term investment and
22 this proposed lease extension will help ensure
23 economic stability that we more of historic amusement
24 district and our small family businesses, CAI along
25 with subtenants from recovery to resilience.

1
2 As Sean explained earlier, in conjunction with
3 this ground lease extension, we will extend our
4 subleases with our small business of tenants who are
5 also committed to invest in Coney Island for years to
6 come and are critical to the identity of Coney
7 Island.

8 We thank you Council for your support. Most
9 importantly, Council Member Treyger and we
10 respectfully request your consideration approval of
11 the Third Amendment to the Special Process Agreement.
12 Thank you.

13 SEAN FREAS: Uh, if we could now pass it to
14 Dennis Vourderis from Deno's.

15 DENNIS VOURDERIS: Okay, good morning everybody.
16 My name is Dennis Vourderis and I am the Co-Owner
17 along with my brother Steve of Deno's Wonder Wheel
18 Amusement Park, home of the world famous New York
19 City landmark Wonder Wheel.

20 Our parents began their journey in Coney Island
21 in 1966 as operators of a small hotdog stand on the
22 boardwalk. In 1970, they opened another hotdog stand
23 in what was then known as Ward's Kitty Park in the
24 shadow of the Wonder Wheel. A decade later or so,
25

1
2 they purchased the Wonder Wheel from its original
3 owner and Deno's Wonder Wheel Park was born.

4 At a time when Coney Island was less than
5 desirable for investment, my family began to
6 rehabilitate and restore the Wonder Wheel. We
7 purchased new rides and restored old ones. In 1989,
8 the Wonder Wheel became an official New York City
9 landmark. We continued to invest and build a family
10 oriented amusement park. We invited members of the
11 Salton Sea Mission to come on opening day for free
12 and to do a blessing of our rides. We had 12 or so
13 families show up that day but today, that tradition
14 started by my parents over 35 years ago continues.
15 And this past opening day in 2021, over 500 families
16 came to give their blessings and enjoy the rides for
17 free.

18 In 2019, we acquired the adjacent abandoned lot
19 of West 12th Street with plans to expand Deno's.
20 With the help and support of third generation
21 Vourderis boys working at the park, my son Deno's, my
22 nephews DJ and Teddy, we decided to build upon the
23 parks family demographic and seek a unique attraction
24 that would not compete with other Coney Island rides
25 but would compliment them.

1
2 We traveled to other amusement parks around the
3 country and trade shows to do our research and made
4 the decision to build a brand-new family thrilled
5 rollercoaster on our newly acquired lot right next to
6 the Wonder Wheel, the Phoenix. Then came COVID, what
7 now, we asked each other? Closed for an entire
8 season, which hit us all very hard, both financially
9 and emotionally, this was devastating.

10 We have had rainy seasons and lost holiday
11 weekends in the past but never an entire summer. We
12 made the decision to do the only thing we knew how to
13 do. What our parents taught us to do and forged
14 ahead with our plans to build. We borrowed money and
15 leveraged up to move ahead. We were able to keep our
16 staff and family working and to complete the phoenix,
17 which opened up this past July 4th weekend.

18 We are here today to support the Council's
19 approval of the Third Amendment to the Special
20 Process Agreement, which would authorize EDC to
21 extend the interim ground lease with Deno's. The
22 COVID-19 crisis presented significant challenges for
23 our businesses. I don't have to tell you guys. We
24 want to continue our long term investment in Coney
25

1
2 Island and this proposed lease extension will help us
3 do that.

4 I want to thank the New York City Council for
5 their support and most importantly, Council Member
6 Treyger. And we respectfully request your
7 consideration and approval of the Third Amendment to
8 the Special Process Agreement, which will help ensure
9 that Coney Island remains one of the world's best
10 amusement districts. Thank you.

11 COUNCIL MEMBER LEVIN: Thank you very much Dennis
12 and Alessandro and Sean. Uhm, I'm Council Member
13 Stephen Levin, I'm filling in for Chair Moya for a
14 short period of time here.

15 I want to acknowledge Council Member Cabán who
16 has joined us as well. Welcome Tiffany and turn it
17 over to Council Member Treyger for questions.

18 COUNCIL MEMBER TREYGER: Thank you Council Member
19 Levin and Chair Moya and members of the Committee.
20 For over 100 years, the Coney Island Amusement
21 District has been an American icon. A potent symbol
22 for the diversity freedom and opportunity offer here.
23 The lights of people Chase Park, with a first name
24 many immigrants would see as they made their way to
25 LS Island. People of all races, classes, and breeds,

1
2 were off to Coney Island. The Nickel Empire because
3 anyone could enjoy a day of sun and fun here as long
4 as they had a nickel for the train fare. Throughout
5 these years, Coney Island has faced many existential
6 threats. From fires to Hurricane Sandy and even
7 Robert Moses.

8 Yet, throughout all that, there was never a
9 summer when the amusement parks in Coney Island
10 weren't open up until 2020. The COVID-19 pandemic
11 forced the closer of amusement parks for the first
12 time since Sea Lion Park opened in 1895. This had
13 devastating consequences, not just for the queue of
14 amusement parks, Deno's Wonder Wheel Park and Luna
15 Park but also for the generational family operated
16 small businesses on the boardwalk.

17 You will hear from these businesses today about
18 the devastating impact of these closures. We are not
19 remotely out of the woods. While the parks were able
20 to reopen safely last summer, according to New York
21 City and Co., tourism is not expected to fully
22 recover for several years. With each new variant,
23 there is additional uncertainty about how long it
24 will take us to bounce back.

1
2 While performing arts venues received dedicated
3 federal aid to help sustain them during their
4 closure, no such aid was offered to the family run
5 businesses that make Coney Island unique. PPP which
6 while helpful, did not fully cover the losses and
7 many of the boardwalk small businesses did not
8 ultimately receive restaurant revitalization funding.
9 For the first time in its history, Coney Island is
10 facing an existential threat from which it may not
11 recover. Today, we are considering an item that
12 provides the first step to rebuilding the Coney
13 Island we all know and love.

14 I want to thank EDC, Sean Freas, Sabrina Lippman,
15 Winthrop Hoyt, Lydia Downing, Rachel Loeb, Karen
16 Lapidus, Rick Da Costa, Rody Jolanda(SP?) and Justin
17 Turner for working with me in my office on this
18 issue.

19 Under consideration as a Proposal to authorize
20 EDC to extend its lease with Luna Park and Deno's for
21 an additional ten years to 2037. This lease
22 extension would grant necessary stability and
23 security for these iconic family businesses, both of
24 which have recently committed to making significant
25 improvements to their parks.

1 With Deno's opening the Phoenix rollercoaster
2 this summer, which I did take a ride on, pretty
3 thrilling ride. And Luna Park in construction on
4 several rides but recovery cannot be for two
5 businesses alone. As part of this Luna Park has
6 reached agreements with four of its subtenants.
7 Paul's daughter, Ruby's Bar and Grill, Tom's Coney
8 Island and the Brooklyn Beach Shop to offer more
9 sustainable rental terms and lease extensions that
10 run until 2037, coterminous with Luna Park's
11 extension.
12

13 Many of these family businesses have been in
14 Coney Island for generations. I want to thank
15 Alessandro, Tracy, Tina, Al, Mike, Matt, Jimmy, Mya
16 and Dennis for their patient and collaborative work
17 to reach these agreements.

18 The Coney Island Amusement District is what it is
19 because you are there and because your families have
20 been there for our community through good times and
21 bad. Having worked so hard to reach six agreements
22 to help six iconic family run businesses survive and
23 thrive, we must ensure that this process moves
24 forward according to the letter and spirit of these
25 agreements.

1
2 Unfortunately, because of additional approvals,
3 this process will need to be completed in the next
4 term. I don't need to tell any stakeholder from
5 Coney Island about the challenges of enforcing
6 commitments across administration transitions. We
7 have enumerable examples of broken promises from the
8 2009 rezoning.

9 Today, I will be seeking additional assurances
10 from EDC and CAI that the agreements that we have all
11 worked so hard to reach will be executed. After so
12 much instability caused by the pandemic, we all
13 deserve some security in the knowledge that we have
14 reached agreements that will preserve the Coney
15 Island we all know and love for another generation.

16 I want to thank Jeff Kompania(SP?) and Amy
17 Levitan(SP?) for their assistance, as well as my
18 extraordinary and I quote extraordinary Chief of
19 Staff Anna Scaife for her tremendous and tireless
20 work on this issue. I thank Chair Moya and members
21 of the Zoning Subcommittee for their time and for
22 their consideration.

23 And with that, Council Member Levin, I do have
24 some questions for EDC and CAI, if that's okay?

25 COUNCIL MEMBER LEVIN: Sure thing, yup.

1
2 COUNCIL MEMBER TREYGER: Thank you. Thank you so
3 much. To EDC, if the Council approves this
4 application, what additional approvals are required
5 for the agreements that EDC has reached with its
6 tenants to move forward?

7 SEAN FREAS: First thank you Council Member for
8 such impactful words. I believe the remaining
9 approvals include mayoral approval, uhm, borough
10 board approval, and EDC board approval.

11 In addition, you know I just want to renote again
12 that we are required to provide notice and compliance
13 with the requirements of the New York State Public
14 Authorities Law. And then also, we must receive our
15 respective lease extensions from the city as well.

16 COUNCIL MEMBER TREYGER: Uhm, given that the next
17 steps in this process will occur after an
18 administration transition, what assurances can EDC
19 provide to its tenants and their subtenants that
20 these agreements will move forward?

21 SEAN FREAS: Uhm thank you. Well, we certainly
22 share the same goal to ensure a positive path forward
23 and you know we fully anticipate that all subleases
24 will be signed prior to the execution of the mass
25 release extensions. Uhm, and then again, yeah, as I

1
2 mentioned earlier, our EDC Board must approve these
3 lease extensions as well. But honestly, we wouldn't
4 be here unless we also anticipated that approval.

5 COUNCIL MEMBER TREYGER: And what is that
6 timeframe?

7 SEAN FREAS: Uhm, I, honestly don't have that in
8 front of me. A timetable that I could answer
9 specifically right now but I'm happy to come back and
10 have someone from our office reach out to you with a
11 more specific timetable.

12 COUNCIL MEMBER TREYGER: I would greatly
13 appreciate that because time is certainly of the
14 essence and will EDC commit on the record to only
15 approve the lease extension for its tenants
16 authorized under this action if their tenant Luna
17 Park has signed lease amendments with the four
18 subtenants in accordance with the terms they have
19 mutually agreed to?

20 SEAN FREAS: Uhm, you know again, we certainly
21 anticipate that all subleases will be signed prior to
22 the execution of the mass release extensions. That
23 being said, you know I think in a practical matter,
24 if one of the subleases was not executed because of
25

1
2 you know problematic actions by CAI, then you know,
3 we probably won't extend the ground lease with CAI.

4 On the other hand, if one of the subleases failed
5 to reach final agreement because let's say the
6 subtenant rolled out of the deal for example or chose
7 not to move forward, then we probably will continue
8 with the extension of the ground lease as we want to
9 make sure that the other subtenants are also able to
10 recover. You know again, our goal here really is to
11 continue to support the recovery and provide a path
12 forward for long term investment for Deno's, for CAI
13 and the small businesses through this amendment.

14 COUNCIL MEMBER TREYGER: Okay, because to be
15 clear, they have reached agreements and we just want
16 to make sure that that is baked into this because we
17 need a win-win for Luna Park and the critical
18 subtenants.

19 So, I have a question for CAI for Luna Park for
20 Alessandro and again I want to just state for the
21 record that they have made tremendous investments to
22 the Coney Island community, both in terms of their
23 business, hiring local folks, many charitable events.
24 Just recently, they were at a Thanksgiving
25 distribution and they gave out meals to families and

1
2 we do appreciate that. And I think it's not a secret
3 that we are striving towards an agreement that is a
4 win-win for Luna Park and for the subtenants that
5 have worked in good faith really to strike agreements
6 with Luna Park.

7 So, question for Alessandro is, are you - and
8 this is an important one, certainly for my office,
9 for me. Are you willing to concretize the term
10 sheets which you have signed with the four subtenants
11 in the form of leases with a condition precedent
12 clause which will only bind you to those terms if you
13 receive your lease extension from EDC? And will you
14 commit to doing so before this Council's final stated
15 meeting on December 16th?

16 ALESSANDRO ZAMPERLA: Good morning Council Member
17 Treyger and thank you so much for your support and
18 you mentioned you know a couple of times; this is a
19 win-win approach. That's what we want you know? One
20 way to ensure the stability, the recovery and the
21 resilience of Coney Island and the Amusement
22 District.

23 We have executed terms sheets with the subtenants
24 and we realize how important it is to achieve you
25 know and to make progress to the point that we

1
2 already asked our attorney's to draft, you know to
3 start drafting the subleases and we'll make you know,
4 our best to continue to make progress. And as you
5 know Sean mentioned, that will be a condition you
6 know for us to receive our lease extension.

7 COUNCIL MEMBER TREYGER: So, just to be clear,
8 you are willing to concretize the term sheets, which
9 you've already signed with the four subtenants in the
10 form of the leases, right? That is something that
11 you are committed to doing, right Alessandro?

12 ALESSANDRO ZAMPERLA: We want - yeah, it is a
13 win-win you know transaction where we want to ensure
14 that the subtenants that have always showed extreme
15 you know commitment, investment in Coney Island, they
16 are you know supported so they can not only recover
17 but again, be resilient.

18 So, those you know term sheets, those will be the
19 terms of the sublease amendments that will be
20 executed. And as of obviously as Commission
21 President, we will have to receive our lease
22 extension from EDC.

23 COUNCIL MEMBER TREYGER: Right because the term
24 sheets are not binding. Leases, signed leases are
25

1 binding and are you committing to get this done
2 before the vote on December 16th?

3
4 ALESSANDRO ZAMPERLA: We'll do our best. I will
5 also be very honest, this December 2nd, like multiple
6 parties, so we will do our best. As I said, on our
7 end, we already asked our attorneys to draft the
8 sublease amendments.

