

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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October 17, 2023  
Start: 11:09 a.m.  
Recess: 12:50 p.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 16TH  
FLOOR

B E F O R E: Kevin C. Riley, Chairperson

COUNCIL MEMBERS:

Erik D. Bottcher  
David M. Carr  
Kamillah Hanks  
Farrah N. Louis  
Lynn C. Schulman

OTHER COUNCIL MEMBERS ATTENDING:

Darlene Mealy  
Rita C. Joseph

A P P E A R A N C E S

Eric Palatnik, Eric Palatnik, P.C.

Bishop Mitchell Taylor

Elizabeth Dennis

Vishnu Reddy

Will Fisher

Christian Skotte

Kimberly Headley, Representative and Strategic  
Planning, Strong Power Consulting

Howard Goldman, Land Use Counsel, Goldman Harris,  
LLC

Charles Alwakeel, Architect, Redflux

Earl Chester

Reverend Dr. Frank Mason

Bishop Gerald Seabrooks

Russell Fedele

2 SERGEANT-AT-ARMS: This is a microphone  
3 check for the Committee on Zoning and Franchises.  
4 Today's date is October 17, 2023. We're located on  
5 the 16th Floor Hearing Room, and the recording is  
6 done by Rocco Mesiti.

7 SERGEANT-AT-ARMS: Good morning and  
8 welcome to the Subcommittee on Zoning and Franchises.

9 At this time, please silence all  
10 electronic devices.

11 If you have any questions, please raise  
12 your hand, and on of us, the Sergeant-at-Arms, will  
13 kindly assist you. At no time, please do not approach  
14 the dais. Thank you for your kind cooperation.

15 Chair, we are ready to begin.

16 CHAIRPERSON RILEY: [GAVEL] Good morning,  
17 everyone, and welcome to a meeting of the  
18 Subcommittee on Zoning and Franchises. I am Council  
19 Member Kevin Riley, Chair of the Subcommittee.

20 This morning, I am joined by Council  
21 Member Schulman, Council Member Carr, Council Member  
22 Mealy, Chair Louis, and Council Member Joseph.

23 Today, we will hold two votes, one  
24 regarding the significant initiative by the  
25 Administration to simplify the zoning regulations in

2 South Richmond on Staten Island and another vote  
3 regarding the project in Brooklyn.

4 We will also hold two public hearings  
5 regarding the proposed residential projects in  
6 Brooklyn.

7 Before we begin, I recognize the  
8 Subcommittee Counsel to review the hearing  
9 procedures.

10 COMMITTEE COUNSEL VIDAL: Thank you,  
11 Chair. I am William Vidal, Counsel to the  
12 Subcommittee.

13 This meeting is being held in hybrid  
14 format. Members of the public who wish to testify may  
15 testify in person or via Zoom. Members of the public  
16 who are wishing to testify remotely may register by  
17 visiting the New York City Council website at  
18 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse) to sign up. For those of  
19 you here in the Chambers, please see one of the  
20 Sergeant-at-Arms to prepare and submit a speaker  
21 card.

22 Members of the public may also view a  
23 livestream broadcast of this meeting at the Council's  
24 website.

2           When you are called to testify before the  
3 Subcommittee, if you are joining us remotely, you  
4 will remain muted until recognized by the Chair or  
5 myself to speak. When you are recognized, your  
6 microphone will be unmuted. Please take a moment to  
7 check your device and confirm that your mic is on  
8 before you begin speaking.

9           We will limit public testimony to two  
10 minutes per witness. If you have additional testimony  
11 that you would like the Subcommittee to consider or  
12 if you have written testimony you would like to  
13 submit instead of appearing before the Subcommittee,  
14 please email it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).  
15 Please indicate the LU number and/or project name in  
16 the subject line of your email.

17           We request that witnesses joining us  
18 remotely remain in the meeting until excused by the  
19 Chair as Council Members may have questions.

20           Chair Riley will now continue with  
21 today's agenda items.

22           CHAIRPERSON RILEY: Thank you, Counsel. We  
23 will begin with the votes.

24           The first vote is to approve with  
25 modification LU 263 regarding the South Richmond

1 Zoning Relief proposal on Staten Island in Minority  
2 Leader Borelli's District. This initiative by the  
3 Administration is an effort to simplify the  
4 regulations applicable in the Special South Richmond  
5 District that is mapped over southern Staten Island.  
6 This Special District was created in the 1970s, and  
7 the regulations of this Special District are out of  
8 date. The proposal will streamline the regulations  
9 and will more effectively balance the need for  
10 additional housing while preserving Southshore's  
11 natural environment. The modifications are focused on  
12 ensuring that the existing projects under development  
13 are not negatively impacted by this initiative and  
14 involve a few administration corrections.

15  
16 The second vote is to approve with  
17 modifications LUs 271, 276 regarding 703 Myrtle  
18 Avenue in Council Member Restler's District in  
19 Brooklyn. This is a proposal to develop a mixed-use  
20 building with approximately 54 apartments and ground  
21 floor retail in Bedford-Stuyvesant. This rezoning  
22 would change an existing manufacturing district, M1-  
23 1, to a residential district, R7D, with a commercial  
24 overlay, C2-4. This proposal is consistent with  
25 recent rezonings along the stretch of Myrtle Avenue.

2 This rezoning will involve mapping Mandatory  
3 Inclusionary Housing over the rezoned area, and the  
4 modification is to restrict the affordable units to  
5 an average of either 40 percent or 60 percent AMI.

6 I now call for a vote to approve with  
7 modifications LU 263 relating to the South Richmond  
8 Zoning for relief proposal and to approve with  
9 modifications LUs 275 and 276 relating to the 703  
10 Myrtle Avenue rezoning proposal.

11 Counsel, please call the roll.

12 COMMITTEE COUNSEL VIDAL: Chair Riley, how  
13 do you vote?

14 CHAIRPERSON RILEY: Aye.

15 COMMITTEE COUNSEL VIDAL: Chair Louis, how  
16 do you vote?

17 CHAIR LOUIS: I vote aye.

18 COMMITTEE COUNSEL VIDAL: Council Member  
19 Schulman, how do you vote?

20 COUNCIL MEMBER SCHULMAN: Aye.

21 COMMITTEE COUNSEL VIDAL: Council Member  
22 Carr, how do you vote?

23 COUNCIL MEMBER CARR: Aye.

24 COMMITTEE COUNSEL VIDAL: We have four in  
25 the affirmative, and the two measures are voted.

2 CHAIRPERSON RILEY: Thank you, Counsel.  
3 We're going to leave the vote open for a few.

4 I will now open the public hearing on  
5 Preconsidered LU relating to the 534 Coney Island  
6 Avenue rezoning proposal in Council Member Joseph's  
7 District in Brooklyn. This is a proposal to develop a  
8 mixed-use building with approximately 43 apartments  
9 and ground floor retail in Kensington. This rezoning  
10 will change an existing commercial district, C8-2, to  
11 a residential district, R7X, with a commercial  
12 overlay, C2-4. This rezoning would involve mapping  
13 Mandatory Inclusionary Housing over the rezoned area.

14 For anyone wishing to testify on these  
15 items remotely, if you have not already done so, you  
16 must register online, and you may do that now by  
17 visiting the Council's website at  
18 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse).

19 Once again, for anyone with us in person,  
20 please see one of the Sergeants to prepare and submit  
21 a speaker's card.

22 If you would prefer to submit written  
23 testimony, you can always do so by emailing it to  
24 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).



2 I would now like to see if Council Member  
3 Joseph has any remarks for this project.

4 COUNCIL MEMBER JOSEPH: Thank you, Chair  
5 Riley. Good morning, everyone. I'm Council Member  
6 Rita Joseph. I'm here to discuss 534 Coney Island  
7 Avenue rezoning.

8 This proposal would rezone a current C8-2  
9 district, which does not permit residential  
10 development, to an R7X/C2-3 district permitting mid-  
11 rise, mixed-use development including permanently  
12 affordable units through the MIH program. The  
13 applicants have proposed two versions of this plan.  
14 The original proposal would yield 43 total units, 11  
15 of which would be affordable under MIH and the  
16 building height of 11 stories. The alternative  
17 proposal is to yield 42 total units, 11 of which  
18 would be affordable under MIH and a building height  
19 of nine stories. Our city, without a doubt, is in the  
20 midst of a housing crisis. Every affordable unit that  
21 we build puts another individual, another family in a  
22 home that they can thrive in. This part of my  
23 District has not seen much housing growth in recent  
24 years, and the need for affordable housing is  
25 evident. Replacing uses like parking lots and fast

2 foods with new apartment buildings with ground floor  
3 retail and requires affordable housing through MIH  
4 seems like a clear win for the community. However, I  
5 do have broader concerns about planning and future  
6 development for this area. While this proposal is  
7 just for one portion of one block, it has become  
8 clear that Coney Island Avenue corridor needs a  
9 comprehensive approach to shape the future  
10 development. The current zoning has not been updated  
11 for decades and fosters a landscape of self-storage,  
12 gas stations, and fast foods, creating a street that  
13 divides neighbors and endangers pedestrians. If the  
14 status quo continues, more individual properties like  
15 this one will continue to come forward with project-  
16 by-project rezoning that are disconnected from wider  
17 city planning for affordable housing, street safety,  
18 infrastructure, and economic development. We need a  
19 comprehensive community-led approach to the future of  
20 Coney Island Avenue.

21 I would like to thank Community Board 12,  
22 the Borough President, City Planning Commission, and  
23 my Colleagues on the Zoning Subcommittee in the  
24 Council for the thoughtful evaluation of this  
25 proposal. I look forward to hearing from my

2 constituents and the public at today's hearing. Thank  
3 you.

4 CHAIRPERSON RILEY: Thank you, Council  
5 Member Joseph.

6 Counsel, please call the first panel for  
7 this item.

8 COMMITTEE COUNSEL VIDAL: The first panel  
9 consists of Eric Palatnik and Bishop Mitchell Taylor.

10 CHAIRPERSON RILEY: Counsel, please  
11 administer the affirmation.

12 COMMITTEE COUNSEL VIDAL: Please raise  
13 your right hand and state your name for the record.

14 ERIC PALATNIK: Eric Palatnik.

15 BISHOP MITCHELL TAYLOR: Mitchell Taylor.

16 COMMITTEE COUNSEL VIDAL: Do you affirm to  
17 tell the truth, the whole truth, and nothing but the  
18 truth in your testimony before this Subcommittee and  
19 in your answers to all Council Member questions?

20 ERIC PALATNIK: Yes.

21 BISHOP MITCHELL TAYLOR: Yes.

22 CHAIRPERSON RILEY: Thank you. For the  
23 viewing public, if you need an accessible version of  
24 this presentation, please send an email request to  
25 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

2 Now, the applicant team may begin.

3 Panelists, before you begin, just state your name and  
4 organization for the record. You may begin.

5 ERIC PALATNIK: My name is Eric Palatnik,  
6 and I'm representing Eric Palatnik, P.C. and  
7 representing 534 Coney Island Avenue.

8 Before I begin, I would just to like to  
9 commend the Council on your leadership. New York City  
10 is seeing days that I don't think we've ever seen  
11 before, and we greatly applaud you for stepping out  
12 and being the leaders that you all are in all issues  
13 of the day. On leadership, I'd like to thank Council  
14 Member Rita Joseph. The presentation she just made is  
15 the culmination of the Land Use process, the way it's  
16 supposed to work I believe. It was a collaborative  
17 process. There was communication from the beginning.  
18 There were concerns raised and concerns discussed in  
19 a cordial, reasonable atmosphere that resulted in  
20 something I think that everybody appears to be  
21 satisfied with, and I give her hats off for that and  
22 for giving us the opportunity to reach out to  
23 neighbors and community members, which is what ended  
24 up happening. The application that you see in front  
25 of you started with the building that you see right

2 there, but I will ask the gentleman controlling the  
3 screen to click to the next screen and show you where  
4 it ended up.

