

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

-----X

December 4, 2012
Start: 1:18 p.m.
Recess: 1:31 p.m.

HELD AT: 250 Broadway
Committee Room, 16th Floor

B E F O R E:
INEZ E. DICKENS
Chairperson

COUNCIL MEMBERS:
Sara M. Gonzalez
Charles Barron
Peter Koo

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

Christopher Gonzalez
Assistant Commissioner of Government Affairs
HPD

Jackie Alexander
Assistant Commissioner for Property Disposition and
Finance
HPD

Jack Hammer
Director of Brooklyn Planning
HPD

2 CHAIRPERSON DICKENS: Good
3 afternoon. Quiet, please. This opens the
4 Committee on Planning, Subcommittee of Land Use,
5 of December 4th, 2012. We've been joined by
6 Council Member Sara Gonzalez, all right, from
7 Brooklyn, if you must know; Council Member Charles
8 Barron, also from Brooklyn; and Council Member
9 Peter Koo from Queens.

10 COUNCIL MEMBER KOO: Queens.

11 CHAIRPERSON DICKENS: All right, I
12 got it, I got it, I know where you're from. My
13 name is Inez Dickens and I am the temporary chair
14 today of--in place of Chair Steve Levin. There
15 are two items on today's agenda--bear with me and
16 let me find my page and I'll tell you what two.
17 Land Use item number 739, which is a third party
18 transfer at 273 Wadsworth Avenue, also known as
19 618 West 187th Street in Council District 10,
20 Council Member Ydanis Rodriguez; and Land Use item
21 number 740, 640 Broadway, which is a housing trust
22 fund that actually was passed in 2009. There are
23 two Land Use item numbers 719 and 741 which we are
24 laying over today to December 13th, 2012.

25 Is there anyone to give testimony

1

2 on behalf of--Chris? Thank you. Please give your
3 names.

4 CHRISTOPHER GONZALEZ: Good
5 afternoon, my name is Christopher Gonzalez, I'm
6 the Assistant Commissioner of Government Affairs
7 at HPD, and with me, I have Jackie Alexander,
8 Assistant Commissioner for Property Disposition
9 and Finance.

10 Land Use item 739 consists of the
11 proposed transfer of 273 Wadsworth Avenue under
12 HPD's Third Party Transfer program. The
13 Commissioner of Finance included the parcel in a
14 final judgment of foreclosure known as In Rem
15 action number Brooklyn 45. The judgment
16 authorized the Commissioner of Finance to execute
17 and deliver a deed to a transferee, Neighborhood
18 Restorer, HDFC, selected by the commissioner of
19 HPD.

20 HPD seeks Council approval on the
21 transfer and disposition of the properties and
22 related tax exemptions. Council Member Rodriguez
23 has indicated his support.

24 We'll take whatever questions you
25 have.

2 CHAIRPERSON DICKENS: All right,
3 now on this third party transfer, how many units
4 and is it affordable housing, what is this?

5 [Pause]

6 CHAIRPERSON DICKENS: I'll start
7 you out, it's 21 units.

8 JACKIE ALEXANDER: Thank you,
9 Council Member. So this project consists of--this
10 building consists of 21 units. The rents for this
11 project, it is affordable, the rents for this
12 building will be no more than up to 60% of AMI and
13 the income will be up to 120% of AMI. This
14 building is highly occupied, there's very few
15 vacancies within the building. This property has
16 been actually within the 7A program for a very
17 long time, so it's a well established building.
18 So it will remain as an affordable housing option
19 for the community.

20 [Pause]

21 CHAIRPERSON DICKENS: Thank you.
22 Council Member Barron.

23 [Pause]

24 COUNCIL MEMBER BARRON: I was just
25 concerned about the income up to 120, but below

2 the people occupying the units already and it's
3 based upon their income I understand, is that
4 correct?

5 JACKIE ALEXANDER: That's correct,
6 the--

7 COUNCIL MEMBER BARRON: Yeah.

8 JACKIE ALEXANDER: --existing
9 residents will pay no more than 30% of their
10 income--

11 COUNCIL MEMBER BARRON: Right.

12 JACKIE ALEXANDER: --if there is
13 any vacancies that are within the building, that
14 would be affordable up to families--up to 120% of
15 AMI. If there are vacancies.

16 [Pause]

17 CHAIRPERSON DICKENS: No, I didn't
18 see your hand go up, but I just knew it did.

19 COUNCIL MEMBER BARRON: Thank you,
20 Madam Chair.

21 CHAIRPERSON DICKENS: Are there any
22 other questions from my members? All right, I'm
23 going to close the hearing now on Land Use item
24 739, and open Land Use item 740, 640 Broadway.
25 Chris, are you doing that one also?