9 COUNCIL MEMBER TREYGER: Okay, just making clear
10 Alessandro and I appreciate that. It just - make it
11 very crystal clear that that is critically important
12 for us. Because in order for it's the win-win, we
13 just need to make sure that we have signed
14 agreements.

15 Uhm, okay, last thing I'll say here and I
16 understand that in addition to these four
17 generationally family owned small businesses with
18 whom you have reached agreements and Nathans - well,
19 I'm just making sure that I have everything here
20 correct Alessandro as far as the timeframe. I'll
21 follow up with you and your team afterwards. We have
22 more work to do on this front and again, I thank
23 everyone for their time. Thank you so much. Thank
24 you Chair.

1
2 CHAIRPERSON MOYA: Thank you. Thank you very
3 much Council Member Treyger. Uhm, and thank you to
4 Council Member Levin for stepping in. Uh, Counsel,
5 do we have any other members who have questions for
6 this panel?

7 SUBCOMMITTEE COUNSEL: No Chair, I see no other
8 members with questions for the panel.

9 CHAIRPERSON MOYA: Okay. Uhm, seeing that there
10 are no more questions for this panel, the witness
11 panel is now excused. Counsel if you could, please
12 call up the next panel.

13 SUBCOMMITTEE COUNSEL: The first public witness
14 panel will include Jimmy Kokotas, Maya Haddad Miller,
15 Michael Serel (SP?) and Tina Georgoulakos. Apologies
16 for any mispronunciation there. Jimmy, Maya, Michael
17 and Tina, if you have not already done so, please
18 accept promotion to panelist and please also accept
19 any invitation to unmute.

20 And with that, we will now hear from the panel
21 beginning with Jimmy and then - Jimmy Kokotas and
22 then Maya Haddad Miller.

23 SERGEANT AT ARMS: Time starts now.
24
25

1
2 SUBCOMMITTEE COUNSEL: Mr. Kokotas, if you can
3 hear me, I need you to accept the unmute request in
4 order to begin your testimony.

5 JIMMY KOKOTAS: Okay, we're good?

6 SUBCOMMITTEE COUNSEL: Yes.

7 JIMMY KOKOTAS: Yes, okay, okay. Thank you very
8 much. Thank you to the Council. Thank you to the
9 Committee and to the Subcommittee for the opportunity
10 today to speak on this very important matter.

11 My name is Jimmy Kokotas, I am the third
12 generation owner of Tom's Restaurant of Prospect
13 Heights. In 2012, after negotiations and talks with
14 CAI, we were able to bring a family run sit down.
15 Family friendly business to the Coney Island
16 Boardwalk which was not there for the last 50 or 60
17 years prior to us arriving. There's been plenty of
18 fast food amusements and other different types of
19 food options but never a sit down restaurant that
20 would be friendly to young children, to older adults,
21 and to anybody else where they could sit down inside,
22 climate controlled private bathrooms and things of
23 that nature. We are very happy to bring that to the
24 amusement area. We had a very good run. Through
25 those years we were active in the community working

1
2 with our local schools, working with the different
3 volunteer groups in Coney Island and we're proud to
4 participate, host Christmas parties, Thanksgiving
5 parties for the children and again, be active members
6 of the community, the broader community of Coney
7 Island. Things were challenging through the years.
8 It's tough to be a sit down business on the boardwalk
9 through the increment weather of the winter but we
10 were able to do it.

11 We used to stay open for probably around 300 days
12 of the year. So, even tourists that came to Coney
13 Island were able to find something open on the
14 boardwalk. A place to sit down, a place to get
15 something to eat. With COVID, obviously everything
16 changed. Our business was down approximately 93
17 percent in 2020 and approximately 75, 80 percent in
18 2021. We were fortunate enough to get the PPP loans,
19 the Restaurant Revitalization Funds as well. And
20 without those, we would not have been able to even
21 make it to this point in the discussion.

22 We speak in favor of this proposal for CAI so
23 that they can in turn extend our leases which will
24 add some stability and at least going forward, give
25

1
2 us an opportunity to survive. We've taken loans out
3 on the business.

4 SERGEANT AT ARMS: Time expired.

5 JIMMY KOKOTAS: We've taken loans out on our
6 business and again, giving us the extension here and
7 the additional years and CAI, making some concessions
8 in lowering our rents for the -

9 CHAIRPERSON MOYA: Jimmy, thank you for your
10 testimony today. We really appreciate it. Thank
11 you. Thank you.

12 SUBCOMMITTEE COUNSEL: Maya Haddad Miller will be
13 the next speaker and Michael and Tina, if you can
14 hear me, please accept the promotion to panelist and
15 standby for your testimony. And now, we'll hear from
16 Maya Haddad Miller.

17 SERGEANT AT ARMS: Time starts now.

18 MAYA HADDAD MILLER: Good morning. Hi, my name
19 is Maya Haddad Miller and I own and operate Brooklyn
20 Beach Shop on the Coney Island Boardwalk with my dad,
21 Hiam Haddad.

22 25 years ago in '96, my dad opened a discount
23 store on the corner of Mermaid and Stillwell where
24 McDonalds stands today. In 2003 it went out of
25 business. That same year, he opened Coney Island

1
2 Beach Shop right next door to the original Nathan's
3 Famous location. By the summer of 2012, we opened
4 Brooklyn Beach Shop on the Boardwalk. That same year
5 Hurricane Sandy flooded his shop off the Boardwalk
6 and everything inside was destroyed. He had no flood
7 insurance but we built back.

8 By 2019, our family had six retail shops within
9 the amusement district but in 2020 only two were able
10 to open. And those two shops ended down 80 percent
11 to 2019. Lately, one of our biggest challenges has
12 been rent. Our current rental terms are not suited
13 for the environment we are in.

14 As you may or may not know, most boardwalk
15 subtenants signed lease renewals right before the
16 pandemic. I signed mine on March 17, 2020, the day
17 after I closed my doors for the pandemic. These new
18 leases are based on revenues, projections from 2019
19 in which in the current environment as you know are
20 not sustainable.

21 If you recall, there was very little protection
22 for boardwalk subtenants in the original underlying
23 leases between EDC and right operator but this
24 extension addresses some of those concerns, at least
25 through to 2037.

1
2 It would bring my family and some of my neighbors
3 stability during these unstable times and it will
4 better prepare us for the new normal. The new normal
5 requires realistic rental terms that can accommodate
6 a slow recovery in an unpredictable future. More
7 specifically, I have signed a term sheet with CAI,
8 summarizing the principle terms of a proposed
9 amendment to my existing sublease, as previously
10 mentioned.

11 Will it protect me from another year like 2020?

12 SERGEANT AT ARMS: Time expired.

13 MAYA HADDAD MILLER: Uh, not entirely but I
14 support this because it will put me in a much better
15 position to bounce back and offer some stability.
16 And my time ran out. Thank you.

17 CHAIRPERSON MOYA: Thank you. Thank you so much
18 for your testimony. Next speaker please.

19 SUBCOMMITTEE COUNSEL: Tina Georgoulakos. And if
20 you can hear me Tina, please accept the unmute
21 request in order to begin your testimony.

22 SERGEANT AT ARMS: Time starts now.

23 SUBCOMMITTEE COUNSEL: Tina Georgoulakos, thank
24 you.

1
2 TINA GEORGOULAKOS: First, I'd like to thank Mark
3 Treyger and his staff for their tremendous support
4 during the last two years. Knowing how much he cared
5 about Coney Island and our businesses, helped me
6 navigate through this crazy time.

7 Hi, my name is Tina Georgoulakos, I am the owner
8 of Paul's Daughter and have a restaurant on the Coney
9 Island Boardwalk and I am Paul's daughter. My family
10 has been in continuous operation since 1962. My dad
11 started working in Coney Island almost since the day
12 he immigrated from Greece in 1946. He built this
13 business from nothing and turned it into the iconic
14 place that it is today. Sadly, he passed away two
15 years ago. He was a beloved member of the community
16 and a friend to all and his devotion to Coney Island
17 is legendary.

18 There's nothing he loved more. I've worked there
19 since I was a kid. He asked me to help him 25 years
20 ago, just one summer and one summer turned into 25
21 years later. I've seen all kinds of things happen in
22 the last 60-70 years that my dad was on the
23 boardwalk. Hurricanes, Sandy, gangs, up and down
24 summers, 2003 it rained every weekend. Uhm, it was
25 unbelievable. It was just a terrific - the business

1
2 was down 30 percent but I never encountered anything
3 like this. Our business was down 80 percent. Uhm,
4 this lease extension is our lifeline. We won't make
5 it another summer. So, we need it. I'm in support
6 of it. I had a whole list of things I was going to
7 say but everybody has kind of covered it.

8 So, I give my support for this extension. Thank
9 you so much.

10 CHAIRPERSON MOYA: Thank you Tina. Thank you so
11 much for your testimony today. Next speaker.

12 SUBCOMMITTEE COUNSEL: Michael Serel, if you can
13 hear me, Michael Serel, you are being called to
14 testify. And if you can hear me, we need you to
15 accept the promotion invitation to panelist in order
16 to begin your testimony.

17 SERGEANT AT ARMS: Time starts now.

18 SUBCOMMITTEE COUNSEL: Michael Serel, if you can
19 hear me and you are on a telephone, uh, you can
20 unmute yourself by pressing star six on your keypad.
21 Star six to unmute yourself on a phone.

22 Once again, it's for Michael Serel. Michael
23 Serel, if you can hear me, we need you to accept the
24 unmute request in order to begin your testimony and
25

1
2 you can do that on a phone by pressing star six on
3 your keypad.

4 Okay Chair, apologies. Yeah, we will attempt to
5 come back but we will now call the next panel, which
6 should include Alexander – uh, excuse me. Alexandra
7 Silversmith and Telisha Lee. Alexandra Silversmith
8 to go first followed by Telisha Lee.

9 SERGEANT AT ARMS: Time starts now.

10 SUBCOMMITTEE COUNSEL: Let's see if we can –
11 Telisha Lee, can you hear me? If you can hear me, we
12 need you to accept the unmute request in order to
13 begin your testimony.

14 There she is, Telisha Lee, please accept the
15 unmute request and then you can begin your testimony.
16 Telisha Lee or Alexandra Silversmith, if you can hear
17 me, please press the raise hand button and if you
18 intend to testify, please accept the unmute request
19 in order to begin to speak.

20 CHAIRPERSON MOYA: Okay, I see Telisha there.

21 SUBCOMMITTEE COUNSEL: I see Telisha Lee.
22 Telisha Lee, if you can accept the unmute request
23 then we can take your testimony. If you do not
24 intend to testify, you can –

25 TELISHA LEE: Okay, great. I think that worked.

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SUBCOMMITTEE COUNSEL: Thank you.

CHAIRPERSON MOYA: You got it, okay.

TELISHA LEE: Yeah, okay, hi, my name is Telisha Lee. I'm reading a letter on behalf of April Simpson.

CHAIRPERSON MOYA: You may begin.

TELISHA LEE: Okay, my name is April Simpson and I am the President of Queensbridge Houses Resident Association. As the President my mission is to uplift, encourage and advocate for residents in public housing. In the last 18 months, we've really seen how badly new housing stock is needed.

There are upwards of 50,000 homeless people in New York including children. Every time we put an affordable unit online, it gives someone a greater opportunity to get a home. I am speaking today to show my support for the 31st Street rezoning as it will provide affordable housing options. A new senior and youth center along with high quality jobs and community programming.

One of the reasons I am most passionate about this project is because of the new youth center. High quality youth programs promote positive youth development and authorize safe space where children

1
2 can explore their potential. This project is
3 partnering with HANAC (SP?) and Urban Upbound to
4 create programming that best serves historian needs.
5 HANAC service to the neighborhood spans almost 50
6 years since their founding in 1972. They had them
7 providing services including youth programming, adult
8 literacy classes, legal clinics, healthcare access
9 programs employment and training and resources, and
10 family counseling along with renting several senior
11 centers.

12 Please accept this testimony as my support for
13 the rezoning. Thank you for your time and
14 consideration.

15 SUBCOMMITTEE COUNSEL: Alexandra Silversmith.
16 Alexandra Silversmith, please accept the unmute
17 request if you see one. There we go, thank you.

18 SERGEANT AT ARMS: Time starts now.

19 ALEXANDRA SILVERSMITH: Good morning, my name is
20 Alexandra Silversmith and I am the Executive Director
21 of the Alliance for Coney Island. I would like to
22 thank you for the opportunity to testify today about
23 the Third Amendment to the leases for Central
24 Amusement International and Deno's Wonder Wheel
25 Amusement Park.

1
2 My nonprofit, the Alliance for Coney Island seeks
3 to continue the revitalization of Coney Island and
4 increased visitor-ship. Both of these entities are
5 critical to the health of the Amusement District.
6 The closure in 2020 caused by the COVID-19 pandemic
7 had devastating consequences on their businesses and
8 the surrounding businesses in the district.

9 The pandemic illustrated the degree to which
10 Coney Island truly operates as an ecosystem and
11 without these two strong operators, the area cannot
12 thrive. Additionally, both businesses have shown a
13 strong commitment to Coney Island with private
14 investment. Deno's and CAI both are defying
15 expectations during pandemic and continuing to invest
16 in the area.

17 Deno's constructed an opened the Phoenix
18 rollercoaster, as you've heard and CAI, as we sit
19 here now, is currently constructing several new
20 attractions that will add to the Coney Island Skyline
21 and expand the types of rides and amenities visitors
22 can experience.

23 I am here today to support the extensions for
24 both entities and also support the subtenants who
25 have testified today. CAI and Deno's are founding

1
2 board members of our organization and the subtenants
3 here today have all been members of organization
4 since our inception supporting the community work we
5 do and aiding our work as a nonprofit in the
6 revitalization and economic development of Coney
7 Island.