5           This is basically the essence of what we  
6 did with this application. You can't really probably  
7 read the slide behind me but the right side of the  
8 slide is where we ended up. We had proposed an R7X  
9 zoning district which is what we are seeking here  
10 today, to go from a C8 to an R7X. We had originally  
11 proposed an 11-story building. When it was reviewed  
12 by the community, they raised issues with respect to  
13 the height of the building being a little bit too  
14 tall, and Council Member Joseph and the community and  
15 Bishop Taylor sat down in a room and worked out a  
16 compromise we believe where we, instead of making it  
17 the building you saw at the beginning that had high  
18 setbacks and a little bit of a more playful design,  
19 we squared it off, and that was the trade-off. We  
20 didn't lose any affordable units. We still have 11  
21 permanently affordable units which is what we had  
22 been proposing the whole time. We dropped the total  
23 number of units by one from 43 to 42, and we  
24 maintained everything else the same so the  
25 application in this essence, if you can go to the

2 next slide please, is a request to change from an C8-  
3 2 to an R7X zoning district. That's essentially our  
4 presentation. I'll click to the next slide. I don't  
5 want to waste too much of your day because the  
6 Council Member I think said it all. Go to the next  
7 slide. Go one more I think would be the one with the  
8 picture I'm looking for. Next slide, please.

9           This is what we're asking you to act on.  
10 I showed you what the building looks like, I told you  
11 how tall we're making, and this is the property, and  
12 this is something I think that's to be commended for  
13 all of you that the Council Member spoke to a moment  
14 ago is accurate. Coney Island Avenue was created as  
15 the arse end of Ocean Parkway, meaning that it serves  
16 the automobile. It was created by Robert Moses. What  
17 the Council Member just described is an odd  
18 juxtaposition of uses that line Coney Island Avenue  
19 from lumber yards to car dealerships to houses to  
20 houses with automobile repair in them. The Council  
21 Member was at the meeting with us for dinner that  
22 night, I don't know if you recall, right next door  
23 was an apartment building that had auto repair on the  
24 ground floor. It's a little weird, and it's weird  
25 because the zoning is outdated so the request that

1 we're making of R7X fits within the R7 districts that  
2 surround us. We believe fits within the height of  
3 what's surrounding us. You can see next to us is the  
4 public school. We're analogous to that building.  
5 We're about 10 feet taller than that, and we're  
6 analogous to the buildings across the street that  
7 have no affordable housing whatsoever, and this  
8 development will be creating affordable housing, and  
9 not much affordable housing has been created in this  
10 District.  
11

12 Thank you very much. I will add one more  
13 thing. The Council Member has spoken to us about her  
14 desire to see educational uses within the building,  
15 and we are endeavoring to try to look at a daycare at  
16 the ground floor. There is a commercial space of  
17 about 5,000 square feet. It would be very suitable  
18 for daycare and we think appropriate given its  
19 location across from the school and much better than  
20 the Kentucky Fried Chicken that's on the property  
21 right now. I would be remiss to fail to add that.

22 Thank you very much for your time. I hope  
23 I answered all your questions ahead of time.

24 CHAIRPERSON RILEY: Thank you so much,  
25 Eric. Thank you, Bishop Taylor. Thank you for the

2 presentation. I'm going to ask a few questions then  
3 going to turn it over to Council Member Joseph.

4 If we could go back to that last slide  
5 real quick. You said right next door is the school,  
6 correct?

7 ERIC PALATNIK: Correct.

8 CHAIRPERSON RILEY: What is that,  
9 elementary school?

10 ERIC PALATNIK: PS889, elementary.

11 COUNCIL MEMBER JOSEPH: It's an elementary  
12 and a middle school.

13 CHAIRPERSON RILEY: All right. Elementary  
14 and middle school. How many units is this site going  
15 to propose?

16 ERIC PALATNIK: Proposed total units are  
17 as altered are 42.

18 CHAIRPERSON RILEY: Okay. The proposal  
19 will currently allow either MIH Option 1, 25 percent  
20 of the average of 60 percent AMI with 10 percent  
21 required at 40 percent AMI, or Option 2, 30 percent  
22 at 80 percent AMI. MIH Option 1 is reflected in your  
23 presentation of affordability, correct?

24 ERIC PALATNIK: Correct.



2 CHAIRPERSON RILEY: Can you confirm your  
3 commitment to that?

4 ERIC PALATNIK: We are commitment to  
5 Option level 1, and we have discussed that with the  
6 Council Member.

7 CHAIRPERSON RILEY: All right, good. Will  
8 you be partnering with local organizations as the  
9 administering agent for the affordable housing?

10 ERIC PALATNIK: Yes, we will be. We're  
11 looking for one maybe that the Council Member might  
12 be aware of. Also, with respect to local  
13 organizations, we've set up nice relations with a  
14 number of different businesses in the area, and we  
15 will be trying to utilize local labor when we  
16 construct the building. We've had meetings with the  
17 Borough President with respect to that, and we're  
18 going to try to use locally sourced labor and locally  
19 sourced materials to the extent that we can.

20 CHAIRPERSON RILEY: Perfect. Going into  
21 that, what are your outreach strategies to ensure  
22 local hiring opportunities and M/WBE participation?

23 ERIC PALATNIK: I'm going to let Bishop  
24 Taylor speak to that. He's been doing a lot of the  
25 outreach.

2 BISHOP MITCHELL TAYLOR: We've been  
3 organizing all the social networks and the non-  
4 profits in the area to plug them into the project.  
5 It's a small project but, as small as it may be,  
6 there will still be some opportunities, there will  
7 still be some permanent jobs that will result from  
8 the project, and so people are excited to see the  
9 composition of the property change to something that  
10 will be more contributive to the neighborhood so I  
11 feel confident that we've visited all the schools in  
12 the neighborhood, we've even gone to the shelters,  
13 we've gone to COPA who is not too far from this  
14 particular project, other non-profits, and we've had  
15 people on the ground just talking to folks and  
16 organizing thoughts and ideas, and that culminated in  
17 a final meeting a few weeks ago with the  
18 neighborhood, some that were originally against the  
19 project and some that were for the project but, when  
20 we left that room that night, it felt like we all  
21 understood the composition of the project, the  
22 compromise that was made to get the project to this  
23 place, and what it will contribute going forward.

24 CHAIRPERSON RILEY: What is currently at  
25 that projected area right now?

2 BISHOP MITCHELL TAYLOR: Kentucky Fried  
3 Chicken.

4 CHAIRPERSON RILEY: That's a large  
5 Kentucky Fried Chicken.

6 ERIC PALATNIK: Let me clarify. The  
7 portion that's in red is our site. The blockfront is  
8 being rezoned. To the left of us is a Shell  
9 automotive service station. That's not owned by us.  
10 That's separate and apart from us. It's the Kentucky  
11 Fried Chicken that we control, and that's what we're  
12 proposing the building on, but the whole blockfront  
13 is within the rezoning area.

14 CHAIRPERSON RILEY: Okay. Now going into  
15 that is where I wanted to go into next. Council  
16 Member Joseph brought up a very important point, and  
17 you two are great for this so I know I'm not talking  
18 on deaf ears. In order for a community to believe in  
19 projects like this, they want to be able to reimagine  
20 that location and how we're kind of making sure that  
21 the community's moving forward. Being that there's a  
22 beautiful school there, we're going to add more  
23 density within the location. I know you guys will  
24 work closely with the Council Members, the Community  
25 Board to kind of uplifting them and help them out

2 throughout this process because I know that area  
3 hasn't seen any change in so long and you can  
4 reimagine that area to kind of produce more projects  
5 like this, especially with people like so thank you  
6 so much for this.

7 I know Council Member is going to go into  
8 some questions, but I just want to ensure that you  
9 guys don't leave her hanging after this project and  
10 you continue to have these conversations in the area.

11 ERIC PALATNIK: I'll let her echo what I'm  
12 about to say, is we actually spoke after this about  
13 trying to find other opportunities that might even  
14 provide for greater breadth of affordability in a  
15 proper location, and we've committed to her that we  
16 will try to communicate with people that we operate  
17 with within the business world to maybe find a  
18 suitable site within her District that might be  
19 something that could be mutually beneficial for the  
20 City and for her District.

21 CHAIRPERSON RILEY: Thank you. Council  
22 Member Joseph.

23 COUNCIL MEMBER JOSEPH: Yeah. That's why  
24 I'm also calling on the City Planning to also have a  
25 neighborhood comprehensive plan along Coney Island

2 Avenue that hasn't seen rezoning in decades, and I've  
3 said that in my statement.

4 My question is I know this was through  
5 community engagement. Does this proposed parking  
6 space which you're currently required by zoning  
7 reduced to the overall? Can you talk about parking?

8 ERIC PALATNIK: Yeah, there are 19 parking  
9 spaces which are required by zoning. As we had spoken  
10 about and as your Council obviously knows is there's  
11 a proposal out there to do away with parking in many  
12 Districts around the city. We would anticipate that  
13 by the time this project started to get going that  
14 maybe that would be on the books at that point and  
15 then that rule would no longer be applicable. We  
16 understand the strongness of the desire to not have  
17 parking. We do not need parking in the building for  
18 our personal desires, but it is in there to satisfy  
19 zoning, and we will work with you as we develop the  
20 building. If there's a way to eliminate the parking  
21 to put it to better use, we'd be happy to do that.

22 COUNCIL MEMBER JOSEPH: I think that was  
23 one of the things the community stressed the need for  
24 parking because that area does not have any parking  
25 so that was one of the needs so that's something we

2 should still keep on the table, negotiate on having  
3 parking. If you do not have the parking, does that  
4 increase the amount of units we would have?

5 ERIC PALATNIK: No. The parking doesn't  
6 change it. It would be down at the cellar level, and  
7 that's something that I misread your question a  
8 moment ago. If you would like parking, we can keep  
9 it. We're not anxious to have the parking. The reason  
10 parking is, as you all know, being done away with,  
11 it's not an income generator and it's very expensive  
12 to build it so, if we could put it to other uses such  
13 as daycare or other kinds of uses, we'd be happy to  
14 do, but, if you determine that the parking is needed,  
15 we'll be working alongside you as we've committed to,  
16 and we'll come to a mutually agreement...

17 COUNCIL MEMBER JOSEPH: Thank you. Other  
18 than daycare, what type of business do you anticipate  
19 to take advantage of the ground floor retail space?  
20 Have you thought about that?

21 ERIC PALATNIK: We don't know.

22 COUNCIL MEMBER JOSEPH: (INAUDIBLE)  
23 talking daycare because I do see, as the Education  
24 Chair, I do see having an early childhood center,  
25 that would be the pipeline to the school right around

2 the corner which is also an elementary and a middle  
3 school together and it's a brand new building.

4 Is there any possibility a community  
5 center? That was one of the things y'all talked  
6 about, and also one of the things my community talked  
7 about is maybe a supermarket, and we can talk about  
8 that because my students from PS39 came here to City  
9 Hall to tell me when they walk around the District  
10 all they see is delis, and they would like to see  
11 fresh fruits and vegetables, and it's a working  
12 community over there with families.

13 BISHOP MITCHELL TAYLOR: Very good point.  
14 There's 5,000 square feet of community space there  
15 now so if we look at daycare and maybe a portion of  
16 it could be for some community use, I think that  
17 that's definitely a possibility, but I think that the  
18 greater opportunity is with the other properties in  
19 your Council District that Eric is working with and  
20 we're working with where we can probably find more  
21 opportunity to expand on some of these ideas that you  
22 have, and we're committed to do that.

23 COUNCIL MEMBER JOSEPH: Thank you because  
24 I don't want it to be a pocket of projects here and

2 there. I want to rezone and really reimagine that  
3 area...

