

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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May 11, 2021
Start: 11:13 a.m.
Recess: 11:33 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Rafael Salamanca
CHAIRPERSON

COUNCIL MEMBERS:
Adrienne Adams
Diana Ayala
Inez Barron
Joseph Borelli
Selvena Brooks-Powers
Ruben Diaz, Sr.
Oswald Feliz
Vanessa Gibson
Barry Grodenchik
Peter Koo
Stephen Levin
I Daneek Miller
Francisco Moya
Kevin Riley
Antonio Reynoso
Carlina Rivera
Mark Treyger

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

2 SERGEANT-AT-ARMS: Computer recording
3 rolling.

4 SERGEANT-AT-ARMS: All right. The cloud
5 has started.

6 SERGEANT-AT-ARMS: Back up is rolling.

7 SERGEANT-AT-ARMS: Thank you. Start with
8 opening statement, please.

9 SERGEANT-AT-ARMS: Thank you. Good morning
10 and welcome to the remote hearing on the Committee on
11 Land Use. Will Council members and staff please turn
12 on your video at this time? Thank you. To minimize
13 disruption, please place your cell phones and
14 electronics to vibrate. You may send your testimony
15 to land use testimony@nyc.gov. It's land use
16 testimony@nyc.gov. Chair Salamanca, we are ready to
17 begin.

18 CHAIRPERSON SALAMANCA: Thank you,
19 sergeant-at-arms. Good morning. I am Council member
20 Rafael Salamanca, Chair on the Committee on Land Use.
21 I am joined remotely by my colleagues, Council member
22 Koo, Ayala, therein, Borelli, Brooks-Powers, Diaz
23 Senior, Feliz, Gibson, Grodenchik, Levin, Chair Moya,
24 Chair Riley-- and Chair Riley. Today, we will vote
25 on an application referred out from both of our

2 subcommittees, but before we begin, I want to
3 recognize the committee counsel to review the remote
4 meeting procedures.

5 COMMITTEE COUNSEL: Thank you, Chair
6 Salamanca. I am Julie Lubin, counsel to this
7 committee. Council members who would like to ask
8 questions or make remarks should use the zoom raise
9 hand function. The raise hand button should appear
10 at the bottom of the participant panel. I will
11 announce Council members who have questions or
12 remarks in the order that they raise their hands.
13 Chair Salamanca will then recognize members to speak.
14 We ask that you please be patient if any technical
15 difficulties arise today. Chair Salamanca will now
16 continue with today's agenda items.

17 CHAIRPERSON SALAMANCA: Thank you, counsel.
18 So, from our zoning subcommittee, we will vote to
19 approve with modifications LU 770 and 771, the
20 Governors Island rezoning proposal related to
21 property in Council member Chin's district in
22 Manhattan. The proposal seeks a zoning map amendment
23 to change an existing R3-2 district to a C4-1
24 district and a related zoning text amendment to
25 modify the existing special Governors Island District

2 by establishing a new subdistrict for the north and
3 south portions of the island and a new provision
4 applicable within the proposed South island
5 subdistrict. The modification would reduce the
6 proposed overall density by capping the aggregated
7 floor area at 3,775,000 square feet, allow a full
8 build out of floor area in the southern subdistrict
9 only with the provision of use group three and four,
10 community facility uses, exclusive of ambulatory
11 diagnostic and treatment health facilities, Hotel and
12 office space use in the southern subdistrict, limit
13 permitted obstruction in an open space subarea to no
14 more than 20 percent, and some obstructions will be
15 included in the aggregated floor area calculations.
16 Prohibit CPC authorization to increase allowed uses
17 in the open space subarea, significantly reduce
18 building heights to 200 feet or below except for one
19 parcel at 225 feet, change bulk rules to match
20 reduced base heights, and require bicycle parking in
21 accordance with applicable zoning and for uses not
22 specified in zoning at a rate of one per 10,000
23 square feet of floor area. I congratulate Council
24 member Chin in achieving these modifications and I
25 invite her to provide some remarks related to

2 additional comments for Governors Island. But will
3 continue-- the Governors Island Trust.

4 We will also vote to approve with
5 modifications LU 753, 754, and preconsidered LU 763
6 for the Suydam Street rezoning proposal related to
7 property in Council member Reynoso's district in
8 Brooklyn. The proposal seeks a zoning map and zoning
9 text amendment and a zoning special permit to
10 facilitate the development of a new 100% affordable
11 housing residential building with approximately 95
12 dwelling units at 1250 Willoughby Avenue along with
13 the enlargement of an existing industrial building at
14 349 Suydam Street. Modifications will be to strike
15 MIH option two and add the deep affordable option
16 while retaining MIH option one.