8 These extensions particularly in light of the new
9 omicron variant are crucial to the stability of the
10 family owned businesses. The character of Coney
11 Island and the longevity of these two generational
12 businesses is what makes Coney Island so unique.
13 This year, despite the amusement district fully
14 reopening, business was down on average 25 to 35
15 percent from 2019. Many of the businesses who will
16 benefit from this extension only receive relief from
17 PPP. The rules and stipulations for the other
18 programs did not cover them.

19 Though we hope for a brighter future, we can know
20 nothing is for certain and extensions are a much
21 needed -

22 SERGEANT AT ARMS: Time expired.

23 ALEXANDRA SILVERSMITH: I thank Councilman
24 Treyger and EDC.

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

4 SUBCOMMITTEE COUNSEL: We will now try to hear
5 from Michael Serel. Michael Serel to speak next.

6 SERGEANT AT ARMS: Time starts now.

7 SUBCOMMITTEE COUNSEL: Uh, Michael Serel, I can
8 see you in the list of speakers. If you can hear me,
9 please accept the unmute request in order to begin
10 your testimony.

11 I'll take this opportunity to announce that
12 written testimony can be submitted by email to
13 landusetestimony@council.nyc.gov. If for some reason
14 uh, we're unable to take your testimony today,
15 landusetestimony@council.nyc.gov.

16 CHAIRPERSON MOYA: Arthur, I think we should
17 proceed to the next panel.

18 SUBCOMMITTEE COUNSEL: Uh, as it happens, that
19 was the last speaker on this panel Mr. Chair. So,
20 you could excuse this panel and we can see if there's
21 anybody else left.

22 If there are any other members of the public who
23 wish to testify on the Coney Island Special Process
24 Agreement Amendment, please press the raise hand
25 button now. Please so not use the raise hand button,

1
2 unless you are wishing to testify on the Coney Island
3 Special Process Agreement Amendment. The meeting
4 will briefly stand at ease while we check for any
5 other members.

6 Okay, Mr. Chair, not seeing any hands for new
7 testimony. Uh, once again this is for anyone who has
8 not already testified. And with that Chair Moya, I
9 see no other members of the public who wish to
10 testify on this item.

11 CHAIRPERSON MOYA: Okay, thank you. There being
12 no members of the public who wish to testify on the
13 Preconsidered LU item for the Proposed Third
14 Amendment of the Special Process Agreement related to
15 the Coney Island Amusement Park Project Plan, the
16 public hearing is now closed and this item is laid
17 over.

18 I now open the public hearing on the
19 Preconsidered LU item for the 1 Wythe Avenue
20 Industrial Business Incentive Area Proposal, which
21 includes a Proposed Zoning Text Amendment under the
22 ULURP Number N 210273 ZRK and which relates to
23 property in Council Member Levin's District in
24 Brooklyn.

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2 Once again, if you wish to testify on this item,
3 please visit the Councils website to register. That
4 link is at the www.council.nyc.gov/landuse. And you
5 may also submit written testimony by emailing it to
6 landusetestimony@council.nyc.gov. And now, Council,
7 if you could, please call up the first panel for this
8 item.

9 SUBCOMMITTEE COUNSEL: First, the applicant panel
10 for this item will include once again Richard Lobel
11 and Fayanne Betan and also available for question and
12 answer, we will have Nick Liberis, Jeremy Zuidema,
13 Kevin Williams and Louis Handler. I will ask all
14 panelists now to raise your right hands please.

15 Do you swear or affirm to tell the truth, the
16 whole truth and nothing but the truth in your
17 testimony before this Subcommittee and in answer to
18 all Council Member questions? Thank you.

19 CHAIRPERSON MOYA: You may begin Richard.

20 SERGEANT AT ARMS: Time starts now.

21 RICHARD LOBEL: Thank you Chair Moya, Council
22 Members. Good morning, Richard Lobel from Sheldon
23 Lobel. I will be presenting landuse matters to be
24 considered today and will be joined by Nick Liberis
25

1
2 who will be discussing the architectural aspects of
3 the Proposal.

4 If you can load the slide presentation please.

5 So, we're here today to discuss the 1 Wythe Avenue,
6 IBIA Special Permit and Text Amendment. Next slide.

7 This is to establish an industrial business incentive
8 area on three lots in Williamsburg. So, the Text
9 Amendment is to provide for the extension of that
10 IBIA and then there's a special permit, which allows
11 for three aspects. The first is to increase the
12 floor area ratio to permit light industrial and
13 commercial uses. The second, to permit an adjustment
14 in the underlying height and setback regulations and
15 the third, to modify accessory off street parking
16 requirements and loading berth requirements.

17 Again, the IBIA as has been established through
18 the original text amendment and three prior
19 applications including 103 North 13th most recently,
20 simply allows for as of right floor area in the form
21 of 4.8 of community facility floor area in the
22 subject M1-2 District to be used instead for
23 incentive uses, industrial uses, business uses, to
24 allow for more walk to work opportunities and
25 increase job numbers in this area. Next slide.

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So, here you can see there's a Tax Map with three sites in question. The lot area amounts to roughly 16,820 square feet, which given the floor area ratio would allow for roughly 80,000 square foot building. Nick will run through the relative square footages as he goes through his presentation but we do know that there will be 13,000 square feet of industrial uses, which will be located on the ground floor of the proposed building. Next slide.

So, the area map here indicates what you would expect from this area, which is a heavy uhm usages with regards to manufacturing and commercial uses. So, this lot itself and this development site was part of the original IBIA prior to the time when it was reduced. And now, applicants seeking the Special Permit are required to come in and ask for this Text Amendment to expand it over the area. But this was one of the original blocks that was included in the IBIA.

You can see of course that M1-1 and M1-2 use zoning districts abound in the area, particularly here, the three streets around the property give excellent access to the site and make it particularly

1 appropriate for the uses and bulk for this proposed
2 here. Next slide.

3
4 So, the next slide demonstrates uhm existing uses
5 of the site. This is uhm, as is typical in the M1-1,
6 given the low FAR and high parking requirements
7 results in primarily one story manufacturing and
8 industrial type buildings. Next slide.

9 And given that there are also some taller
10 buildings in the area of course, the William Vale
11 Hotel can be seen several blocks away and if you want
12 to just page through the remainder of the pictures,
13 uh and come to the first map after the pictures,
14 you'll see the proposal with regards to the Special
15 District and the expansion of the IBIA. Of course,
16 there are three sites that are currently included in
17 the IBIA. Again, 103 North 13th to the South being
18 the most recently added and now, as you could see the
19 amended and proposed map, the IBIA would be mapped
20 over the three lots that are included in this
21 application.

22 With that, uhm, I think if you want to forward
23 two slides to the proposed project, uh, these are the
24 square footages and after that, I'm going to defer
25 over to Nick.

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2 So, the building again, would be an 80,000
3 roughly square foot building with 33,000 square feet
4 of permitted uses in the cellar. Second and fourth
5 floors, 13,000 square feet roughly required
6 industrial uses on the ground floor and 33,600 square
7 feet roughly of incentive uses on floors five through
8 eight. The resulting building would be 110 feet tall
9 and eight stories similar to other applications
10 approved pursuant to the IBIA with one loading berth
11 and reduction to no parking spaces.

12 Uhm, and as we go to the next slide, which has
13 zoning calculations and I turn this over to Nick, I
14 would merely note that this is an application which
15 has received tremendous support, including from
16 Evergreen, which has signed a letter and submitted
17 that into the record. It indicates that they are
18 supportive of the application particularly in light
19 of the high quality industrial space which will be on
20 the ground floor here. With that, I would defer to
21 Nick Liberis.

22 NICK LIBERIS: Thank you Rich. Nick Liberis with
23 Archimaera. As Rich said, we've received
24 overwhelming support from the Community Board and
25 from local light manufacturing groups and the basis

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2 of this is having this – the light manufacturing
3 space on the ground floor. We have about thirteen
4 and a half thousand square feet of very high quality
5 light manufacturing space on the ground floor. We
6 meet all of the criteria that DCP set forth for this
7 space. It has high ceilings. It has excellent
8 access to loading and what makes this unique is that
9 in this area, there's been a lot of talk of keeping
10 the characteristic manufacturing but it's often
11 relegated to the second floor or higher. And in this
12 case, we've kept it on the ground floor. We had uh
13 and like an aligned ownership and lots of community
14 support that made this possible. Next slide please.

15 You can see here that the access to this is off
16 of all three streets that the building fronts off of.
17 You have Banker Street to the north, which is the
18 typically more traffic street by trucks. Acme is the
19 next block to northwest. North 15th Street is to the
20 south and we've been hearing a lot recently about the
21 community asking for this to be turned into a
22 pedestrian only promenade, that would lead from the
23 inlet into the park all the way to the east. And
24 then we have Wythe Avenue that the shortage frontage
25 faces. So, this is light manufacturing space which

1
2 will be very easily accessed from the street. It
3 will be very visible to the public and one other
4 thing that this implicates is because of this and
5 also because of the size of the sites and the shape
6 of the site, we're unable to come up with a good way
7 to provide parking. This is something that we've
8 received backing from - backing for excuse me, from
9 DCP and also the community. It's quite clear that
10 it's impossible to have parking really access this
11 site in anyway that wouldn't really chop up this
12 first floor. Next slide please.

13 So, these are, these are typical floors coming
14 up, if you could just please cycle through these
15 quickly. This is the cellar floor you know these are
16 the typical floors at the base and then we have the
17 upper office floors. We have very high quality
18 office space. We have light coming in from you know
19 all three sides and we have a very good window to
20 office floor depth - depth ratio. There's been a lot
21 of consideration to the quality of this office space
22 and how its been set up around core. You can see
23 here as Rich described, you know the maximum height
24 is 110 feet with a setback at the eighth floor, which

25

1
2 hosts a roof terrace and there's a significant roof
3 terrace at the fourth floor. Next slide please.

4 Uhm, this building access show what the general
5 massing of the building. There's been terraces
6 provided at multiple floors that are set up to
7 service various office tenants and fourth floor
8 tenants. The fourth floor has been contemplated to
9 be any type of an as of right use. Uhm, we have
10 thirty three and a half thousand about square feet of
11 as of right uses and then we have thirty three and a
12 half thousand square feet of these so called
13 incentive uses, which are uses that are permitted as
14 of right but have been kind of called down.

15 So, it's mainly office space that's permitted in
16 that incentive use upper bid. Next slide please.
17 Uhm, this was the presentation that we gave to the
18 Community Board, which show that there is sufficient
19 parking in this area to support the request for us to
20 reduce parking to zero. So, you can see that there
21 are in excess of 15 properties within a few block
22 radius that have excess capacity. This is something
23 that we've been keeping very close track of. First,
24 starting with that other Special Permit Project that
25 we had approved a few years back on the Three North

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2 13th and then with other ones coming up. You know we
3 are very keen you know to support as uh, like reduce
4 traffic, a scheme as we can with the support of City
5 Planning and the community but we always have to be
6 mindful you know of making sure that we meet the
7 criteria of the zoning as its currently written for
8 parking to the best of our ability.

9 So, this shows that you know even though we don't
10 quite do it, there enough there to provide what the
11 site actually requires based on the uses on site.

12 Next slide please.

13 And you can see here, this is I think one of the
14 most appealing views of the building. This is coming
15 from the east looking west. On the west side, you
16 have 15th Street, which is leading towards the future
17 Bushwick Inlet Park. On the right side, you have
18 Banker and we've taken great pain to make sure that
19 there's a graceful massing as this steps back from
20 this very acute corner and what's been created is
21 some very nice public space also at the end. And we
22 anticipate with the Open Streets Program and also you
23 know future support from the city that as this
24 neighborhood changes, that this will only serve to
25

1 further enhance the pedestrian aspect of this area
2 which is so characteristic of it.

3
4 And with that, my presentation completes. Thank
5 you everybody.

6 RICHARD LOBEL: Thank you and as an applicant
7 team, we also wanted to take the opportunity given
8 that this may be the last Special Permit considered
9 during the current Council term to thank Council
10 Member Levin for his involvement both in the creation
11 and the opportunities to sustain this Special Permit,
12 which has been a boom to the area and which as an
13 applicant, it's been a pleasure to work with the
14 Community Board on these applications and really
15 bring job growth and work opportunities to this area.
16 So, with that, we're happy to answer any questions.

17 CHAIRPERSON MOYA: Thank you. Just one quick
18 question here before I turn it over to Council Member
19 Levin. Uhm, within the uh, an industrial business
20 incentive area, a special permit to allow an increase
21 in the FAR from 2.0 to 4.8, requires that the
22 building provide a minimum of 0.8 FAR required
23 industrial uses. What plans are proposed for this
24 required use and how many manufacturing jobs can we
25 expect to be created by this development?

1
2 RICHARD LOBEL: Nick, can you talk a little bit
3 about the proposed uses given your familiarity with
4 the area?

5 NICK LIBERIS: Sure, yeah sure. So, we have
6 about 14,000 square feet that's been provided. The
7 way that it's been set up on this ground floor, uhm,
8 and it's anticipated that it could be demised into
9 several smaller spaces and it's also set up because
10 of the office floor up above with a very wide space
11 into the columns in a way which would also support
12 just a single user that would want a big, wide open
13 space.

14 So, in this area, typically there is uses ranging
15 from alcohol manufacturing. There's several brewers
16 in this area, all the way down to people that you
17 know that make custom watches, custom jewelry.
18 There's fabric making, print making, you know
19 furniture making. There is all sorts of smaller
20 types of uses inhabit spaces all over the
21 neighborhood up into Greenpoint. So, the Greenpoint
22 Manufacturing Center, 67 West Street, 42 West Street,
23 uhm, there's a couple of other addresses that are now
24 alluding me but there's five or six very significant
25 you know warehouse type spaces that now house these

1
2 uses and this is anecdotal. We've always had - we've
3 had offices in these spaces and during COVID, we left
4 for about a year and a half and when we came back, I
5 mean, everything had been rented out almost
6 immediately going back to you know late 2020.