4 BISHOP MITCHELL TAYLOR: Right.

5 COUNCIL MEMBER JOSEPH: For future, for  
6 working families, to keep my families in that area.

7 BISHOP MITCHELL TAYLOR: Absolutely.

8 COUNCIL MEMBER JOSEPH: Thank you. If the  
9 Council were to disapprove this application or make  
10 changes that the applicant wouldn't consider, what  
11 would happen to the site?

12 ERIC PALATNIK: The lease is running out  
13 on the Kentucky Fried Chicken so it would either be  
14 leased out to another drive-through operator probably  
15 most likely or the underlying user is a gas station  
16 family, even though this site is not a gas station so  
17 it would maybe some other type of automotive use, but  
18 really that's nobody's intention. Everybody's very  
19 eager to go residential here.

20 COUNCIL MEMBER JOSEPH: What are your  
21 thoughts about a more comprehensive plan for Coney  
22 Island Avenue corridor?

23 ERIC PALATNIK: I'm your biggest fan of  
24 that. I just said that a moment ago. I've been  
25 studying this since I'm a little kid. I'm a son of a



2 salesman who I used to ride with my father up and  
3 down all the blocks of New York City, and I'd always  
4 say to him when I come home how come this block looks  
5 like that and that block looks so good, and I was  
6 specifically talking about Coney Island Avenue and  
7 Ocean Parkway. He sold a lot of businesses, and I'd  
8 be on that block. Coney Island Avenue in my opinion  
9 is beautiful people living on the block, but the  
10 block itself from a planning perspective is a  
11 disgrace. I think that as you drive down it you can  
12 see cars littering it with auto body parts on the  
13 block. I think the auto body shops actually use the  
14 block, it reminds me of Bruckner Boulevard years ago  
15 before they rezoned Bruckner. It really does need the  
16 attention you're calling for, and I thank you very  
17 much for calling it out.

18 COUNCIL MEMBER JOSEPH: Thank you and we  
19 have to also reimagine street safety over there.  
20 There's a huge corridor on Coney Island and Beverly,  
21 and I'm always over there. It's a little deathtrap.  
22 We want to also make sure we're investing in  
23 infrastructure as well as we build. We build but we  
24 forget about infrastructure so that's something we  
25 can work on as well. Thank you both.

2 Thank you, Chair Riley.

3 CHAIRPERSON RILEY: Thank you, Council  
4 Member Joseph.

5 What transportation options are nearby?

6 ERIC PALATNIK: I have to look because  
7 there's not that much. There's buses. It's buses,  
8 buses, buses. There's not that many trains. What is  
9 it? The D train is the nearest train.

10 COUNCIL MEMBER JOSEPH: There's the Q on  
11 Cortelyou Road. There's the F on McDonald Avenue.  
12 There's the B68, there's the B16, there's the B35. I  
13 grew up in the area.

14 ERIC PALATNIK: It's a lot of buses.

15 CHAIRPERSON RILEY: All right. Thank you.  
16 Do we have any Council Members with questions? Chair  
17 Louis.

18 CHAIR LOUIS: Thank you, Chair. I just  
19 have a quick question about parking. Good to see you  
20 guys. Thank you for coming today. I just have a quick  
21 question. It's currently a drive-through for the KFC.  
22 Is there parking spaces for the drive-through?

23 ERIC PALATNIK: Yeah, there are plenty  
24 right now. The way it's operating, yeah, there's more  
25 than enough.

2 CHAIR LOUIS: So the whole project would  
3 take over the whole space?

4 ERIC PALATNIK: Yes, the KFC would be  
5 knocked down and the building would be built where  
6 the KFC is.

7 CHAIR LOUIS: What's the possibility of  
8 the cellar becoming somewhat of a parking lot?

9 ERIC PALATNIK: Right now, it's shown, and  
10 that was the discussion the Council Member and I were  
11 just having, right now, it's shown as parking right  
12 now, and the community expressed some concerns to  
13 keep the parking, but then there's other discussions  
14 that we've all been having so we're sort of in the  
15 middle of it. We agree to keep communicating as the  
16 zoning text takes shape and as it moves through the  
17 City Council to see what the Council Member is  
18 communicating with her constituents and then we will  
19 decide based upon what we come to a conclusion at  
20 that point.

21 CHAIR LOUIS: All right. I think that's  
22 imperative because we have our Districts all close to  
23 one another so I support anything that the Council  
24 Member wants to do, but I think that's really

2 important, especially since there's no parking on  
3 Coney Island Avenue.

4 Last question. Regarding the daycare, do  
5 you think there will currently be a play area space  
6 for recreation because if you're going to put the  
7 daycare there, wouldn't you need recreation space for  
8 the kids?

9 BISHOP MITCHELL TAYLOR: Whatever space is  
10 dedicated to daycare, we'll make sure that it's  
11 outfitted with all the appropriate play areas and  
12 rest areas and feeding areas and napping areas.  
13 That's going to be a part. Then the other thing that  
14 we're looking at, we're definitely looking at a  
15 minority operator, not a big box operator so we're  
16 trying to create opportunities as well.

17 CHAIR LOUIS: Is there a backyard?

18 BISHOP MITCHELL TAYLOR: No.

19 CHAIR LOUIS: Will there be a backyard  
20 space?

21 ERIC PALATNIK: If the question is will  
22 there be any outdoor space, no. There's no outdoor  
23 space proposed on the building except for maybe some  
24 rooftop recreation space, but that won't be made  
25 available to students with daycare, but, like most

2 other daycare, they go out and use public parks and  
3 things of the like.

4 CHAIR LOUIS: Thank you.

5 ERIC PALATNIK: Thank you.

6 CHAIRPERSON RILEY: Thank you. There being  
7 no further questions, this applicant panel is  
8 excused.

9 Counsel, are there any members of the  
10 public who wish to testify on 534 Coney Island Avenue  
11 rezoning proposal remotely or in person?

12 COMMITTEE COUNSEL VIDAL: Yes, Chair  
13 Riley. There are approximately six public witnesses  
14 who have signed up to speak remotely.

15 For members of the public here to  
16 testify, please note that the witnesses will  
17 generally be called in panels of three or four. If  
18 you are a member of the public signed up to testify  
19 on the proposal, please stand by when you hear your  
20 name being called and prepare to speak when the Chair  
21 says that you may begin.

22 Please also note that once all panelists  
23 in your group have completed their testimony, if  
24 remotely, you will be removed from the meeting as a

2 group, and the next group of speakers will be  
3 introduced.

4           Once removed, participants may continue  
5 to view the livestream broadcast of this hearing on  
6 the Council website.

7           We will now hear from the first panel.

8           CHAIRPERSON RILEY: Members of the public  
9 will be given two minutes to speak. Please do not  
10 begin until the Sergeant-at-Arms has started the  
11 clock.

12           COMMITTEE COUNSEL VIDAL: The first panel  
13 consists of, and I'm going to name all of them but  
14 you will be called individually, Elizabeth Dennis,  
15 Vishnu Reddy, Will Fisher, Christian Skotte.

16           Elizabeth Dennis, you may start.

17           SERGEANT-AT-ARMS: Starting clock.

18           ELIZABETH DENNIS: Hello. Thank you so  
19 much for giving me this time to give some testimony.  
20 I'm a nearby resident. My name is Elizabeth Dennis. I  
21 live at Church and Coney Island Avenue just nearby,  
22 really a couple-minute walk from the site. It's a  
23 great neighborhood to live in, and it's a fantastic  
24 neighborhood to live in car-free in particular like  
25 my family does. In this area, there's the B is a

2 little bit over a 12-minute walk, the Q is really  
3 close by, the F is also about a 15-minute walk from  
4 there as well as all the buses listed so I just  
5 wanted to note that this is a fantastic place to  
6 build more housing and not necessarily impact nearby  
7 roads. I also want to note the park access is  
8 amazing. Prospect Park is so close, and it's so  
9 wonderful and I'm so grateful to get to live in this  
10 neighborhood.

11 I also really wanted to thank Council  
12 Member Joseph for noting the desire to have a  
13 comprehensive rezoning of Coney Island Avenue. I  
14 think it's really weird that we're able to build  
15 housing on the east side but not the west side, and,  
16 if you look at some of the developments on the east  
17 side, they're very, very congruous with this building  
18 on the east side so I'm really, really excited about  
19 this project. I think it'll really help, especially  
20 given that there hasn't been a lot of lower-income  
21 housing, especially for families, and a lot of these  
22 units are on the larger size. Something that I hear a  
23 lot when I talk to my neighbors that they're really  
24 feeling the pinch in our housing crisis and wanting  
25 to stay in this area. I also wanted to note that in

2 addition to a resident nearby, I am an Open New York  
3 member leader, and we've been collecting signatures  
4 in support of this project, and we have over 125  
5 signatures asking for this project to be built  
6 because it is very badly needed housing. As  
7 mentioned, this is a place we need a lot more  
8 housing, but in the Community Board 12 confines in  
9 particular, there's only be 53 new units in the last  
10 5-some years that are MIH housing, and these MIH  
11 Option 1 units would add another 11, and that would  
12 be absolutely fantastic to really helping our lower-  
13 income neighbors get to stay in this beautiful  
14 community that I and they call home. Thank you so  
15 much for the time, and I really hope that this  
16 project gets approved.

17 COMMITTEE COUNSEL VIDAL: Thank you. The  
18 next speaker is Vishnu Reddy.

19 SERGEANT-AT-ARMS: Starting time.

20 VISHNU REDDY: Good afternoon. My name is  
21 Vishnu. I'm a resident of Brooklyn and a member of  
22 Open New York, and I'm here to express my support for  
23 the rezoning of 534 Coney Island Avenue.

24 Our city has a dire shortage of homes,  
25 and projects like this are needed to be approved all



1 over the city, and we need City Council to treat the  
2 housing affordability issue with urgency. That  
3 includes approving new homes like this one without  
4 delays or roadblocks. This project has a clear  
5 benefit to the community. With the rents increasing  
6 drastically over the past decade, this area has lost  
7 many naturally occurring affordable homes, and people  
8 are struggling to afford to live here. These new  
9 homes, especially the 11 MIH units, proposed would  
10 help restore some of those affordable homes that have  
11 been lost. Community District 12 only has 53 MIH  
12 units, and this project is an opportunity to increase  
13 that by more than 20 percent. Not only will we get  
14 more homes with this project, but we will get clear  
15 benefits to the public realm. The current use of this  
16 site as a drive-through fast food restaurant is  
17 detrimental to the public realm, and it would be  
18 great to see that site be used for something that  
19 contributes to the community.  
20

21 I also wanted to express my appreciate to  
22 Council Member Joseph for supporting a more  
23 comprehensive look at the corridor which is much  
24 needed and will make much needed homes while making  
25 the corridor more pleasant and livable.

2 That is my comment and thank you for your  
3 time.

4 COMMITTEE COUNSEL VIDAL: Thank you. The  
5 next speaker will be Will Fisher.

6 SERGEANT-AT-ARMS: Starting time.

7 WILL FISHER: Good morning, Chair Riley,  
8 Council Member Joseph, and Members of the Committee.

9 COMMITTEE COUNSEL VIDAL: You may start  
10 your testimony, but you are choppy. You can still  
11 speak now, but you can also submit your testimony in  
12 writing afterwards at the email address.

13 WILL FISHER: Is that working a little bit  
14 better now?

15 COMMITTEE COUNSEL VIDAL: Yes, it is.

16 WILL FISHER: Great. Apologies for that.  
17 Good morning, Chair Riley, Council Member Joseph, and  
18 Members of the Committee. I am a rent-stabilized  
19 tenant living just a couple of blocks from this site  
20 and also a member of Open New York and very, very  
21 excited to support this application at 534 Coney  
22 Island Avenue. Thank you to Council Member Joseph for  
23 your leadership on this and pushing this forward.