17 We will vote to approve prey considered
18 LUs 772 four that 86 Fleet [inaudible 00:04:04] text
19 amendment related to property in Majority Leader
20 Cumbo's district in Brooklyn. The proposal seeks a
21 zoning text amendment to modify the special downtown
22 Brooklyn district used regulations to facilitate the
23 operation of community facility at the site. We will
24 also vote to approve prey considered 773 and 7744 the
25 68 - 19 Woodhaven All of our rezoning related to

2 property in Council member Koslowitz's district in
3 Queens. The proposal seeks a zoning map amendment
4 to change an existing C8-1 and R4 to R6A and R6A/C2-3
5 districts and a related zoning text amendment to
6 establish a mandatory inclusionary housing area
7 utilizing options one and option two.

8 We will vote to approve with
9 modifications previously considered LU 775 and 776 for the
10 431 Concorde Avenue rezoning related to property in
11 Council member Ayala's district in the Bronx. The
12 proposal seeks a zoning map amendment to change an
13 existing M1-2 district to an R7D, together with the
14 related zoning text amendment to establish a
15 mandatory inclusionary housing area utilizing options
16 one or option two. Our modifications would be to
17 remove MIH option two while retaining option one.

18 From our landmarks subcommittee, we
19 will vote to approve preconsidered application
20 number 20215023HAK, the {inaudible 00:05:26} tax
21 exemption amendment submitted by the Department of
22 Housing Preservation and development relating to
23 property in Council member [inaudible 00:05:36]
24 district in Brooklyn. This application requests
25 approval of an amendment to resolution 4254 the year

2 2018 to amended previously approved article 11 tax
3 exemption to exempt community facility space located
4 at block 2003 lots 37.

5 We will also vote to approve LU 759, the
6 97th Street 169th Street Project. This application
7 was submitted by the Department of Housing
8 Preservation and Development requesting the
9 designation of property located at 97 West 169th
10 Street in the Bronx as an urban development action
11 area, as well as approval of an urban development
12 action area project for such area and disposition of
13 such property through a developer to be selected by
14 HPD. These actions would facilitate the development
15 of a nine story building containing approximately 104
16 affordable housing units and community facility
17 space. The project is located in Council District
18 represented by Council member Gibson.

19 We will vote to approve LU 760, the
20 Landmark Preservation Commission designation of the
21 Harriet and Thomas Truesdell's house developed into
22 227 Duffield Street in Brooklyn as a historic
23 landmark. The site is significant as the home of a
24 prominent abolitionist and is believed by some to

2 have been a stopped on the underground railroad. It
3 is located in Council member Levin's district.

4 We will also vote to approve to items for
5 facility phase 2 of the Sandero Verde project
6 approved by the Council in 2017.

7 We will vote to approve LU 761 for the
8 amendment of previously approved urban development
9 action area project.

10 We will also approve LU 7622 amend a
11 previously approved article 11 tax exemption. The
12 previously approved project would have included
13 approximately 652 dwelling units, approximately
14 36,218 square feet of commercial space, and
15 approximately 161,440 square feet of community
16 facility. The amended project will include
17 approximately 707 dwelling units, approximately 6213
18 square feet of commercial space, and approximately
19 87,278 square feet of community facility space. The
20 affected property is located at at block 1617 lot 20,
21 120, 125, and 140 in Manhattan Council District
22 represented by Council member Ayala. Members of the
23 committee and members representing affected districts
24 who have questions or remarks about today's item,
25 please use the raise hand button. Counsel, will you

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2 announce members in the order that their hands
3 raised?

4 COMMITTEE COUNSEL: I currently don't
5 see any hands raised.

6 CHAIRPERSON SALAMANCA: All right. Great.
7 So, seeing no hands raised, I now call for about in
8 accordance with the recommendations of the
9 subcommittees and the local members to approve LU
10 759, 760, 761, 762, 772, 773, 774, and preconsidered
11 application number 20215024HAK and to approve, with
12 modifications as I described, LU 753, 754, 763, 770,
13 771, 775, and 776. Will the clerk please call the
14 roll?