2 [Off mic]

3 CHAIRPERSON DICKENS: All right,
4 give your name again, please.

5 CHRISTOPHER GONZALEZ: Sure. Good
6 afternoon, my name is Chris Gonzalez, Assistant
7 Commissioner of Government Affairs at HPD, I'm
8 joined by Jack Hammer, HPD's Director of Brooklyn
9 Planning.

10 Land Use item 740 consists of the
11 proposed amendment of a previously approved
12 disposition for a City-owned parcel located at
13 Block 2270, Lot 10, also known as 640 Broadway.
14 On October 14th, 2009, the City Council approved
15 the disposition and rehabilitation of this former
16 factory warehouse. Subsequently, an emergency
17 condition required the building to be demolished.
18 HPD is now before the Council seeking to amend the
19 project in order to construct a new building
20 containing seven residential units of low income
21 housing and approximately 1,776 square feet of
22 commercial or community facility space.

23 Council Member Levin has been
24 briefed and supports the project. Thank you.

25 CHAIRPERSON DICKENS: All right,

2 thank you. So now we did pass this in 2009, this
3 amendment changes it from rehab to new
4 construction, the formerly existing building is
5 already demolished, is that right?

6 JACK HAMMER: Yes, it was
7 demolished--oops, sorry, it was demolished
8 previously.

9 CHAIRPERSON DICKENS: Now the
10 original, I believe, had nine units, this has now--
11 -has gone down to seven.

12 JACK HAMMER: Correct.

13 CHAIRPERSON DICKENS: Can you tell
14 us why and what has happened?

15 JACK HAMMER: Because a building
16 rehabilitation doesn't have to comply with typical
17 zoning regulations, you know, relating to new
18 construction projects, so the existing building
19 footprint, if it was a new building wouldn't
20 comply with current zoning as a new building. So
21 it was grandfathered in as a rehabilitation
22 because it exceeded the zoning FAR requirements
23 and, you know, setback requirements that normally
24 a new building has to adhere to, because it was a
25 rehab, we just--it was just a question of

2 completing the building as it was currently
3 constructed. So we basically lost a little bit of
4 floor area because of the need to build new.

5 CHAIRPERSON DICKENS: And how much
6 square footage did you say is commercial?

7 JACK HAMMER: Well the commercial
8 square footage--commercial and/or community
9 facility square footage is being increased to
10 1,776 square feet from the lower total that we
11 originally envisioned.

12 CHAIRPERSON DICKENS: Now are any
13 of the units affordable, the square footage for
14 the commercial?

15 JACK HAMMER: Yeah, all seven
16 residential units will be affordable, six will be
17 affordable to families earning up to 60% of AMI,
18 one unit will be up to 80% of the AMI.

19 CHAIRPERSON DICKENS: And the
20 marketing for the commercial?

21 JACK HAMMER: Well the commercial
22 or community facility space, that will be based
23 on, you know, prevailing, you know, rents in the
24 area that one could expect for either an office
25 space or retail space. Working with the

2 developer, they don't have a tenant finalized, but
3 we're confident that we'll be able to occupy the
4 space.

5 CHAIRPERSON DICKENS: Prevailing
6 means not affordable for indigenous businesses.
7 Do any of my colleagues have any questions?

8 COUNCIL MEMBER KOO: How big is
9 this building?

10 JACK HAMMER: I'm sorry?

11 COUNCIL MEMBER KOO: How big, you
12 know, what's the footage?

13 JACK HAMMER: The property itself
14 is a 4,000 square foot lot approximately, so
15 roughly, you know, five floors, 20,000 square feet
16 approximately.

17 [Pause]

18 COUNCIL MEMBER KOO: And who was
19 supposed to take over this space? I mean, you
20 transfer this--

21 [Crosstalk]

22 JACK HAMMER: [Interposing] We will
23 dispose of the property to the developer, United
24 Jewish Organizations of Williamsburg.

25 COUNCIL MEMBER KOO: Is this for an

1

2 RFP or...?

3 JACK HAMMER: It was not an RFP,
 4 but there is state funding that is--it is being
 5 provided through the state Division of Housing, as
 6 well as discretionary Council Reso A funding, and
 7 borough president funding, so it is a combination
 8 of funding sources that led us to move forward on
 9 this without an RFP.