7 So, there's a tremendous demand and there's
8 really, there is a shortfall of these spaces and uhm,
9 you know we can't know who is going to be the person
10 or the person signing into the spaces but we could
11 definitely vogue for the quantity of the demand for
12 such spaces and uhm, uhm, you know as to who it could
13 be, I really can't comment but I'm sure that if you
14 go and visit in the next year, it will be fully
15 occupied. Or I guess, after it's been built, sorry,
16 not the next year because it's going to take a little
17 bit of time to build it.

18 CHAIRPERSON MOYA: Okay, thank you. That's it
19 for me with questions. I now want to turn it over to
20 Council Member Levin for questions.

21 SERGEANT AT ARMS: Time starts now.

22 CHAIRPERSON MOYA: Do we have Council Member
23 Levin still on?
24
25

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2 SUBCOMMITTEE COUNSEL: I see Council Member Levin
3 is logged in. I just can't confirm that he is - I
4 can't see his video.

5 CHAIRPERSON MOYA: Okay. Alright, I just reached
6 out to Council Member Levin. I'm going to give him
7 about one minute to see if he responds. If not,
8 we're going to have to move on uhm, to the next
9 panel.

10 Okay, I have not gotten a confirmation back from
11 Council Member Levin. Uhm, so do we have any Council
12 Members that have any questions for this panel?

13 SUBCOMMITTEE COUNSEL: Uh, no Chair, I see no
14 other members with questions for the panel.

15 CHAIRPERSON MOYA: Okay, there being no further
16 questions. The applicant panel is excused.

17 COUNCIL MEMBER LEVIN: Sorry about that Chair,
18 can you hear me okay?

19 CHAIRPERSON MOYA: There we go Steve.

20 COUNCIL MEMBER LEVIN: Okay, sorry about that. I
21 had to step out for a second. No, I just, uh, I want
22 to thank this application for engaging with us. I
23 wanted to ask about uhm, uh, uh, your willingness to
24 commit to Option One as part of the MIH?

1 RICHARD LOBEL: Uhm, Council Member, this is the

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3 -

4 COUNCIL MEMBER LEVIN: The other application.

5 Got it, got it, okay, uhm, okay, this is - I'm okay I
6 think with questions on this item. I do have a
7 question on the other end.

8 CHAIRPERSON MOYA: Okay, thank you very much
9 Council Member Levin. Seeing that there are no other
10 members who have any questions for this panel, this
11 panel is now excused.

12 Counsel, do we have any members of the public who
13 wish to testify on this item.

14 SUBCOMMITTEE COUNSEL: Any members of the public
15 wishing to testify on the 1 Wythe Avenue IBIA
16 proposal should please - are asked to please press
17 the raise hand button now. Mr. Chair, the meeting
18 will briefly stand at ease while we just confirm.

19 Okay, Chair Moya, I see no members of the public
20 who wish to testify on this item.

21 CHAIRPERSON MOYA: Okay, there being no members of
22 the public who wish to testify on the Preconsidered
23 LU items for the 1 Wythe Avenue IBIA Proposal under
24 ULURP Number N 210273 ZRK, the public hearing is now
25 closed and the item is laid over.

1
2 We can go to our next item. Okay, I now open the
3 public hearing on two Preconsidered LU items under C
4 210166 ZMK and N 210167 ZRK for the 79 Quay Street
5 Rezoning. Requesting a Zoning Map and Zoning Text
6 Amendment relating to property in Council Member
7 Levin's District in Brooklyn.

8 Once again, anyone wishing to testify on this
9 item, if you have not already done so, you must
10 register online and you may do that now by visiting
11 the Councils website once again at
12 council.nyc.gov/landuse.

13 Counsel, if you could please call up the first
14 panel for this item.

15 SUBCOMMITTEE COUNSEL: The applicant panel for
16 this item will include Richard Lobel, Fyayne Betan.
17 Available for question and answer will be Kevin
18 Williams, Steve Wygoda and Harry Einhorn.

19 For those of you who don't already remain under
20 oath, please raise your right hands. Do you swear or
21 affirm that the testimony that you will give
22 Subcommittee will be the truth, the whole truth and
23 nothing but the truth and that you will answer all
24 Council Member questions truthfully? Thank you.

1
2 CHAIRPERSON MOYA: You may begin Richard,
3 whenever you are ready.

4 RICHARD LOBEL: Thank you Chair Moya, Council
5 Members. Good morning, Richard Lobel of Sheldon
6 Lobel, PC for the application at 79 Quay Street.
7 This is for a Proposed Rezoning. If you can load the
8 slide presentation please.

9 I'm also hoping at the end of the presentation
10 that Council Member Levin can finally answer whether
11 it is Quay, Quay or Quay. Because Merriam Webster
12 Dictionary allows for all three pronunciations.

13 So, good morning again. We're here for the 79
14 Quay Street Rezoning. Next slide. The rezoning
15 would rezone a current M1-2R6A M8 Special Mixed Use
16 District, uh as was rezoned in the Greenpoint
17 Williamsburg Rezoning to an M1-4R70 District.

18 What this would allow for would be the
19 development of a nine story, approximately 92,000
20 square foot building, roughly 5.58 FAR with 86
21 dwelling units and then depending on the level of
22 affordability 22 under Option One or 26 under Option
23 Two affordable units.

24 The Zoning Map Amendment application consists of
25 two aspects, the first would be the Zoning Map

1
2 Amendment change, the Zoning Change to the M1-4R7D
3 and the second being a text amendment to not only
4 amend the Special District Text under Mx-8 but also
5 to of course provide for uhm, Mandatory Inclusionary
6 Housing on the site. Next slide.

7 So, as you can see here, this is a Zoning Map,
8 again the 2005 Greenpoint Williamsburg Rezoning
9 created many of the mixed use districts in this area
10 including at the subject site. Next slide. So, you
11 can see here that the M1-2R6A currently covers the
12 property with R6B to the east and R6 and R8 Districts
13 to the west. Next slide.

14 The next slide is the Tax Map which shows with
15 greater specificity what is proposed at the site.
16 This is an M1-4R7D. Why is this appropriate at the
17 site? Uhm, particularly here because you've got
18 existing R6B and R6A Districts, particularly R6B
19 Districts to the east and you have R8 and R6
20 Districts to the west, which is more easily seen on
21 the next slide. Which have largely resulted on the
22 west in building heights ranging from 14 to 33
23 stories.

24 So, particularly here the opportunity to put an
25 R7D mixed use district to allow for a nine story

1
2 building, allows for appropriate transition from the
3 taller buildings to the west to the smaller and
4 shorter buildings to the east. In addition Quay
5 Street here operates as a corridor towards the
6 waterfront and the opportunity to put new development
7 here and to enliven this corner with some retail is
8 something which is seen as valuable to the
9 surrounding area.

10 The site itself as you can see in red, is roughly
11 16,500 square feet. Two other lots would be
12 partially included in this proposed rezoning. Next
13 slide. So, the next slide demonstrates the actual
14 Zoning Change Map. You can see on the left, the
15 existing M1-2 R6A and on the right, the change in the
16 dotted portion for the M1-4 R7D. We note that R6A,
17 depending on the affordability and inclusionary
18 housing, can result in floor area ratios of 3 to 3.6.
19 So, the transition here to an R7D is seen as
20 particularly appropriate as has been confirmed in the
21 approvals of the Community Board, the Brooklyn
22 Borough President and City Planning Commission, we
23 further note that the Community Board here did issue
24 a unanimous recommendation. We were happy and proud
25 to receive that. Next slide.

1
2 So, here you see photos of the site and the
3 surrounding area. Again, this site has remained
4 largely underdeveloped with one to three story
5 buildings despite the rezoning in 2005 to the R6A
6 District. You know generally commercial uses at the
7 property. Next slide.

8 And resulting in warehouse type development. Uh,
9 I think if you want to fast forward through these
10 pictures, we can get to the first slide demonstrating
11 the building plans. Uhm, I would briefly run through
12 those building plans.

13 So, you have in front of you a nine story
14 building, which sets back after the seventh story.
15 Next slide. This slide includes zoning calculations.
16 Primarily of note here, is that the bedroom mix
17 results in 13 studios, 31 one-bedrooms, 29 two-
18 bedrooms, and 13 three-bedrooms. One of the things
19 that the R7D permits here is to allow for a wider
20 floor plate and more floor area to flush out these
21 units, so that we're able to bring large units to the
22 community. This was something that was seen as a
23 huge benefit to allow for a large number of three
24 bedrooms, as well as two bedrooms. And importantly,
25 pursuant to Mandatory Inclusionary Housing, the units

1
2 in the building generally will mirror the
3 inclusionary units, such that the inclusionary units
4 will include the same mix of one, two's and three's.

5 So, this is actually the opportunity to allow for
6 affordability and affordability at larger bedroom
7 sizes, which is you know one of the goals of the
8 program. Next slide.

9 The next slide merely shows an elevation
10 demonstrating the various building levels at the site
11 ranging from six to nine stories. Next slide. This
12 slide demonstrates the parking at the site resulting
13 in 31 below grade parking spaces. Next slide.

14 There is the retail on the ground floor, 10,000
15 square feet of new retail space and a residential
16 lobby. And then if you would page through the
17 remainder of the slides, this simply show the unit
18 layouts per floor the second or sixth floor and then
19 the setbacks seven and eight stories. We also
20 include copies in the next two slides of the building
21 elevations both from the south as well as the west.

22 And finally, the building section, which shows
23 the commercial on the ground floor followed by the
24 residential uses on floors two through nine above.
25 Uhm, there you go. So, with that, if you just want

1
2 to page through the last three slides, this is just a
3 massing of the building, particularly you know it's
4 probably that there is larger building types to the
5 west of the sight and thank you for doing that. I
6 didn't mean to go too fast and uhm, you can see the
7 larger buildings to the west of West Street and then,
8 uhm, you know as you page through to the end, the
9 rendering, which demonstrates the proposal and the
10 massing as it currently exists. With that, the
11 applicant is happy to answer any questions.

12 CHAIRPERSON MOYA: Uhm, sorry, can you hear me
13 now?

14 SUBCOMMITTEE COUNSEL: Yes.

15 CHAIRPERSON MOYA: Yup, okay, thank you for your
16 testimony. I'm going to turn it over for questions
17 now to Council Member Levin.

18 COUNCIL MEMBER LEVIN: Okay, thank you very much
19 Chair. I had a question I'm sorry about the mix up.
20 By the way, I say Quay Street.

21 RICHARD LOBEL: Okay.

22 COUNCIL MEMBER LEVIN: I think that's what most
23 say but uhm, I'm pretty sure, it's a small street so
24 you know it doesn't get a lot of foot traffic.

25

1
2 RICHARD LOBEL: Every time we say it, we say it
3 wrong, so we're happy to have you.

4 COUNCIL MEMBER LEVIN: So, on the MIH Option, uhm
5 is the applicant willing to commit to Option One?

6 RICHARD LOBEL: Yeah, we discussed that with Mr.
7 Einhorn. Uhm, and obviously it's the progress of the
8 Council Member here. We understand that there is a
9 unity to interest in the opportunity to bring the
10 community some real affordability, so we are happy to
11 acquiesce and uhm, understand that this will be
12 modified.

13 COUNCIL MEMBER LEVIN: Okay, uhm, and then in
14 terms of like sustainability measures at this
15 development site, uhm, can you speak to that little
16 bit?

17 RICHARD LOBEL: Sure, uhm, I'd actually ask if
18 Steve Wygoda who is the Project Architect is standing
19 by? Steve, are you able to talk about sustainability
20 at the site?

21 STEVE WYGODA: Yeah, I can. Can you hear me?

22 RICHARD LOBEL: Yes.

23 STEVE WYGODA: Okay, I'm not on video, I
24 apologize but we uhm we're looking to uh - we're
25 looking at the solar energy, the green roof, the

1
2 exterior wall functions. We put some green planting
3 along the street. Uhm, and we're trying to use some
4 materials that are environmentally sustainable you
5 know but, so we're going to come in. Once we begin
6 the design of the building, we commit to doing all of
7 those sustainability factors in our design. So, the
8 answer is yes. We also like the sustainability of
9 the terraces that have the wonderful view towards the
10 river and that has sort of uh, in my interpretation
11 sustainability. That means that those families will
12 stay there for a while. It will be a really cool
13 place to live. So, we sustain the families and we
14 provide I think 26 is what but well, it depends which
15 Option we go with.

16 So, just to keep it short, that's our approach to
17 the sustainability aspect.

18 COUNCIL MEMBER LEVIN: Okay and the applicant
19 will be willing to make some commitments that we can
20 uhm, talk about after this hearing to memorialize the
21 commitments on sustainability measures?

22 RICHARD LOBEL: Sure, Council Member, we're happy
23 to discuss that you as we go forward and to do so to
24 your satisfaction.

25

1
2 COUNCIL MEMBER LEVIN: Okay, uhm, and uh, Rich, I
3 should have asked that question as well to the
4 previous applicants but understanding that that
5 hearing is closed, we can have that conversation
6 post-hearing.

7 RICHARD LOBEL: Okay.

8 COUNCIL MEMBER LEVIN: Okay, thank you. Thank
9 you very much Chair.

10 STEVE WYGODA: Sorry, just for the record Richard
11 - it's Steve.

12 COUNCIL MEMBER LEVIN: Oh, okay, I didn't see it.

13 STEVE WYGODA: Sorry. I just want to add the
14 parking is above grade. Just because you're
15 recording it because we're in a very high water table
16 and Rich, I think you might have said below grade.

17 RICHARD LOBEL: Sure, apologies.

18 STEVE WYGODA: No problem.

19 COUNCIL MEMBER LEVIN: And obviously, I'm in
20 favor of as minimal parking as possible and uhm, if
21 you were able to do no parking, I would be in favor
22 of that. We can talk about after as well. Uhm, uhm,
23 okay, it seems that I am currently the Acting Chair.
24 So, does anyone else have any questions on this item?

25 Okay, seeing none -

1

SUBCOMMITTEE COUNSEL: Chair, I -

2

COUNCIL MEMBER LEVIN: Oh, go ahead.

3

SUBCOMMITTEE COUNSEL: No, I don't see any

4

members with questions.