15 COMMITTEE CLERK: Good morning. Excuse
16 me. Good morning. William Martin, committee clerk
17 roll call vote Committee on Land Use. All items are
18 coupled. Chair Salamanca?

19 CHAIRPERSON SALAMANCA: Aye on all.

20 COMMITTEE CLERK: Thank you. Gibson?

21 COUNCIL MEMBER GIBSON: Permission to
22 explain?

23 CHAIRPERSON SALAMANCA: Council member
24 Gibson to explain her vote.

25

2 COUNCIL MEMBER GIBSON: Thank you. Thank
3 you, Chair Salamanca. Good morning, colleagues. I
4 just wanted to speak very briefly about my land use
5 application that relates to the construction of
6 senior affordable housing in my district at 97 West
7 169th Street in the Highbridge community. This
8 project is going to transform the Highbridge
9 community. It is going to provide over 100 units of
10 affordable senior housing, studio and one bedroom
11 apartments, as well as social services on site, the
12 construction of an FQHC, as well as all of the
13 amenities for many of our seniors. It is part of the
14 Jerome Neighborhood Plan that was passed by this
15 Council back in 2017 and I am really grateful to the
16 Bronx Borough President, Ruben Diaz Junior, Bronx
17 community board four and its leadership, and all of
18 the community residents, as well as the applicant,
19 HPD, and the community group that is going to operate
20 this building, Wish Fish, Westside Federation for
21 Seniors and Supportive Housing. Thank you, Chair
22 Riley, for holding a hearing on this recently and
23 hearing from the applicant and being able to make
24 sure that it is 100 percent affordable. There are
25 going to be local hiring and MWBE provisions and

2 local all employment opportunities for the residents,
3 as well as making sure that this project brings such
4 while you to the Highbridge community. Corporal
5 Fisher Apartments, I am very proud of. I have worked
6 very hard on this over the years and I ask all my
7 colleagues on land use to vote to support this to
8 bring affordable housing to Highbridge to the borough
9 of the Bronx. I vote aye on all of today's agenda
10 items. Thank you, Chair.

11 CHAIRPERSON SALAMANCA: Congratulations,
12 Council member Gibson.

13 COMMITTEE CLERK: Thank you. Council
14 member Barron?

15 COUNCIL MEMBER BARRON: Permission to
16 explain my vote?

17 CHAIRPERSON SALAMANCA: Council member
18 Barron to explain her vote.

19 COUNCIL MEMBER BARRON: Thank you,
20 Mr. Chair. It is very interesting that we are voting
21 on two pieces of-- to bills that are before us today
22 that are, in fact, reflection of legislation that we
23 approved in 2004. And I am talking about the South
24 Portland article 11 piece of legislation and the
25 Harriet and Thomas Truesdell home landmark

2 designation of their home. In 2004, the city Council
3 announced a large urban renewal project in downtown
4 Brooklyn. That project was intended to be able to
5 increase the operation of commercial space, but, in
6 fact, the results have done quite the contrary and
7 has resulted in high towers coming in and the income
8 levels are displacing people who presently have been
9 living there at that time. I just want to briefly
10 talk about the home at 227 Duffield Street. The city
11 Council approved it, but there were members who
12 objected to the possible destruction of that home.
13 It was Council member Charles Barron, Council member
14 Leticia James, and Council member Alvan. They were
15 very concerned that there might be a distraction of
16 historical significance of the home that was located
17 there. So, the required to study. The economic
18 development Corporation hired a company to do the
19 study. The study came back, well, we have talked to
20 experts and they say that there is, in fact, no
21 substance to substantiate that. That report was a
22 lie. That report was fraudulent. It became exposed
23 as such and that was the main reason that the home
24 was able to not be demolished through the city
25 eminent domain policy. There was a long battle over

2 the years, and we will get into that, but I am glad
3 to see that, at this point, that home will be
4 restored, the home will be maintained, and it will
5 get its significance in terms of a part of black
6 history, particularly here in Brooklyn New York, and
7 also the church that is at Felix Street, I believe it
8 is that is applying for the article 11. That is
9 because, also, they have been subjected to having the
10 members that have been in their community displaced
11 and now they are struggling to stay alive. So, I
12 just want to say that we need to be very mindful of
13 the bills that we advance, particularly in our
14 committee because of the impact that it can have
15 years down the line. Perhaps even 20 years down the
16 line. And, with that, I am voting aye on all with
17 the exception of 770, 771, and 774. I think that
18 giving Governors Island to private developers without
19 a requirement that certain conditions be met is a
20 disservice to maintaining really open space and
21 preserving the environment. Thank you.