10 COUNCIL MEMBER KOO: Okay.

11 [background noise]

12 COUNCIL MEMBER BARRON: --is your
 13 funding sources have to do with it not being RFP?

14 JACK HAMMER: The decision at the
 15 time was since the organization proposed funding
 16 through the state Division of Housing as a, you
 17 know, a significant portion of the project's
 18 funding, that we provided an authorization letter
 19 in order for UJO to apply for state funding. So
 20 we've done that in a number of cases where there's
 21 a state or federal funding notice, whether it be
 22 state housing division or, for example, HUD under
 23 the Section 202 program, we will provide
 24 authorization letters to organizations who propose
 25 funding through those sources, and those are some

2 of the, you know, instances where we will not
3 select through an RFP.

4 COUNCIL MEMBER BARRON: Madam
5 Chair, did you understand what he said? You see,
6 when they start mumbling like this, especially
7 when they're very articulate and they start--

8 JACK HAMMER: [Interposing] I'll be
9 happy to clarify any point.

10 COUNCIL MEMBER BARRON: Okay.

11 CHAIRPERSON DICKENS: Ask your
12 clarifying question--

13 [Crosstalk]

14 CHAIRPERSON DICKENS: --Council
15 Member.

16 COUNCIL MEMBER BARRON: How often
17 do you do this for Black and Latino groups?

18 JACK HAMMER: I can't respond--

19 [Crosstalk]

20 JACK HAMMER: --in terms of the
21 ratio by project.

22 COUNCIL MEMBER BARRON: Yes, you
23 can, by what you actually done. Oh, you don't
24 have that information?

25 CHRISTOPHER GONZALEZ: We don't

1

2 have that information with us, we can get back to
3 you.

4 COUNCIL MEMBER BARRON:

5 [Interposing] Well I'd like to see that, how many
6 RF--properties are given to Black and Latino
7 developers that--and Asian developers--

8 CHAIRPERSON DICKENS: [Interposing]

9 Not for profit.

10 COUNCIL MEMBER BARRON: Not for

11 profits that don't have to go through a RFP
12 process, I'd like to see that. 'Cause this has
13 happened frequently, you say, or is...?

14 JACK HAMMER: Well I could speak

15 further on--I mean, we've across the board have
16 issued what we call contingent site authorization
17 letters in order for groups to apply for state or
18 federal funding for the last 12 years as far as I--
19 -as long as I've been working on this and projects
20 in Brooklyn--

21 COUNCIL MEMBER BARRON:

22 [Interposing] Yeah, I'd just like to see the
23 racial breakdown--

24 JACK HAMMER: Yeah.

25 COUNCIL MEMBER BARRON: --of those

2 groups, it will be interesting. Thank you.

3 CHRISTOPHER GONZALEZ: And we'll
4 get that to the committee.

5 CHAIRPERSON DICKENS: You will get
6 back to the committee chair, please, so that we
7 can all have that information?

8 CHRISTOPHER GONZALEZ: Yes.

9 CHAIRPERSON DICKENS: Thank you.
10 All right, do any of my other colleagues have any
11 other questions? Seeing none, and seeing no one
12 else here to testify, I hereby close the hearing
13 on Land Use item 740. I'm going to now couple
14 Land Use item numbers 739 and 740, and the chair
15 recommends an aye vote on both. We're calling for
16 a roll call now.

17 COUNCIL CLERK: Acting Chair
18 Dickens.

19 CHAIRPERSON DICKENS: Aye.

20 COUNCIL CLERK: Council Member
21 Barron.

22 COUNCIL MEMBER BARRON: Well I'd
23 like to say that we should follow the philosophy
24 if you move, you lose, and I would like for us to
25 take a vote to vote Ms. Dickens in as the new

2 chair of this committee and let Steve Levin know
3 that he should have been here, there's been a
4 coup, there's been a coup on his committee. And
5 with that, I vote aye on all.

6 CHAIRPERSON DICKENS: That in
7 itself is a--

8 [background noise]

9 COUNCIL CLERK: Council Member
10 Gonzalez.

11 COUNCIL MEMBER GONZALEZ: Aye on
12 both.

13 COUNCIL CLERK: Council Member Koo.

14 COUNCIL MEMBER KOO: Aye on all.

15 COUNCIL CLERK: By a vote of four
16 in the affirmative, zero in the negative, and no
17 abstentions, Land Use items 739 and 740 are
18 approved and referred to the full Land Use
19 Committee.

20 CHAIRPERSON DICKENS: Thank you.

21 This hereby adjourns the Planning Committee of
22 December the 4th, and this is a reminder also that
23 the full Land Use Committee will be at 10 a.m. on
24 Thursday, December 6th. Thank you all.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Tammy Wittman*

Date December 20, 2012