5

COUNCIL MEMBER LEVIN: Oh, okay, thank you

6

Arthur. Okay, so in that note, uhm we will let the

7

applicant go. Thank you very much for your

8

presentation and look forward to working with you

9

over the next week or so to uhm, to see if we can get

10

both of these projects to an approval stage and uhm,

11

I think that they bring both projects real benefit to

12

uhm, to the neighborhood and have you know a minimal

13

- any negative affects or mitigated and minimal in my

14

opinion at this point.

15

So, just want to work through some of the details

16

as we move forward.

17

RICHARD LOBEL: Thank you Council Member.

18

COUNCIL MEMBER LEVIN: Thank you. Uhm, okay, so

19

seeing no other members that wish to ask questions, I

20

will ask if there are any members of the public to

21

testify on this item.

22

SUBCOMMITTEE COUNSEL: Chair, I'm going to take

23

this moment to just make a quick technical

24

announcement. For anyone who maybe logged in and

25

1
2 wishing to testify as a public speaker, we ask that
3 you register online at the Council's website before
4 you do so. And with that, we have no advanced
5 registrations but we'll ask now that if anyone would
6 like to testify as a public witness on this item to
7 please use the raise hand button now.

8 Okay, Chair it appears that we have no members of
9 the public who wish to testify on this item. Oh,
10 sorry, just to make sure, for anyone wishing to
11 testify and has not already registered and is here by
12 phone, you can use the raise hand button by pressing
13 star nine. Star nine on your key pad or telephone if
14 you intend to testify on this item.

15 Alright Chair, thank you. I see no members of
16 the public who wish to testify on this item.

17 COUNCIL MEMBER LEVIN: Okay, thank you very much
18 Council.

19 SUBCOMMITTEE COUNSEL: I will recommend that you
20 close the hearing on page 15.

21 COUNCIL MEMBER LEVIN: Yes, I'm sorry, I'm
22 looking for the notes here. Uhm, I don't have it in
23 page format, so bear with me here. Okay, sorry
24 Arthur.

1
2 SUBCOMMITTEE COUNSEL: It's okay, I'm sending you
3 a quick statement on this now.

4 COUNCIL MEMBER LEVIN: Okay, got it.

5 SUBCOMMITTEE COUNSEL: Just with the - just with
6 the -

7 COUNCIL MEMBER LEVIN: Got it. Oh, I see, got
8 it. Got it okay. Okay, page 15.

9 SUBCOMMITTEE COUNSEL: Middle of page 15, closing
10 by announcing the ULURP members.

11 COUNCIL MEMBER LEVIN: Got it. Uhm, okay. I'm
12 sorry. There being no members of the public who wish
13 to testify on Preconsidered LU items for 79 Quay
14 Street Rezoning Proposal under ULURP Numbers C 210166
15 ZMK and N 210167 ZRK, the public hearing is now
16 closed and the items are laid over.

17 SUBCOMMITTEE COUNSEL: And now, we will be on
18 page 21 to continue.

19 COUNCIL MEMBER LEVIN: Okay. I am now opening
20 the public hearing on LU Numbers 932 through 936
21 related to a number of land use actions related to
22 the River Ring Proposal in my district in Brooklyn,
23 Council Member Levin District in Brooklyn, in which
24 also include a Zoning Text Amendment and Zoning Map
25 Amendment. I'll note that in conjunction with those

1
2 related, Preconsidered Zoning Map and Text
3 Amendments, the Subcommittee held a public hearing on
4 November 18th and took comprehensive testimony
5 concerning the anticipated development under the
6 proposal and its entirety. That is pursuant to all
7 eight related actions.

8 At this time, I will ask Council whether we have
9 any members of the public signed up to testify today
10 on this item.

11 SUBCOMMITTEE COUNSEL: Yes Chair, I believe that
12 we do have – we did have one advanced registration
13 for this item. If we have Renzo Ramirez, Renzo
14 Ramirez will be the at this moment a lone speaker on
15 this item. Renzo Ramirez to testify on the River
16 Ring items.

17 Alright Chair, I have been informed that Renzo
18 Ramirez did cancel registration, so with that, if
19 there any other members of the public who wish to
20 testify on the River Ring items, we ask that you use
21 the raise hand button now.

22 Alright Mr. Chair, with that, I see no members of
23 the public who wish to testify on this item.

24 COUNCIL MEMBER LEVIN: Okay, there being no
25 questions for this panel. Excuse me, I'm sorry.

1
2 SUBCOMMITTEE COUNSEL: Page 24.

3 COUNCIL MEMBER LEVIN: Yes, yes, thank you.

4 There being no members of the public who wish to
5 testify on landuse numbers 932 through 936 for the
6 River Ring Proposal, the public hearing is now closed
7 and the items are laid over.

8 SUBCOMMITTEE COUNSEL: And now, we're onto the
9 very next item, The Archer Avenue.

10 COUNCIL MEMBER LEVIN: I now open the public
11 hearing on landuse number 938 for 160-05 Archer
12 Avenue Proposal, which seeks a Zoning Text Amendment
13 related to property in Council Member Miller's
14 District in Queens. I remind the viewing public for
15 anyone wishing to testify on this item, if you have
16 not already done so, you must register online. And
17 you may do that now in the Council's website at
18 council.nyc.gov/landuse one word landuse.

19 Okay, Counsel, can you please call the first
20 panel for this item?

21 SUBCOMMITTEE COUNSEL: The applicant panel for
22 this item will include Rachel Scall, Landuse Council
23 for the applicant and Hugo Corvalan for the
24 applicant.

1
2 RACHEL SCALL: I think we have Harley Braun
3 instead of Hugo Corvalan, I apologize.

4 SUBCOMMITTEE COUNSEL: Okay, Harley Braun, I'll
5 ask both panelists to please raise your right hands.

6 Do you swear or affirm to tell the truth, the
7 whole truth and nothing but the truth in your
8 testimony before this Subcommittee and in answer to
9 all Council Member questions?

10 RACHEL SCALL: Yes.

11 SUBCOMMITTEE COUNSEL: Thank you.

12 SERGEANT AT ARMS: Starting time.

13 RACHEL SCALL: If I could please have our slides.
14 Thank you. Good just afternoon, my name is Rachel
15 Scall and I'm an Associate at Greenberg Traurig. We
16 represent Archer One LLC and this application to
17 allow a curb cut on a currently restricted portion of
18 Archer Avenue. The application has received the
19 support of the Borough President as well as unanimous
20 approval of the Community Board. I am joined today
21 by Harley Braun on behalf of ownership.

22 If I could just get the slides. Sorry, are we
23 have technical difficulties with the slides? Oh,
24 thank you. Next slide please. Sorry. Thank you.

1
2 Archer One LLC owns 160-05 Archer Avenue located
3 at the northeast corner of Archer Avenue and 160th
4 Street, just north of the above ground LIRR tracks in
5 the special downtown Jamaica District. Next slide
6 please. This site is currently being developed with
7 an as of right 22 story building that will contain
8 315 dwelling units as well as ground floor and cellar
9 retail or medical use. Construction is about 75
10 percent complete and we expect people to begin moving
11 into the building in March 2022. Next slide please.

12 We would like to provide a permitted not required
13 loading berth for residents moving in and out of the
14 building as well as the retail or medical tenant as
15 needed. The new building does not have space for a
16 loading berth curb cut on 160th Street because a curb
17 cut can not be located within 50 feet of the
18 intersection and the balance of the 160th Street
19 frontage is occupied by the new buildings,
20 residential parking and residential lobby.

21 Therefore, we are seeking a Text Amendment to
22 create an authorization that would allow the City
23 Planning Commission to authorize curb cuts on
24 restricted streets where a zoning lot has more than
25 one street frontage in the special downtown Jamaica

1
2 district. We are simultaneously applying for this
3 authorization and are proposing this 14 foot wide
4 curb cut on Archer Avenue. Next slide please.

5 The proposed authorization requires that we meet
6 the finding shown here related to traffic, safety and
7 flow and pedestrian safety. With regards to findings
8 one, two and four, the proposed curb cut would not be
9 hazardous to traffic safety. It is expected to draw
10 minimal traffic and its use would be prescheduled
11 with a flagman present during daytime use.

12 As a result of conversations with the Community
13 Board and Council Member Miller, we have agreed that
14 the loading berth would not be used during am rush
15 hour or pm rush hour and that any use of the loading
16 berth by a retail tenant would take place overnight.
17 The proposed curb cut would prevent curbside pickups
18 and drop-offs by moving vans or trucks and by giving
19 them an off street place to pull up.

20 With regard to finding three, the loading berth
21 associated with the curb cut would prevent trucks
22 from coming in the site and blocking the sidewalk or
23 idling curbside or double parking. And the proposed
24 flagman would ensure pedestrian safety.

1
2 With regard to finding five, the proposed curb
3 cut will not be inconsistent with the character of
4 the existing street scape. A portion of the sites
5 Archer Avenue Frontage that was occupied by curb cuts
6 prior to the beginning of construction would be
7 reduced from what was previously there.

8 And neighboring blocks also feature curb cuts on
9 Archer Avenue. And with that, Harley and I are happy
10 to answer any questions. Thank you.

11 COUNCIL MEMBER LEVIN: Thank you very much. I
12 don't have any questions on this item. I'm sorry,
13 I'm just bringing up the - are there - do any of the
14 other members of the Subcommittee have any questions
15 on this item? If you have questions, please use the
16 raise hand function.

17 SUBCOMMITTEE COUNSEL: I see no members with
18 hands raised for questions.

19 COUNCIL MEMBER LEVIN: Okay, there being no
20 questions, the applicant panel is excused. Uhm,
21 Counsel, are there any members of the public who wish
22 to testify on 160-05 Archer Avenue Proposal?

23 SUBCOMMITTEE COUNSEL: Chair, we have no advanced
24 registrations but we'll ask now if anyone from the
25

1 public does intend to testify on the Archer Avenue
2 proposal to please use the raise hand button now.
3

4 Alright, it appears Chair Levin that we have no
5 members of the public who wish to testify on this
6 item.

7 COUNCIL MEMBER LEVIN: Okay, uhm, there being no
8 members of the public who wish to testify on 160-05
9 Archer Avenue Proposal, please - I'm sorry. Which is
10 LU 938, 160-05 Archer Avenue, the public hearing is
11 now closed and the item is laid over.

12 We will next turn to Beach 79th Self Storage. I
13 am now opening the public hearing on LU 937 for the
14 Beach 79th Street Self Storage Proposal which seeks a
15 Zoning Map Amendment related to property in Council
16 Member Brook-Power's District in Queens. For anyone
17 wishing to testify on this item, if you have not
18 already done so, you must register online and you may
19 do that now by visiting the Council's website at
20 council.nyc.gov/landuse one word landuse.

21 Counsel, would you please call the first panel
22 for this item?

23 SUBCOMMITTEE COUNSEL: The applicant panel for
24 this item will include again Rachel Scall Landuse
25 Counsel for the applicant and Uri Kaufman for the

1
2 applicant. Panelists, please or I guess Ms. Scall
3 you remain under oath. Please raise your right
4 hands. Do you swear or affirm to tell the truth, the
5 whole truth and nothing but the truth in your
6 testimony before the Subcommittee and in answer to
7 all Council Member questions?

8 PANEL: Yes.

9 SUBCOMMITTEE COUNSEL: Thank you.

10 RACHEL SCALL: If I could please get the slides
11 for this one, thank you.

12 SERGEANT AT ARMS: Starting time.

13 RACHEL SCALL: Hello again, my name Rachel Scall
14 and I'm an Associate at Greenberg Taurig. We
15 represent the applicant 79 Urban Development LLC,
16 owner of approximately 107,500 square foot
17 development site at Block 16100, Lots 14, 18, and 20
18 on the northside of Rockaway Freeway at the terminus
19 the Beach 79th Street.

20 I am joined today by Uri Kaufman on behalf of
21 ownership. Our client purchased this property in
22 January 2018 and planned to convert an existing
23 34,500 square foot building on the site to self-
24 storage and to construct a new approximately 73,000
25 square foot building on a vacant portion of the site.

1
2 Instead, we are pursuing the proposed rezoning, which
3 would increase FAR available on the site from one to
4 two. Next slide please.

5 This would allow the exiting building housing
6 seven industrial tenants with approximately 55
7 employees to remain. See the industrial building
8 here. Next slide please. And a new approximately
9 146,000 square foot self-storage building to be
10 constructed on a vacant portion of the site seen
11 here. Next slide please.

12 The proposed development site is located on the
13 northside of Rockaway Freeway and the above ground
14 subway tracks at the terminus of Beach 79th Street.
15 Next slide please.

16 It fronts on Rockaway Freeway and backs onto
17 Barbados Basin and is adjacent to Brandreth Creek to
18 the west. Next slide please. The site surrounding
19 area is largely industrial and residential uses to
20 the south are cut off from the site by the above
21 ground subway tracks and vacant parcels. Next slide
22 please.

23 The proposed rezoning would rezone a portion of
24 an exiting M1-1 district to an M1-2 district. Next
25 slide please, thank you. It would overlap with

1 portions of city owned property that make up the
2 adjacent street and sidewalk and Brandreth Creek.
3 Approximately 16 percent of the rezoning area is made
4 up of city owned land, two percent by another private
5 party and 82 percent is applicant owned. Next slide
6 please.
7

8 The new building except entrances, would be
9 raised above flood hazard levels and its entrances
10 would be flood proofed. Parking would be on the
11 ground level beneath the occupiable portions of the
12 building. The building would be approximately 90
13 feet tall from grade and would have six floors of
14 self-storage units containing approximately 950
15 climate controlled storage units of various sizes.
16 Next slide please.

17 We will also be repaving the properties drive
18 lane with permeable pavers, planting a wetlands
19 mitigation area adjacent to Barbados Basin pursuant
20 to a DEC permit, adding landscaping at the front of
21 the site and adding picnic tables adjacent to the
22 wetlands area that would be open to the public as
23 well as the existing industrial tenants.