24 Brooklyn Community District 12 has the  
25 same population as all of Salt Lake City, but, like

2 Liz said just a few moments ago, it's produced on a  
3 couple dozen units of affordable housing through MIH.  
4 This is really an indictment of how difficult it is  
5 to produce new housing even with a very progressive  
6 city affordable housing program like MIH. I really  
7 appreciate the progress this application has made and  
8 the hard work that everybody has put into it and also  
9 agree with my neighbor's calls for a (INAUDIBLE) wide  
10 assessment of Coney Island Avenue. These 11 units are  
11 a fantastic start, and, again, I thank everybody for  
12 their support, but we do need to create thousands and  
13 thousands of units like this to ensure that our  
14 neighbors can stay in their homes and grow their  
15 families (INAUDIBLE). Thank you.

16 COMMITTEE COUNSEL VIDAL: Thank you. The  
17 next speaker will be Christian Skotte.

18 CHRISTIAN SKOTTE: Thank you very much. I  
19 appreciate you letting me speak today. I live nearby  
20 and, as my waistline attests, I've eaten at that KFC  
21 many, many times, but I would happily sacrifice my  
22 fried chicken if it meant new housing in the  
23 neighborhood. I've lived in the neighborhood for 12  
24 years. My rents have more than doubled in that time,  
25 and I don't want to be priced out and I don't want it

2 to be a neighborhood where only the wealthy can live.  
3 I think that it's a vibrant, diverse neighborhood,  
4 and that's one of the things that I value, and the  
5 only way for that to continue to be the case is for  
6 us to build more housing so that more people can  
7 afford to live here.

8 I'm also a member of Open New York, and  
9 I'll second what other folks have said that working  
10 on rezoning for that area is so important and so  
11 vital, and I thank you to everyone who has worked on  
12 it. I am definitely for the proposal and excited to  
13 see more housing. Thank you.

14 COMMITTEE COUNSEL VIDAL: Thank you. We  
15 just need a minute to determine whether (INAUDIBLE)  
16 online participants.

17 There are no further online participants,  
18 Chair Riley, and I don't believe there are any in-  
19 person individuals to testify. Therefore, there are  
20 no other people to testify.

21 CHAIRPERSON RILEY: Thank you for your  
22 testimony. Are there any Council Members with  
23 questions for this panel?

24 There being no other members of the  
25 public who wish to testify on this Preconsidered LU

2 related to the 534 Coney Island Avenue rezoning  
3 proposal, the public hearing is now closed, and the  
4 item is laid over.

5 Before we go into the next hearing, I  
6 would like to open up the vote. We've been joined by  
7 Council Member Hanks remotely and Council Member  
8 Bottcher.

9 COMMITTEE COUNSEL VIDAL: Council Member  
10 Bottcher, how do you vote?

11 COUNCIL MEMBER BOTTCHEER: Aye.

12 COMMITTEE COUNSEL VIDAL: Council Member  
13 Hanks, how do you vote?

14 COUNCIL MEMBER HANKS: I vote aye.

15 COMMITTEE COUNSEL VIDAL: Thank you both.  
16 The vote is now closed, and the vote is six votes in  
17 the affirmative.

18 CHAIRPERSON RILEY: Thank you, Counsel. I  
19 will now open the public hearing on Preconsidered LU  
20 related to the Belmont Osborn Avenue rezoning  
21 proposal in Council Member Mealy's District in  
22 Brooklyn.

23 This is a proposal to develop two seven-  
24 story mixed-use buildings with approximately 200  
25 apartments and ground floor retain in Brownsville.

2 This rezoning will upzone an existing R6 residential  
3 district to an R7A and modify the existing C4-3  
4 commercial overlay to a C2-4. This rezoning will  
5 involve mapping Mandatory Inclusionary Housing over  
6 the rezoned area.

7 For anyone wishing to testify on these  
8 items remotely, if you have not already done so, you  
9 must register online, and you may do that now by  
10 visiting the Council's website at  
11 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse).

12 Once again, for anyone with us in person,  
13 please see one of the Sergeants to prepare and submit  
14 a speaker's card.

15 If you would prefer to submit written  
16 testimony, you can always do so by emailing it to  
17 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

18 Counsel, please call the first panel for  
19 this item.

20 COMMITTEE COUNSEL VIDAL: Thank you,  
21 Chair. The first panel consists of Howard Goldman,  
22 Kimberly Headley, and Charles Alwakeel.

23 CHAIRPERSON RILEY: Counsel, please  
24 administer the affirmation.

2 COMMITTEE COUNSEL VIDAL: Please raise  
3 your right hand and state your name for the record.

4 KIMBERLY HEADLEY: Kimberly Headley.

5 HOWARD GOLDMAN: Howard Goldman.

6 CHARLES ALWAKEEL: Charles Alwakeel.

7 COMMITTEE COUNSEL VIDAL: Do you affirm to  
8 tell the truth, the whole truth, and nothing but the  
9 truth in your testimony before the Subcommittee and  
10 in your answers to all Council Member questions?

11 KIMBERLY HEADLEY: Yes.

12 HOWARD GOLDMAN: Yes.

13 CHARLES ALWAKEEL: I do.

14 COMMITTEE COUNSEL VIDAL: Thank you.

15 CHAIRPERSON RILEY: Thank you. For the  
16 viewing public, if you need an accessible version of  
17 this presentation, please send an email request to  
18 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

19 Now, the applicant team may begin.  
20 Panelists, before you begin, please just state your  
21 name and organization for the record. You may begin.

22 KIMBERLY HEADLEY: Thank you, Chairman  
23 Riley. My name is Kimberley Headley. I'm representing  
24 the owner for Osborn Belmont Properties, LLC, and I'm  
25

also a member of his consulting team, Strong Power Consulting. Next slide.

The development team consists of the owner, Russell Fedele, the owner's representative for strategic planning is myself, Kimberly Headley, DeCosta Headley, the architect is Charles Alwakeel from Redflux, and the land use counsel is Goldman Harris, Mr. Goldman sitting to my left and Diane Luebs. Next slide.

The project overview is two proposed buildings across the street, 110 units per buildings, 220 units in total, 4.6 FAR per building, 17,000 square feet of retail space per building, and 38,000 of retail space total, and our goal is to have 100 percent affordability. I just want to say on behalf of the owner, as his representative, over 47 years, People's Choice Supermarket has been in existence and has serviced thousands of people in its 47 years. Understanding that Brownsville is a place that is often categorized as underrepresented, underserved, and underprivileged, we know that Brownsville is a place where revitalization, restoration, and resurgence of economic empowerment is the reason why so much building is happening in Brownsville right



now. We are thankful to be able to see the leadership of Council Member Mealy who has been an advocate for affordable housing in Brownsville so understanding that Brownsville's community needs assessment plan emphasizing affordable housing as one of the major areas of improvement that needs to exist, the owner of the People's Choice Supermarket had a vision to build 220 units of affordable housing for the residents who want to live in Brownsville and continue to grow their families there and to keep money flowing in Brownsville. Understanding that providing employment for the Brownsville community, we are partnering with the Central Brooklyn EDC to provide temporary and construction jobs, permanent jobs after the project is done is approved to foster a spirit of collaboration in Brownsville. The Central Brooklyn EDC has submitted to us a letter of support. We are planning to work with them for minority/women-owned business enterprises to have job training, vetting for those who would be interested in living in these units, and we also have support from the Borough President's office. We also have support, of course, from the Community Board. Osborn Belmont Properties is one of the largest housing development

1 sites in Brooklyn. The land that is being offered for  
2 construction has an access point for folks to live in  
3 much larger units if this project is built, and we're  
4 here to say that the residents of Brownsville deserve  
5 the best. In a community that has been labeled by its  
6 housing density and several public housing units  
7 surrounding this proposed project, it is clear that  
8 interested parties to see the investment in  
9 Brownsville must move beyond a place of just having  
10 shelters. While it's very much needed, there are  
11 plenty of families who live in public housing that  
12 want more space. We have vetted the community. We  
13 have talked with leaders, clergy leaders. We have  
14 talked with school leaders. We have talked with all  
15 those who live in Brownsville and their desire to see  
16 much more opportunity for extremely low housing  
17 designed and constructed in Brownsville so it is our  
18 goal to see this particular project go through the  
19 rezoning process and hopefully pass. It is named in  
20 honor of Jeanette Gadsden who was a resident, a  
21 community leader, someone who believed in working  
22 with seniors, youth, and again just building up the  
23 uplifting of Brownsville and making sure that those  
24 who live there, who grow their families there can  
25

2 continue to remain there. We are here to work with  
3 the Council Member, whatever capacity she asked us  
4 to, and we are hoping that we can see something  
5 different come out of Brownsville. It is a dream of  
6 many who live in Brownsville to see that kind of  
7 project come about.

8           Howard Goldman will now talk us through  
9 the steps of the ULURP process after which Charles  
10 Alwakeel will go through the actual project itself.

11           HOWARD GOLDMAN: Howard Goldman. I'm the  
12 Zoning and Land Use Counsel. My firm is Goldman  
13 Harris, LLC. Next slide, please.

14           So the Community Board has voted in favor  
15 of the project, recommended, the Borough President  
16 has recommended approval, the City Planning  
17 Commission has approved the project, and here we are.  
18 Next slide, please.

19           The actions that we're here for are a  
20 rezoning as well as a MIH mapping action. Next slide,  
21 please.

22           The zoning change is from an R6 to an  
23 R7A, and the commercial overlay will remain pretty  
24 much the same. It's currently a C1-3. It's going to  
25 go to C2-4. They are very similar. Then there's a

1 small portion which is C4-3, which is being rezoned  
2 to the R7A. C4-3 is the same FAR as R6. Next slide.

3  
4 The details are the existing FAR for  
5 residential is 2.43. It would increase to 4.6 with  
6 MIH, community facility would actually be reduced  
7 from current 4.8 to 4.0, and the commercial FAR would  
8 remain at 2 FAR except the C4-3 would be actually  
9 reduced from 3.4 to 2.0. Under the current zoning,  
10 there's no height limit. It's a sky exposure plane  
11 project with sky exposure plane regulations. Under  
12 the proposed zoning, there's a maximum 95 feet  
13 building height, nine stories, but this project is  
14 proposed at 75 feet and seven stories so it's  
15 substantially below what would be permitted. Next.

16 Without getting into too much detail,  
17 there's a solid Land Use rationale for the rezoning.  
18 This is currently a 1961 zoning, has not been changed  
19 since then. The project is located at the crossroads  
20 of four major commercial and vehicular corridors. The  
21 project is within a transit zone, which means it's  
22 served by bus, subway, and Long Island Railroad  
23 stops. Let me say a word on the housing. We had  
24 initially filed the application as an MIH project  
25 with Options 1 and 2. We got feedback from members of

1 the community, from the Council Member that it should  
2 be all affordable, 100 percent, and we have decided  
3 to go that route so we have had two meetings with HPD  
4 so far, one meeting with the Commissioner, a followup  
5 meeting with the staff, and at HPD's recommendation  
6 we have retained an affordable housing consultant, a  
7 firm that HPD is comfortable with and likes to work  
8 with, and so we are pursuing the ELLA program for the  
9 project to be 100 percent affordable. In terms of  
10 economic investment, this project will create a  
11 ground floor retail space with larger floor plates  
12 than currently exist in the area, and it can  
13 accommodate community facility space. As I mentioned,  
14 the buildings will be seven stories, 75 feet. This is  
15 actually smaller than two seven-story hotels which  
16 are located at the far end of the block and which I  
17 believed are used as shelters currently. Those hotels  
18 were built as-of-right under the C4-3/R6 equivalent  
19 zoning which is what we have now, the R6. Next slide.