22 CHAIRPERSON SALAMANCA: Thank you,
23 Council member Barron.

24 COMMITTEE CLERK: Koo?

25 COUNCIL MEMBER KOO: Hello. I vote aye.

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2 COMMITTEE CLERK: Thank you. Levin?

3 COUNCIL MEMBER LEVIN: I vote aye.

4 COMMITTEE CLERK: Treyger?

5 COUNCIL MEMBER TREYGER: Aye.

6 COMMITTEE CLERK: Grodenchik?

7 COUNCIL MEMBER GRODENCHIK: I love that
8 Wish Fish name. I'm voting aye.

9 COMMITTEE CLERK: Adams?

10 COUNCIL MEMBER ADAMS: I vote aye.

11 COMMITTEE CLERK: Thank you. Ayala?

12 COUNCIL MEMBER AYALA: Aye.

13 COMMITTEE CLERK: Thank you. Ruben Diaz

14 Senior?

15 COUNCIL MEMBER DIAZ SENIOR: I vote aye.

16 COMMITTEE CLERK: Moya?

17 COUNCIL MEMBER MOYA: I vote aye.

18 COMMITTEE CLERK: Riley?

19 COUNCIL MEMBER RILEY: I vote aye.

20 COMMITTEE CLERK: Brooks-Powers?

21 COUNCIL MEMBER BROOKS-POWERS:

22 Permission to explain my vote?

23 CHAIRPERSON SALAMANCA Yes. Council

24 member Brooks-Powers?

25

2 COUNCIL MEMBER BROOKS-POWERS: So, I
3 would like to vote aye on all, but I would like to
4 put on record my concerns with the development of
5 Governors Island reducing or not having enough open
6 space. I think we all recognize how valuable are
7 open space real estate is, especially in a city like
8 New York for this pandemic and development on that
9 island should prioritize and maintaining our open
10 space, our access to open space and take that into
11 account. So, I did want to have that on record, but
12 I will go forward and vote aye on all. Thank you.

13 CHAIRPERSON SALAMANCA: Thank you.

14 COMMITTEE CLERK: Feliz?

15 COUNCIL MEMBER FELIZ: I vote aye on all.

16 COMMITTEE CLERK: Thank you. Borelli?

17 COUNCIL MEMBER BORELLI: I vote aye.

18 Thank you.

19 COMMITTEE CLERK: Thank you. One moment.

20 Okay. By a vote of 15 in the affirmative, zero in
21 the negative, no abstentions, all items have been
22 adopted by the committee with land use items 770,
23 771, and 774 being adopted by the committee 14 in the
24 affirmative, one in the negative, and no abstentions.
25 Mr. Chair, I believe we are waiting for more members.

2 CHAIRPERSON SALAMANCA: Yeah. We are going
3 to go on-- we are going to leave the role open for
4 another five minutes. So, I would like to thank
5 members of the public, my colleagues, counsel and
6 land use staff, sergeant-at-arms for attending
7 today's hearing and let's leave the role open for
8 five minutes.

9 UNIDENTIFIED: Yes. The meeting can
10 stand at ease while we wait. Thank you.

11 CHAIRPERSON SALAMANCA: Thank you.

12 COUNCIL MEMBER REYNOSO: Sergeant, this
13 is Council member Reynoso. I'm in.

14 COMMITTEE CLERK: Good morning, Council
15 member Reynoso. This is William Martin, committee
16 clerk. We are ready for your vote when you are.

17 COUNCIL MEMBER REYNOSO: I vote aye on
18 all.

19 COMMITTEE CLERK: One moment.

20 COUNCIL MEMBER REYNOSO: Thank you.
21 Thank you.

22 COMMITTEE CLERK: Okay. Thank you. The
23 final vote on today's Committee on Land Use, all
24 items have been adopted by the committee 16 in the
25 affirmative, zero in the negative, and no abstentions

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2 with the exceptions of Land Use Items 770, 771, and
3 774 which have been adopted by the committee 15 in
4 the affirmative, one in the negative, and no
5 abstentions. Thank you.

6 CHAIRPERSON SALAMANCA: All right. Thank
7 you, Mr. Clerk. This meeting is hereby adjourned.

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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 June 1, 2021