24 Pursuant to DEC's voluntary Brown Fields Program,
25 we have a plan in place to cleanup hazardous

1 materials at the development site that have resulted
2 from its previous, almost more than 100 years of
3 industrial use. Without the proposed rezoning, uh,
4 next slide please.
5

6 Without the Proposed Rezoning, we could have a
7 total of 107,500 square feet of self-storage on the
8 site. The Proposed Rezoning represents an increase
9 of approximately 38,500 square feet of self-storage
10 on this site and would allow us to keep the existing
11 industrial uses. Next slide please.

12 The Proposed Rezoning area makes up a discrete
13 area separated from low density residential areas and
14 more pedestrian focused streets. Allowing the area
15 to support higher density industrial development
16 without disturbing nearby of uses. The uses
17 immediately surrounding the Proposed Rezoning area
18 are industrial in nature and have been since before
19 adoption in the 1961 Zoning Resolution.

20 We are excited to be a part of the Rockaways
21 community and hope to be a positive edition. To that
22 end, my client has set forth commitments and along
23 with Council Member Brooks-Powers, including to
24 conduct a traffic study at the site once the Proposed
25 Storage Facility is open and to fund the installation

1
2 of a traffic light if needed. The letter also
3 outlines goals for local hiring both for construction
4 jobs and permanent jobs.

5 Now, I will turn it over Uri Kaufman to provide a
6 little bit more information about the demand for
7 self-storage in the area.

8 URI KAUFMAN: Hello? Can you hear me?

9 RACHEL SCALL: Yup.

10 URI KAUFMAN: Okay, my name is Uri Kaufman. Uhm,
11 I grew up in Queens, uh, I now live about 15 minutes
12 away from the site. I've been a Real Estate
13 Developer for almost 30 years. I've built self-
14 storage facilities in other parts of our state and
15 elsewhere. We bought the site in January 2018 with
16 the idea of turning it into a self-storage facility
17 because the Rockaways are not so much lacking in
18 storage, it's basically nonexistent. It's
19 astonishing how there's almost none out there at all.

20 We did a study that showed there's about 700,000
21 feet of unmet demand. We expect this facility to
22 serve people in the local community particularly
23 people with smaller homes, people in affordable
24 housing apartments. It's anyone in some sort of
25 transition in their lives, people moving, people who

1
2 are divorced, soldiers who are mustering abroad and
3 then it is most importantly for small businessman.
4 Every electrician, every plumber, every gardener,
5 every sheetrock hanger, every artisan, artists,
6 anyone with an Amazon business, an Etsy business,
7 anyone who needs micro warehousing. There are many,
8 many such people. There is literally nothing for
9 these people right now. They have to travel quite a
10 distance to get those vital services.

11 The storage facility itself will not create a lot
12 of direct jobs. Actually, our industrial complex
13 there is a pretty important local job creator.
14 However, to the extent that the storage facility will
15 create jobs, and it will, we will reach out to the
16 local community, particularly people who can walk to
17 work, which there will be quite a few of those. In
18 fact, interestingly enough, while I was waiting for
19 my turn to testify, I got a call from a local person
20 asking for a job there and I told him to please send
21 me his resume and we will certainly give him every
22 consideration. His name is - he's a Mr. Hunt. We're
23 very excited to be part of this project.

24 As I said, I only about 15 minutes away. I grew
25 up in Queens myself, so it's great to do a really

1
2 good project like this in my own backyard and thank
3 you very much.

4 RACHEL SCALL: Thank you. We're happy to answer
5 any questions.

6 COUNCIL MEMBER LEVIN: Uhm, okay, thank you and
7 you said that I just want to confirm that you were
8 willing to do a traffic monitoring program and make
9 additional improvements to the intersection that are
10 needed by DOT once the project is built?

11 RACHEL SCALL: Sure, so we are planning to within
12 six months of the storage facility opening, we would
13 go back out and restudy the traffic conditions to see
14 whether our study shows a need to reopen that
15 intersection there and install a traffic light. Or
16 if DOT were to independently come to the conclusion
17 that that intersection should be reopened and we
18 needed to install a traffic light, we would still
19 fund the purchase of the traffic light and the
20 installation.

21 COUNCIL MEMBER LEVIN: Okay, so I'm just looking
22 at the - it's a you know very little infrastructure.
23 I'm just looking at Google Maps right now and on that
24 intersection, very little infrastructure there. Are
25 there other improvements that uhm, that have been

1
2 discussed other than like a traffic light? Any other
3 type of like stormwater mitigation? If there's any
4 flooding mitigation or anything like that?

5 RACHEL SCALL: Sure, so as part of our DEC
6 application, we're required to plan to 50 foot wide
7 wetlands area. That area is designed to provide that
8 type of stormwater mitigation. It will be fully
9 replanted with native plantings. The idea is that it
10 will allow for tides to come in. It will allow for
11 absorption of groundwater. We're also replacing any
12 paving in the drive lane right now with permeable
13 pavers, which should also help with stormwater.

14 COUNCIL MEMBER LEVIN: Uhm, okay. I appreciate
15 it very much. I think that's all the questions that
16 I have. Do any other members of the Subcommittee
17 have questions for this applicant?

18 SUBCOMMITTEE COUNSEL: Chair, I see no members
19 with questions.

20 COUNCIL MEMBER LEVIN: Okay. Uhm, okay, there
21 being no questions, the panel is excused. Counsel,
22 are there any members of the public who wish to
23 testify on Beach 79th Street Self Storage Proposal?

24 SUBCOMMITTEE COUNSEL: No Chair, we have no
25 advanced registrations but we'll ask at this time

1
2 whether any members of the public who do wish to
3 testify on this item are asked to please use the
4 raise hand button now.

5 Alright, Chair Levin, I see no members of the
6 public wishing to testify on this item.

7 COUNCIL MEMBER LEVIN: Okay, there being no
8 members of the public who wish to testify on LU 937
9 for the Beach 79th Street Self Storage Proposal, the
10 public hearing is now closed and the item is laid
11 over.

12 Counsel, is this next item 45-20 83rd Street?
13 That's already been heard this morning?

14 SUBCOMMITTEE COUNSEL: That's right. That's
15 right.

16 COUNCIL MEMBER LEVIN: Okay, we will be skipping
17 ahead then to 31st Street and Hoyt Avenue. I now
18 open the public hearing on two Preconsidered LU items
19 for the 31st Street and Hoyt Avenue Rezoning Proposal
20 which seeks a Zoning Map and Zoning Text Amendment
21 under ULURP's Numbers C 210200 ZMQ and N 210201 ZRQ
22 in related property in Council Member Tiffany Cabán's
23 District in Queens.

24 I will remind the viewing public for anyone
25 wishing to testify on this item, if you have not

1
2 already done so, you must register online and you may
3 do that now by visiting the Council's website at
4 council.nyc.gov/landuse. And I want to turn it over
5 to Council Member Cabán for open statement.

6 COUNCIL MEMBER CABÁN: Thank you very much. Uhm,
7 thank you Acting Chair Levin and the members of the
8 Committee. This is literally my first full day on
9 the job and so, I also want to extend thanks to the
10 Landuse division who gave me a really incredible
11 briefing yesterday and I want to be upfront and name
12 that I'm coming in at the end of this process. I
13 feel like I'm not coming in at the ninth inning, I'm
14 coming in at the last out of the ninth inning.

15 I know that this is a project that's been going
16 on for years. That my predecessor, former Council
17 Member Constantinides was very engaged on and you
18 know, I'm working as quickly as I can to get up to
19 speed and continue to learn. And I do just want to
20 very briefly name a few things that I care about.
21 Things like deeper affordability, accessing
22 displacement risk, working in partnership with both
23 community and labor, so that the folks that are most
24 directly impacted are ideating and uhm, you know are
25 articulating the things that we want and need, so

1
2 we're developing to the needs of our community and
3 the city as a whole.

4 And so, I'm looking forward to hearing from folks
5 in the community on this project. Thank you all.

6 COUNCIL MEMBER LEVIN: Thank you Council Member
7 Cabán. Uhm, and Counsel, would you please call the
8 first panel for this item?

9 SUBCOMMITTEE COUNSEL: The applicant panel for
10 this item will include Frank St. Jacques, Landuse
11 Counsel for the applicant. St. Jacques, please raise
12 your right hand.

13 Do you swear or affirm to tell the truth, the
14 whole truth and nothing but the truth in your
15 testimony before this Subcommittee and in answer to
16 all Council Member questions?

17 FRANK ST. JACQUES: I do.

18 SUBCOMMITTEE COUNSEL: Thank you.

19 SERGEANT AT ARMS: Starting time.

20 FRANK ST. JACQUES: Thank you. Could you please
21 load the presentation? And good morning Acting Chair
22 Levin. Council Member Cabán and Committee Members.
23 I have a brief presentation and then I'm happy to
24 answer any questions.
25

1
2 And also to say at the outset, Council Member
3 Cabán, we recognize that you're just coming into this
4 project but we welcome your input and we look forward
5 to working with you as we move towards the conclusion
6 of the ULURP. Next slide please.

7 This slide provides an overview of the rezoning.
8 The Proposed Zoning Map and Text Amendments will
9 promote transit oriented mixed use development in
10 Astoria at three underutilized sites on the 31st
11 corridor on wide streets with excellent access to
12 mass transit and open space. The project vision is
13 to revitalize the section of 31st Street near the
14 recently renovated Astoria Boulevard Station, with
15 significant community benefits including new housing
16 with permanently income restricted units under MIH
17 Option One or Mandatory Inclusionary Housing Option
18 One.

19 A partnership with local nonprofit HANAC to
20 provide senior and youth programming in two of the
21 buildings. And a daycare and local retail along with
22 about 193 associated jobs. Next slide please.

23 The three development sites and surrounding
24 context are shown in this areal view. The rezoning
25 area again, is highly transit oriented with access to

1 the Astoria Boulevard Station and several bus lines.
2 And the Ditmars Boulevard Station is also a few
3 blocks to the north. The elevated railway above 31st
4 Street dominates the streetscape and there is
5 currently very little active ground floor use on this
6 portion of 31st Street despite being right next to
7 the train station and Hoyt Playground. Where you
8 would expect to find this type of local retail.
9

10 This results in an uninviting and dark pedestrian
11 experience and is in contrast other portions of 31st
12 Street and other similar corridors through Astoria.
13 Development Site One, is the southernmost site. It's
14 currently a one story restaurant building with a
15 service parking lot. Development Site Two, is
16 currently a large retail store with a blank street
17 wall and surface parking lot and the northern most
18 site, Development Site Three was formerly industrial
19 buildings. Next slide please.

20 In the next few slides I will go over the project
21 details. Again, starting with the southernmost site.
22 In these photographs of Development Site One, you can
23 see the elevated rail above 31st Street and the
24 entrance to the Astoria Boulevard Station.
25 Development Site One is located at the northeastern

1
2 corner of the intersection of 31st Street and Astoria
3 Boulevard North. It's an approximately 10,000 square
4 foot flag shaped corner lot. Next slide please.

5 The Proposed Development on Development Site One
6 is an 11 story mixed use building with 51 dwelling
7 units including 13 income restricted units under MIH
8 Option One. It also contains about 10,784 square
9 feet of commercial floor area on the first and second
10 floors and 30,064 square feet of community facility
11 floor area intended for a daycare on the second
12 floor.

13 About 63 percent of the units are two and three
14 bedroom family size units and local retail would
15 activate the streetscape as you can see on the
16 rendering on the righthand side of the screen. Next
17 slide please. Just to the north across 24th Road is
18 Development Site Two. In these photographs, you can
19 see the long blank street wall for the Staples retail
20 store and fenced service parking.

21 Development Site Two, is the largest of the three
22 sites at about 29,638 square feet. Next slide
23 please. The Proposed Development on Development Site
24 Two is a 12 story mixed use building with 161 units,
25 including 40 income restricted units. It also

1
2 contains 14,454 feet of commercial floor area and
3 3,962 square feet of community facility floor area
4 intended for HANAC to provide senior programming on
5 the 1st floor. Just over half of the units are two
6 and three bedroom family units. Again, here local
7 retail uses will activate the street scape and
8 improve the pedestrian experience along this portion
9 of 31st Street. Next slide please.

10 Finally, the northernmost site is Development
11 Site Three, just north of 24th Avenue. It's a 13,503
12 square foot rectangular lot. Next slide please. And
13 so finally, the Proposed Development on Development
14 Site Three, is an 11 story mixed use building with 63
15 units, 16 of which would be permanently income
16 restricted under MIH Option One. It also contains
17 7,043 square feet of commercial floor area for ground
18 floor local retail. And community facility use on
19 the second and third floors including about 8,000
20 square feet of space for HANAC to provide youth
21 programming. And here about 54 percent of the units
22 are two and three bedrooms. Next slide please.

23 So, the bulk regulations of the currently mapped
24 C4-3 Zoning District are an important factor in the
25 rational for the rezoning. The 2010 Astoria Rezoning

1
2 changed the R5 District that had been mapped in 1961
3 to the current C4-3 Zoning District. Unlike other
4 areas within the Astoria rezoning, the Voluntary
5 Inclusionary Housing Program was not made available
6 in this area.

7 We believe this rezoning is an opportunity to
8 refine the zoning to allow more housing at nearly the
9 same bulk envelope that is allowed today under the
10 C4-3 Zoning.

11 This slide provides a comparison between the
12 maximum floor area ratio or FAR and the height that
13 permitted in the current and Proposed Zoning
14 Districts. So, on the left hand side, you see the
15 existing C4-3 and the Proposed C4-5X and C4-4 under
16 MIH with a comparison. And as you can see, the
17 rezoning represents an increase of 1.2 FAR from the
18 C4-3 to the C4-5X and an increase of 1.7 FAR from the
19 C4-3 to the C4-4.

20 The Proposed Zoning Districts would allow more
21 housing production versus community facility use and
22 would also require the provision of permanently
23 income restricted units under MIH Option One with a
24 similar bulk envelop to the current C4-3. The
25

1 rezoning would promote a revitalization of this
2 transit oriented area. Next slide please.