21 Let me turn it over to Charles Alwakeel  
22 of Redflux Architects to take you through the  
23 remaining slides.

24 CHARLES ALWAKEEL: I'm just going to  
25 provide a brief project overview. Site location, we

2 are located between Pitkin and Belmont with the  
3 connecting street on Osborn. There's also some  
4 frontage on Watkins. Next.

5 This just shows the NYCHA campuses in the  
6 vicinity. This is important because when it comes to  
7 building typology, this is something that we've kept  
8 in mind. Next slide.

9 We consider this and conceive of this  
10 thing as a sort of connector in terms of both  
11 building density, height, and the commercial context  
12 in the surrounding area between the north and the  
13 south of the surrounding area. The idea is that you  
14 have highly commercial streets on Pitkin and Belmont,  
15 and this serves as a connector, which is also  
16 currently utilized for commercial uses. There's a  
17 supermarket there, some commercial buildings, there  
18 was a fish market at one point, other things like  
19 that, and this thing would just sort of connect  
20 there. Next, please.

21 Existing conditions. Particularly  
22 important, one of the things that we're targeting  
23 here is having large commercial tenants on the ground  
24 floor. The reason that we're doing this is that we  
25 believe that there is a need for large commercial

1 tenants in this neighborhood. The Dollar Tree that is  
2 to be part of the development site was specifically  
3 constructed by the current owner of the project for  
4 Dollar Tree because they could not find anything in  
5 the vicinity that provided 10,000 square feet of  
6 continuous space. That bears out when we did the  
7 project description for the site and looked at all of  
8 the retail that was in the vicinity. Everything is  
9 small, 2,500, 5,000 square feet spaces. There are  
10 barely, if any actually, 10,000 square foot plus  
11 spaces here. Those spaces are the ones that provide  
12 job stability. Those are the ones where large  
13 companies come in, take over, and those are not  
14 victims of the ebb and flow of the economy. They are  
15 just kind of more stable, and that's what we were  
16 trying to have here in that ground floor. Next,  
17 please.

19 Here's a site plan of what we're  
20 proposing. These are seven-story buildings. We've  
21 tried to keep them as low as possible in terms of  
22 height because it also yields the most optimal  
23 plates, i.e., the larger plates. We're looking at  
24 three building segments so the one that's on the  
25 Osborn and Belmont corner and then the one that goes

2 through Watkins over to Osborn. That is two building  
3 segments, one that fronts on Watkins, one that fronts  
4 on Osborn, both same height. Next, please.

5 Building massings. Just showing how it  
6 fits into the adjacent context. Next.

7 A preliminary rendering just showing,  
8 again, context, not necessarily the finished product  
9 but just how this thing fits in the area. Next.

10 Again another one of these. Again, just a  
11 preliminary massing just showing you can see the  
12 hotel/shelter at the back, the checkered building  
13 (INAUDIBLE) and we are looking at this as a  
14 predominantly non-residential ground floor with six  
15 stories about it, total seven stories, of fully  
16 affordable housing. Next.

17 Any questions.

18 CHAIRPERSON RILEY: Thank you to this  
19 panel for your presentation today. I have a couple of  
20 questions and then I'm gonna see if Council Member  
21 Mealy has any questions.

22 Are you currently partnering with any  
23 local organizations as the administering agent for  
24 affordable housing?  
25



2 KIMBERLY HEADLEY: We are working with the  
3 Forsythe Company through the ELLA program with  
4 regards to the affordable housing and creating the  
5 highest level of affordability for the project.

6 HOWARD GOLDMAN: In answer to your  
7 question, that's to be determined.

8 CHAIRPERSON RILEY: Thank you. How did you  
9 decide on zoning an R7A district with a C2/3 overlay?  
10 Did you consider any other districts?

11 CHARLES ALWAKEEL: (INAUDIBLE) We  
12 initially came into the Community Board years ago and  
13 to the City Councilperson at that time with an R7X  
14 district mapped in here. We went to DCP, we spoke  
15 about how it fit into the neighborhood. They believed  
16 that the density would've been too high and suggested  
17 that we go with an R7X/R7A. We proposed that. That  
18 got modified again to an R7A. R7A is where we landed.  
19 At one point, we looked at an R8A at the behest of  
20 the then sitting Borough President, and, again, DCP  
21 said that is too much density, we can't have that  
22 here, so we ended up in that kind of toned-down  
23 version which is the R7A. The commercial district, we  
24 basically only require the cellar and the ground  
25 floor to be commercial here. Everything above is

2 probably not going to generate a good foot traffic  
3 setup where it becomes viable. The other thing is the  
4 way that zoning works, all of these things would've  
5 cannibalized units, like you would have any more  
6 floor area than that first floor for residential,  
7 it's just going to eat into the unit count, which is  
8 not something we want to do. We want to provide  
9 affordable units.

10 CHAIRPERSON RILEY: Thank you. You're  
11 proposing about 17,000 square feet of retail space in  
12 both buildings.

13 CHARLES ALWAKEEL: That is an outdated  
14 slide. Right now, we are proposing close to 40,000  
15 total.

16 CHAIRPERSON RILEY: Oh, really?

17 CHARLES ALWAKEEL: Yes.

18 CHAIRPERSON RILEY: Is that 20 in each  
19 building?

20 CHARLES ALWAKEEL: Yep, roughly so.

21 CHAIRPERSON RILEY: That's large. Okay.  
22 You spoke about large commercial tenants. I just want  
23 you to kind of explain that a little bit more. Are  
24 there any commercial facilities such as medical  
25 offices within the vicinity of this community or

2 childcare facilities within the vicinity of this  
3 community? Are you guys thinking of, I see that  
4 there's a supermarket there. Is it a possibility of  
5 expanding this supermarket into the business? What  
6 are your ideas of large commercial tenants?

7 CHARLES ALWAKEEL: While it is extremely  
8 early to be signing on tenants, we have spoken with  
9 our partner developer, and the partner developer has  
10 this idea that there could be a daycare and there  
11 could also be a supermarket there, and the Dollar  
12 Tree could be relocated to one of the buildings.

13 CHAIRPERSON RILEY: What is the Community  
14 Board saying?

15 KIMBERLY HEADLEY: If we put a daycare  
16 center, they would be in support. If we put a  
17 supermarket, so they just want there to be a good use  
18 of the space so it creates jobs, but whatever we want  
19 to do, we're here to work with the Council Member and  
20 whatever she proposes or whatever she believes should  
21 be in that space, we're prepared to work with.

22 CHAIRPERSON RILEY: What is the space  
23 currently used for right now?

24 CHARLES ALWAKEEL: Right now, I'm going to  
25 run through the site of what specifically is there so

2 right now there's a small set of commercial buildings  
3 where the tenants are on month-to-month leases, and  
4 they know that they're on a discount lease structure.

5 HOWARD GOLDMAN: There's only one left.

6 CHARLES ALWAKEEL: There's only one left  
7 right now? Okay, so there's one tenant on a small 20  
8 by 100 space.

9 CHAIRPERSON RILEY: What's happening in  
10 front of that location right now? Is it public safety  
11 issues happening there?

12 CHARLES ALWAKEEL: It's a highly  
13 trafficked commercial street. I don't think that  
14 there's a negative in terms of the context. It's just  
15 a highly foot traffic, nice Belmont commercial  
16 street.

17 CHAIRPERSON RILEY: Okay, I'm just trying  
18 to get a sense of the area.

19 CHARLES ALWAKEEL: No, of course, and I'm  
20 happy to provide and help with that. There's also a  
21 supermarket run by the project owner. There is a  
22 warehouse on the Osborn site, currently not being  
23 used, and the Dollar Tree.

2 CHAIRPERSON RILEY: Okay. Have you had any  
3 discussions with other property owners within the  
4 zoning area?

5 KIMBERLY HEADLEY: No.

6 HOWARD GOLDMAN: I mean it's mostly  
7 predominantly property owned by the applicant on both  
8 sides, predominantly.

9 CHARLES ALWAKEEL: There's a very small  
10 set of sites that are also affected, but it's tiny.

11 KIMBERLY HEADLEY: There's a church right  
12 next door, but it's not a part of the proposed zoning  
13 application, and then there are a couple of  
14 residents, like multiple family dwelling units like  
15 right next door to People's Choice Supermarket.

16 CHAIRPERSON RILEY: Are there residential  
17 homes located behind this property?

18 CHARLES ALWAKEEL: Yes, but they're not  
19 part of the development site.

20 CHAIRPERSON RILEY: Oh, I know. I'm just  
21 asking. Are they aware of this project?

22 KIMBERLY HEADLEY: Yes.

23 CHAIRPERSON RILEY: What has their input  
24 been?

2 KIMBERLY HEADLEY: They're for it as long  
3 as it doesn't encumber their property lines or  
4 anything like that, but the owner has been talking  
5 with residents, the neighbors.

6 CHARLES ALWAKEEL: It's also worth noting  
7 that the owner has been there for 40 years and that  
8 basically he knows everybody.

9 CHAIRPERSON RILEY: Okay, all right, thank  
10 you. Council Member Mealy.

11 COUNCIL MEMBER MEALY: Thank you for this  
12 opportunity. I haven't met with y'all really at all,  
13 and you say, as before, you said there was a fish  
14 market there. When was your last environmental?

15 CHARLES ALWAKEEL: Say that again.

16 COUNCIL MEMBER MEALY: Environmental.

17 CHARLES ALWAKEEL: Oh, the environmental..

18 COUNCIL MEMBER MEALY: Study.

19 CHARLES ALWAKEEL: The study. When did we  
20 carry it out? We carried it out for the submission so  
21 it was finalized this year.

22 COUNCIL MEMBER MEALY: Like you said it  
23 was fish at one point on Belmont Avenue. You could  
24 smell it like four miles away before you got to  
25 Belmont.

2 HOWARD GOLDMAN: It's closed now.

3 COUNCIL MEMBER MEALY: I guess it was  
4 Slavin Fish Market. I don't know what they were  
5 doing, but it devastated the community for years. I  
6 appreciate the owner took it over, and I don't know,  
7 smell, you don't smell it as bad at all so that's a  
8 good thing so what environmental, you're going to be  
9 changing the whole zoning now so what environmental  
10 have you done recently?

11 HOWARD GOLDMAN: The project is subject to  
12 SEQR.

13 COUNCIL MEMBER MEALY: I know. I tried to  
14 look at it. It was 200 pages, and I couldn't get to  
15 it so I know I have to do that again. One thing I  
16 know, it has to have an environmental real study on  
17 that.

18 HOWARD GOLDMAN: It received a negative  
19 declaration, and it couldn't be certified until that  
20 occurred.

21 COUNCIL MEMBER MEALY: One thing you said  
22 that as-of-right you could go up, so why do you need  
23 a zoning change?

24

25

2 CHARLES ALWAKEEL: Because the floor area  
3 that we are permitted is less than what would be  
4 permitted now, but the height is higher.

5 COUNCIL MEMBER MEALY: But you just said  
6 that you didn't need to go up nine stories. You're  
7 only going to do seven stories.

8 CHARLES ALWAKEEL: Can I go into specific  
9 detail on that?

10 COUNCIL MEMBER MEALY: That's why we're  
11 here.

12 CHARLES ALWAKEEL: Okay. The way that we  
13 plan out a building, we think about things as like  
14 efficiency. The amount of area that you devote to a  
15 corridor or you devote to an elevator, those things  
16 are not units. They are things that you really don't  
17 rent so when you're trying to max out the use of a  
18 building, you don't necessarily want to go as high  
19 possible and spend floor area..

20 COUNCIL MEMBER MEALY: So why do you need  
21 the zoning change? Because as-of-right, the R6, you  
22 can do as much as you want.

23 CHARLES ALWAKEEL: The R6 allows for 2.43  
24 FAR as opposed to this one which would allow for 4.6  
25 so the floor area, per se, would be increased.