3
4 This slide shows a comparison of as of right
5 development versus development under the Proposed
6 Zoning. While the building heights are about the
7 same, the Rezoning promotes more housing development
8 and requires again that permanently income restricted
9 units be provided under MIH Option One. Next slide
10 please.

11 So, under MIH – excuse me Mandatory Inclusionary
12 Housing or MIH Option One, the requirements for
13 Option One are a waited average of 60 percent AMI.
14 And the breakdown is shown here for all three
15 projects combined. Of the 69 permanently income
16 restricted units under MIH Option One, 24 units would
17 be provided at 40 percent AMI, 25 units at 60 percent
18 AMI and 20 units at 80 percent AMI. And you can see
19 the corresponding rents and income limits in each
20 income band.

21 And I'll just note that according to American
22 Community Survey Data, the local census tracks 115
23 and 125 that the project is within have median
24 household income of \$81,596. The slightly larger
25 area, the Steinway Q 72 Neighborhood Tabulation Area,

1
2 or NTA has a median household income of \$74,388. And
3 the much wider approximate of Community District One
4 has a median household income of \$63,592. So, we
5 believe that these uhm – the affordability under MIH
6 Option One is appropriate for the site.

7 I'm going to also note that uhm, this permanently
8 income restricted housing would be provided without
9 any city subsidy. Next slide please. The proposed
10 project, we have a conservative estimate that it
11 would create about 193 jobs. We've signed an
12 agreement with 32BJ for prevailing wage building
13 service worker jobs. We've submitted a letter to the
14 Council regarding the applicants commitment to local
15 and MWBE hiring. And also partnering with local
16 nonprofit Urban Upbound on job placement and
17 workforce development. Next slide please.

18 And finally, we are partnering with HANAC to be
19 both the projects MIH Administrating agent and to
20 operate community facility space at Development Sites
21 Two and Three, with the intention of providing senior
22 programming at Development Site Two, and in the
23 larger space a Development Site Three youth
24 programming. Next slide please.
25

1 So, that concludes my presentation and I'm happy
2 to answer any questions. Thank you.

3 COUNCIL MEMBER LEVIN: Thank you very much to the
4 applicant. I'll turn it over to Council Member Cabán
5 for questions.

6 SERGEANT AT ARMS: Starting time.

7 COUNCIL MEMBER CABÁN: Thank you. Uhm, I just
8 have a few questions. I understand that there are no
9 significant uhm, adverse impacts related to shadows,
10 but there certainly are significant new shadows cast
11 on Hoyt Playground. So, just wondering how you
12 respond to concerns at this what is a really valuable
13 open space resource in our community. How that could
14 be limited to the public by new shadows your project
15 would cast over the site?

16 FRANK ST. JACQUES: Sure, so I'll just point out
17 the negative declaration that was issued by the
18 Department of City Planning with respect to the
19 Environmental Assessment Statement that was produced
20 in connection with the rezoning. Uhm, you're
21 correct, there is no significant adverse impact from
22 shadows cast by the Proposed Development. A detailed
23 analysis was performed, which is included within the
24 Environmental Assessment Statement.
25

1
2 So, while some shadows are cast on portions of
3 Hoyt Playground, uhm, that they are not considered to
4 be significant adverse impacts and then thus, the
5 Negative Declaration was issued.

6 With that said, the applicant team has uhm, been
7 in contact with the Parks Department and had a
8 meeting with the Borough Commissioner with respect to
9 potential contributions either to maintenance or
10 around improvement of Hoyt Playground. At this
11 point, that the conversation is essentially tabled
12 pending you know potential approval of the rezoning,
13 uhm and we look forward to continuing those
14 conversations if the development moves forward. And
15 we're happy to involve you in those conversations if
16 you so choose to be involved.

17 COUNCIL MEMBER CABÁN: Yeah, that was going to be
18 my next you know question in addition to Parks, would
19 you be willing to work with my office to identify a
20 way to make sure that the public can get maximum use
21 from that?

22 FRANK ST. JACQUES: Absolutely, yeah, I think
23 we've had pretty production - I believe we've met at
24 two - uhm, they are video meetings but two meetings
25 with Parks. And you know we're sort of ready and

1 willing to move forward with those conversations and
2 are obviously happy to include your office.

3
4 COUNCIL MEMBER CABÁN: Awesome. Uhm, and how
5 much of the community facility space is being
6 occupied by HANAC for the youth and senior
7 programming?

8 FRANK ST. JACQUES: So, uhm, in the uh – there's
9 three community facility spaces. There is community
10 facility space in each building. The southernmost
11 site, Development Site One, has about 4,000 square
12 feet of community facility space. HANAC is not
13 involved or in that space. The intended tenant is a
14 daycare.

15 Moving northward to Development Site Two, that is
16 about just shy of 4,000 square feet. That's the only
17 community facility space in Development Site Two and
18 that's intended to be occupied by HANAC to provide
19 senior programming. And then the third development
20 has two floors of community facility space. The
21 intention is that uhm about 8,000 square feet of that
22 community facility space would be used by HANAC for
23 youth programming. So, either on the second or third
24 floor. And then the other floor is intended to be

1
2 occupied by medical office uses as the community
3 facility space in that building.

4 COUNCIL MEMBER CABÁN: Thank you and uhm, just
5 one more question. The Community Board mentioned the
6 need for more and it's obviously a concern of mine as
7 well, more and deeper affordability for this
8 application. Would you be willing to work with my
9 office to increase the number of affordable units
10 within these projects?

11 FRANK ST. JACQUES: We're happy to have that
12 conversation. You know as we noted, we're working
13 with MIH Option One and but you know, we're happy to
14 sit down and figure out what we can do with respect
15 to affordability with your office.

16 COUNCIL MEMBER CABÁN: Thank you for taking the
17 questions.

18 FRANK ST. JACQUES: Absolutely, thank you. I'm
19 looking forward to working with you.

20 COUNCIL MEMBER LEVIN: Thank you Council Member
21 Cabán. Uhm, I want to just - I have a couple of
22 questions if I may Mr. St. Jacques.

23 FRANK ST. JACQUES: Of course.
24
25

1
2 COUNCIL MEMBER LEVIN: Uhm, can you just briefly
3 walk us through how the Community Advisory Board will
4 work?

5 FRANK ST. JACQUES: Sure, so this was a condition
6 uhm and you know part of a discussion with the Queens
7 Borough President. Uhm, we're still working out the
8 details but we've actually you know had several
9 internal meetings. I think uhm, you know sort of
10 roughly the intent is to engage staff at the Queens
11 Borough Presidents office, involve the Community
12 Board. There is a neighborhood organization, the
13 32nd Street Association, which we've been in contact
14 with and which we'll continue to be in contact with
15 to basically form the Community Advisory Board. We
16 would also ask Council Member Cabán and her staff to
17 be involved in forming that. And you know, beyond
18 sort of extending an invitation and to membership,
19 you know through the Community Board, the Borough
20 President and the local Council Members office, you
21 know we haven't really gotten much farther. But I
22 think the idea is to make it as inclusive and as
23 productive as possible, such that the applicants, the
24 local - who own the three development sites, will be
25 able to have an ongoing and productive discussion

1
2 with uhm, the community about you know potential
3 concerns and responding to those concerns sort of at
4 a real time basis.

5 COUNCIL MEMBER LEVIN: Uhm, and can you speak to
6 how – what your plan is to uhm work with neighboring
7 low density property owners to ensure that the
8 construction on your sites will not make their lives
9 unbearable during construction?

10 FRANK ST. JACQUES: Absolutely, so we've begun
11 that conversation. We had one meeting, I believe it
12 was in November by video. Uhm, and you know again,
13 this is another ongoing conversation. As we noted,
14 there's a you know significant opportunity for as of
15 right development at these sites, so for the rezoning
16 not to go forward, there is an intent to develop
17 here. So, we understand that the applicant team
18 needs to work with their neighbors you know to ensure
19 that construction goes smoothly.

20 So, I'll just say again, we have been in contact
21 with the 32nd Street Homeowners Association to set up
22 a follow up meeting. This would be an in-person
23 meeting. Our contact at that group, I believe he's
24 the Chair or the head of that group has asked uhm for
25 ample time to essentially flyer the neighborhood to

1
2 make sure that folks that you know wouldn't otherwise
3 be notified have sufficient time and notification of
4 an upcoming meeting.

5 So, we're working out the details of that now and
6 expect to meet either, I'm not sure if it will be
7 later in this month or in early 2022. But we're
8 working on that now. And also note, I think we
9 touched on this in our letter to the Council and
10 definitely in the letter to the Community Board, uhm,
11 there's really significant protections uhm for
12 adjacent property owners in the New York City
13 Building Code. So, we will, you know obviously have
14 to comply with all of those provisions in the
15 Building Code and as part of the Environmental
16 Assessment Statement and Negative Declaration,
17 Restrictive Declarations will also be recorded
18 against each of the three properties to ensure
19 certain protections are implemented with respect to
20 construction noise and air quality. The Restrictive
21 Declaration also requires a third party environmental
22 monitor to not only ensure those protections are in
23 place before any construction starts, but also that
24 they continue to be implemented and are effective
25 during the entire construction process.

1
2 So, we believe that there is you know between a
3 commitment to ongoing discussion and engagement with
4 the community, there is also several legal
5 protections that are subject to enforcement that you
6 know will ensure a smooth construction period.

7 COUNCIL MEMBER LEVIN: Thank you so much. Uhm,
8 those are all the questions that I have. Uhm, if any
9 of my colleagues have any further questions, please
10 use the raise hand function.

11 Okay, seeing none, Counsel, do you have anything
12 to add at this point?

13 SUBCOMMITTEE COUNSEL: No, Mr. Chair, you could
14 dismiss the applicant panel.

15 COUNCIL MEMBER LEVIN: Okay, there being no
16 further questions, thank you. The applicant panel is
17 excused. Counsel, are there any members of the
18 public who wish to testify on the 31st Street and
19 Hoyt Avenue Proposal?

20 SUBCOMMITTEE COUNSEL: Yes, we have a number of
21 advanced registrations for testimony and we will
22 begin that testimony with Laura Picallo and Steven
23 Trilivas. Laura Picallo and Steven Trilivas, Laura
24 Picallo to go first.

25 SERGEANT AT ARMS: Starting time.

1
2 SUBCOMMITTEE COUNSEL: I will remind all public
3 witnesses to please accept any unmute requests that
4 you might see on your device in order to begin your
5 testimony.

6 LAURA PICALLO: Awesome, thank you so much. Good
7 afternoon City Council Members and especially City
8 Council Member Cabán as our newest representative.
9 We look forward to you representing our communities
10 interest here in Astoria.

11 The Proposed Rezoning for development on 31st
12 Street and Hoyt Avenue is yet another afront to
13 everything that is beneficial for Astoria. As
14 someone who lives directly behind Proposed Rezoning,
15 I am disgusted. It is yet another piece of a
16 developer placing profits before the integrity of the
17 neighborhood. This project is built to reinvigorate
18 the area but if you are actually from here, you know
19 it is a fact quite active. I walk down 31st Street
20 and Hoyt daily and it is far from desolate, which the
21 developer would like you to believe.

22 Is the developer here to make Astoria? To make
23 sure that Astoria has adequate daycare, senior
24 facilities or affordable housing? All of which can
25 be built at the proposed site. Or are these

1
2 rezoning's here exclusively to pack more and more
3 people into our trains? Pack out and overflow our
4 sewer system? Pack out our schools? And overwhelm
5 our already stressed energy grid as well as
6 overburdening existing infrastructure.

7 We can't keep pretending these sham affordable
8 housing developments are either affordable or
9 beneficial for Astoria. How can we continue to pack
10 up the neighborhood without any changes to
11 infrastructure knowing fully well that the
12 environment cannot handle it? It's almost criminal.
13 Please ask yourself what true value does this upzone
14 bring to the people of Astoria? What real value does
15 building more luxury units bring to this
16 neighborhood? How many of these units will actually
17 be affordable? Or does this rezoning solely develop
18 so we benefit the developer? Can we add to the
19 community while not destroying the character of the
20 community? Can we add these services while
21 respecting the integrity of the area? Yes, we can.

22 We can easily HANAC daycare centers and shops at
23 this exact site as it is zoned today without this
24 upzone.

25 SERGEANT AT ARMS: Time expired.

1
2 LAURA PICALLO: And as someone who is directly
3 affected by this, I beg you to please reject this
4 upzoning. Thank you.

5 COUNCIL MEMBER LEVIN: Thank you very much Ms.
6 Picallo. Uhm, Counsel, can we call the next witness?

7 SUBCOMMITTEE COUNSEL: Steve Trilivas to testify
8 next. Mr. Trilivas, if you could accept any unmute
9 request that you might see on your device in order to
10 begin your testimony.

11 I can see Steve Trilivas. I cannot -

12 STEVE TRILIVAS: Hey, thank you guys.

13 SERGEANT AT ARMS: Starting time.

14 STEVE TRILIVAS: So, my name is Steve Trilivas,
15 I'm a Home Owner on 32nd Street impacted by this
16 development. I also have reluctantly taken up the
17 mantle of being with my elderly neighbors, who don't
18 have the ability to access this meeting.

19 So, the three Proposed sites on 32nd Street have
20 launched position from the local community for a
21 number of reasons.

22 COUNCIL MEMBER LEVIN: Mr. Trilivas, can I just
23 interject for a second? Can you turn off your second
24 device? We'll grant you back.

25 STEVE TRILIVAS: I do not have a second device.

1
2 COUNCIL MEMBER LEVIN: Oh, okay, you're on -
3 there you are. Okay, okay, we'll credit you 25
4 seconds.

5 STEVE TRILIVAS: Thank you. Alright, so there
6 was 675 signatures collected, 450 supported, but only
7 eight were in the neighborhood. 225 opposed, 162
8 were in the neighborhood. As a consequence we
9 brought our case to the Community Board and they
10 voted against this in a mandate landslide 25 to four.