2 COUNCIL MEMBER MEALY: So you're saying  
3 instead of 80 apartments, you can do 100.

4 CHARLES ALWAKEEL: Instead of 110  
5 apartments per building, we could do that half of  
6 that effectively without the rezoning, but we could  
7 go as high as we wanted to, which would be kind of  
8 the optimal set-up, and then that kind of (INAUDIBLE)  
9 certain type of construction, but that's not what we  
10 want to do. We want more units, and we want a shorter  
11 building and a building that's more efficient as  
12 well.

13 COUNCIL MEMBER MEALY: Forget about that.  
14 You say it's 100 percent affordable.

15 HOWARD GOLDMAN: Yes.

16 COUNCIL MEMBER MEALY: Do you have that in  
17 writing?

18 HOWARD GOLDMAN: Yes, we have all of our...

19 COUNCIL MEMBER MEALY: With HPD, with the  
20 ELLA project?

21 HOWARD GOLDMAN: Yes.

22 COUNCIL MEMBER MEALY: Because what I  
23 read, you was doing the R7, it could go to nine  
24 stories. You wanted nine stories, and now I'm here  
25

2 today, you're saying y'all going with the ELLA  
3 project with seven stories.

4 HOWARD GOLDMAN: Yes.

5 COUNCIL MEMBER MEALY: And that's  
6 documented for sure, and HPD is going to give you the  
7 funding for the ELLA project?

8 HOWARD GOLDMAN: HPD can't commit until  
9 they've done their full review and vetted it and  
10 negotiated, but we met with the Commissioner, we met  
11 with the staff. They said use the ELLA program, and  
12 we are doing so we've hired a consultant, and they  
13 are busily preparing the ELLA application.

14 COUNCIL MEMBER MEALY: If we give you this  
15 zoning change now, if you do not get the funding,  
16 what is your recourse? You could go market rate,  
17 right?

18 CHARLES ALWAKEEL: Only partly so because  
19 this is...

20 COUNCIL MEMBER MEALY: Tell me how.

21 HOWARD GOLDMAN: It would have to be MIH  
22 as the project before us, there would be a  
23 requirement for MIH 25 or 30 percent. That's the  
24 minimum.

2 COUNCIL MEMBER MEALY: Which one would you  
3 do, 1 or 2, because one of them is 25 percent to 40 I  
4 think and then 2 is 30 to 80 percent? Do you believe  
5 that the 30 and 80 percent is really feasible for  
6 this area?

7 HOWARD GOLDMAN: I think Option 1. I would  
8 recommend that that be the preference, but the  
9 approval typically says Option 1 or Option 2, and  
10 that's a decision that would have to be made.

11 COUNCIL MEMBER MEALY: I'm just wondering  
12 why you're here now. Do you have the funding in place  
13 already?

14 CHARLES ALWAKEEL: The HPD approval won't  
15 even be looked at without a zoning change. They will  
16 not spend the time on us and the approval unless we  
17 are actually on the road to constructing this thing.

18 COUNCIL MEMBER MEALY: Okay. The  
19 affordability is a key concern for me, especially in  
20 this area. You are proposing 100 percent affordable  
21 housing but have not provided any information about  
22 the AMI on these apartment levels or the units. I  
23 have asked numerous times. What is the breakdown of  
24 the apartments? Will they be 1-bedroom apartment, 2,  
25 3, studios? I've never received that as of yet and

2 went to the Community Board and without I guess my  
3 community has to really start checking online  
4 process, they voted on it at the Community Board, and  
5 when I went to City Planning, they said it was 26 to  
6 0 approved this project, right?

7           HOWARD GOLDMAN: That's with the Community  
8 Board Resolution said.

9           COUNCIL MEMBER MEALY: Right, and then  
10 when I went back, City Planning had an emergency  
11 meeting to rectify that. Why do you think that  
12 happened? I saw vaguely, it was 26 percent that y'all  
13 said that everyone approved of this project.

14           CHARLES ALWAKEEL: As soon as we received  
15 that letter, we emailed the Community Board and said  
16 that this doesn't match up with the records. We were  
17 at that meeting, and there were people that voted  
18 against it and for it. We were approved, but we  
19 emailed as soon as that happened.

20           COUNCIL MEMBER MEALY: Because a lot of  
21 other people have issues with this project just as  
22 well, and I see a lot of people that I know say they  
23 are for this project, and I talk to them and they say  
24 something different than your proposal so I just hope  
25 that going forward you really try to get things

2 straight, and I really still do not see where the  
3 affordability is going to come in for the higher  
4 density with seven stories. Only way I see y'all  
5 really doing anything is with the nine stories, which  
6 you can do right now without the zoning change.

7 CHARLES ALWAKEEL: Can I go into details  
8 again on that? The floor area that's currently  
9 permitted, the floor area ratio is 2.43, right, so  
10 that means it's half, a little bit more than half of  
11 what we're asking for. Under the current zoning, our  
12 building would have a different shape that would be  
13 much taller, but it would have much fewer units.

14 HOWARD GOLDMAN: It would be skinnier.

15 CHARLES ALWAKEEL: It would be skinnier,  
16 taller, and likely not affordable.

17 COUNCIL MEMBER MEALY: Could you do one  
18 building of that R7 and have the other one stay R6  
19 because one of them is big enough for proper housing.

20 CHARLES ALWAKEEL: No, neither of the two  
21 would be. It would be half the size of either  
22 building, and then we would end up having also a much  
23 smaller floorplate throughout the entirety of the  
24 building which makes it taller and skinnier which, in  
25 turn, makes it likely..

2 COUNCIL MEMBER MEALY: How many square  
3 feet is this? You're saying it's going to be skinny.

4 CHARLES ALWAKEEL: It would be skinny.  
5 Right now, we're looking at about, I think, let me  
6 find my notes...

7 COUNCIL MEMBER MEALY: Chair, I'll be  
8 finished in a minute.

9 CHARLES ALWAKEEL: One of the buildings is  
10 roughly 137,000 gross square feet. The other one is  
11 proposed at 136.4 thousand gross square feet. Those  
12 floor areas would effectively be almost halved, okay,  
13 so we would be looking roughly at 70,000 square feet  
14 on each, again, estimate, so 70,000 square feet would  
15 cut the proposed unit count in half for the entire  
16 site. Now, at that point also, the other thing that  
17 it does is that the current zoning encourages you to  
18 have a small plate that's set away from the street  
19 that is, again, small plate, tall, and what that  
20 really, really encourages you to do is not to do  
21 affordable and either do something has a small lease  
22 (INAUDIBLE) so like a hotel or a shelter or  
23 condominiums that are relatively higher...

24 COUNCIL MEMBER MEALY: But why not  
25 condominiums?

2 CHARLES ALWAKEEL: Why not condominiums?  
3 Because we would do half of the units.

4 COUNCIL MEMBER MEALY: But if you sell  
5 them, you can get a better because people need  
6 homeownership in Brownsville just as well. We're here  
7 to communicate because this is not (INAUDIBLE) is  
8 really not...

9 CHARLES ALWAKEEL: But they wouldn't be  
10 affordable. They would be high-end condominiums, not  
11 for the community. It would be people that come from  
12 elsewhere.

13 COUNCIL MEMBER MEALY: Why would you say  
14 that? You feel no one in Brownsville can afford it?

15 CHARLES ALWAKEEL: Oh, no. I lived 15  
16 minutes away up until a month ago.

17 COUNCIL MEMBER MEALY: But you left, okay.  
18 But I'm just asking you is that an option? We're here  
19 to talk.

20 CHARLES ALWAKEEL: Of course.

21 COUNCIL MEMBER MEALY: You never know. Do  
22 you have all the funding in place, and you say HPD  
23 may give you the funding for ELLA, that it could be  
24 100 percent affordable maybe, that's not definite,  
25

2 but if we pass this zoning and if you do not get the  
3 ELLA funding, this could go market rate period.

4 HOWARD GOLDMAN: Except for the MIH,  
5 Council Member.

6 COUNCIL MEMBER MEALY: Except 25 percent.

7 HOWARD GOLDMAN: Or 30, yeah.

8 COUNCIL MEMBER MEALY: 25 percent, but  
9 everything else could go market rate.

10 HOWARD GOLDMAN: Yes, just like the  
11 project that went before us.

12 COUNCIL MEMBER MEALY: Then like City  
13 Planning said, we wanted to make sure that if we do  
14 rezone this that it doesn't stay just sitting there  
15 for 10 or 15 years if you don't get the funding in  
16 place, and that can happen, can it not if the funding  
17 is not in place?

18 HOWARD GOLDMAN: Yes, anything is  
19 possible.

20 COUNCIL MEMBER MEALY: But it's more  
21 likely because it's not all set in stone as of yet or  
22 nowhere near?

23 HOWARD GOLDMAN: It's chicken and egg. HPD  
24 won't commit until we have the zoning, and I



2 understand that the Council is concerned about the  
3 HPD commitment before they approve the zoning.

4 COUNCIL MEMBER MEALY: Yeah, because we're  
5 giving away the whole kitchen sink if we just go  
6 ahead and pass the zoning without having certain  
7 things in place that for sure it's going to be  
8 affordable, because that District needs affordability  
9 period, in the highest density of city housing so if  
10 our constituents could get a break and have  
11 affordable housing I want that. I don't want to just  
12 give it away because this may be the last time to  
13 have an opportunity to do affordable good housing so,  
14 therefore, I am going to be really on top of this  
15 that, if this goes through, it has to be  
16 affordability, and you said that you have 40,000  
17 square feet of commercial space, and it is commercial  
18 businesses right there, small businessowners. What  
19 plans do you have for them? You're just going to  
20 displace them?

21 CHARLES ALWAKEEL: The only current tenant  
22 right now is...

23 COUNCIL MEMBER MEALY: (INAUDIBLE)

24

25

2 CHARLES ALWAKEEL: Can I go through them?  
3 Sorry. My apologies. That was rude. Sorry for  
4 interrupting you.

5 COUNCIL MEMBER MEALY: Go ahead.

6 CHARLES ALWAKEEL: There's a Dollar Tree  
7 which we would hope to relocate.

8 COUNCIL MEMBER MEALY: That's his.

9 CHARLES ALWAKEEL: There's also the small  
10 tenant in (INAUDIBLE) at a discounted rate that has  
11 been there only recently. I mean that one would be  
12 displaced.

13 HOWARD GOLDMAN: And the People's Choice  
14 Supermarket.

15 CHARLES ALWAKEEL: Which is the owner,  
16 therefore, again, no displacement. Most importantly,  
17 this is a very special site. There are no residential  
18 units being displaced out of these. The project  
19 would..

20 COUNCIL MEMBER MEALY: I didn't ask you  
21 about residential. I said the commercial people.

22 CHARLES ALWAKEEL: I know.

23 COUNCIL MEMBER MEALY: So what anchor  
24 tenants would you put in the bottom floor that it  
25 wouldn't hurt the small businesses all around Belmont

2 Avenue? I have fabric stores there that are still  
3 there. They've been through the crack pandemic, drug  
4 pandemic, they're still there, and they're thriving,  
5 so now if you get anchor tenants, that can drive all  
6 their business away so what kind of anchor tenants  
7 will you have?

8 HOWARD GOLDMAN: The Dollar Tree will be..

9 COUNCIL MEMBER MEALY: 20,000 square feet  
10 of just Dollar Tree.

11 HOWARD GOLDMAN: No, but that's half of  
12 it. They will be offered..

13 COUNCIL MEMBER MEALY: It's 40 though.

14 HOWARD GOLDMAN: The option to come back  
15 into either of the buildings.

16 COUNCIL MEMBER MEALY: You never said  
17 that. Say that again loudly, please.

18 HOWARD GOLDMAN: They will be given the  
19 option, the choice, of coming back into either of the  
20 buildings or they can move into the first building  
21 that's constructed while the second building is  
22 constructed and then move back if they want to.