11 The general community is against this. If you
12 read local resident feedback you know, it's an
13 eyesore, it doesn't fit with the architectural
14 framework with the community. The height of the
15 building does not fit in with overall neighborhood
16 framework and there's a lot of you know reasons for
17 that in terms of the people on 32nd Street. The
18 block on 32nd Street is a plethora of houses that
19 were built in 1930. They have delicate utilities
20 made of terracotta and in addition, most people that
21 live on the block are octogenarians. The development
22 is directly on the property line of the buildings,
23 especially Site Two and Three and will cause
24 significant jam. The backyards of these homes but
25 against.

1
2 In addition 24th Road is the lifeblood of the
3 ability of the housing on 32nd Street to move in and
4 out of their homes as their parking spaces are behind
5 the houses. However, this would likely be used as
6 the primary staging ground for [LOST AUDIO 2:39:01].

7 Keep in mind the impacted block is a dead end
8 street and has limited access for the residents to
9 get in their homes. There is also an abundance of
10 noise and pollution, while they might code
11 requirements will cause a great amount of distress to
12 local residents who you know once again are elderly.

13 Alright, as a result, there has been amount of
14 people selling their homes on the block to avoid the
15 multiyear construction project including the family,
16 the parents of Louise Alvarez.

17 SERGEANT AT ARMS: Time expired.

18 STEVE TRILIVAS: Who you might not know his name,
19 but his face was the one of like along with John
20 Stewart was the face of the first responders in
21 Congress.

22 Alright, and also, you have to [LOST AUDIO
23 2:39:44]. A public school, which will severely
24 impacted by the noise and traffic that is going to
25 come in the neighborhood. So, I ask the City Council

1
2 to vote against this and abide by the mandate that
3 came from the community.

4 COUNCIL MEMBER LEVIN: Thank you very much Mr.
5 Trilivas. Counsel, are there any further members of
6 the public to testify?

7 SUBCOMMITTEE COUNSEL: There are additional
8 members of the public but that was the last speaker
9 on this panel. So, I don't know if there are Council
10 Member questions for this panel. If not, we can go
11 to the next panel.

12 COUNCIL MEMBER LEVIN: I have none Counsel.

13 SUBCOMMITTEE COUNSEL: Alright, with that, uhm,
14 we can move onto the next panel, which will include
15 Renzo Ramirez to testify first followed by the
16 Reverend Gilbert Pickett, then Nakeah George and
17 Victoria Kammer. Renzo Ramirez to testify first.
18 Mr. Ramirez, if you could accept the unmute request
19 in order to begin your testimony.

20 We can see you -

21 RENZO RAMIREZ: Okay, can you hear me now?

22 SERGEANT AT ARMS: Starting time.

23 SUBCOMMITTEE COUNSEL: Yes.

24 RENZO RAMIREZ: Alright, good afternoon Chair
25 Levin and members of the Subcommittee. My name is

1
2 Renzo Ramirez and I am a member of 32BJ SEIU here on
3 behalf of the more than 85,032 BJ members to express
4 our strong support of this project.

5 The developers MDM Development group have applied
6 to build three new 11 and 14 story mixed use
7 buildings that will include residential, commercial
8 and community space. We are pleased to announce that
9 the developer has reached out early to make a
10 credible commitment to providing prevailing wage jobs
11 to the future of building services workers at this
12 site.

13 We estimate that this rezoning will allow for the
14 creation of new property service jobs and 72 new
15 affordable units. These are jobs are typically
16 filled by local members of the community and because
17 of this commitment, will pay family sustaining wages,
18 which help bring working families into the middle
19 class.

20 These apartments are needed for working people in
21 Queens. This commitment to good, prevailing wage
22 jobs will give opportunity for upward mobility,
23 security and dignity for working class families.

24 32BJ supports responsible developers who invest in
25 the communities where they build. We know that this

1
2 development will continue to uphold the industry
3 standard and provide opportunities for working
4 families to thrive. Thank you so much for your time.

5 SUBCOMMITTEE COUNSEL: We'll next hear from the
6 Reverend Gilbert Pickett followed by Nakeah George.

7 SERGEANT AT ARMS: Starting time.

8 REVEREND GILBERT PICKETT: Thank you so much. I
9 am Pastor Gilbert Pickett, Senior to Senior Pastor of
10 the Mount Horeb Baptist Church in Corona and even
11 though I'm Pastor in Corona, I have a large
12 percentage of my congregants who live in Western
13 Queens. I am in support of the Proposed 31st Street
14 Rezoning Project. We know that 31st Street has
15 undergone a lot of construction that is not an
16 eyesore to that community. As the media pass
17 moderator of Eastern Baptist Association, which is
18 comprised of Brooklyn, Nassau Suffolk and the
19 majority of our churches in Queens, therefore again
20 we have a lot of congregants who live in Western
21 Queens. We know that this project will bring about
22 affordable housing. We know that this project will
23 bring about a senior center, a youth center, and a
24 necessary universal PreK program.

1
2 So, it is very important that we see this project
3 go up as we know that this project along with the
4 others on 31st Street will not be an eyesore and it
5 is unfortunate that the homeowners feel a certain
6 kind of way. But we know that those homes will not
7 depreciate in value. Who wouldn't want to live in
8 New York City, especially in Queens? So, those homes
9 will not depreciate in value after this beautiful
10 building has gone up, which will be beneficial to the
11 entire western community.

12 So, I am in support of this groundbreaking effort
13 and I hope this project gets approved. Thank you so
14 much.

15 SUBCOMMITTEE COUNSEL: The next speaker will be
16 Nakeah George to be followed by Victoria Kammer. Ms.
17 George, if you could accept the unmute request before
18 you begin your testimony.

19 SERGEANT AT ARMS: Starting time.

20 NAKEAH GEORGE: Yes, good afternoon everyone. I
21 hope everyone is doing well. My name is Nakeah
22 George and I am a Community Advocate for Woodside
23 Houses in Queens.

24 Today, I would like to explain to you the
25 importance of why I fully support the Proposal and

1
2 Map Amendment and Zoning Text Amendment to facilitate
3 new mixed use developments on 31st Street in
4 Community District One Queens.

5 The Proposed development would include over 375
6 dwelling units. Out of those 375 dwellings, 100 of
7 those units will be made permanently affordable. As
8 mentioned earlier, all 100 new affordable housing
9 units, rents will be significantly less than the
10 market rates for comparable units throughout the
11 entire neighborhood.

12 Additionally, allowing this change would ignite
13 the birth of several new commercial locations to be
14 developed and opened. Allowing commercial spaces to
15 evolve will provide new career opportunities for
16 everyone to access within the community. This zoning
17 change has so many benefits for the public use.
18 Additionally, this zoning change will beautify the
19 section of 31st Streets corridor. To be plainly
20 honest, this area has been under developed and rather
21 neglected for many, many years. This portion of 31st
22 street as opposed to the other portions of 31st
23 Street is much less attractive and less active.

24 As a woman, I would not want to walk down this
25 corridor alone at any time of the day, especially the

1
2 night time. What I'm trying to say is a portion of
3 31st Street needs a facelift. The current dark and
4 dangerous street will be reactivated filled with
5 light in abundance, providing a fresh new heartbeat
6 to Astoria giving it a place of life and resilience.

7 I'm in full support of the Proposed Rezoning and
8 I ask that everyone involved, rather for or against,
9 to look deeper and to look into this proposal. We
10 will all benefit once we all come together. I hope
11 you listen to the words and you understand the
12 importance of us taking the next step to do this
13 development as a community together. Thank you for
14 your time.

15 SUBCOMMITTEE COUNSEL: And we will next hear
16 from Victoria Kammer.

17 SERGEANT AT ARMS: Starting time.

18 VICTORIA KAMMER: Hi, my name is Victoria Kammer
19 and I will be reading on behalf of Claudia
20 Cogger(SP?). She was on earlier but she had to jump
21 off, so I will be reading a letter on her behalf.

22 My name is Claudia Cogger and I have been a
23 resident of Astoria houses for over 60 years and the
24 President of the Astoria Houses Resident Association.
25 I am a tireless advocate for social welfare,

1
2 education and tenants rights in the Astoria
3 community. As an advocate for my community, I speak
4 today in support of the 31st rezoning, as it will
5 provide our residents with new facilities and
6 resources, including a youth and senior center.

7 The youth center will provide much needed space
8 for recreation and it will be open to the community
9 at large. The youth center will promote social
10 interaction, volunteerism and civic pride, while
11 providing opportunities for young residents to be
12 active and interact with other residents.

13 The developer has already demonstrated their
14 support for Astoria houses and supported this year's
15 family day. Their proposed work with HANAC to create
16 programming that best serves Astoria's needs is more
17 than promising. This development will turn
18 underutilized land into a community resource that
19 will be immediately accessible to the people it will
20 house and the seniors and children it will serve.

21 Please accept this testimony as my support for
22 the rezoning. Thank you for your time and
23 consideration. And just one additional, I know, I
24 only have a few seconds left, but Annie Cotton Morris
25 is also unable to make it today and I do have a

1 letter which will be sent but I'd also just like to
2 express my support on her behalf as the President of
3 the Woodside Resident Association and also the
4 President of the Queens wide President for NYCHA.
5 She's a community leader and you know in her letter;
6 she discusses how much she supports this project and
7 the need for public housing in Western Queens. Thank
8 you.

10 SUBCOMMITTEE COUNSEL: Chair Levin, that was the
11 last speaker on this panel and we will now check to
12 see whether there are - if there are no questions for
13 this panel from Council Members, we will now see if
14 there are any other members of the public wishing to
15 testify.

16 For any members of the public remaining who have
17 not yet testified and wish to do so on 31st Street
18 and Hoyt Avenue Rezoning Proposal, please press the
19 raise hand button now. Once again, for anyone who
20 has not already testified and intents to do so on
21 31st Street and Hoyt Avenue, please use the raise
22 hand button now.

23 Okay, Chair Levin, I see no other members of the
24 public who wish to testify on this item. Oh, excuse
25 me. Alright, I see -

1
2 COUNCIL MEMBER LEVIN: We had somebody there for
3 a second and then they disappeared. So, maybe we'll
4 just wait a second to see if they are coming back on.

5 SUBCOMMITTEE COUNSEL: If they have come back in.
6 Anyone who is currently logged in as Victoria Kammer
7 and has not yet testified, please use the - okay, I
8 see an individual there with I guess a different log
9 in. So, we will now hear from one addition speaker
10 who is currently logged in as Victoria Kammer who we
11 not to be Victoria Kammer. Please state your name
12 for the record and you can begin after. We need you
13 to accept the unmute request. Okay.

14 SERGEANT AT ARMS: Starting time.

15 BISHOP MITCHELL G. TAYLOR: Alright. Thank you
16 so much. Thank you so much I had a little problem.

17 SUBCOMMITTEE COUNSEL: Please do state your name.
18 Uh, just state your full name for the record and then

19 -

20 BISHOP MITCHELL G. TAYLOR: My name is Bishop
21 Mitchell G. Taylor and I am reading this letter on
22 behalf of well, first of all, to the Committee and
23 everyone that's here. Council Member Cabán,
24 congratulations on being seated yesterday.

1
2 I'm reading this letter on behalf of Reverend
3 Bobby Moore, the Overseer of the Astoria Baptist
4 Church located at 31-17 21st Street in Long Island
5 City New York. I would like to express my unwavering
6 support for the 31st Street Rezoning. I am in favor
7 of this rezoning because I believe it will support
8 the local employment and boost our local economy.

9 This project will provide construction jobs that
10 will be available to the community as well as
11 permanent building service jobs. The developer has
12 committed to working with Urban Upbound to ensure
13 local hiring and fill the various positions with
14 residents living in the existing community.

15 Additionally, the developer will provide space
16 and resources to do local job training and placement.
17 They are also committed to using MWBE suppliers and
18 contractors and subcontractors throughout the
19 construction phase once the project begins.

20 Additionally, the developer has committed to work
21 with HANAC to build a youth and senior center and
22 fund intergenerational programming.

23 Please support the request of the rezoning of
24 this property as we support it. Thank you in advance
25 for your support. And I'm reading that letter on

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2 behalf of Reverend Bobby Moore, the Overseer of the
3 Astoria Baptist Church in Astoria Queens. Thank you.

4 COUNCIL MEMBER LEVIN: Thank you Bishop Taylor.
5 Nice to see you.

6 BISHOP MITCHELL G. TAYLOR: Likewise.

7 COUNCIL MEMBER LEVIN: And okay, uhm, are there
8 any other members of the public who wish to testify
9 at this time?

10 SUBCOMMITTEE COUNSEL: Chair, we will ask one
11 last time for any members of the public who have not
12 already testified and who wish to testify on the 31st
13 Street and Hoyt Avenue Rezoning to please use the
14 raise hand button now.

15 Alright Chair, I see no other members of the
16 public who wish to testify on this item.

17 COUNCIL MEMBER LEVIN: Council Member Cabán, do
18 you have anything that you would like to add?

19 COUNCIL MEMBER CABÁN: I initially couldn't
20 unmute myself. Uhm, no, thank you.

21 COUNCIL MEMBER LEVIN: Thank you. Uhm, okay, so,
22 there being no further members of the public who wish
23 to testify on the Preconsidered Landuse Items for the
24 31st Street and Hoyt Avenue Proposal under ULURP
25

1
2 Numbers C 210200 ZMQ and N 210201 ZRK, the public
3 hearing is now closed and the items are laid over.

4 Uhm, now Counsel, do we have any further votes to
5 take? Any members of the Committee that wish to
6 vote? Okay.

7 So, with that, this concludes today's business.

8 I will remind the viewing public that for anyone
9 wishing to submit written testimony for items that
10 were heard today, please send it by email to
11 landusetestimony all one word,

12 landusetestimony@council.nyc.gov. That is

13 landusetestimony all one word @council.nyc.gov. I
14 would like to thank all the members of the public, my
15 colleagues, in particular my new colleague Council
16 Member Tiffany Cabán, Subcommittee Counsel, Landuse
17 and other Council staff and the Sergeant at Arms for
18 participating – Sergeant's at Arms for participating
19 in today's hearing. This hearing is adjourned.

20 Thank you all.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 12, 2022