23 CHARLES ALWAKEEL: We also believe that  
24 there's going to be a positive impact for all those  
25

2 smaller commercial spaces. That is what we really  
3 want to be.

4 COUNCIL MEMBER MEALY: Can we talk about  
5 parking?

6 CHARLES ALWAKEEL: Yeah, most definitely.

7 HOWARD GOLDMAN: Council Member, I have  
8 one bit of good news I think. We have a preliminary  
9 set of calculations on income and types of units,  
10 which is a work in progress, but we have a  
11 preliminary and initial calculation on that.

12 CHARLES ALWAKEEL: I also want to  
13 apologize for the fact that we may have never sent  
14 you the units and communicated them over to you.

15 COUNCIL MEMBER MEALY: That was almost  
16 seven months ago, and now you went straight to the  
17 Community Board without us really collaborating so  
18 here we are, I'm trying to get everything now.

19 So the parking, that area is very  
20 challenging with parking. What would you do to help  
21 that?

22 CHARLES ALWAKEEL: Our take has been that  
23 if this is fully affordable, we would not be  
24 providing parking, and the reason that I want to  
25 actually explain this is right now the cellar floor

2 is programmed as accessory residential, i.e.,  
3 mechanical and commercial, okay, so if we were to  
4 take that and provide parking there, the net effect  
5 would be this. We would be moving that mechanical  
6 space over to another portion of the building, i.e.,  
7 above grade, and in order to recapture that space,  
8 i.e., we would be eating units and we would be  
9 effectively, how should I put this, we would be  
10 having to build more façade, we would be having to  
11 build another floor, and we would be having to have  
12 less units overall, so that's what parking creates  
13 here, and that's just because the relocation of the  
14 mechanical uses from the cellar so I think that when  
15 it comes to, or at least our value judgement has been  
16 more important than parking is a family living up  
17 there. That simple. You are taking your parking right  
18 now away and you're allowing for another unit or two  
19 above, which is a net positive.

20 COUNCIL MEMBER MEALY: Chair, I have one  
21 other question, and this is my last question. If this  
22 project does not go forward, what would you do with  
23 this parcel of land?

24 HOWARD GOLDMAN: I don't think that's been  
25 determined yet.

2 CHARLES ALWAKEEL: We don't even know what  
3 would be economically feasible at this point with  
4 that because it's a relatively low amount of floor  
5 area right now. The site hasn't been developed in 40  
6 years, ever since the rezoning. The precedent is it  
7 stays underdeveloped.

8 COUNCIL MEMBER MEALY: Like a lot of stuff  
9 because it's time to give real affordability to the  
10 people of Brownsville, and, if it has to sit in order  
11 to let people stay here because everywhere else  
12 people are just robbing and pilfering the community  
13 and building housing that no one in the area can  
14 afford so I just want to make sure that we get this  
15 opportunity to try to work with you to make sure that  
16 our community can get this, and you have to be open  
17 to other avenues. If this does not go through, maybe  
18 you should think about homeownership, condominiums.  
19 People of Brownsville need that just as well, and I  
20 still say they do need parking just as well. When  
21 NYCHA now is selling off the parking lots and putting  
22 housing, our community is being devastated with  
23 tickets, it is almost against the law to not be able  
24 to drive a car because you're getting so many tickets  
25 and it's towed and you can't afford the car so I'm

2 just looking forward to the breakdown. Chair, could  
3 you request that I get a breakdown of the apartments,  
4 how many apartments, how many bedrooms, what the  
5 prices will be, if it's ELLA or anything else, that's  
6 one thing I need to see and I've been asking for it  
7 and I haven't received it.

8 KIMBERLY HEADLEY: Can I just say one more  
9 thing to the Council Member? Let me first apologize.  
10 We didn't want to give the impression that we are  
11 thinking that Brownsville only deserves this kind of  
12 property. As you stated, the viability of Brownsville  
13 is very strong, the money stays in the community, so  
14 we are prepared if it goes through that if there  
15 needs to be condos or some kind of option for people  
16 to begin to have homeownership in Brownsville. We are  
17 supportive of that. We are also supportive of some  
18 parking if there needs to be, as you stated, in that  
19 area it is sometimes difficult so we don't want to  
20 eliminate or presume that everybody wants no parking.  
21 While we understand the project has been built to  
22 have more space size, we also have to consider some  
23 families who do need cars or who need to park their  
24 vehicles so apologize. We are not in any way trying  
25 to make it seem like people in Brownsville cannot

2 afford. We grew up there, we lived there, we shopped  
3 there, and everybody's coming to Brownsville because  
4 they understand that there is a diamond in the rough  
5 if you would so we just want to make that clear.  
6 Thank you so much for your time.

7 CHAIRPERSON RILEY: Thank you, and I'm  
8 going to suggest a lot of things actually.

9 First and foremost, I suggest that you  
10 both connect immediately after this conversation  
11 today to get on the same page. It seems that you guys  
12 are more than willing to work with the Council  
13 Member, but it seems like the Council Member is not  
14 cognizant of a lot of the recent changes you have  
15 made within this area. Being that the owner has owned  
16 this area for 40-something years and the Council  
17 Member has represented this community for many years  
18 as well, I think she has the knowledge to know what  
19 the community needs so I suggest if you guys could be  
20 on the same page and sit down and connect and please  
21 keep my office and the Land Use team up to date, and  
22 any way we could assist, we definitely will.

23 I know Chair Louis has a question.

24 CHAIR LOUIS: Thank you, Chair. I'll be  
25 quick. I was looking online, and I saw possibly



2 tenants, Sea Town, Dollar Tree, People's Choice,  
3 Elite Learners, and a clothing store?

4 HOWARD GOLDMAN: Sea Town is not in our  
5 area.

6 CHAIR LOUIS: Okay, so what's the  
7 discounted store or establishment on that block?

8 HOWARD GOLDMAN: There's two.

9 CHAIR LOUIS: Is that People's Choice?

10 HOWARD GOLDMAN: There's People's Choice  
11 Supermarket which is local needs, and then there's  
12 the Dollar Tree variety store.

13 CHAIR LOUIS: All right, I was just  
14 checking to see if the Cure Violence site was still  
15 there, but it's not there. Thank you.

16 COUNCIL MEMBER MEALY: Oh, we would love  
17 to have the grocery market still there. That's  
18 important.

19 CHAIRPERSON RILEY: Thank you. Any other  
20 Members have questions?

21 There being no other questions, this  
22 applicant panel is excused.

23 Counsel, are there any members of the  
24 public who wish to testify on the Belmont Osborn  
25 Avenue Proposal remotely or in person?

2 COMMITTEE COUNSEL VIDAL: Yes, Chair

3 Riley, there are two people in person who would like  
4 to testify, but there is no one remotely who has  
5 requested to testify.

6 For members of the public here to  
7 testify, please note that witnesses will generally be  
8 called in panels of three. If you a member of the  
9 public signed up to testify on the proposal, please  
10 stand by when you hear your name being called and  
11 prepare to speak with the Chair says that you may  
12 begin.

13 Please also note that once all panelists  
14 in your group have completed their testimony, if  
15 remotely, you will be removed from the meeting as a  
16 group, and the next group of speakers will be  
17 introduced. However, here, there are no remote  
18 speakers.

19 The first panel consists of Earl Chester  
20 and Reverend Dr. Frank Mason. Could you please stand  
21 up and go to the table?

22 CHAIRPERSON RILEY: Members of the public  
23 will be given two minutes to speak. Please do not  
24 begin until the Sergeant-at-Arms has started the  
25 clock.

2 We will first begin with Earl Chester.

3 EARL CHESTER: Good morning. It's good to  
4 be here but it's very informative, and I'm certainly  
5 glad I was invited by good friend, Dr. Headley. I'm a  
6 pastor in Brownsville community. Been there for about  
7 24 years, and we're looking at some of the things  
8 that's taking place in Brooklyn for a long time, and  
9 we're getting familiar with the rezoning. Things  
10 usually happen sometimes before we even know it, and  
11 I want to know how, and this is a good step to let us  
12 know what is going to take place in our community so  
13 that we will have a voice to either accept it or  
14 reject it or go against it, and that's why I'm here  
15 today because I see what's happening right where my  
16 church is on East 98th Street and Livonia Avenue.  
17 They have built buildings there that is supposed to  
18 be affordable, but we don't know whether they are  
19 affordable or not, and most of the time when I check  
20 nobody is living there and have not moved in there,  
21 and this goes on for years. To me, it seems like it's  
22 just a waste. I heard Council Member talked about if  
23 they were condo instead of just what they say  
24 affordable, it would be even better because I believe  
25 there's some people in my area that have money and

2 they would love to afford a condominium. I worked a  
3 long time ago, and I've seen more than any of you  
4 have with the Nehemiah Houses, anybody remember? It  
5 was beautiful for the community. This was quite a  
6 while ago, and what it proved to be that people need  
7 to own something. Can I get a witness? I'm preaching.  
8 When they own it, they take better care of it so I  
9 wanted to know in my area, I'm going to get some  
10 information about the rezoning area because I know  
11 right now I have a building that can be used in a  
12 more constructive way, and I'm going to be asking  
13 questions about what the future is so I yield.

14 CHAIRPERSON RILEY: Thank you.

15 COMMITTEE COUNSEL VIDAL: The next speaker  
16 is Reverend Dr. Frank Mason.

17 REVEREND DR. FRANK MASON: Good afternoon  
18 to Council Member Mealy, to all of you here today. My  
19 name is Dr. Frank Mason. I'm the pastor of the Christ  
20 Temple United Baptist Church in Brooklyn, have been  
21 for 31 years. I'm here today to testify to the deep  
22 need for affordable housing. I was raised in  
23 Brownsville. I'm still there in the community every  
24 day. I hear stories about our seniors living in  
25 overcrowded households, crimes, and fears of their

2 safety so to see such a project come through our  
3 community that offers 100 percent affordability to  
4 our community that is saturated with shelters and all  
5 types of things that's hindrance in our community,  
6 the people of Brownsville deserve better living  
7 conditions and housing and opportunities because they  
8 keep this community economically viable, and to have  
9 this project on deck, we see employment opportunities  
10 generated for our local workforce and we have a  
11 chance to see a new facelift for our beloved  
12 Brownsville, and each of you are in the position of  
13 power now to be able to help the future of  
14 Brownsville become more brighter and have a more  
15 dynamic future. Thank you very much.

16 CHAIRPERSON RILEY: Thank you. Any  
17 questions for this panel?

18 COUNCIL MEMBER MEALY: I have one.

19 CHAIRPERSON RILEY: Go ahead.

20 COUNCIL MEMBER MEALY: I never met you  
21 before, but thank you.

22 REVEREND DR. FRANK MASON: I've met you  
23 before. You're just a very busy lady, but we met. You  
24 see me usually in the senior center citizen.

25 COUNCIL MEMBER MEALY: Okay.

2 REVEREND DR. FRANK MASON: Right there in  
3 the Van Dyke projects.

4 COUNCIL MEMBER MEALY: Gotcha, so you'll  
5 see more now.

6 REVEREND DR. FRANK MASON: Also seen you  
7 on the boat outing that was last year.

8 COUNCIL MEMBER MEALY: Thank you. Looking  
9 forward to doing it again and thank you, Pastor.  
10 Thank you, Chair, for giving me the latitude.

11 CHAIRPERSON RILEY: Thank you. There being  
12 no questions, this panel is excused.

13 Counsel, are there any more members of  
14 the public who wish to testify?

15 COMMITTEE COUNSEL VIDAL: Yes, we have one  
16 more member of the public who wishes to testify.  
17 Russell Fedele.

18 CHAIRPERSON RILEY: Russell, wait one  
19 second. I think we have another member here so we'll  
20 just call you both up at the same time.

21 Thank you. Sorry for that.

22 Counsel, are there any members of the  
23 public who wish to testify on this next item?

24 COMMITTEE COUNSEL VIDAL: Yes.

2 CHAIRPERSON RILEY: We have Russell, and  
3 we have also have Gerald. Russell and Gerald, can we  
4 have you both up at the podium, please? Thank you.

5 We will first start with Gerald. Gerald,  
6 you may begin as soon as the Sergeant starts the  
7 clock.

8 BISHOP GERALD SEABROOKS: Good morning.  
9 First, I'd like to say I'm very pleased to be here,  
10 to have my esteemed Councilwoman here, Darlene Mealy,  
11 who I work very close with. I'm Bishop Gerald  
12 Seabrooks, church in Brooklyn, work closely with  
13 veterans and the homeless and senior citizens, and we  
14 are 100 percent for affordable housing, but I think  
15 the problem that we're having is affordable to who,  
16 and so you have a title but it's not clearly defined,  
17 and I'm here to speak for the homeless, I'm here to  
18 speak for those who are in poverty, those  
19 grandmothers who are raising their children in the  
20 Brownsville area for 40, 50 years, and leave them  
21 absolutely nothing. We want affordable housing, but  
22 we have to look at veterans who have worked for this  
23 country, committing suicide on a perpetual basis and  
24 yet are homeless, we have to look at poor people who  
25 are on welfare or who are the working poor who are

2 making 20,000 dollars or less but want affordable  
3 housing to have something to leave to their family  
4 and their children. I'm here to support affordable  
5 housing, but I think it needs to be defined very  
6 clearly, affordable to who, because all the  
7 affordable housing that we're seeing come up in  
8 Brooklyn is affordable to the wealthy and those who  
9 are making a lot of money, not to the poor and the  
10 indigent so we want to see Brownsville, needs to  
11 improved, I've worked in that area for 40 years, and  
12 we want to see it have a new face, but we want to  
13 also see our people who have been there for 40 years  
14 remain. Thank you.

15 CHAIRPERSON RILEY: Thank you. Russell.

16 RUSSELL FEDELE: I'm Russell Fedele. I'm  
17 the owner of the 21 properties there. I've been there  
18 47 years. I'm not an owner that's upstairs in an  
19 office. I don't wear suits. I'm down on the floor. I  
20 unload the trucks. I run the registers. I deal with  
21 the community every day, and every day they cry to me  
22 for affordable housing. I'm showing my face because  
23 Council Member Mealy is right. If we leave here,  
24 what's the assurity? I'm the assurity. 47 years, I'm  
25 the face of Brownsville. Seven days a week, every



1 Christmas, every New Years, every Easter, every Labor  
2 Day, I've been there. Sacrificed every weekend for 47  
3 years, every holiday. Everyone in Brownsville knows  
4 who I am. I am the gentleman that gives jobs only to  
5 Brownsville. I predominantly, 90 percent of my  
6 people, are from incarceration. I'm a believer in  
7 second chances because Brownsville gave me a second  
8 chance 47 years ago. They gave me the ability to be  
9 part of something, to help something. I'm very  
10 heavily involved with the schools for 47 years. I'm  
11 very heavily involved with community affairs for 47  
12 years. Brownsville is something I love. It gave me  
13 everything I have. It gave me ability to take care of  
14 my family and to be part of something. I am the face  
15 of that store and 20 other properties. I brought  
16 Dollar Tree there. Dollar Tree did not want its name  
17 on there. They wanted Deals on there. Deals  
18 represented 10 dollars and up. Family Dollar  
19 represented 10 dollars and up. I made them commit to  
20 Dollar Tree so they were a dollar down. Today,  
21 they're a dollar and a quarter. That was economically  
22 conducive to the community, and I knew it was. That  
23 was nine years ago. Nine years later, you don't see  
24 Deals around Brooklyn. You see Dollar Tree because  
25

2 the overwhelming success caused the decline of those  
3 other locations. I then gave Dollar Tree a 10-year  
4 lease out of 25 of a freeze to give them time to make  
5 it. I didn't raise them every year. This is what  
6 Brownsville is about. It's for me to be interested in  
7 making Brownsville better, and I need your help to do  
8 it. I need you because you are the strength of  
9 Brownsville, and you're right, it needs parking, and  
10 I'm the owner telling you this because I'm there  
11 every day, and I see what you see and I know your  
12 vision is the right vision, but I'm going to give it  
13 100 percent affordable. I wouldn't be here if I  
14 wasn't. I am a man of my word, and I couldn't be in  
15 Brownsville 47 years on the floor, face to face with  
16 every customer if I wasn't, and that's why, thank  
17 God, I've been successful. I've had 47 years of  
18 keeping a business open in Brownsville. That is a  
19 rarity. I've only employed Brownsville, and I  
20 continue to want to help Brownsville. I'm 65 years.  
21 I've unloaded a lot of trailers. It comes to the  
22 point where physically you can't do it. That land  
23 won't sit occupied. That land will be built, and  
24 hopefully with your help which I desperately need it  
25 will be 100 percent affordable because I've been

2 approached for the last seven years for those 21  
3 properties, and I've said no because I don't want to  
4 hurt Brownsville and what was offered to me would  
5 hurt Brownsville. I could've made a lot of money. I'm  
6 not here for money. I'm successful already. I'm here  
7 to have something that I leave Brownsville with  
8 better than what I came in 47 years ago. I see the  
9 people every day face to face. I deal with my workers  
10 every day face to face. I feel for them. I care for  
11 them or I wouldn't be there, and that's why I'm here.  
12 You need to see the face. They're the brains. I'm not  
13 the brains. I'm the guy that works. I'm the guy that  
14 helps, works, and cares about other people, but I  
15 need your help desperately or it won't work, and,  
16 yes, I will commit to 100 percent affordable. This is  
17 an owner telling you this. The same way I committed  
18 every day working every holiday that I will not hurt  
19 my customers. I just feel that I needed to say that  
20 and hopefully it didn't. Thank you for your time.  
21 Thank you, Miss Mealy.

22 CHAIRPERSON RILEY: Council Member Mealy.

23 COUNCIL MEMBER MEALY: Yes, there's no  
24 doubt. I've known you.

2 RUSSELL FEDELE: Oh, you're terrific. I  
3 know you're brilliant. Believe me.

4 COUNCIL MEMBER MEALY: But I have  
5 concerns.

6 RUSSELL FEDELE: You should.

7 COUNCIL MEMBER MEALY: And no matter what,  
8 it's still about making money, and if this zoning  
9 goes through, and even if it doesn't go through, you  
10 would do whatever you want to do with...

11 RUSSELL FEDELE: I don't...

12 COUNCIL MEMBER MEALY: Just hear me out.  
13 Thank you.

14 RUSSELL FEDELE: I'm sorry.

15 COUNCIL MEMBER MEALY: But I'm asking you  
16 to make sure that you think about homeownership just  
17 as well.

18 RUSSELL FEDELE: Sure.

19 COUNCIL MEMBER MEALY: Even if one  
20 building or something that we can really, you want to  
21 help Brownsville, a lot of your employees need  
22 homeownership. That will give someone a leg up in  
23 life that will last forever so I would like to make  
24 sure that HPD does what they say, if they're going to  
25 give you ELLA, I want to see it in writing, that we

2 can't let them off the hook, and, if you feel that  
3 parking is important to you, let's see it a little  
4 because you cannot build all this housing and have  
5 the highest density of public housing when NYCHA is  
6 taking away parking from NYCHA constituents and then  
7 to build these homes or housing with no parking is a  
8 disservice to our community, and myself, me, being an  
9 elected official, I have to do my best for this  
10 community, and right now is my last opportunity to  
11 get parking because the laws have changed so I'm  
12 asking you, if you need me, we want to work together,  
13 let's try to give the city and the people of  
14 Brownsville something more than they ever expected.  
15 Good housing, affordable housing, a little bit of  
16 parking, some of our seniors are still driving, and  
17 it's unfair to them that they cannot have a car. You  
18 wouldn't believe. I thank you for being here, and I  
19 can never say you have not done for Brownsville.  
20 Whenever I did ask for some corn, you did give us  
21 some... I'm sorry. Thank you for the 47 years, but now  
22 we're taking it to another whole level now and I'm  
23 looking forward to talking with you and seeing what  
24 we can really do, but, one more thing, if this  
25 doesn't go through, you said it's not going to sit

2 there vacant for years like other projects in  
3 Brownsville. Do you have an idea what you want to put  
4 there?

5 RUSSELL FEDELE: I'm going to be very  
6 honest with you. I've had calls for six years for  
7 them to buy these properties, and I've said no.

8 COUNCIL MEMBER MEALY: Okay.

9 RUSSELL FEDELE: I listen to my customers.

10 COUNCIL MEMBER MEALY: Thank you.

11 RUSSELL FEDELE: They all want affordable  
12 housing. They want jobs and affordable housing. I'm  
13 good at jobs.

14 COUNCIL MEMBER MEALY: But affordable to  
15 who?

16 RUSSELL FEDELE: Affordable means a third  
17 of their income, which I have stressed to prospective  
18 developers that it has to be a portion of Brownsville  
19 getting the ability of that affordability.

20 COUNCIL MEMBER MEALY: Do you feel 80  
21 percent, isn't that kind of high?

22 RUSSELL FEDELE: I'm not aware of the  
23 numbers. I'll tell you the numbers that are in my  
24 mind. What works for you. That's your community. My  
25 objective is I need 100 percent affordable because

2 developers will not entertain the footage if it's not  
3 large enough, but the breakdown will be 100 percent  
4 affordable and it will be workable what you want  
5 because that's your community that runs it.

6 COUNCIL MEMBER MEALY: Do you have a  
7 contract already?

8 RUSSELL FEDELE: We presently have  
9 (INAUDIBLE) I believe it's 480 Madison Avenue.  
10 They've been told countless, me to them, it's 100  
11 percent affordable. Can you live with it? I've made  
12 it clear. Because I get calls every week. They want  
13 my property but not in the interest you think. It's  
14 in the best interest of what they want to do, and  
15 they're moneymakers, but I have to live with it with  
16 my conscience. I'll make a lot more money not doing  
17 this. That's the truth, and that's why I'm here  
18 telling you this, so it will not sit vacate. I want  
19 to give the community what they're asking me for. I'm  
20 every day with the community. They want affordable  
21 housing to the way the gentleman described, and they  
22 want jobs and I'm good at jobs. The problem is I need  
23 your help to make Brownsville better because I don't  
24 want the alternative. Because, again, it will not sit  
25 vacant. Either we work together and we give

2 Brownsville what they want and need, or you're going  
3 to make me be a business man, and that's not in the  
4 best interest of Brownsville.

5 COUNCIL MEMBER MEALY: Well, it is what it  
6 is then.

7 RUSSELL FEDELE: I'm just being very  
8 honest with you, and I'm an honest man.

9 COUNCIL MEMBER MEALY: It will be what it  
10 is.

11 RUSSELL FEDELE: When you're hiring young  
12 human beings that have been incarcerated, we have a  
13 thing amongst each other, be honorable to each other,  
14 and I feel I have to be honorable to you guys. I want  
15 to do the right thing, but I need you to help me do  
16 it. Thank you for your time.

17 CHAIRPERSON RILEY: Thank you. There being  
18 no other members of the public who wish to testify on  
19 this Preconsidered LU relating to the Belmont Osborn  
20 Avenue rezoning proposal, the public hearing is now  
21 closed and the item is laid over.

22 That concludes today's business. I would  
23 like to the members of the public, my Colleagues,  
24 Subcommittee Counsel, Land Use and other Council



2 Staff, and the Sergeant-at-Arms for participating in  
3 today's meeting.

4 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 October 20, 2023